



AIDS COMMUNITY CARE MONTREAL • SIDA BÉNÉVOLES MONTRÉAL

Procedure for the Application of Articles 4.05 (c) and (d) of the ACCM Corporate By-laws (Expulsion Procedure)

1. The purpose of this document is to ensure a clear and consistent interpretation of the application of Articles 4.05 (c) and (d) of the ACCM Corporate By-laws, which pertain to the expulsion of a member for conduct revealing avid and injurious disrespect to the organization, its clients, volunteers, members, employees, officers or directors (4.05 (c)) or threats or acts of verbal abuse, sexual harassment or physical violence against to the organization, its clients, volunteers, members, employees, officers or directors or the property of any of the aforementioned.
2. The person witnessing the conduct, threat or act shall immediately notify the person responsible for such conduct, threat or act that her/his behaviour is unacceptable, providing that it is safe for the witness to do so.
3. The person witnessing the conduct, threat or act shall notify the appropriate department head of the observed behaviour at the first available opportunity.
4. The department head shall inform the Executive Director of the behaviour at the first available opportunity. If the Executive Director cannot be contacted, the department head shall report the behaviour to the President.
5. The Coordinated Case Management Team (Executive Director and the Directors of Case Management, Drop In, Social Services) shall determine the advisability of informing the object of any threat, and this information shall be conveyed to the Board.
6. The Executive Director (or, in her/his absence, the President) shall inform the Board of Directors of the behaviour at the first available opportunity.
7. The department head and the Executive Director shall write a letter to the person responsible for the behaviour describing the incident as witnessed and informing the person of her/his immediate suspension from all activities of the organization until such time as the Board of Directors is able to hear the request to expel the member. This letter shall include an invitation to the person to provide an explanation of the incident by letter, duly signed, to be made available to the Board of Directors for the meeting at which the request for expulsion is considered. No other form of contact with the organization will be permitted.

8. The request for expulsion, including any supporting documentation, shall be presented and discussed at the next meeting of the Board of Directors. The Board of Directors may at this time vote to expel the member provisionally, giving the member a further delay to respond by letter, duly signed, before the next scheduled meeting of the Board of Directors. If the Board of Directors should decide at this first meeting not to expel the member, it shall specify the sanction to be applied for the incident. While the name of the member is a part of the deliberation, the written minutes of the meeting shall report the member by number only. Board members shall be reminded of their obligations with respect to confidentiality
9. At the next scheduled Board of Directors meeting, the Board shall make a final determination on the question, taking into account all available information. The deadline for responding to a pending expulsion will not be extended, unless there are exceptional extenuating circumstances such as serious illness or incapacitation. If the Board of Directors should decide at this second meeting not to expel the member on a permanent basis, it shall specify the sanction to be applied for the incident.
10. Nothing in the present procedure prevents ACCM from exercising its legal rights or respecting its legal obligations.

Adopted 4 March 2002