

WESTWOOD PLACE CO-OPERATIVE HOMES INC.

6550-6600 Kalar Road, Niagara Falls, Ontario L2H 2T4  
Telephone (905) 374-0533

## BY-LAW NO. 5

# PARTICIPATION

## BY-LAW

*PARTICIPATION BY-LAW*

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WESTWOOD PLACE CO-OPERATIVE HOMES INC.

BY - LAW No. 5

PARTICIPATION BY - LAW

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*PARTICIPATION BY-LAW*

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## *PURPOSE OF THIS BY-LAW*

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### **Article 1: Purpose Of This By-Law**

- 1.01 A housing co-operative is collectively owned and controlled by its members. The right of members to determine how the Co-op will be run brings with it the responsibility to participate actively in the Co-op. Participation involves taking part in decision-making at meetings of members and assisting with the management, operation and ongoing developments of the Co-op community.
  
- 1.02 This by-law sets out the participation responsibilities of each member. It is designed to ensure that the responsibility for governing, managing and operating the co-op is shared fairly among all members, and that sufficient volunteer resources are available to meet the requirements of the co-op.

## ***PARTICIPATION REQUIRED***

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### **Article 2: Participation Required**

#### **2.01 Attendance at General Meetings of Members**

- a) Each member is required to attend all general meetings of members unless prevented by illness, emergency, work schedule or other reason which the Board of Directors considers acceptable.
- b) If a member is unable to attend any general members meetings, the members must provide the co-op with written notice specifying the reason. The notice must be provided in advance of the meeting except in the case of an unforeseen emergency.

#### **2.02 Assisting in the Activities of the Co-op**

- a) In addition to attending member's meetings, each member is required to assist in the activities of the Co-op by serving on the Board or on a committee and/or by assisting on a regular basis in other areas of the Co-op's operation.
- b) While participation is compulsory, the actual areas of assistance will be voluntary, based on members preference and abilities.

#### **2.03 Conflict of Interest**

- (a) In order to avoid a conflict of interest, no two members of the same household or family may serve on the Board of Directors or the Finance Committee during the same period of time. They may serve on any other committee (s) which are not involved in major financial policy making decisions.
- (b) In order to avoid any conflict of interest no member may serve on the Finance Committee and the Board of Directors, during the same period of time, with the exception of the Treasurer of the co-op. The Treasurer will serve as a full member of the Finance Committee with full voting ability on any motion or decision.

#### **2.04 Exemption from Participation**

- a) Upon application to the Board, a member may be exempted, either temporarily or indefinitely, from the requirement to assist in the activities of the Co-op described in 2.02. Grounds for exemption may include ill-health, infirmity, participation in other levels of the Co-op sector or other reasons which the Board considers acceptable.
- b) In addition, upon application to the Board a member may be excused from the participation requirements of this By-law if he or she expects to be absent from the Co-op for an extended period of time.

## *PARTICIPATION REQUIRED*

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- c) When a member has participated satisfactorily in the Co-op for at least two consecutive years, he or she may apply to the Board for an exemption from the requirement to assist in the activities of the Co-op for a period of up to one year. During the period of any exemption granted on these grounds, only the requirement to attend general members' meetings and monthly cleaning schedules will continue. Participation on committees will not resume until the end of the exemption period.

### **2.05 Participation by Each Member**

The participation requirements referred to in this by-law apply to each member, whether that member lives in a unit alone or with other members.

## *MONITORING AND EVALUATING PARTICIPATION*

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### **Article 3: Monitoring and Evaluating Participation**

#### **3.01 Member Involvement Procedures**

The Board will establish procedures for monitoring and evaluating the co-op's participation requirements, the current participation of members and the Co-op's program for facilitating member participation.

#### **3.02 Member Involvement Survey**

- a) The Member Involvement Procedures may provide for an annual or periodic survey of members in which members are asked to report on ways in which they have participated during the past year and ways in which they would be interested in participating in coming years.
- b) Members must provide the Co-op with the information requested concerning participation in any such survey.

#### **3.03 Member Selection\Development Committee**

- a) The Member Selection\Development Committee or other such committee appointed by the Board of Directors will be responsible for monitoring and evaluating participation by members and following up with individual members, as necessary, concerning their participation.
- b) The Committee will present an annual report to the Board reviewing member participation in the Co-op and making recommendations for improving the member involvement program.



## ***REQUIREMENT FOR IMPROVED PARTICIPATION***

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### **Article 4: Requirement for Improved Participation**

#### **4.01 Referral to the Board**

If, following efforts to work with a member to improve his or her participation, the Member Selection/Development Committee feels that the member's participation continues to be unsatisfactory, the Committee may refer the matter to the board of Directors.

#### **4.02 Board Hearing**

- a) If, based on a report from the Member Selection/ Development Committee (or other committee as appointed by the Board), the Board considers that a member's participation is unsatisfactory, the Board may require the member to appear at a Board meeting to discuss the matter. The member will be given 10 days written notice of any such meeting and the opportunity to appear and make representations at the meeting.
- b) At the meeting, the Board may establish criteria for improved participation by the member and may require the member to enter into a Performance Agreement for improved participation, in accordance with the Occupancy By-law. The Performance Agreement may establish specific requirements for participation and may provide for the member to submit written reports on his or her participation for a specified period and at specified intervals
- c) If a member fails to enter into a Performance Agreement when requested by the Board or if, in the Board's opinion, a member has breached the terms of a Performance Agreement respecting increased participation, the Board may initiate proceedings to terminate the member's occupancy rights in accordance with paragraphs 9.02 and 9.03 of the Occupancy By-law.

## AWARDS

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### Article 5: Awards <sup>1</sup>

#### 5.01 Nominations

- a) The Board of Directors may consider, on at least a quarterly basis, the nomination of members for an award for excellence in participation.
- b) Awards will be at the discretion of the Board of Directors for presentation at the next meeting of the general members.
- c) All nominations shall be in written form and directed to the Board of Directors, for consideration by the board, at a meeting held at least one month prior to the next scheduled meeting of the general members.
- d) Nominations shall be based on the criteria as outlined in 5.02.

#### 5.02 Criteria

- a) All members nominated for an award must be a member in good standing.
- b) No member of the Board of Directors shall be considered for any award while serving as an active member on the Board of Directors.
- c) No member of the co-op staff, or other employee of the co-op, shall be considered for a participation award while in the employment of the co-op.
- d) All nominated members must have performed volunteer service in excess of the normal four hours expected of all members and attendance at all general members' meetings.
- e) Nominations may be made only by existing members of the co-op.
- f) All nominations must include the following information:
  - full name of the member being nominated;
  - address and unit number of the member being nominated;
  - date the nominated member moved into the co-op;
  - detailed reasons for the nomination.

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<sup>1</sup> *included as an amendment by the membership on December 7, 1999.*


***PARTICIPATION BY-LAW***

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**CERTIFIED** to be a true copy of **By-law No. 5, Participation By-law of Westwood Place Co-operative Homes Inc.** as amended and passed by the Board of Directors on the **26th** day of **October 1999**.

**CONFIRMED** by two-thirds majority at a meeting of the members held on the **7th** day of **December 1999**.

  
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**President**

  
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**Corporate Secretary**

