

The People's Potato Constitution

Updated May 2020

The People's Potato is located on the unceded island of Tiohtià:ke. This territory is cared for by the Kanien:keha'ka nation of the Haudenosaunee Confederacy and is the traditional meeting place of many other Indigenous nations.

1.The Mission

The People's Potato is a non-profit, worker-run collective mandated to:

- Provide quality vegetarian food to Concordia students and community members.
- Offer an anti-capitalist alternative to corporate food systems on campus.
- Offer education with respect to food politics, food preparation and social justice issues.
- Provide an accessible anti-oppressive community space.
- Mobilize for active involvement in environmental and social justice movements.
- Support the work of social-justice-oriented community events and projects.
- Offer all services for free or on a pay-what-you-can basis.

The People's Potato is committed to anti-oppression, inclusivity and accessibility. This means that we strive to make our services financially as well as physically accessible and to maintain a space in which people feel respected and welcome.

2.Membership

Active People's Potato Members are:

- Volunteers as outlined in the People's Potato Volunteer Policy;
- Present Staff;
- Current Concordia students who have paid student fees towards the People's Potato and have not requested a refund;
- Service users who request membership and are approved by the Collective through the regular decision-making process.

Members have the right to vote and participate in decision-making at the People's Potato general meetings and may have access to internal policy documents as well as financial reports upon request.

3.Board

3.1 Composition

The People's Potato board of directors shall consist of:

- nine (9) unpaid volunteers seated by a General Assembly of The People's Potato members,

hereafter referred to as seated members, and

- one (1) representative of the Collective (defined in section 4), hereafter referred to as the representative member. The representative member shall be considered as a board member for the purposes of voting and quorum.

More than one half of the seated board members must be Concordia students (persons presently registered for a minimum of one course or pursuing a graduate degree at Concordia University) in order for any non-student to be seated to the board.

Members may sit on the board for consecutive terms.

3.2 Board Election Procedure

Prospective board members (both new and returning) must submit a written statement of interest to the People's Potato collective at least 3 days before the AGA. Each application must include the responses to a short questionnaire created by the People's Potato collective.

All board members running for election at a General Assembly (GA) will be required to make a presentation and answer questions before voting.

Each voting member at the GA may cast one vote for each vacant seat on the board, allotting no more than one vote per candidate. Additionally each member may vote to block any candidate who they wish to bar from sitting on the board.

Any candidate who receives votes to block from 1/3 or more of the assembly will be removed from the running. The candidates remaining after the removal of blocked candidates will be seated in order of votes received from most to least until all eligible candidates are seated, or all seats are filled.

Due to issues of board composition (a minimum of students) some candidates may not be eligible to be seated in strict order of the vote of the GA. Candidates will be removed from the list of candidates for any period of the seating in which they do not meet board eligibility requirements.

3.3 Board Appointment

The Board may choose to appoint new members to the board when one or more seats are vacant. All candidates who wish to join the board outside a GA need to submit a written candidacy to the Board. The decision to appoint a new board member must follow the normal decision making process, and all current board members must be present. No more than two (2) board members can be appointed in this way. If at any time the board appointed members of the board comprise

1/2 or more of the seated members, a general assembly must be called to ratify the board within three weeks, or in the event that the seating takes place during summer within three weeks of the resumption of classes in the fall.

3.4 Board Responsibilities and Powers

The board of directors will respect the autonomy of the worker-run project collective with respect to all of the day-to-day operations. The board of directors' responsibilities and powers will be:

- Completing appropriate training in the first half of board term;
- Selecting and developing projects and initiatives;
- Ensuring the constitution and organizational mandate are followed;
- Approving changes which impact collective members in such a way that the decision may constitute, or be perceived to constitute, a conflict of interest within/for the collective.
- Ensuring financial viability and the legal and fiscal integrity of the Collective;
- Participating in hiring process when called upon to do so;
- Managing discretionary funds.

3.5 Term

Seated board members serve until any of the following:

- The next Annual General Assembly;
- They resign in writing to the Board;
- They miss three (3) regularly scheduled meetings in a row;
- A motion passed at a General Assembly unseats them.

3.6 Board Meetings

The Board shall have at least one (1) regularly scheduled meeting a month. All board meetings are to be open to all members and held preferably in person, or when needed, by such means, particularly by telephone, as to permit all persons participating in the meeting to communicate directly with one another (in accordance with the Companies Act 89.2). They are then deemed to be present at the meeting. All Collective members have the same speaking rights as members of the board. The voting body of a board meeting consists of board members present at the meeting. A quorum of more than half of the current board must be present at the time of voting to carry any motion of the board of directors. In all circumstances the minimum quorum will be 3. Voting by proxy is not permitted. Each board member shall sit as revolving chair of the meeting. The chair may run the meeting as they see fit as long as they follow the normal decision making process and do not impede the ability of board or collective members to put forward motions,

voice their opinions and raise objections.

The Board must see to the preparation and distribution of minutes of each meeting which must be publicly accessible at all sites of operation of The People's Potato and will be made available to the collective within seven (7) days of the meeting. These minutes must include the time and place of the next scheduled board meeting.

3.7 Board Policy

The Board will create policy to fulfill its mandate and to address issues not addressed in the Constitution. The People's Potato policy must always be congruent with the constitution and in instances of conflict the constitution always takes precedent. In order for the Board to ratify a policy it must be presented for review to the Collective at least 7 days prior to their regularly scheduled meeting.

3.8 Summer Board Term

During the summer (May 1st-August 30th) board members may be absent and will not be considered in issues of quorum and voting (with the exception of adding new board members).

3.9 Board Legal Responsibility and Indemnity

No People's Potato Board members are personally responsible for the organization's debt or liability.

When Board members act on behalf of the People's Potato and a legal or administrative action results in costs or expenses, the People's Potato will not require Board members or other authorized persons to pay any penalties, liabilities, cost or expenses, if the authorized persons:

- Acted honestly and in good faith with a view of the best interests of the organization and,
- Had reasons to believe their actions were lawful (in case of criminal or administrative action enforced by a monetary penalty) and,
- Immediately notified the organization of any action or proceeding and,
- Collaborated with the organization in its defense in a manner that was reasonable in the circumstances

4. The Collective

The People's Potato Collective is to operate as an autonomous collective and should be consistent with the mission and policy of The People's Potato. Workers are subject to and protected by the Worker Relations section of the constitution. The Collective will perform all operational duties including scheduling, staff evaluations and all day-to-day activities associated with the administration and execution of the project. All hiring is to be made according to normal

decision-making process and in compliance with Board Policy, Hiring Policy, and the Hiring Procedure of this constitution. The Collective shall make available 1% of its staff resources and 1% of its gross annual operating budget to The People's Potato Board to fulfill its mandate. The funds will be made available at the beginning of every fiscal year. Any adjustment to account for differences between the projected gross annual operating budget, and year-end actual revenues will be made at the end of the fiscal year.

5.Normal Decision Making Process

Decision making by The People's Potato board of directors, its project collective and its initiatives, is to operate on the principles of full consensus wherein each member of the voting body can either stand for or against or abstain on any motion. "Full consensus" implies that any motion may be voted down on the basis of being voted against at least one individual. The decision making body should be conscious of the reasons for any votes against or abstentions and should, when possible, adopt proposals that are supported by all individuals involved in the decision making process.

For each motion on the floor the group will attempt to modify the motion in order to reach consensus. In the event that full consensus is not reached due to the group being irreconcilably divided, the motion is not carried and no decision, for or against, is made. The group has not taken a position, which does not implicitly ratify the inverse of the motion. In the event that an agenda item has been discussed over the course of 3 meetings or 45 days (whichever comes first) and no consensus can be reached, the decision making process can be changed to a 2/3rds majority vote. This is an option to be used only in exceptional circumstances considering that as an organization and by our mandate we are committed to consensus as the decision-making process that best reflects our ideals.

6.Non-Discrimination

There shall be no discrimination or harassment with respect to any worker, member or applicant for employment by reason including but not limited to: race, ethnicity, culture, gender identity and presentation, sexuality and sexual orientation, class, age, disability, body shape, language, history of experiencing sexual assault, experience with sex work, history of criminality or incarceration, religion, medical history, level of education, HIV status and citizenship status.

6.1 Non-Harassment

There shall be no form of harassment exercised or practiced with respect to any worker, member or any applicant seeking to become a worker. Sexual harassment shall be defined as:

- Unwanted attention of a sexual nature; or
- Implied or expressed promise of reward for complying with a sexually oriented request;

or

- Implied or expressed threat of reprisal, actual reprisal or the denial of opportunity for the refusal to comply with a sexually oriented request; or
- Sexually oriented remarks or behavior that may reasonably be perceived to create a negative working environment.

Gender Harassment and Discrimination shall be defined as offensive comments and/or actions, and/or exclusion from that which a person(s) would otherwise have a right or privilege, which demean and belittle an individual(s) and/or cause personal discomfort, on the basis of sexual or gender preference, orientation, or identification, but which may not be sexually motivated.

Racial/Ethnic Harassment and Discrimination shall be defined as offensive comments and/or actions, and/or exclusion from that which a person(s) would otherwise have a right or privilege, which demean and belittle an individual(s) and/or cause personal discomfort, on the basis of race, creed, color, place of origin, language, ethnic origin, citizenship and/or ancestry, but which may not be sexually motivated.

7. Worker Relations

After commencing work within The Collective, workers will have the responsibilities and expectations of their position clearly laid out in the form of a written contract between the worker and the hiring body. Such a contract shall also include a timeframe for work completion and the minimum targets for satisfactory job performance. This contract shall be written and signed no later than 3 weeks from the worker's first day of work.

Workers are bound to the People's Potato hiring, evaluation, training, disciplinary, and dismissal policies, as outlined in the policy binder.

8. General Assembly

The People's Potato will have General Assemblies at which time amendments to the constitution, member review of the organization's goals, and seating of board members will take place.

8.1 Calling a General Assembly

A General Assembly (GA) may be called:

- By the Board; or
- By the Worker's Collective; or
- By the presentation of a petition to the Board signed by at least thirty (30) members of The People's Potato.

In the event of petition or unanimous collective declaration the Board must hold a general

assembly within fourteen (14) days of the petition or declaration being handed to a member of the board of directors who is not a collective representative. If the petition or declaration stipulates a time and location that meet GA accessibility requirements, the board is bound to the time, location and agenda stated. Every agenda must include an item entitled “other business” under which members may put forward motions.

8.2 Annual General Assembly

An Annual General Assembly (AGA) must be held every year within four months of the end of the fiscal year. The AGA must be scheduled on a day in which there are regularly scheduled classes. The AGA differs from other GAs only in that it must be held once a year during the specified period and that the board is automatically unseated when the meeting is called to order.

8.3 General Assembly Proceedings

The voting body of a General Assembly consists of all The People’s Potato Members present at the meeting. The GA quorum is thirty (30) People’s Potato members. All decisions of the People’s Potato GA are made at 2/3 majority, and the chair will refer to Robert’s Rules of Order in case of any misunderstanding, clarification and need of direction.

9. Amendments

Only a People’s Potato General Assembly has the authority to amend the constitution. A $\frac{2}{3}$ majority at a General Assembly may amend the Constitution provided that the exact text of the amendment was available to the public, posted at all sites of operation for The People’s Potato projects and was delivered to the worker’s collective no less than ten (10) days in advance. To facilitate this process a small amendment to the constitution (typo, choice of word, syntax), in the spirit of the original, can be voted upon at the collective level.

9. Financial Considerations

9.1 Credit

In order to secure the financial integrity of People’s Potato, the collective shall not be permitted to have lines of credit beyond its current cash holdings without board approval. In special circumstances the board may allow the collective to carry a line of credit beyond its holdings. These exceptions should be specific and well defined (length of terms, quantity etc.) The board should be reasonably certain that the project collective will have the means to repay the line of credit in full within the defined length of term.

9.2 Financial Autonomy

The Collective will prepare a budget for their operations at the beginning of each fiscal year. The board of directors must approve this budget. The authority to amend the budget rests solely with

the collective. The Collective's annual budget is public information.

The collective is responsible to provide financial information to the board of directors within two weeks of an explicit request made at a board meeting that states which information is desired. The Board has the right at any time to access the financial documents of the project collective by remunerating the collective for the staff support required to maintain the security of the documents. The board can pass a motion to use its allotment of the collective's resources to this end.

9.3 Remuneration

The People's Potato strives to pay all workers a livable wage. In view of this, the People's Potato Workers' collective sets its own workers wage, according to various reference points including but not limited to the federal and provincial indexes and other organizations on campus and in Montreal, and this wage must be approved by the board.

9.4 Financial Reports

The People's Potato will commence its fiscal year, annually, on January 1st. A financial report will be produced by the collective for the Annual General Assembly, and made available for public review.

10. Hiring

The People's Potato commits itself to a non-tokenistic, socially conscious approach to hiring, which incorporates an awareness of, and a willingness to, compensate for systemic oppression. In light of this, The People's Potato commits itself to pro-active equal opportunity, with steps being taken to incorporate the perspectives, experiences, guidance and knowledge of oppressed peoples within the organization, through a "conscious hiring process". This process is a work in progress and will be modified after each new hire, with the new hire's input. The hiring committee will make the hiring decision based on Normal Decision-Making Process (See Section 5), and as outlined in the Hiring Policy section of the Policy Binder.

We recognize the structural injustice and un/conscious prejudice that condition our experiences, living in a capitalist system founded on a colonial state founded on the oppression of indigenous people, people of color, women, queer people, trans people, people with disabilities, all other oppressed groups, the exploitation of the working class, and the intersections between these. We also recognize the present nonexistence of a level playing field with regards to people's experiences and job qualifications, given the structural injustice that affects those who exist within patriarchal racist capitalism. As a result, we recognize the need to compensate for these inequalities in our hiring policy, upon the basis of a conscious hiring process.