



**Islamic Shia Ithna-Asheri
Jamaat of Toronto**
FAITH  PEACE  UNITY

The Ombudsman Committee

Terms Of Reference

9000 BATHURST STREET, THORNHILL, ON, L4J 8A7
TEL: 905 695 9786 FAX: 905 695 1585 WEB: JAFFARI.ORG



The Ombudsman Committee and Membership Matters

(hereinafter referred to as “The Committee”)

INDEX

1.0 Role/Mission Statement:	2
2.0 Responsibilities/Jurisdiction:	2
3.0 Structure:.....	2
4.0 Liaison with other Committees/ Administration.....	3
5.0 Membership:	3
6.0 Sub-Committees.....	4
7.0 Term	4
8.0 Quorum/Voting	4
9.0 Decision-making/Governance	4
10.0 Minutes	5
11.0 Accountability	5
12.0 Funding.....	5
13.0 Changes to the Terms of Reference.....	5



DRAFT TERMS OF REFERENCE

1.0 Role/Mission Statement:

2.0 Responsibilities/Jurisdiction:

2.1: The Committee shall investigate written grievances or complaints from the membership on issues of non-compliance of the governing documents of the Corporation (including the Articles, By-laws, Code of Ethics) by Members of the Corporation in accordance with section 4.09 of General Operating By-Law No.2.

2.2: The Committee will intervene and/or assist in resolving discord or dispute between Members of the Corporation in accordance with section 4.10 of the General Operating By-Law No.2.

2.3: The Committee will investigate issues relating to non-renewal of membership in accordance with section 4.06(e) of the General Operating By-Law No. 2.

2.4: The Committee shall have access to the records (including minutes and resolutions) of the Board and various committees of the Corporation in order to enable the Committee to conduct proper investigation.

2.5: The findings and recommendations of the Committee shall be forwarded in writing to the Board within three (3) months of the Committee receiving any grievances or complaints, or being advised of a discord or dispute. The Boards shall thereafter have one (1) month within which to determine whether to accept and implement the Committee's recommendations.

- a) If the Board accepts the Committee's recommendations, the decision of the Board shall be final and binding.
- b) If the Board does not accept the Committee's recommendations, the Committee shall call a special meeting of the Members to consider the recommendations of the Committee. The decision of the Members shall be final and binding.

3.0 Structure:

3.1: The Committee operates within the limits of the Constitution and By-Laws of ISIJ of Toronto and these Terms of Reference as approved by the Board of the ISIJ.

3.2: The Policies and Procedures developed by The Committee shall form the basis of all its operations and activities (subject to the approval of the Board).



4.0 Liaison with other Committees/Administration

4.1: The Board will appoint one of their members to act as liaison between the Board and the Committee

5.0 Membership:

5.1: The Committee will consist of three (3) members, who shall be elected at annual meeting of Members among Members in good standing who:

- a) Are not Directors or Officers of the Corporation;
- b) Were not Directors or Officers of the Corporation in the preceding six (6) years;
- c) Once elected, do not hold any other elected position in the Corporation or in any of the organizations which may from time to time be identified for such purpose in a resolution at a meeting of the Members; and
- d) Are not members of any other committee or body referred to in, created, or appointed under, any of the provisions of the By-laws of the Corporation.

5.2: The members of the Committee shall be elected and shall retire in rotation every three (3) years. At the first election of members of the Committee, one member shall be elected for a term of three years, the second shall be elected for a term of two years and the third shall be elected for a term of one year. Thereafter, at ever annual meeting of the Members, the election or re-election of a member of the Committee to fill the position of the member whose term has expired shall be for a three-year term.

5.3: The Members may remove, whether for cause or without cause, any member of the Committee by Special Resolution of Members. Unless so removed, the member of the Committee shall hold office until:

- a) The expiry of the then current term of office;
- b) A successor being appointed;
- c) His resignation;
- d) Him ceasing to be a Member in good standing; or
- e) His death.

Whichever shall occur first. If there is a vacancy in the Committee, the Board may appoint a person to fill such vacancy until the expiry of the term, subject to ratification by the Members at the next members' meeting.



5.4: The Committee may be assisted by other Members in good standing who meet the same qualification requirements set out in section 4.09(b) of General Operating By-Law No.1 in any investigation undertaken by the Committee.

5.5: The Committee shall elect a chairman among themselves, and shall determine the manner in which it shall operate.

6.0 Sub-Committees

6.1: Sub-Committees formed under the Committee shall operate under the direction and guidelines of the Board and the Committee

6.2: Ideally, these Sub-Committees would be ad-hoc task groups with a limited mandate to accomplish specific tasks assigned by the Committee

7.0 Term

7.1: The term of each member of the Committee shall be three (3) years. The maximum number of terms for a member of the Committee is two (2) terms of three (3) years. Upon the completion of the maximum term, a minimum of a one (1) year is required before eligibility for re-election to be a member of the Committee is restored.

8.0 Quorum/Voting

8.1: Quorum shall be simple (50%+1) of the voting board members present at a meeting.

8.2: Issues requiring a vote shall at any meeting be taken by a ballot if so demanded by any member of the Committee present, but if no demand is made, the vote shall be taken by show of hands.

8.3: The Chairperson shall have the casting vote in the event of a tie.

9.0 Decision-making/Governance

9.1: The Committee shall strive for consensus when making decisions. If consensus cannot be achieved, the Committee members must agree on how to deal with the outstanding issue, i.e. vote, table the issue to another meeting or take the issue to the Board of Directors.

9.2: When voting, majority (50%+1) rules with quorum present. There shall be NO email voting unless determined by the Committee in advance of a vote.

9.3: The Committee cannot commit the use of the ISIJ's financial and human resources without prior approval from the Board. In any case, any purchases shall abide by the ISIJ's Policies and Procedures for Procurement



10.0 Minutes

10.1: The Committee Secretary shall take minutes at board meetings and the minutes shall be approved at subsequent meetings.

11.0 Accountability

11.1: The Committee will be accountable to the General

12.0 Funding

12.1: At the beginning of each year, the Committee will develop a budget of financial resources it would require to fund its projected activities for the year and provide the same to the Board for consideration and approval

12.2: No fundraising activities shall be undertaken WITHOUT the approval of the Board.

13.0 Changes to the Terms of Reference

13.1: A review of the Terms of Reference shall be undertaken whenever there is a change of leadership or new direction proposed by the Board.

13.2: Any changes to the document shall require the approval of the Board.