

Bylaws

Association of Scientific Staff at D-BAUG (ASB)

As of the 4th of October 2018

English is not an official language of the Swiss Confederation. This translation is provided for information purposes only and has no legal force. In case of ambiguity between the German and the English version, the German version is a valid in-law.

The members of the scientific staff at the Department of Civil, Environmental and Geomatic Engineering (D-BAUG) decide,

according to art. 47 par. 2 of the "Organisationsverordnung ETH Zürich" and to art. 10 par. 2 and art. 15 par. 2 of the Rules of Procedure of the D-BAUG,

on the following bylaws:

I. Legal form, purpose, membership

Art. 1. Legal form, name, domicile

Under the name "Association of Scientific Staff at D-BAUG", abbreviated "ASB", an association according to articles 60 ff. of the Swiss Civil Code (ZGB) domiciled in Zurich exists.

Art. 2. AVETH membership

The association is a member of the Academic Association of Scientific Staff at ETH Zurich (AVETH) as a department association, according to art. 19 par. 1 of the bylaws of AVETH, and accepts the legal consequences thereof.

Art. 3. Purpose

1 ASB represents the interests of the scientific staff of the department D-BAUG both internally and externally.

2 ASB contributes to the formation of opinion and the preparation of decisions related to the scientific staff at D-BAUG. It elects representatives of the scientific staff in all bodies in which the scientific staff has representatives.

3 ASB supports the exchange of information between its members and other groups as well as between its members themselves. It is the reference contact for any questions regarding the scientific staff at D-BAUG.

4 ASB supports activities that stimulate scientific and personal interactions between its members.

5 ASB is a secular organisation and politically neutral.

Art. 4. *Membership*

- 1** Regular members of ASB are all members of scientific staff at D-BAUG according to art. 2 par. 1 lit. b no. 2 of the Rules of Procedure of the D-BAUG: senior scientists, research assistants, post-doctoral students and doctoral students, as far as they are not part of any other group according to art. 2 par. 1 lit. b of the Rules of Procedure of the D-BAUG (e.g. further teaching staff).
- 2** The General Assembly can appoint an honorary membership to persons that have contributed to the association's goals and interests.
- 3** The General Assembly can decide to exclude members on reasonable grounds with a 67% majority.
- 4** Termination of membership is possible with a written declaration. If the conditions for membership listed in art. 3 par. 1 of this document are no longer met, the membership of ASB automatically ends (particularly in case of termination of employment at the department).

II. Organisation

Art. 5. *Organs*

ASB has the following organs:

- a) General Assembly (GA);
- b) board;
- c) working groups (if necessary);
- d) financial auditors;
- e) representatives of the scientific staff in bodies of D-BAUG.

Art. 6. *General Assembly*

- 1** The General Assembly (GA) incorporates all members of ASB and is the main body of ASB. It has the right to negotiate and decide on all matters of ASB.
- 2** The GA is responsible for the actions of ASB. It supervises the activity of the board.
- 3** The GA has specifically the following rights and duties:
 - a) It elects the president and the members of the board.
 - b) It elects two financial auditors.
 - c) It approves the annual financial statement and the budget.
 - d) It discharges the board for the past association year.
 - e) It elects the representatives of the scientific staff in bodies of D-BAUG and – if necessary – in further commissions and organisations.
 - f) It decides on guidelines for the constitution and activity of working groups and elects their members and chairs.
 - g) It is the last appeal authority for all questions concerning elections, votes and membership.
 - h) It decides on changes of the bylaws.
 - i) It decides on the termination of the existence of the association.

4 ASB has ordinary and extraordinary GAs.

5 The ordinary GA meets at least once per year to deal with the following issues:

- a) President's report on activities of ASB
- b) Reports of the working groups, if applicable
- c) Discharge of the board
- d) Elections and votes
- e) Further agenda items according to par. 7
- f) Varia

6 The presidency of the board announces the GA at least two weeks before the GA takes place and includes a provisional list of agenda items in the invitation.

7 The board decides on additional agenda items for the ordinary GA according to par. 5 lit. e. Additionally, every member of ASB has the right to contribute to the agenda of the GA. Requests for agenda topics have to be made in written form to the board not later than 8 days before the GA. The final agenda of the GA has to be defined not later than 7 days before the GA and communicated to the members.

8 An extraordinary GA is organised on request of the majority of the board, of at least 10 % of all regular ASB members or of the General Assembly of AVETH. The request must include the agenda topics.

9 There is no quorum for the GA.

10 The board is responsible for the correct execution of the GA. A member of the presidency shall be the chair of the GA.

11 Minutes at the GA must be taken by a member elected by the GA at the start. Minutes must be signed by the president and the minute-taker and should be distributed within 4 weeks after the GA. Each GA shall begin with the approval of the minutes of the previous GA.

12 The GA is public.

Art. 7. Board

1 The board is the executing body of ASB. It consists of:

- a) the president or the co-presidents
- b) the vice-president,
- c) the treasurer,
- d) possibly additional members.

2 All regular members of ASB can be elected as a member of the board. The president or co-presidents must be elected separately. The term of office is one year. The GA can dismiss the board or a board member at any time. There are no restrictions on re-election.

3 The board represents ASB on daily issues. The president or co-presidents and another member of the board share a legally binding signature on behalf of ASB.

4 The board is bound to decisions of the GA. Beyond that, the board decides independently but reflects the intentions of the GA. Decisions within the board are based on simple majority of votes. In the event of a tie, the presidency casts the deciding vote. Every decision must be recorded in minutes. Every member of the board should participate in the GA and report on her or his activities.

5 Board members are eligible for compensation of business expenses related to ASB.

Art. 8. *Working groups*

The GA can form working groups for the organisation of events or for exploring discussions and possibilities. The GA can also dissolve a working group at any time. Working groups must report to a board member and to the GA.

Art. 9. *Financial audit*

1 The financial audit must be executed by two financial auditors elected by the GA. The auditors cannot be board members. The term of office is one year. There are no restrictions on re-election.

2 The financial auditors review the annual financial statement and report to the GA. They request the discharge of the board for the past association year.

Art. 10. *Representatives of the scientific staff in bodies of D-BAUG*

1 The GA elects, based on art. 10 par. 1 lit. c and art. 15 par. 1 and 2 of the Rules of Procedure of the D-BAUG, the following representatives of the scientific staff in bodies of D-BAUG for a term of one year:

- a) Representation in the Department Conference (DK): 4 representatives and 4 deputies¹;
- b) Representation in the Teaching Commission (UK): 4 representatives and 4 deputies.

2 The four representatives in the DK (and their substitutes) must be composed as follows:

- a) Two doctoral students or assistants I
- b) Two persons of the following categories: postdoctoral researchers or assistants II, "Oberassistenten" and senior scientists.

3 The four representatives in the UK are each responsible for one of the four study programmes at D-BAUG. They are elected individually. The same applies to their deputies. Only a person employed at an institute with teaching activities in a certain study programme can be responsible for this study programme.

4 The election of all the representatives according to par. 2 and 3 is made by all regular members present at the GA.

5 The association can send representatives to other organisations.

6 All representatives of the academic staff are encouraged to participate in the GA and report on their activities.

7 The board publicly announces vacant representative positions.

8 The board can appoint a person as a representative of the scientific staff ad interim until the next GA if there is a vacancy between two ordinary GAs.

9 If a representative is appointed according to par. 8, the board informs all members of ASB. Objections can be made up to 10 days after the appointment. If at least 10% of all regular ASB members object the appointment, an extraordinary GA must be organised to elect the representative.

¹ Subject to regulation in art. 10 par. 1 lit c of the Rules of Procedure of the D-BAUG; where applicable, an alternative number of representatives is to be elected.

III. Elections and votes

Art. 11. Principles

- 1** Votes and elections need the absolute majority, if not stated otherwise. Abstentions and invalid votes are not counted to the total of votes.
- 2** Every regular member of ASB has a single vote at the GA.
- 3** Votes and election are open votes.

Art. 12. Votes

- 1** If there is more than one proposal on a single item and the proposals are mutually exclusive, the proposals will be voted against each other.
- 2** If there is more than two proposals on a single item, they will be reduced by eventual vote until only two proposals remain and can be voted against each other. The order of votes must guarantee that the proposals with the smallest difference are voted against each other first.
- 3** There must be a final vote on the resulting final proposal.

Art. 13. Elections

- 1** Candidates must pronounce their interest the latest at the GA and before the election starts.
- 2** If there are more candidates than seats, the election is conducted in more than one rounds.
- 3** In the first two rounds, all candidates are admitted. From the third round on, no new candidates are admitted.
- 4** From the second round on, the candidate with the smallest number of votes is excluded, except if more than one candidates share this smallest number of votes.
- 5** If more candidates reach the absolute majority than there are seats, the candidates with the highest number of votes are elected. In the event of a tie, the chair of the GA decides by sortition.
- 6** If there are no more candidates than seats, the candidates are elected automatically.

IV. Financial matters

Art. 14. Finances

- 1** The ordinary income of ASB consists of the contribution of AVETH to ASB.
- 2** The association year lasts from 1 September to the following 31 August.
- 3** ASB can accept additional means of income if it is in accordance with its bylaws and the regulation of ETH Zurich. Its independence must not be compromised.
- 4** ASB cannot make depts.

5 Decisions on any financial matter, both income and expense, dealing with an amount above 2000 CHF, can only be made by the GA.

6 The Board maintains the accounting records of the association. The provisions of the Swiss Code of Obligations (OR) on business accounts and accounting shall apply mutatis mutandis.

Art. 15. *Liability*

1 The association is only liable for the association funds.

2 Individual members are not personally liable beyond their annual contribution in matters pertaining to ASB.

3 Board members are not personally liable beyond their annual contribution.

V. Revision of bylaws and termination of existence

Art. 16. *Revision of bylaws, the ambiguity of bylaws*

1 To change the by-laws of ASB, a majority of two-thirds of the GA of ASB is needed.

2 In case of ambiguity of the bylaws, the board decides.

Art. 17. *Termination of existence*

1 The termination of the existence of ASB requires a vote with a two-thirds majority of regular ASB members.

2 The termination must be announced as an agenda item with the invitation to the GA according to art. 6 par. 6 of this document

3 In case of termination of existence, the financial means of ASB will go to any organisation with similar nature as ASB, decided by the GA.

VI. Final clause

Art. 18. *Final clause*

These bylaws are based on the founding bylaws as of 12 September 2013 and include amendments accepted by the ASB General Assembly on 24th September 2014 and on 27th of October 2016. They take effect on 4th of October 2018.

Important documents

The documents referenced in these bylaws can be found with the following links (as of 3.9.2013):

- Organisationsverordnung ETH Zürich:
http://www.rechtssammlung.ethz.ch/pdf/201.021_Organisationsverordnung_ETHZ.pdf
- Rules of Procedure of the D-BAUG:
http://www.baug.ethz.ch/documents/baug/2_GO_BAUG_EN
- bylaws of AVETH:
http://www.aveth.ethz.ch/root/img/pool/statuten/120926_statuten_aveth.pdf
- Swiss Civil Code (ZGB):
<http://www.admin.ch/opc/en/classified-compilation/19070042/index.html>
- Swiss Code of Obligations (OR):
<http://www.admin.ch/opc/en/classified-compilation/19110009/index.html>