



A COMPONENT OF THE PUBLIC SERVICE
ALLIANCE OF CANADA

2017
CONSTITUTION & BYLAWS

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PART I - THE BYLAWS

101 NAME. This organization shall be known as the Union of National Defence Employees, Local 612, Mapping and Charting Establishment (MCE) hereafter referred to as the Local.

102 AUTHORITY. The Local is establishment under the Bylaws of the Union of National Defence Employees (UNDE) which is a component of the Public Service Alliance of Canada (PSAC) and as per the constitution of PSAC.

103 VALIDITY.

- a. These Bylaws shall come into force when passed at a Local General Meeting and shall repeal any and all previous Constitution, Bylaws, Annexes and Amendments in effect at date of approval;

- b. These Bylaws shall be forwarded to UNDE within 30 days of adoption for endorsement by the national president; and
- c. In the event of an unsettled dispute concerning these Bylaws, the Constitution of the Public Service Alliance of Canada and the Bylaws of the Union of National Defence Employees shall take precedence.

104 PURPOSE. The purpose of the Local shall be:

- a. To protect the interests, rights and privileges of all employees under jurisdiction of the Local by means of established procedure;
- b. To support and further the aims and objectives of UNDE as set forth in its Bylaws and regulations; and
- c. UNDE Bylaw 2 (Aims and Objectives) is attached as Annex A.

105 MEMBERSHIP. The membership shall consist of Regular, Associate and Honorary members as defined hereunder:

- a. Regular Members. All employees of Mappings and Charting Establishment and other DND Employees as designated by UNDE who are affiliated with PSAC are eligible to be regular members in the Local;
- b. Associate Members. Former DND employees and others as defined in UNDE Bylaw 3 are eligible to be associate members of the Local; and
- c. Honorary Members. Former DND employees may be granted honorary membership in the Local as defined in UNDE Bylaw 3. UNDE Bylaw 3 is attached as Annex B.

106 MEMBERSHIP RESPONSIBILITY. Members of the Local agree to appoint UNDE and PSAC to negotiate with the employer on their behalf as set out in UNDE Bylaw 4, which is attached as Annex C.

107 AMENDMENT PROCEDURE. These Bylaws shall be the general code of the Local and it may not be altered added to, or amendment in any way except through the procedure outlined below:

- a. Changes may only be considered at the Annual General Meeting of the Local or other General Meeting called especially for that purpose;

- b. Amendments to the Bylaws may be proposed by the Executive or by any member in good standing. Amendments, in writing signed by the sponsor and seconded by any member, shall be submitted to the Executive not less than three weeks in advance of a General Meeting. The Executive shall ensure that all proposed amendments are circulated for study by the members not less than two weeks prior to the General Meeting; and

- c. Amendment to the Bylaws shall be voted upon by the members in good standing and must be approved by the affirmative vote of not less than two-thirds of those present. This number determined following the roll call.

108 QUORUMS.

- a. No General Meeting shall be valid without a quorum present. A quorum shall consist of at least 51% of the Executive Committee and 10% of the remaining regular members. This figure to be determined by an up-to-date roll call of all members in good standing; and

- b. No Executive Committee meeting shall be valid without a quorum present. A quorum shall consist of 51% of Executive Committee (including the President).

PART II - THE BYLAWS

201 EXECUTIVE COMMITTEE. The Executive Committee shall be composed of not less than three (3) elected officers (President, Vice-President and Secretary-Treasurer). They are:

- a. President
- b. 1st Vice President
- c. 2nd Vice President
- d. Secretary
- e. Treasurer
- f. Chief Steward
- g. Immediate President

Secretary and Treasurer offices can be combined into one (1)

In addition to the above, one Shop Steward from each section may be elected as defined and approved by a general Meeting of this Local, but will not be considered members of the Executive Committee.

202 ELECTION OF OFFICERS. As per UNDE Bylaw 10.

- a. The officers shall be elected at the Annual General Meeting where elections shall be by secret ballot and decided by 50 percent plus 1;
- b. All nominees for Office of the Local must be members in good standing and must be in attendance at the time of election or have given written consent to the Nomination Committee to stand for election;
- c. In the event of more than two candidates for any office, the candidate receiving the fewest number of votes shall be dropped from the ballot whenever a clear majority of the votes cast is not

accorded any candidate. This procedure shall continue on each succeeding ballot for the position until a candidate receives the necessary majority (50 percent plus 1);

d. The Local's elections may be conducted either by:

i. An UNDE Regional Vice-President; or

ii. By a nomination committee as per UNDE Bylaw 10 Article 5; and

e. The Oath of Office will be administered as per Bylaw 10 Article 7. UNDE Bylaw 10 Articles 5 - 7 are attached as Annex D.

203 TERM OF OFFICE.

a. All terms of office shall be for three (3) years.

b. All officers shall take office at the end of the meeting at which they are elected.

204 VACANT POSITION ON EXECUTIVE.

a. Any position on the Executive of the Local, other than the President and 1st Vice-President, which becomes vacant due to death, resignation or removal with cause etc. shall be filled by the Executive which is empowered to elect any member to this vacant position to serve for the remainder of the *term*; and

b. If the-position of President or 1st Vice-President becomes vacant, an election will be held to fill one of these positions, if there is more than three (3) months remaining until the next annual meeting. Notice of such a meeting and its purpose shall be posted two (2) weeks in advance of the meeting.

205 VOTING. All regular members, in good standing, present at a Local General Meeting, are entitled to vote on Local business and elections

- a. All motions except motions to amend the Bylaws (para 107) and Local dues (207c) shall be decided by a majority vote;
- b. All voting on motions and non-executive elections shall be by a show of hands, unless the motion is deemed controversial or sensitive by either the Executive or the Membership, then a secret written ballot shall be conducted; and
- c. The Chairman shall have no vote except in the event of a tie, when he may then cast the deciding vote.

206 MEETINGS.

- a. An Annual General Meeting of the Local will be held in November at which time the election of officers will take place. (See 203a.);
- b. Annual reports from the Officers and Committees will be presented at the Annual General Meeting, including an audited Financial Statement;
- c. General Meetings of the Local shall be called by the Executive Committee whenever such meetings are deemed *necessary* and in the best interest of the membership;
- d. Special Meetings may be called by the President, or three Executive Committee members, or at the written request of a minimum of 10 Members in good standing who shall be in attendance at said Meeting. One week's notice is required and the Membership will be suitably notified of such Meetings. No subject other than that for which the Meeting was called shall be discussed; and

e. Minutes of General, Special and Executive Meetings shall be recorded by the Secretary, signed by the President and circulated to the Members as soon as possible following the Meeting.

207 MEMBERSHIP DUES.

a. PSAC and UNDE portions of the members dues are as prescribed in UNDE Bylaw 5 (attached as Annex E);

b. Local 612 portion of the dues will be five dollars \$5.00 per member per month and collected as per the UNDE bylaw 5; and

c. The amount of the Local portion of the dues shall be reviewed and determined at each Annual General Meeting, and passed by a two third 2/3 majority of Members in good standing attending. The resulting amount of this vote shall be recorded in the minutes.

208 FINANCIAL.

a. The fiscal year for the local shall be the 12-month period of 1 October to 30 September inclusive;

b. The Treasurer is authorized to hold and shall account for on a monthly basis, a petty cash fund and the amount to be determined at the Annual General Meeting. The amount to be recorded in the minutes;

c. Signing Officers shall be the President and any two members from the executive, of whom, two shall sign all cheques. No disbursements shall be made without authorization of these Bylaws or by a decision from, or by, a General Meeting;

d. The funds of the Local shall only be dispensed upon the authorization of the Local, by budget authorization or by vote of the Annual Meeting;

e. The Treasurer (or Secretary/Treasurer) shall submit an audited financial statement for the fiscal year to the Annual General Meeting for approval. Such approved statement shall be submitted to UNDE National Office within one month of the Annual Meeting;

f. The Executive shall appoint auditors who are not members of the Executive Committee. The two auditors shall be present at the Annual General Meeting. The auditors may submit recommendations to the AGM;

g. All Local funds shall be deposited in an accessible high interest bearing account of a recognized banking institution. Any surplus funds may be invested in a cashable Guaranteed Investment Certificate (GIC) at a recognized banking institution. UNDE National Office shall be advised of the institution being used;

(Definition of surplus funds – Any funds in excess of the cash funds), as of February 2017 the amount of surplus funds is \$20 000);

h. A remuneration (honorarium) to be decided by the Executive Committee, but not to exceed \$50.00 per person per year, providing the financial resources are available, shall be granted to the President, Vice-President(s), Secretary, Treasurer, Chief Steward, Stewards and Webmaster. The remuneration shall be paid at the end of the first year or at the end of the term of office the day of the AGM;

i. By authority of the Local President, any member(s) attending UNDE or PSAC recognized education courses, non-funded conferences, seminars, workshops and General Meeting shall be reimbursed a sum of \$30.00 per day to cover expenses incurred in attending such event;

j. The President may authorize expenditures not exceeding the sum of \$150.00 at any one time to cover expenses related to Union business. For the AGM, the President may authorize expenditures not exceeding \$850.00 to cover the cost of hosting the event with a meal and refreshments to all members attending. For the Annual Summer BBQ, the President may authorize expenditures up to \$400.00;

k. A strike compensation in the amount of \$15.00 per day shall be paid to every Regular Member in good standing, providing the financial resources are available. The strike remuneration shall be paid to every Regular Member only if they report for picket duty; and

l. By authority of the Local President and based on the availability of funds, any member in good standing applying for Disability Insurance through Sun Life Insurance shall be reimbursed half (or up to a maximum of \$350.00) of his Physician's invoice for the preparation of his medical-legal report; and

m. By authority of the Local President, the Executive and Shop Steward(s) shall be reimbursed the cost of travel expenses incurred while performing their duties. Ground transportation to include bus and/or mileage, and parking when traveling with their vehicle as per the Treasury Board Travel Policy; providing the financial resources are available. This reimbursement is to cover traveling expenses that are not covered in Para i.

n. The President will be reimbursed part of his communication costs (internet, phone, etc.) incurred while performing his duties; at a rate of \$20.00 per month plus taxes. This amount was always reimbursed in order to compensate the President for incurring extra costs related to long distance, FAX machine, extra phone line etc, while communicating with and on behalf of local members. The amendment is required in order to better track incidental expenses billed to the local.

PART III – DUTIES – GENERAL

301 DUTIES OF OFFICERS. As per UNDE Bylaw 8:

a. The President shall preside at the Annual Meeting, at all other General Meetings, Special Meetings and at all Meetings of the Executive Committee. He/she shall enforce these Bylaws and supervise the work of the other Offices and Committees and be responsible for the efficient and proper conduct of the Local;

- b. The 1st Vice-President shall assist the President in the discharge of his/her duties and in the absence of the President shall assume the President's full duties and shall become President upon the death or resignation of the President until the next General Meeting;
- c. The 2nd Vice-President shall assist the President in the discharge of his/her duties, and in the absence of the 1st Vice-President and/or President, shall assume those full duties;
- d. The Secretary (or Secretary/Treasurer) shall be responsible for notifying all Officers of the Executive, and for notifying the Members of the date and place of all General Meetings. The Secretary shall cause to be kept an accurate record of the proceedings of all meetings. The Secretary shall cause to be kept files of all correspondence;
- e. The Treasurer (or Secretary Treasurer) shall receive all monies and cause to be kept an accurate record of their receipt. The Treasurer shall dispense funds as directed by the Executive Committee, and cause to be kept an accurate account of disposition. He/she shall report to each Executive Meeting and to each General Meeting the financial status of the Local;
- f. The Chief Steward will be responsible for coordination of grievances and appeals, and supervision of the Local Stewards and for the forwarding to UNDE National Office such information as required for those grievances and appeals in keeping with UNDE Bylaw 8 Article 7(d), attached as Annex F;
- g. Shop Stewards shall assume the duties and responsibilities assigned to them by the Chief Shop Steward or Executive Committee of the Local in his/her absence;
- h. Committees or offices may be established for specific purposes by decision of the Executive Committee or by demand of a simple majority vote at a General Meeting of the Local; and
- i. The Immediate Past President shall act in an advisory capacity in order to ensure a smooth transition with each successive Executive Committee. The Immediate Past President shall act in this capacity for a one (1) year term only.

302. DELEGATES TO NATIONAL CONVENTION.

- a. The Local President shall attend the Triennial National Convention as Delegate with the 1st Vice President attending as the Observer. If required, alternate delegates/observers shall be drawn from the Executive Committee at the President's discretion. The delegate and observer should be current with local issues and alternate the attendance of local meetings when possible. These include Annual General Meeting (AGM), General Meetings (GM) and Ottawa General Union Locals meeting (OGUL);
- b. The alternate delegate will attend UNDE Triennial convention as an observer and shall receive the following assistance from Local 70612;
- c. Travel expenses, accommodation and per diem (convention mandate) in full, plus his regular salary;
- d. Local 70612 shall pay the convention registration fees of our delegate and alternate delegate in full; and
- e. The delegate and alternate shall attend all required meetings connected with the convention.

303 COMMITTEE.

- a. It shall be within the power of the Executive to appoint or nominate representatives to other Committees operating outside the scope of this Local, such as Canteen Committee, Joint Labour-Management Committee etc. provided their operation has a direct connection or effect with or upon the Local's members. These appointed representatives are to report directly to the Membership at regular meetings;
- b. The President shall be a Member, Ex officio, of all Committees of the Local, and shall not have a vote; and

c. For any Committee that is being elected, the members of the Executive Committee can stand for election as members. If they are elected to the Committee as a member they are permitted a vote but do not have automatic right of chairperson.

304 PRESS AND PUBLIC STATEMENTS. No statements relating to Policy, or to matters or disputes which are under discussion, shall be given to the Press, Radio, TV or any other means of Public communication by any Officer or Member as coming from this Local without the prior approval of the Executive or a General Meeting of the Local having been obtained.

305 MEETINGS - CONDUCT.

a. Meetings shall be conducted in accordance with Parliamentary Procedure;

b. Any member in good standing wishing to introduce a motion, or to speak, shall address the Chair, and shall wait until recognized before speaking; and

c. The President or presiding officer at any meeting shall enforce order and strict observance to these Bylaws and the UNDE Bylaws. He/she shall have the right to decide all questions of order, subject to an appeal to the meeting, sustained by a simple majority vote of those present.

306 MEETINGS – ORDER OF BUSINESS.

a. General Meetings:

Call to order

Guest Speaker (if applicable)

Roll Call of Executive, Members

Quorum - as per paragraph 108

Minutes of Previous Meeting

Business arising from the Minutes Correspondence

Business arising from the Correspondence

Reports: President, Treasurer, and Committees

New Business

Adjournment; and

b. Annual Meeting:

Call to order

Guest Speaker (if applicable)

Roll Call of Executive Members

Quorum - as per paragraph 108

Minutes of Previous Annual Meeting Officers Reports

Unfinished Business

Review dues - as per paragraph 207C New Business

Nomination and Elections

Swearing in of Officers

Adjournment.

UNDE
BYLAW 2

AIMS AND OBJECTIVES

Article 1. To encourage all employees of all classifications coming within the jurisdiction of the minister, Department of National Defence, without regard to age, sex, sexual orientation, colour, national or ethnic origin, race, religion, marital status, criminal record, physical or mental handicap, language or political belief to share in the full benefits obtainable through membership in an organization capable of acting on their behalf by becoming members of the Union of National Defence Employees.

Article 2. To obtain through free collective bargaining, for all employees under the jurisdiction of the Minister of National Defence, the best possible standard of wages, salaries and other conditions of employment.

Article 3. To protect the rights and interests of any member or group of members under the jurisdiction of the Minister of National Defence in matters touching upon their relationships as employees with the Employer.

Article 4. To ensure every member has a right to freedom from sexual/personal harassment in the workplace and in their union activities.

Article 5. To give full support to the Public Service Alliance of Canada (PSAC) in the promotion of its responsibilities to federal government employees for the improvement and protection of wages, salaries and other conditions of employment, except when such promotion is detrimental to the members of this component.

ANNEX B

UNDE
BYLAW 3

MEMBERSHIP

Article 1. Regular Membership. All employees under the jurisdiction of the Minister of National Defence shall be eligible to apply for membership in the Union, and where applicable, the Public Service Alliance of Canada. Such membership shall, where possible, be held in a duly constituted Local.

Article 2. Associated Membership (Employees). The Management Committee may grant an Associate Membership to any employee of this Union or of any Local thereof who is not a dues paying member of the Union by virtue of membership prior to election or appointment to full-time office.

Article 3. Associate Membership (For Benefit). Any Local of the Union may, subject to Local bylaws, retain as associate members of the Local, former employees of the Department whose employment with the Department is terminated by:

- a. reaching retirement age;
- b. ill health, when such is certified by the Department as the reason for retirement;
- c. who, by reason of abolition of position, are separated from their continued employment in the Federal Public Service; or
- d. a person employed in a managerial or confidential capacity as defined in the Public Service Staff Relations Act.

Associate members shall not be entitled to voice or vote at meetings or to hold office in the Union Local, but may be accorded such other privileges of membership for such length of time as may be provided by these Bylaws.

Article 4. Honorary Membership for Retired Members. Through application by a Local to the National Executive Committee on Honours and Awards in care of the National President, and with the approval of the National Executive, a member who has retired on superannuation or who has left the service may be granted honorary membership for outstanding service to the Union and/or the Public Service Alliance of Canada. Honorary members shall not be required to pay dues and shall not be entitled to voice or vote at meetings or to hold office in the Union or Local, but shall be entitled to all other rights and privileges of membership in this Union.

Article 8. With the exception of those memberships provided by Articles 2, 3, 4, 5, 6, and 7, all members shall be required to pay dues as provided by Bylaw 5, Those persons, who through memberships provided by Articles 2, 3, 4, 5, 6 and 7, and who are deriving benefits through such membership, shall be required to pay dues as prescribed by these Bylaws.

UNDE BYLAW 4

MEMBERSHIP RESPONSIBILITY

Article 1. Upon being granted membership in the Union, and for the term of such membership, each member of the Union is deemed to have agreed to abide by and to be bound by the provisions of these Bylaws.

Article 2. Upon being granted membership in the Union, and where applicable, the Public Service Alliance of Canada, and for the term of such membership, each member of the Union is deemed to nominate, constitute and appoint the Union, and where applicable, the Public Service Alliance of Canada as the agent(s) to negotiate with the employer on their behalf.

Article 3.

a. Upon being granted membership in the Union and the Alliance, and for the term of such membership, each such member of the Union is deemed to nominate, constitute and appoint the

Public Service Alliance of Canada as the agent for the purpose of entering into collective bargaining with the employer. The Public Service Alliance of Canada shall have the power through its duly appointed agent to ratify and sign agreements reached through collective bargaining, conciliation and arbitration procedures, on approval of such agreements by a vote of members in the applicable occupational group.

b. Upon being granted membership in the Union, and the term of such membership, each such member of the Union is deemed to nominate, constitute and appoint the Union as the agent for the purpose of entering into collective bargaining with the employer.

The Union shall have the power through its duly appointed agent to ratify and sign agreements reached through collective bargaining, conciliation and arbitration procedures, on approval of such agreements by a vote of its members in the applicable bargaining unit(s).

UNDE BYLAW 10

Article 5.

a. The Nominations Committee shall be appointed by the Local President and the Chairperson of such Committee shall conduct the elections and appoint such assistance as necessary to ensure an orderly election.

b. Nominees who have given written consent to stand for election must also submit a signed statement as to their reason for not being in attendance.

Article 6. All Officers of the Local shall take office immediately following the meeting at which they are elected.

Article 7.

a. The Oath of Office shall be given at the meeting where the election takes place by the Senior Officer at the meeting or by the chairperson of the Nominations Committee. All members shall stand while the Oath is administered. Each officer will repeat the Oath aloud as directed by the officer administering the Oath.

"I _____, having been elected an officer of the Union of National Defence Employees, do solemnly declare that I will faithfully carry out the duties appertaining to my office. I will at all times, uphold the dignity of the organization and preserve in confidence all matters that are brought to my attention in connection with the business of the Union."

b. An elected Officer, not in attendance when election takes place, shall be sworn in at the first opportunity by the Local President or Senior Officer in the presence of at least one other Local Officer.

UNDE
BYLAW 8

Article 8(d).

i. The chief Steward or a Union officer who has been designated by the Local President shall be responsible for the forwarding to the Union's National Office, of all final level grievances, including all back-up information and shall be responsible for replying to National Office inquires on:

a. any request for additional information on a final level grievance; and

b. any request for a specific report on a subject related to a final level grievance.

ii. The Chief Steward or a Union officer who has been designated by the Local President shall report to the Union of National Defence Employees' National Office monthly on the number and disposition of level one and level two grievances which have been resolved at the Local level.

UNDE BYLAW 11

Article 8. No member shall be eligible to be nominated as an accredited or alternate delegate unless the member has attended 75% of all Local meetings open to the general membership held during the twelve month period immediately prior to the day on which the election of delegates and alternates takes place.

UNDE BYLAW 12

FINANCES

Article 1. The financial records of the Union shall be audited once annually by a firm of chartered or certified accountants approved by the National Executive. A copy of the financial statement shall be forwarded to each Vice-President of the Regions, to each Local and to the Public Service Alliance of Canada within thirty (30) days of completion of the annual audit.

Article 2. The signing officers of the Union shall be the National President together with either the Executive Vice-President or Alternate Executive Vice-President.

Article 3. The signing officers of the Union shall be bonded by a reputable bonding company in an amount to be set by the National Executive at the cost of the Union.

Article 4. In case of emergency, the National Executive shall have the authority to designate one or more of its members as signing officers of the Union.

Article 5. The fiscal year of the Union's National Office shall be from October 1st to September 30th.

Article 6. All financial records of the Union and its Locals should be retained for the legal period prescribed by Canada Customs and Revenue Agency.

