UNDE Local 621

Lodger Units

Borden

BY-LAWS – Motion carried to adopt – February 21, 2019 February 21, 2019

BY-LAWS

UNDE Local 621 – Lodger Units CFB Borden

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BY-LAWS

UNDE Local 621 Lodger Units Borden

BY-LAW 1 – ORGANIZATION AND MEMBERSHIP

Article 1. This organization is comprised of civilian employees belonging to the Union of National Defence Employees from all units at Canadian Forces Base Borden whose second level grievance officer is other than the Base Commander; more specifically, all lodger units with the exception of the FR classification. It shall be known as the Union of national Defence Employees (UNDE) Local 621 Lodger Units, Borden, Ontario and hereinafter shall be referred to as “the Local”.

Article 2. The organizational structure of the Local shall be comprised of not less than not less than four (4) Executive committee members including the President, Vice-President, Secretary, and Treasurer.

Article 3. Additional Executive Officers may be added to the committee by a signed request by a minimum of 10 Members in good standing. This request is to be presented to the Current Executive for consideration. The request will be added to the next General Meeting agenda and the signed request is to be presented to the Membership for consideration. If accepted, an election will be held in accordance with Bylaw 3. Requests are to be submitted no later than 21 days prior to the next Annual General Meeting.

Article 4. Membership shall be in accordance with the National UNDE By-Laws, Regulations and Policy Guidelines, and the PSAC Constitution, By-laws and Regulations.

BY-LAW 2 – INTERPRETATIONS

Article 1. The masculine gender used in these By-laws shall be construed to include the feminine and singular to include plural. “Local” shall mean “Local of the PSAC”.

Article 2. Component shall be “UNDE of the PSAC”.

Article 3. In cases of dispute or misunderstanding, the Executive will have final decision on interpretation of these by-laws.

Article 4. “Member in good standing” shall be defined as follows, as per PSAC Constitution Sect 4 subsection 2(a)-(k):

(a) Dues-paying members who have signed a PSAC Application for Membership Form, whose membership is not currently suspended by the PSAC NBoD, and whose dues are kept current and paid no later than the month in which they become due;

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(b) For the duration of tenure of their office, dues-paying members elected to a fulltime position in the PSAC, A Component or a Directly Chartered Local (DCL) who are laid off or dismissed by the employer for action undertaken on behalf of the membership subject to Sections 4 and 25 of this Constitution, and whose dues are kept current and paid no later than the month in which they become due;

(c) Members who are suspended or terminated by their employer, until they have exhausted all avenues of recourse;

(d) Dues-paying members who are employed by the Canadian Labour Congress (CLC) chartered Federations of Labour or Labour Councils, whose dues are kept current and paid no later than the month in which they become due;

(e) Non dues-paying members who have signed a PSAC Application for Membership Form and who are not yet paying dues because their first collective agreement has not yet been reached or signed;

(f) Non-dues-paying PSAC members who do not have alternative paid employment and who are temporarily away on leave without pay for reasons including disability, injury at work, maternity leave, parental leave, adoption leave, leave for care of family members or leave for family responsibilities greater than two (2) years, and who are not require to pay dues pursuant to Section 24 in any amount of percentage while on leave without pay. Members under Sub-Section (2)(g) may have their membership extended for a maximum of thirty (30) months. The rights and responsibilities of members under Sub-Section (2)(g) are defined in Regulations adopted by the NBoD;

(g) Dues paying and non-dues paying seasonal indeterminate or equivalent members;

(h) Non-dues paying Honorary members as defined in Sub-Sections (5) and (6); and

(i) Non-dues paying Life Members as defined in Sub-Sections (7) and (8); and

(j) Non-dues paying Associate Members as defined in Sub-Sections (9) and (10).

Article 5. Local mileage is considered to be 50 km round trip. February 21, 2019

BY-LAW 3 – ELECTION OF OFFICERS

Article 1. Officers shall be elected by secret ballot at the Annual General Meeting in accordance with By-law 11.

Article 2. All Officers shall be elected by obtaining a simple majority of votes cast or by acclamation in the event that only one member is running for the position.

Article 3. All nominees for office must be members in good standing and be in attendance at the time of election or have given written consent to stand for election to the Nominations Committee. All nominees for office must be duly moved and seconded by members in attendance at the meeting.

Article 4. In the event where more than two candidates run for a specific office, the candidate receiving the fewest votes shall be dropped from the ballot whenever a clear majority of the votes cast is not accorded to any candidate. This procedure shall continue on each succeeding ballot, until a candidate receives the necessary simple majority.

Article 5. The newly elected Officers shall be sworn in immediately following their election and prior to any new business being conducted. Following election, newly elected or appointed executive shall read through and sign off an acknowledgement of having read and understood the By-laws of Local 621 and return the signed forms at the next meeting for the Executive.

Article 6. The Nominations Committee shall be appointed by the Local President and shall assist the Vice-President of the Region in conducting the election of Local Officers.

Article 7. Members of the Nominating Committee cannot stand for Executive committee positions.

Article 8. In the event the Vice-President of the Region is unable to attend, the Chairperson of the Nominations Committee shall be responsible for conducting the elections.

Article 9. The Nominations Committee shall also be responsible for receiving written nominations and for ensuring that, in the event that a nominee is unable to attend, the nominee has submitted acceptance of the nomination and a signed statement as to the reason for not being in attendance.

Article 10. In order to meet the requirements of this By-law and to facilitate continuity of office for the Local, all positions shall be elected for a two year term, with positions open for election in alternating years as set out below:

(a) Commencing in 2018 and in even years thereafter, the President position and the Secretary position will stand for election;

(b) Commencing in 2017 and in odd years thereafter, the Vice-President and the Treasurer position will stand for election; and

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(c) Should a midterm election be required, the successful candidate will fill the position for the balance of the existing term only.

Article 11. Should any officer of the Local 621 Executive be elected to another position on the Executive, their current position shall immediately be surrendered and an election held to elect a replacement to serve in that office for the balance of their term.

BY-LAW 4 – EXECUTIVE COMMITTEE

Article 1. The Executive Committee shall be comprised of all Officers elected at the Annual General Meeting.

Article 2. In the event that an Officer of the Local Executive resigns, retires or is otherwise unable to complete their term, the vacated position shall be filled:

(a) In the case of the President or Vice-President, by promotion of the next Executive Officer as set out on the list contained in By-law 1 into the vacated position(s); and

(b) For all other Executive Officers, the position shall be filled by delivery of a Notice of Motion at the next regular general meeting of the Local in as set out in By-law 3. Until an election can be held, the President may provisionally appoint a replacement.

Article 3. Newly elected Executive members shall identify their training requirements within 30 days of being sworn in and be course loaded for the next available training, subject to the terms of By-law 12.

Article 4. Within sixty (60) days of any member vacating their position as an Executive Officer, Steward or Committee member, all records, files, documents, funds or property being held by them in trust for the Local shall be surrendered to the President or other member of the local Executive. In the event that there is no Executive Officer remaining, all such materials shall be surrendered to the VP for the Region.

BY-LAW 5 – DUTIES OF THE PRESIDENT

Article 1. The President of the Local (or in his/her absence, the acting Executive Officer of the Local as specified in By-law, shall:

(a) Preside at all meetings of the Local;

(b) Enforce the By-laws of the Local, national UNDE By-laws, Regulations and Policy Guidelines, and ultimately, the Constitution and Regulations of PSAC as applicable;

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(c) Appoint committees as required;

(d) Act as an ex-officio member of all committees;

(e) Report to the Executive Committee and the membership all business concerning the Local. Policy decisions affecting the Local shall be presented to the membership and the Executive Committee as a whole;

(f) Have co-signing authority on all cheques drawn on the Local bank account;

(g) Be ultimately responsible for the financial affairs of the Local as set out in By-law 12;

(h) Sign and be responsible for all correspondence on behalf of the Local;

(i) Subject to acceptance by the convenor, represent the Local at all PSAC, UNDE, OFL and CFL conventions, conferences and seminars as the primary delegate from the Local;

(j) At the discretion of the President, assign to the Executive Officers, Committee Chairpersons, or members of the Local as required, the following responsibilities (in no particular order):

(i) Union Management Consultation Committee;

(ii) Joint Occupational Safety & Health Committee;

(iii) Membership portfolio;

(iv) Education portfolio

(v) In the absence of the Treasurer, his/her duties;

(vi) In the absence of the Executive Secretary, his/her duties;

(vii) Website Administrator;

(viii) Chief Steward portfolio;

(ix) WSIB coordinator;

(x) RTW coordinator;

(xi) Benevolent Fund coordinator;

(xii) Human Rights Advisor;

(xiii) Mobilization; and

(xiv) Any other portfolios or committees as required.

(k) Act as the chief representative of the Local and the chief spokesperson in its dealings with management, UNDE, PSAC and all other Locals and affiliates.

BY-LAW 6 – DUTIES OF THE VICE PRESIDENT(S)

Article 1. The Vice-President(s) in descending order shall;

(a) Assist and support the President in the discharge of his/her duties;

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(b) Perform the duties of the President in the President’s absence;

(c) Assume the chair at meetings, when the President vacates it for any reason;

(d) Be responsible for his/her portfolios as assigned, including the provision of reports and updates on a regular basis;

(e) In the absence of the Treasurer, act on the President’s behalf;

(f) Be one of the signing authorities for disbursements;

(g) Report on the Vice-President’s activities on a regular basis to both the Executive and the membership;

(h) Submit an annual written report on Vice-President activities to the Local President and the membership and present this at the Annual General Meeting;

(i) Perform other duties as directed by the Local President.

BY-LAW 7 – DUTIES OF THE SECRETARY

Article 1. The Secretary shall:

(a) Provide written notice to the members of the Local of all meetings in accordance with By-law 11;

(b) Request and collect agenda items from the membership and prepare and distribute a written agenda in accordance with By-law 11;

(c) Record and prepare Minutes for all General Membership meetings, Special Membership meetings, Executive meetings and Special Executive meetings for the Local;

(d) Distribute written copies of the Minutes for the previous General membership meeting or any Special;

(e) Present by reading or providing in hard copy, all relevant, pertinent and current correspondence received by the Local office;

(f) Prepare a response to all correspondence between the Local, UNDE National, PSAC and other labour affiliations for review and signature by the President;

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(g) Be the custodian of all correspondence, records, archived financial records, and Minutes for the Local;

(h) Ensure that all other than routine correspondence for the Local is signed by the President, or the President’s absence, their representative;

(i) Maintain a current attendance register of all members in good standing in attendance at General Membership or Executive meetings of the Local;

(j) Make records available for inspection to any member in good standing with the Local upon receipt of a request in writing and in accordance with Privacy Regulations;

(k) Perform such other duties to support the efficient operation of the Local office; and

(l) Secure meeting venues as required; and

(m) Carry out other duties as delegated by the President of the Local.

BY-LAW 8 – DUTIES OF THE TREASURER

Article 1. The local Treasurer shall:

(a) Be responsible for the receipt and disbursement of all funds for the Local, and maintain accurate and proper financial records;

(b) Be accountable to the membership and Executive for all finances;

(c) Be one of the three (3) authorized signing authorities for disbursements;

(d) Submit current financial reports to Executive and General membership meetings as required;

(e) Complete and submit an audited Annual Financial Statement by October 15 for the previous fiscal year, for approval of the membership at the Annual General Meeting;

(f) Prepare for submission an audited statement to the Vice-President of the Region and the UNDE National Office no later than December 31 of that same year;

(g) Prepare and submit a budget proposal for the forthcoming fiscal year to the Executive Officers for approval at the March General Membership meeting; and

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(h) Carry out other duties as delegated by the President.

BY-LAW 9 – DUTIES OF THE PAST-PRESIDENT

Article 1 The Past President shall:

(a) Act in a non-voting, advisory capacity to the succeeding Executive Committee for a one (1) year term in order to ensure a smooth transition.

BY-LAW 10 – STEWARDS

Article 1. Stewards shall:

(a) Be a member in good standing of the Local;

(b) Be considered a Steward in training until they have obtained a minimum of the PSAC Talking Union Basics (TUB) and UNDE or PSAC Grievance Handling qualifications;

(c) Identify other training requirements within thirty (30) days of being sworn in;

(d) Be sworn in as a Steward, appointed to the Steward’s List and introduced to the Local at the next General Meeting by the President of the Local or the President’s delegated representative;

(e) Be responsible for dealing with all initial membership workplace complaints in their area of responsibility;

(f) Be available to represent members in other areas when required;

(g) Represent membership at first level grievances;

(h) submit an administrative report outlining their activities for the period to include the Stewart fact sheets (if any) and all corresponding notes and documentation to the Chief Steward on a monthly basis to ensure the accuracy of National reports and appropriate record retention;

(i) seek assistance and/or direction for processing workplace complaints and first level grievances from the Chief Steward or designate to ensure a consistent level of service across the Local;

(j) be available to participate in all Steward, Membership and Special meetings coordinated by the Executive and/or designate;

(k) be available to participate in Steward training as required;

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(l) act as a mentor and source of knowledge to other Stewards when requested; and

(m) carry out other duties as requested by the Executive Committee; and

(n) be compensated for Union related out-of-pocket expenses in accordance with By-law 12, Articles 7, 8, and 11(b), provided that they have met the requirements set out in By-law 10(h);

Article 2. A Steward who has been inactive in the Local or has failed to comply with Article 1(h) of of By-Law 10 for a period greater than six months, shall be required to repeat the Talking Union Business (TUB) and UNDE or PSAC Grievance handling course if they wish to retain their position. Once courses have been completed, Stewards will be re-sworn and appointed to the Stewards list once again.

Article 3. A Steward of the Year award shall be established by the Local to recognize the exceptional accomplishments of a member on the Stewards List, excluding Executive Committee members. The Executive Committee, in collaboration with the Chief Steward will establish the criteria for this award. Announcement of the winner shall be made at the Annual General Membership Meeting. The successful candidate shall receive the amount of $100.00 in addition to their per diems to recognize this accomplishment.

BY-LAW 11 – MEETINGS

Article 1. General Membership meetings for the Local shall be scheduled on the recommendation of the Executive Committee and shall be held a minimum of four times per year.

Article 2. Notices of meetings shall be distributed to a minimum of one (1) week (7 calendar days) in advance.

Article 3. Special General Meetings may be called by the President or upon the petition of ten (10) members in good standing, to deal with a specific issue. All such petitions shall be presented to the President and will include an outline of the business to be addressed.

Article 4. General Membership Meetings shall require a quorum of at least three quarters (3/4) members of the Executive Officers and at least four (4) other members in order to proceed. Attendance shall include: virtual, teleconference, or personal.

Article 5. General membership meetings are open to all members in good standing.

Article 6. Executive Officers and Portfolio Holders will present their reports quarterly at a minimum. February 21, 2019

Article 7. Membership meetings held to conduct ratification votes on tentative agreements or to conduct strike votes may be attended by all members of the Local, whether they are a member in good standing, a RAND or a suspended member. RANDs and suspended members attending these meetings shall not have a voice, but will be entitled to vote.

Article 8. The Local shall hold an Annual General membership meeting normally during the month of November (or at another time as approved by the National President) for the purpose of presenting the annual audited Financial Statement, to receive reports from the Executive, and conduct the election of Officers. The quorum for an Annual General Membership meeting shall be at least six (6) members in attendance plus at least three-quarters (3/4) of the Executive Committee.

Article 9. Regular Executive committee Meetings for the Local shall be held quarterly (at a minimum) for the proper conduct of the Local’s affairs. Regular Executive Committee Meetings shall be called by the President or by a majority of the Executive Officers on an “as required, when required” basis. A quorum shall exist where at least three-quarters (3/4) of the Executive Officers are present.

Article 10. The Chairperson shall ensure that the UNDE Harassment Statement is read at all Local meetings and socials, and that at least one (1) intervener has been clearly identified to the members present. The Minutes of all meetings shall reflect who read the statement and who was identified as the intervener.

Article 11. PSAC Rules of Order (the most current version) shall apply at all Local meetings.

Article 12. All meetings shall start within ten (10) minutes of the scheduled starting time.

BY-LAW 12 – FINANCE

Article 1. All funds shall be deposited into an Accredited Financial Institution to an account in the name of Local 621, Union of National Defence Employees. All such funds shall be recorded by the Treasurer of the Local, within five (5) business days after receipt.

Article 2. The fiscal year for the Local shall run from the 1st of October to the 30th of September. All financial records shall be retained for the legal period prescribed by the Canada Revenue Agency.

Article 3. The account shall be a type that has chequing privileges and provides a monthly statement.

Article 4. Delegated signing authority on all cheques shall be restricted to the Treasurer, the Local President, and one other Delegated Executive Officer, with two (2) of the three (3) signatories required on all cheques issued by the Local. Except in an emergency or in the absence of the Treasurer, the Treasurer shall be a required signatory and no Executive Officer shall sign a cheque upon which they are the payee. February 21, 2019

Article 5. All expenditures shall be paid either by cheque or pre-authorized payment, as directed by the membership of the Local, or Local 621 By-laws where applicable.

Article 6. The Executive Committee shall have authority to expend up to $500.00 for normal operating expenses that are not covered by the approved budget, and shall report those expenditures at the next General Membership meeting.

Article 7. The Local shall pay an additional allowance of $25.00 to defray the cost of stationery, supplies and sundries to any member in good standing whom the Local has requested or authorized to attend a Union sponsored course, seminar, conference, convention or other Executive approved course.

Article 8. The Local shall reimburse pre-approved expenses incurred by the member(s) in Article 7 above, at National Joint Council rates and rules, for:

(a) meals, accommodations, transportation, mileage, and registration fees;

(b) child care expenses in accordance with PSAC child care policy; and

(c) expenses equivalent to lost wages if incurred

unless these expenses are to be paid by another party. Members shall take every reasonable step to ensure that expenses are kept to a minimum, i.e.: when two or more are travelling to the same location, every reasonable effort should be made to car pool. Mitigating circumstances may cause this not to be feasible and will be taken into consideration with prior approval by the Executive before travel.

Article 9. Executive Officers, Stewards and /or portfolio holders may claim pre-approved, reasonable, out-of-pocket expenses incurred while performing business for the good and well-being of the Local or its membership.

Article 10. All members seeking authorized payment and/or reimbursement of expense(s) shall submit an expense claim (available on the UNDE website) documenting all relevant expenses, and providing all applicable receipts, signed and dated, to the Treasurer of the Local for approval and reimbursement.

Article 11. The Local shall provide the following per diems which are considered to include reimbursement for all costs for local mileage as set out in By-law 2, Article 2 and personal cell phone useage:

(a) Executive Committee members in good standing - $75.00/month;

(b) When in compliance with By-Law 10, Article 1, para (h), Stewards in good standing - $25.00/month

(c) Portfolio Holders that meet the mandate of their portfolio - $100.00/annum;

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(d) Stewart of the Year per diem - $100.00;

(e) Retroactive to 1 October 2018, for the sitting President, Vice-President, or appointed Chief Steward who agree to publish their personal cell phone number on materials provided to the general membership - $75.00/month;

Per diems in accordance with Article 11(a) and (b) to be paid quarterly in arrears in September, December, March and June of each year. Per diems in accordance with Article 11(c) and (d) to be paid in arrears in September of each year.

Article 12. The Executive Committee will establish a criteria for a Benevolent Fund (Regulation 2 to these By-laws). An amount of money will be identified in the Local budget for this purpose.

Article 13. The Executive Committee of the Local shall present the proposed budget prepared by the Treasurer, for the upcoming fiscal year at a general membership meeting held prior to April 1st in each year.

BY-LAW 13 – MEMBERSHIP DUES

Article 1. The membership dues of the Local shall be the amount of the per capita fee and dues required by the contribution of PSAC and By-laws of UNDE and additional amounts as determined by the Local.

Article 2. The Local may provide for a Local dues rebate and subsequently increase such Local rebate on the authority of a two-thirds (2/3) majority vote of the membership attending meeting of the Local, called in accordance with By-law 11 for that purpose.

Article 3. A duly called meeting of the Local means:

(a) The Notice calling the meeting shall state specifically that the matter of dues will be on the agenda and a decision by a two-thirds (2/3) majority of the members attending;

(b) The Notice shall be dated and signed by the President of the Local; and

(c) A copy of the Notice shall be:

(i) Mailed to the Vice President of the Region, who will be responsible for onward submission to the National President; and

(ii) Posted or circulated at least fourteen (14) calendar days prior to the date of the meeting in such a manner that members will be made aware of the meeting.

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BY-LAW 14 – AUDITORS

Article 1. An Audit Committee comprised of volunteers (preferably with a financial background) from outside of the Executive Committee, will be selected from members of the Local, specifically two (2) auditors and one (1) alternate, at the September General Membership Meeting of the Local.

Article 2. The Audit Committee shall have an audit of the Annual Financial statements prepared for the Local and have their report ready for the Annual General Membership meeting. The Treasurer, after consultation with the Audit Committee members, will present the committee’s Report at the Annual General Meeting and answer questions from the membership.

BY-LAW 15 – DISCIPLINE

Article 1. Any Executive Officer, Steward or other committee member of the Local who fails to abide by these By-laws may be subject to removal from their duties in accordance with the National UNDE By-laws, Regulations and Policy Guidelines, and PSAC Constitution and Regulations.

BY-LAW 16 – BY-LAWS

Article 1. Notice to amend the Local By-laws shall be given in writing thirty (30) days prior to the meeting at which the Motion will be introduced. A two-thirds (2/3) majority vote of the members in attendance is required to pass the amendment.

Article 2. Within thirty (30) days of adoption, the Local shall forward to the Vice-President of the Region a copy of the amended By-laws for review and approval by the national President.

Article 3. The Executive Committee shall have the power to make such regulations as are necessary for the proper conduct of the business of this Local, provided such regulations do not conflict with the provisions of the By-laws. Such regulations shall be promulgated within sixty (60) days of their adoption and shall be referred to the next General Meeting for ratification. Failure to receive a two-thirds (2/3) majority vote shall automatically rescind any regulations effective on the date of rejection.

Article 4. The By-laws of the Union of National Defence Employees and the Constitution of the Public Service Alliance of Canada are to be considered as being part of these By-laws and, in case of conflict, shall take precedence over the Local’s By-laws.

REGULATIONS

REGULATION 1 – ORDER OF BUSINESS AND GENERAL RULES

Order of business for all Meetings: February 21, 2019

(a) All meetings of the Local shall be called to order by the President of the Local or in his/her absence, by his/her representative. The Secretary shall take the roll of Executive members and members in good standing and determine if a quorum is present;

(b) Minutes of the previous General membership meeting and any Special Membership Meeting shall be made available for distribution, confirmation and acceptance;

(c) Matters arising from the Minutes of the previous General Membership Meeting and any Special Membership Meetings shall be presented for distribution, confirmation and acceptance;

(d) Correspondence of the Local shall be read by the Secretary of the Local;

(e) The monthly Financial Report(s) shall be made available for distribution, confirmation and acceptance;

(f) Election of Executive Officers for Local 621 shall be conducted including nominations, distribution of election ballots, and taking of Oath of Office by elected Executive Officers for the Local;

(g) Any new business (from agenda) shall be conducted; and

(h) A Motion for adjournment or continuation of the meeting shall be taken.

REGULATON 2 – THE BENEVOLENT FUND CRITERIA

Criteria for the Benevolent Fund shall be established by the Executive Committee once funding is approved.

REGULATION 3 – ATTENDANCE AT CONVENTION

Members in good standing wishing to attend as a delegate or an alternate to any Convention, shall express their interest in writing to the Executive Committee upon receipt of a copy of the call out. All submitted applications shall be presented at the next General Meeting. Interested members should be prepared to present their rationale in support of their selection at such meeting for a vote by the membership in attendance. Once selected, the delegate(s) and any alternate(s) must be prepared to attend all required meetings connected to the Convention.

REGULATION 4 – PORTFOLIO TERMS OF REFERENCE

A committee will be established by the Executive to develop Terms of Reference for all portfolios.

SIGNED AT Borden on this day of , 2017 February 21, 2019

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Jayne Pollock, President

UNDE Local 621 Lodger Units

SIGNED AT this day of , 2017

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President

UNDE