



## **U.N.D.E. LOCAL 70607 BYLAWS**

### **LOCAL 70607 BYLAWS:**

**Adopted by Membership, General Meeting of September 1981.**

### **1<sup>st</sup> AMENDMENT TO BYLAWS:**

**Approved By Membership, Annual General Meeting of 15 November 1983.**

### **2<sup>nd</sup> AMENDMENT TO BYLAWS:**

**Approved by Membership, Annual General Meeting of 20 February 1984.**

### **3<sup>rd</sup> AMENDMENT TO BYLAWS:**

**Approved by Membership, Annual General Meeting of 12 December 2001.**

### **4<sup>th</sup> AMENDMENT TO BYLAWS:**

**Approved by Membership, Annual General Meeting of 02 December 2003.**

### **5<sup>th</sup> AMENDMENT TO BYLAWS:**

**Approved by Membership, Annual General Meeting of 13 December 2005.**

### **6<sup>th</sup> AMENDMENT TO BYLAWS:**

**Approved by Membership, Annual General Meeting of 27 November 2008.**

### **7<sup>th</sup> AMENDMENT TO BYLAWS:**

**Approved by Membership, General Meeting of 11 August 2010.**

### **8<sup>th</sup> AMENDMENT TO BYLAWS:**

**Approved by Membership, General Meeting of 30 October 2012.**

### **9<sup>th</sup> AMENDMENT TO BYLAWS:**

**Approved by Membership, Annual General Meeting of 5 December 2013.**

### **10<sup>th</sup> AMENDMENT TO BYLAWS:**

**Approved by Membership, General Meeting of 29 January 2014.**

### **11<sup>th</sup> AMENDMENT TO BYLAWS:**

**Approved by Membership, Annual General Meeting of 09 November 2017.**



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## **BYLAWS**

### **UNDE LOCAL 70607**

#### **BYLAW 1 – NAME AND LOCATION**

##### **Article 1**

This organization shall be known as Union of National Defence Employees, Local 70607, and shall be referred to hereinafter as the Local.

##### **Article 2**

The Local shall have its headquarters in the greater Ottawa area, Ontario, Canada.

#### **BYLAW 2 – AIMS AND OBJECTIVES**

##### **Article 1**

To encourage all employees of all classifications coming within the jurisdiction of the Local, without regard to sex, race, creed, colour or national origin to share in the full benefits obtainable through membership in an organization capable of acting on their behalf by becoming members of the Local of the Union of National Defence Employees, a component of The Public Service Alliance of Canada.

##### **Article 2**

To give full support to UNDE in the promotion of its responsibilities for the improvement and protection of wages, salaries and other conditions of employment for employees of The Department of National Defence, and to endorse the objectives outlined in The Constitution of the PSAC.

##### **Article 3**

To protect the interests, rights, and privileges of all employees under the jurisdiction of the Department of National Defence by representing any member or groups of members within the jurisdiction of the Local, by means of an established procedure.

##### **Article 4**

To secure full recognition and enjoyment of the rights and liberties to which all employees are justly entitled.

#### **BYLAW 3 – MEMBERSHIP**

##### **Article 1**

**Regular Membership.** All employees of The Department of National Defence in the areas, and organizations assigned to this Local shall be eligible for membership in the Local.

##### **Article 2**

**Associate Membership.** A person employed in a managerial or confidential capacity as defined in The Public Service Labour Relations Act may, for benefit, be an associate member of the Local, and will be required to pay dues. However, persons employed in a managerial or confidential capacity shall not participate in or interfere with the formation or administration of the local; shall not participate in the representation of “employees” by the Local; shall have no right to vote; shall not be eligible for elective or other office in the Local; shall have no right to attend meetings of the Local, except meetings which are specifically called to consider matters relating to such rights and privileges of associate membership which are not inconsistent with the restrictions stated above; but shall be entitled to all other rights and privileges of membership in the Local as per Component and Alliance Bylaws and Regulations.



#### Article 3

**Honorary Membership.** Through an application by the Local to the UNDE National Office and with the approval of the National Executive, a member who has retired on superannuation, or has left the service, or anyone who is not eligible for regular membership, but is deemed to merit such honour, may be granted honorary membership for outstanding service to the UNDE of the PSAC. Honorary members shall not be entitled to voice or vote at meetings, or to hold office in the Local, but shall be entitled to all other rights and privileges of membership in this Component.

#### Article 4

**Lifetime Membership.** A Life Membership may be awarded by the Union, through the National Executive, to any member or former member who has performed exemplary services for the membership through personal and devoted efforts in the affairs of the Union.

#### Article 5

The Rand formula authorizes payroll deduction of dues. Application form must be completed and signed by the member in order to be considered a regular member of the Local.

### **BYLAW 4 – MEMBERSHIP RESPONSIBILITY**

#### Article 1

Each member of the Local is deemed to have agreed to abide by, and be bound by the provisions of these Bylaws, the Bylaws of the UNDE and the Constitution of the PSAC.

### **BYLAW 5 – MEMBERSHIP DUES**

#### Article 1

The membership dues which shall be levied upon each and every member and retained by the Alliance, the Component and the Local out of the dues collected each month shall be:

- a. the monthly equivalent of the amount set by sub-section 1 or 3 of Section 19 of the Constitution of the PSAC; plus
- b. the monthly equivalent of the amount set by Bylaw 5, Article 1 (a) of the Bylaws and Regulations of UNDE; plus
- c. the monthly equivalent of the amount for affiliation to any other related group.

#### Article 2

The Local may have an additional amount of dues yearly as authorized by a two-third majority vote of the membership attending a duly called meeting of the Local deducted and collected by the Component in the manner prescribed by Article 1. Such additional dues shall be rebated by the Component to the Local concerned.

#### Article 3

Those members provided by Bylaw 3, article 3 and 4 shall not be required to pay dues.

#### Article 4

Where payroll deduction has been authorized by and paid on behalf of a member, the per capita rebate on behalf of such member shall be due and payable to the Local.

### **BYLAW 6 – EXECUTIVE COMMITTEE**

#### Article 1

The Executive Committee shall be comprised of all elected officers, but not less than three (3), who shall be a President, Vice-President and a Secretary-Treasurer, nor more than ten (10) members as per Local Bylaw 7, Article 1.



Article 2

A majority of the Committee will constitute a quorum.

Article 3

All officers in good standing (an officer in good standing is an executive member who has attended 75% of all meetings), shall receive per diem in accordance with Bylaw 12, Article 8 and may be paid or reimbursed for reasonable expenses incurred by him/her in the performance of his/her duties.

Article 4

If the Office of President of the Local becomes vacant for any reason, the first elected Vice-President shall automatically assume the office, or failing him/her, the next elected Vice-President.

If a vacancy occurs on the Executive Committee, other than the President, due to the death or resignation of a member during the year, the Executive Committee may at their own discretion appoint a member to fill the position on an interim basis. The appointed member may have voice but no vote at Executive Meeting of the Local until his/her appointment has been ratified by the membership at the next general or special meeting called by the Local.

Article 5

The Executive Committee of the Local shall be empowered to take any legal proceedings on behalf of the Local which it may consider necessary, and to defend any action that may be brought against the Local.

Article 6

Executive members shall not be eligible for more than one per diem per annum. In accordance with Bylaw 12, Article 8.

The Treasurer shall retain the option to receive the per diem entitlement monthly in accordance with Bylaw 12, Article 9 or in accordance to Bylaw 12, Article 8, and shall not receive any other per diem as a local officer.

**BYLAW 7 – FORM OF ORGANIZATION**

Article 1

The Local shall elect, in accordance with the provision of these Bylaws, and UNDE Bylaws 7, Article 3; Article 7, not less than a minimum of three (3) officers who shall be a President, Vice-President and a Secretary-Treasurer, to a maximum of ten (10) officers.

Such officers shall be elected every third year at a general membership meeting of the Local and their duties shall be consistent with Bylaw 8, Article 1.

Article 2

The Executive Committee shall hold nine (9) executive meetings annually for the proper conduct of the Local's affairs. The President or two (2) executive members may call ad hoc executive meetings as deemed necessary.

Article 3

General Membership meetings will be held twice yearly (which includes the Annual General Meeting), dating from the Annual General Meeting.

The Annual General Meeting will be held in October of each year. The election of the officers will take place in accordance with Bylaw 7, Article 1.

Annual reports from the Officers of the Local will be presented at the Annual General Meeting, including an audited financial statement.



#### Article 4

Special general meetings may be called by the President, or two (2) Executive Committee members, or at the written request of five (5) members in good standing who shall be in attendance at said meeting. Two weeks notice is required and the membership will be suitably notified of such meetings. No subject other than that for which the meeting was called for shall be discussed.

#### Article 5

A quorum at a general or special general meeting shall consist of the majority of the Executive Committee and any number of members in good standing, without which no business shall be transacted.

#### Article 6

The President shall be a member ex-officio of all committees of the Local. He/she will chair the meeting only if agreed upon by the members of the committee. He/she will not have a vote.

All Chairpersons of Standing Committees shall be appointed by the Executive Committee from their own numbers; such appointments to take place at the first “regular meeting” of the Executive Committee after the Annual General Meeting. Said chairpersons shall have at least two members chosen and/or elected (chosen by the Chairpersons – elected by the Local). The standing committees are listed below:

- a. Steward Committee (Grievances)
- b. Collective Bargaining Committee
- c. Communications Committee
- d. Membership Training Committee
- e. Membership Services Committee
- f. Health and Safety Committee
- g. Human Rights Committee
- h. Bylaws Committee

The Executive Committee may, from time to time as deemed necessary, establish a committee to carry out the work of the Local, or by demand of a simple majority vote at a general meeting of the Local.

Any committee so appointed/elected may meet to transact its business and regulate its meetings as it sees fit. Questions arising at any Committee shall be decided by a majority vote with the Chairperson voting only to break a tie.

No committee will meet without a member of the Executive being in attendance unless agreed to by the Executive Committee.

### **BYLAW 8 – DUTIES OF OFFICERS**

#### Article 1

- a. The President shall be the Chief Executive officer of the Local, and shall preside at all meetings of the Local, and be responsible for the efficient and proper conduct of the Local, including the enforcement of the Local’s Bylaws;
- b. The Vice-President(s) in the absence of their respective President, shall carry out the duties of the Office of President or other duty delegated to them by the Local President;
- c. The Secretary (or Secretary-Treasurer), shall act as Secretary for all meetings, shall have charge of the Minute Books of the Local, and shall perform such other duties as the Executive Committee may require from time to time. The Secretary shall also be responsible for notifying all officers of the Executive of the date/place/time of Executive/Special/General and Annual Meetings of the Local. He/she shall also keep a record of all members attending each meeting of the Local, as well as maintaining updated files of all correspondence;



- d. The Treasurer (or Secretary-Treasurer), shall have care and custody of all the funds and securities of the Local and shall deposit same in such bank or banks or with such depository as the Executive Committee may require. He/she shall also present an updated financial statement at each Executive Meeting of the Local, as well as to each General/Annual Meeting of the Local;
- e. For the purpose of efficiency and ease of operation, the Local may divide the responsibilities of the office of Secretary-Treasurer among two or more of the following: Secretary, Recording Secretary, Corresponding Secretary and Treasurer as per UNDE Bylaw 7 Article 3, and the election procedure set forth in these Bylaws shall apply.

## **BYLAW 9 – ELECTION OF OFFICERS**

### **Article 1**

The officers shall be elected for a three-year term at the Annual General Meeting of the Local where elections shall be by secret ballot, and decided by 50 percent plus 1.

### **Article 2**

All nominees for Local office must be members in good standing. They must be in attendance at the time of election or have given written consent to stand for election to the Nominations Committee.

### **Article 3**

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).

### **Article 4**

The Chairperson of the Nominations Committee shall be appointed by the Executive Committee of the Local at least twenty-one (21) days prior to the Annual General Meeting. The Chairperson of the Nominations Committee shall conduct the elections and appoint such assistants as necessary to ensure an orderly election.

### **Article 5**

Nominations can be submitted in writing prior to the Annual General Meeting to the Nominations Committee, bearing the name of the mover, the seconder, the office and the signature of the nominee as consent to stand for office. Nominations will be accepted from the floor until the Chairperson of the Nominations Committee declares nominations closed.

(a) 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 6**

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

### **Article 7**

The Oath of Office shall be given at the Annual General Meeting where the election takes place by the Senior Officer at the meeting or by the Chairperson of the Nominations Committee. All members or delegates shall stand while the Oath is administered, as per UNDE Bylaw 10, Article 8.

"I \_\_\_\_\_, having been elected an officer of Local 70607 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."



#### Article 8

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.

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.

### **BYLAW 10 – STEWARDS**

#### Article 1

One or more stewards shall be appointed/elected for each working area serviced by the Local. Selection of stewards shall be by the Executive Committee, who may at their discretion or by request of the work area, conduct an election for stewards. The area of jurisdiction shall be at the discretion of the Executive Committee.

#### Article 2

The duties of a Steward shall be as follows:

- a. assist members in all matters related to their collective agreements and terms of employment, including appeals and grievances, calling upon assistance as required;
- b. distribute to each member such information as may from time to time be prepared for general membership distribution by the Local, UNDE or PSAC;
- c. report to the Local any instance of posting or distributing of any material defamatory to the Local, UNDE or the PSAC or any instance of a member or non-member attempting or advocating the withdrawal from the Local, UNDE or the PSAC of any members or group of members;
- d. maintain a list of all members in his/her designated area, forwarding a copy of such list and subsequent changes to the Chairperson of the Membership Services Committee.

#### Article 3

Stewards will carry out their duties in accordance with guidelines which may from time to time be issued by the Chief Steward at the direction of the Executive Committee.

#### Article 4

The Chief Steward or a union officer who has been designated by the Local President shall be responsible for the forwarding to UNDE National Office, of all final level grievances, including all back-up information and shall be responsible for replying to National Office inquiries 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.

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 on an annual basis, the number and disposition of level one and level two grievances which have been resolved at the local level, as per UNDE Bylaw 8, Article 6 (d)(ii). The Chief Steward is welcome to attend all executive meetings and report on status of grievances within the local.

The per diem entitlement shall be paid in accordance with Bylaw 12, Article 14 and this per diem excludes any current member of the Local Executive who performs Chief Steward duties.

#### Article 5

Stewards in good standing (a Steward in good standing is one that is active in assisting members of the Local in all matters related to their Collective Agreement and one that has been assigned a minimum of two (2)





representations) as determined by President and Chief Steward shall receive per diem in accordance with Bylaw 12, Article 13 and may be paid or reimbursed for reasonable expenses incurred by him/her in the performance of his/her duties. This per diem entitlement excludes any current members of the Executive Committee who perform Steward duties.

### **BYLAW 11 – DELEGATES TO NATIONAL CONVENTION**

#### **Article 1**

The number and selection of accredited delegates and alternates shall be in accordance with UNDE Bylaw 11.

#### **Article 2**

Accredited delegates to the Convention of the Union will be elected at a general membership meeting of the Local held at least four months prior to the opening date of the Triennial National Convention.

#### **Article 3**

Alternate delegates shall be elected to replace any accredited delegates who due to unavoidable circumstances cannot attend the Convention.

#### **Article 4**

No person shall be eligible to be nominated as an accredited or alternate delegate unless he or she has attended 75% of the Local meetings open to the general membership held during the twelve (12)-month period immediately prior to the day on which the election of delegates and alternates takes place.

### **BYLAW 12 – FINANCES**

#### **Article 1**

All funds of the Local shall be deposited in a recognized Canadian banking institution. UNDE National Office shall be advised of the institution being used.

#### **Article 2**

Signing officers of the Local shall be the President, 1<sup>st</sup> Vice-President and Treasurer or Secretary-Treasurer, of whom any two shall sign all cheques. All such contracts, documents or instruments in writing so signed shall be binding upon the Local.

#### **Article 3**

The funds of the Local shall only be dispensed upon the authorization of the Local's Bylaws, by budget authorization of the Local or by a simple majority vote of a general or special meeting of the membership.

#### **Article 4**

The Treasurer or Secretary-Treasurer is required to attend and present a financial statement at all regular meeting of the Local and all Executive meetings. The financial statement shall be available for distribution to the members attending that meeting.

#### **Article 5**

The fiscal year of the Local shall end on September 30th.

#### **Article 6**

An audited financial statement for the fiscal year shall be submitted by the Treasurer or Secretary-Treasurer to the Annual General Meeting for approval by the membership. Such approved statement shall be submitted to UNDE National Office within one month of the Annual General Meeting.



#### Article 7

One or more auditor(s), members in good standing who are not members of the Executive Committee, shall be appointed by the Executive Committee. The auditor(s) shall be present at the Annual General Meeting of the Local, and may submit recommendations to the membership.

#### Article 8

A per diem entitlement for the Executive Committee equivalent to eighty-five dollars (\$85.00) per month for each member of the Executive Committee, in accordance with Bylaw 6, Article 6. The per diem entitlement shall be paid on 01 September of each year.

All new executive members must have completed the TUB and Grievance Handling course in order to receive the local's per diem entitlement at the end of the fiscal year.

#### Article 9

The Treasurer shall receive a per diem equivalent to eighty-five dollars (\$85.00) monthly in accordance with Bylaw 6, Article 6.

#### Article 10

Upon prior approval by the Executive Committee through the Membership Training Committee Chair, a member in good standing who attends, as a participant (recipient), at UNDE/PSAC/CLC/OFL training/course/workshops greater than four (4) hours shall be paid a per diem of seventy five dollars (\$75.00).

#### Article 11

Upon prior approval by the Executive Committee through the Membership Training Committee Chair, a member in good standing who attends, as a participant (recipient), at UNDE/PSAC/CLC/OFL training/course/workshops less than four (4) hours or in the evenings shall be paid a per diem of thirty five dollars (\$35.00).

#### Article 12

Any member selected by the executive committee to represent the Local to attend a conference, convention or any other Union activities as a delegate or observer status greater than four (4) hours shall be paid a per diem of one hundred dollars (\$100.00). For less than four (4) hours shall be paid a per diem of fifty dollars (\$50.00). For example: Ottawa Area Council (OAC).

#### Article 13

The per diem entitlement for Stewards shall be equivalent to three hundred dollars (\$300.00) paid annually in accordance with Bylaw 10, Article 5. All new Stewards must have completed the TUB and Grievance Handling course in order to receive this per diem at the end of the fiscal year.

#### Article 14

The per diem entitlement for Chief Steward shall be equivalent to five hundred dollars (\$500.00) paid annually in accordance with Bylaw 10, Article 4. A Chief Steward must have completed the TUB and Grievance Handling course in order to receive this per diem at the end of the fiscal year.

#### Article 15

Posting Clerks shall receive a per diem of one hundred dollars (\$100.00) and to be paid on 01 September of each year.



### **BYLAW 13 – GENERAL**

#### **Article 1**

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 two-thirds vote of those present.

#### **Article 2**

Any member wishing to introduce a motion, or to speak, shall rise and address the Chair, and shall wait until recognized before speaking.

Unless expressly provided otherwise in these Bylaws or the UNDE Bylaws, the PSAC Rules of Order (Bourinot's Rules of Order), shall apply at all meetings of the Local.

#### **Article 3**

All proposed amendments to these Local Bylaws shall be presented as a Notice of Motion (in writing) at least thirty (30) days prior to the next General/Annual meeting at which they would be voted upon. A two-thirds majority vote of the members present at the meeting is required to approve such changes.

#### **Article 4**

These Bylaws and any proposed amendments to these Bylaws shall become effective upon their adoption by a General/Annual membership meeting of the Local.

#### **Article 5**

Upon the adoption of these Bylaws, or any amendments to these Bylaws by a General/Annual membership meeting, a copy of the updated Bylaws shall be sent to The National President of the Union of National Defence Employees for his endorsement.

### **BYLAW 14 – PROTECTION OF LOCAL OFFICERS**

#### **Article 1**

Every elected Officer of the Local who has undertaken or is about to undertake any liability on behalf of the Local and their heirs, executors, administrators and estates and effects respectively shall from time to time and at all times be indemnified and save harmless, out of the funds of the Local from and against,

- a. all costs, charges and expenses whatsoever which such Officer sustains or incurs in or about any action, suit, or proceeding which is brought, commenced or prosecuted against him/her for or in respect of any act or deed, matter or thing whatsoever made, done or permitted by him/her in or about the execution of the duties of his/her office or in respect of such liability;
- b. all other costs, charges and expenses which he/she sustains or incurs in or about or in relation to the affairs thereof except such costs, charges or expenses as are occasioned by his/her own willful neglect or default.

#### **Article 2**

No Officer for the time being of the Local shall be liable for the acts, receipts, neglects, or defaults of any other Officer or for joining in any receipt or act for conformity or for the loss, damage or expense happening to the Local through the insufficiency, deficiency of title of any property acquired by the Local, deficiency of money belonging to the Local, or loss or damages arising from the bankruptcy, insolvency or tortuous act of any person, firm or corporation with whom or which any moneys, securities or effects shall be lodged or deposited or for any other loss, damage or misfortune whatever which may happen in respective office or trust or in relation thereto unless the same shall happen by or through his/her own willful act or his/her own willful default.



**BYLAW 15 – ORDER OF BUSINESS**

**Article 1**

General Meetings:      Quorum  
                                 Roll Call of Executive  
                                 Minutes of Previous Meeting  
                                 Business Arising from the Minutes  
                                 Correspondence  
                                 Business Arising from the Correspondence  
                                 Reports: President, Treasurer, Committees  
                                 New Business  
                                 Adjournment

Annual General Meeting: Quorum  
                                 Roll Call of Executive  
                                 Minutes of Previous General Meeting  
                                 Business Arising from the Minutes  
                                 Officer Reports  
                                 Unfinished Business  
                                 New Business  
                                 Nominations and Elections  
                                 Swearing in of New Executive Officers  
                                 Adjournment

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