UNDE

The Union of National Defence Employees

# LOCAL 619

# BORDEN

# BYLAWS

DRAFT 15MARCH 2016 **(Submitted by UNDE 619 By-Law Cmte)**

# UNION OF NATIONAL DEFENCE EMPLOYEES

## LOCAL 619 BORDEN
## BYLAWS

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## UNDE LOCAL 619

## BYLAWS

### BYLAW 1 – Organization

a. this organization shall be known as the Union of National Defence Employees (UNDE) Local 619, Borden, Ontario, and hereinafter, shall be referred to in these By-Laws as the Local;

b. the organizational form of the Local shall comprise of not less than three (3) Executive members which shall be the President, Vice-President and Secretary/Treasurer or shall be composed of a duly elected Executive Committee consisting of the following Officers, in descending order of authority:

   (i) President;
   (ii) Vice-President;
   (iii) Secretary;
   (iv) Treasurer,
   (v) Past President.

c. membership shall be in accordance with the UNDE By-Laws, regulations and policy guidelines, and the PSAC Constitution, By-Laws and regulations.

### BYLAW 2 – Election of Officers

a. the officers shall be elected by secret ballot at the Annual General Meeting in accordance with Bylaw 10,

b. all officers shall obtain a simple majority of votes cast, or be elected by acclamation in order to be deemed elected;

c. all nominees for office must be members in good standing, and be in attendance at the time of election or shall 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;

d. in the event of more than two candidates for office, the candidate receiving the fewest 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 simple majority;

e. the newly elected officers shall be sworn in immediately preceding new business;

f. 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;

g. persons of the Nominating Committee cannot stand for Executive positions;

h. 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;

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

j. in order to carry out this bylaw and to facilitate continuity of office, all positions will be elected for two year terms, with elections conducted in alternating years in the following manner, thus establishing alternating terms, which will add more stability and continuity for the members and executive:

(i) Even years, it will be the President, and Treasurer;
Odd years for First Vice-President, Secretary

(ii) Should a mid term election be held, the successful candidate will fill the position only for the remainder of its term.

k. should any officer of the Local 619 executive declare his/her intentions to run for another position before their current term is over, and are successful, their current position will become immediately vacant.

## BYLAW 3 – Executive Committee

a. the Executive Committee shall be comprised of all elected Officers at the Annual General Meeting;

b. in the event of an officer of the Local Executive resigning, retiring or otherwise ceasing to be an executive officer, the vacant position shall be filled by means of an election with the exception of the President and Vice-President positions. Should either of these positions become vacant, the next executive officer as listed in order according to Bylaw 1(b), would move up to assume the position(s). Subsequently, a notice of motion to fill the position vacated by this succession shall be given at the next regular general meeting of the Local, and an election to fill the vacancy will he held at a general or special meeting. During the interim period, the Executive may provisionally appoint a replacement;

c. at no time should the President, Vice-President be away at the same time. Contact info, such as telephone, cellphone, pager no., e-mail, etc., should be provided to the rest of the executive left conducting the Union business;

d. shall attend a minimum of 70% of the monthly Membership and Executive meetings. Failure to meet this requirement without just cause, shall be subject to disciplinary action as stated in Bylaw 13(b);

e. newly elected executive members shall endeavor to take or register to take all the necessary Union training for their position within 3 months of taking office. Failure to meet this requirement, without just cause, shall subject the member to actions as stated in Article 13(b).

f. any member vacating their position as an Executive Officer, Steward or committee member shall surrender to the Local within thirty (30) days all records, files, documents, funds and property held in trust for the Local. In the event that there is no Officer of the Local, all materials shall be surrendered to the VP of the region.

## BYLAW 4 -DUTIES OF EXECUTIVE OFFICERS AND STEWARDS

PRESIDENT: The President of the Local, or in his/her absence, his/her representative, shall be the Chief Executive Officer of the Local who:

a. shall preside at all meetings of the Local, (unless otherwise restrictedby the UNDE Bylaws) and Executive Officers;

b. shall enforce the Local Bylaws, UNDE Bylaws, Regulations and Policy Guidelines, and ultimately the Constitution and Regulations of the PSAC as applicable;

c. may appoint committees;

d. shall be an ex-officio member of all committees;

e. shall report to the Executive Officers and the membership all business concerning the Local. Policy decisions affecting the Local shall be made to the membership and the Executive Officers as a whole;

f. shall have co-signing authority of all cheques. The President of the Local, as Chief Executive Officer, is ultimately responsible for the financial affairs of the Local pursuant to Bylaw 11(d);

g. shall sign and be responsible for all correspondence on behalf of the Local;

h. The President, subject to acceptance of the convenor, shall represent the Local at all PSAC, UNDE, OFL and CFL conventions, conferences and seminars as the primary delegate from the Local;

i. shall assign the Executive Officers, Committee Chairpersons, and members of the Local , the following duties:

    i. Union Management Consultation Committees
    ii. Joint Occupational Safety & Health Committees;
    iii. membership;
    iv. Education;
    v. in the absence of the Treasurer, his/her duties;
    vi. in the absence of the Executive Secretary, his/her duties;
    vii. in the absence of the Chief Steward, his/her duties;
    viii. Website Administrator;
    ix. WSIB coordinator;
    x. RTW coordinator;
    xi. Benevolent Fund coordinator;
    xii. Human Rights Advisor; and
    xiii. any other portfolios and committees as required.

j. be the Chief Representative of the Local and the Chief spokesperson in its dealings with management, UNDE, PSAC and other locals and affiliates.

**BYLAW 5 - The Vice-Presidents: in descending order shall**:

a. assist and support the President in the discharge of his/her duties;

b. perform the duties of the President in case of absence or vacancy of that position;

c. assume the chair at meetings when the President vacates it for any reason;

d. be responsible for portfolios as appointed and perform other duties as directed by the Local President;

e. be responsible for providing reports and updates on the appointed portfolios to the Local President on a regular basis;

e. in the absence of the Treasurer, act on his or her behalf;

f. report on their activities on a regular basis to both the Executive and the membership;

g. submit an Annual written report on their activities to the Local President and the membership and present this at the Annual General Meeting; and

h. Secure meeting venues as required.

**BYLAW 6 – Secretary shall be responsible for:**

a. notifying members of the Local of meetings of the Local in accordance with Bylaw 10:

b. Request agenda items from the membership and prepare and distribute a written agenda in accordance with Bylaw 10

c. recording and preparing minutes and filing of all General Membership meetings, Special Membership meetings, Executive meetings and Special Executive meetings of the Local;

d. making copies of the minutes of the previous General Membershipmeeting and any Special Membership meeting of the Local available to the membership for approval at the current General Membership meetingof the Local;

e. present by reading or providing in hard copy, all relevant, pertinent and current correspondence received by the Local office applicable for the current Executive, special Executive, General Membership meeting or Special Membership meeting;

f. maintaining all correspondence between the Local ,UNDE,PSAC and other labour affiliations;

g. be the custodian of all correspondence, records, archived financial records and minutes of the Local.

h. ensuring that all correspondence of the Local, other than routine, is signed by the President, or in his/her absence, his/her representative as approving such correspondence;

i. maintaining a current attendance register of all members in good standing attending General Membership meetings of the Local , and maintaining a current attendance register of all Executive Officers attending Executive meetings and Special Executive meetings of the Local;

j. making records available for inspection to any member in good standing with the Local upon request in writing and in accordance with the Privacy Regulations;

k. ensuring that his/her successor to the Office receives all recorded correspondence pertaining to the Local ;

l. performing such other duties that pertain to the operation of the Local office including maintenance of the pens, paper and stationery supplies to allow for the efficient operation of the Local's office;

m. carry out other duties as delegated by the President of the Local .

**BYLAW 7 - The Treasurer shall:**

a. be responsible for the receipt and disbursement of all funds for the Local, and maintain accurate and proper financial records of all transactions;

b. be accountable to the membership and Executive for all finances, receivable and payable, and shall ensure all funds received are deposited within four business days into the Local bank account;

c. be one of the signing authorities for disbursements;

d. submit current financial reports to the Executive and to General membership meetings;

e. submit to the Local a complete financial statement of the previous year, prior to the annual election of officers;

f. submit an audited statement of the finances of the Local to the Vice-President of the Region and the UNDE National Office, no later than December 31 of the same year;

g. alert the Local about RAND members, so they can be located and signed up;

h. prepare and submit a budget proposal to the Executive Officers, for the upcoming fiscal year for membership approval at the March general membership meeting; and

i. carry out other duties as delegated by the President;

**BYLAW 8 – The Chief Steward shall:**

a. Be a steward in good standing and be elected from the pool of qualified grievance handling stewards;

b. Be responsible to facilitate the election of new Stewards;

c. be responsible to organize and coordinate the Stewards' network;

d. set up and maintain a communication system amongst the Stewards;

e. ensure all Stewards are provided with coaching and mentoring ;

f. be the main liaison between the Executive and the Stewards;

g. work with the Executive and Stewards to resolve problems related to the organization, maintenance and efficiency of the Stewards' network;

h. advise the Stewards, provide guidance and support and act as a resource person for the Local 619 through the Executive;

i. chair Steward Committee meetings, which will be conducted a minimum of twice per year, or when requested by the President;

j. represent grievances at the second level, subject to the approval of the grievor;

k. provide regular reports on the amount and status of grievances to the Executive;

l. provide a report on the amount and status of grievances at general membership meetings;

m. submit an annual report of their activities to the Local President and the membership;

n. be responsible to forward all final level grievances to the Union's National Office including all back-up information, be responsible for replying to National Office inquiries on any request for additional information on a final level grievance, and any request for specific report on a subject related to a final level grievance; and

o. submit an Annual report to the President of the Local for furtherance to the Union's National Office, the number and disposition of level one and level two grievances which have been resolved at the Local level. The Annual report, including NIL reports, shall be submitted along with the Local's annual audited financial statements.

p. carry out other duties as delegated by the President.

**BYLAW 9 – The Steward shall:**

a. be a member in good standing and elected by a simple majority from the local work unit, as facilitated by the Chief Steward or in his/her absence the President;

b. the Steward shall be appointed to the Stewards' List by the Executive, be sworn in as a Steward and introduced to the Local at the next meeting by the President of the Local or his/her delegated representative.

c. A Steward shall not represent the Alliance until they have completed the PSAC Talking Union Basics (TUB) and a UNDE or PSAC Grievance Handling course(s). Until a Steward has completed the required training he/she may accompany a trained Steward in the course of their duties with the permission of the parties involved. be responsible for dealing with all initial membership workplace complaints in their area of responsibility;

d. be available to represent members in other areas when required;

e. represent membership at first level grievances subject to the approval of the griever;

f. provide all administrative information to the Chief Steward to ensure accuracy of reports on grievances;

g. seek assistance and direction for workplace complaints and first level grievances from the Chief Steward to ensure membership needs are respected;

h. participate in all Steward meetings coordinated by the Chief Steward;

i. be available to participate in Steward training; and

j. act as a mentor and source of knowledge to other Stewards when requested.

k. shall attend a minimum of 50 % of the monthly General Membership meetings. Failure to meet this requirement without just cause, shall be subject to disciplinary action as stated in By-Law 13(b); and

l. Carry out other duties as requested by the Chief Steward or Executive Committee.

**BYLAW 10 – Meetings**:

a. general membership meetings of the Local shall be held once each month except for July, August and December, or as determined by the Executive Committee. All members in good standing may attend;

b. notices of meetings shall be posted a minimum of one (1) week in advance of the meeting;

c. special General meetings may be called by the President or upon the petition of ten (10) members in good standing. The petition shall be presented to the President and will include the business to be discussed. Only matters for the reason the special General meeting was called can be discussed;

d. general membership meetings may be attended by all members in good standing, who shall be provided reports from the Executive on their activities covering the period between meetings. A quorum shall exist for all regular General Membership Meetings of the Local, where at least two (2) members of the Executive and at least six (6) other members are present;

e. 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;

f. 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 its Annual audited statement, receiving reports from the Executive, and conducting the election of officers. The quorum for an Annual General Membership meeting shall be the members in attendance and at least four (4) of its Executive;

g. regular Executive meetings of the Local shall be held, as a minimum, quarterly, for the proper conduct of the Local's affairs. Regular Executive meetings shall be called by the President, or by a majority of the Executive on an "as required", when required basis. A quorum shall exist for a duly called Executive meeting where at least four (4) of the Executive members are present. The regular Executive meetings are open to all members in good standing to observe, without voice;

h. 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;

i. PSAC Rules of Order (most current version) shall apply at all Local meetings; and

j. all meetings shall start within 10 minutes of the starting time. In the absence of the President, the Vice-President shall chair the meeting.

k. March and October general membership meetings are mandated to be held to ensure the budget and financial reports are dealt with, quorum for these meetings will be three (3) executive members and three (3) members in good standing.

**<u>BY-LAW 11 – Finances:</u>**

a. all funds duly received and recorded shall be placed in an Accredited Financial Institution, by the Treasurer of the Local within four (4) business days, after receipt, under the name of Local 619, Union of National Defence Employees;

b. the fiscal year for the Local shall be from the first of October to the 30th of September. All financial records shall be retained for the legal period prescribed by the Canada Revenue Agency;

c. the account shall be a type that has chequing privileges and provides a monthly statement;

d. signing authority for the issue of cheques shall be the Treasurer, the Local President, and one other delegated Executive Member. Two (2) of the three (3) signatures shall be required on all cheques issued by the Local. Only during emergencies or absences of the Treasurer shall the Treasurer's signature not be required to endorse the cheques;

e. all expenditures shall be paid by cheque, or pre-authorized payment, as directed by the membership of the Local , or Local 619 By-Laws where applicable;

f. the executive shall have the authority to expend funds not to exceed $1,000.00 to cover normal operating expenses not covered by the approved budget, and shall report those expenditures during the Local General monthly membership meetings;

g. the Local shall pay an additional allowance of $25.00 to defray the cost of stationary, 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 form of business for the good and well-being of the Local or its membership;

h. the Local shall reimburse expenses incurred by the member(s) in g. above, at National Joint Council rates and rules, for meals, accommodations, transportation, mileage and registration fees, if any, and expenses equivalent to wages lost, unless these expenses are to be paid by another party. Members shall take every reasonable step to assure 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;

i. all members seeking authorized payment and/or reimbursement of expense(s) shall submit an expense claim (available at Local office)documenting all relevant expenses, and providing all applicable receipts, signed and dated, to the Treasurer of the Local for approval and reimbursement;

j. The Local shall reimburse any Steward or committee member for reasonable and **pre-approved** out of pocket expenses incurred while carrying out of the duties of the position while representing the Local, in excess of 10 kilometres per return trip, when not covered under the collective agreement. These expenses may include accommodations, food, child care expenses, etc. Expenses equivalent to wage loss by the Steward or committee member may also be reimbursed by the Local. Any Steward or committee member seeking reimbursement of expense(s) shall submit the expense claim, documenting all relevant expenses, providing all applicable receipts, signed and dated, to the Treasurer of the Local, and subject to approval. All efforts shall be made to ensure that expenses are mitigated, to reduce the Local's financial burden;

k. standing advances for expense purposes as approved by the Local's annual budget, shall be provided on an imprest account basis to all elected and appointed officers and members;

l. in case of an impending strike, a strike coordinator shall be appointed by the Executive Committee of the Local. The Strike Co-ordinator of the Local shall take "Leave without pay" to assist the coordination of the potential strikers. The Strike co-ordinator shall be reimbursed for his/her lost wages at their substantive or acting position and level. The Strike Coordinator's replacement wages shall be paid by the Local, UNDE or the PSAC until such time as the members of the Local take official strike action and lose income for such action;

m. the Executive Committee will establish a criteria for a Benevolent Fund (Regulation 2 to these By-Laws). An amount of money will be set aside in the Local budget to make this happen;

n. the Executive Officers of the Local shall submit a budget proposal, prepared by the Treasurer, for the upcoming fiscal year at the March General membership meeting of the Local; and

o. The Local shall reimburse any Executive member for reasonable out of pocket expenses incurred while carrying out the duties of the position while representing the Local, when not covered under the collective agreement. An Executive member seeking reimbursement of expense(s) shall submit the expense claim, documenting all relevant expenses, providing all applicable receipts, signed and dated, to the Treasurer of the Local, and subject to approval. All efforts shall be made to ensure that expenses are mitigated, to reduce the Local's financial burden. Expenses are limited to a maximum as determined by the approved budget per fiscal year.

**BYLAW 12 – Auditors**:

a. an Audit Committee of volunteers (preferably with a financial background) from members of the Local for two (2) auditors and one (1) alternate shall be requested at the September General Membership Meeting of the Local ; and

b. the Audit Committee shall have an audit completed and ready for the Annual General Membership Meeting of the Local

**BYLAW 13 – Discipline**

a. discipline shall be governed by the Local Bylaws and Regulations, the UNDE By-Laws, Regulations and Policy Guidelines, the Constitution and Regulations of PSAC; and

b. any Executive officer, Steward, committee member of the Local, who fails to abide by these Local Bylaws, shall be subject to removal from their duties, pending an investigation by the Investigation Committee in accordance with the UNDE Bylaws, Regulations and Policy Guidelines, and PSAC Constitution and Regulations.

c. The Investigation Committee shall normally be appointed by the President of the Local and consist of three members in good standing including one Executive Member as the Chairperson. Terms of Reference will be established prior to commencement of the investigation.

**BYLAW 14 – General Guidelines**:

a. notice to amend the Local Bylaws, shall be given in writing (30) days prior to an meeting at which the motion will be voted on. two-thirds majority vote is required to pass the amendment;

b. within (30) days of adoption, the Local shall forward to the Vice-President of the Region, a copy of the Bylaws and amendments for review and recommendation of approval to the National President;

c. the Executive Committee shall have the right to develop Regulations to these Bylaws. Any Regulation shall be presented to the membership for comment, before incorporating into these Bylaws: and

d. the Bylaws 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 Bylaws, and in case of conflict, shall take precedence over the Local's Bylaws.

**REGULATION 1 – Order of Business and General Rules**

Order of business:

a. all meetings, of the Local 619, shall be called to order by the President of the Local 619, or in his/her absence, by his/her representative;

b. The Secretary shall take the roll of Executive members and members in good standing and determine if a quorum is present;

c. minutes of the previous General Membership Meeting and any Special Membership Meetings shall be made available for distribution, confirmation and acceptance;

d. matters arising from the minutes of the previous General Membership Meeting and any Special Membership Meetings;

e. correspondence of the Local read by the Secretary of the Local ;

f. financial report(s) shall be made available for distribution, confirmation and acceptance;

g. committee reports;

h. election of Executive Officers of the Local 619, including nominations, election ballots, giving Oath to elected Executive Officers of the Local ;

i. new business (from agenda);

j. and

k. motion for adjournment or continuation of meeting.

**REGULATION 2 – The Benevolent Fund Criteria**

The Benevolent Fund Criteria shall be established by the Executive Committee.

Signed at CFB Borden, this _____ day of the month of _____________, 2016

President Local 619

_____________________

Sister Rosemarie Smith-Gimblett

Signed at OTTAWA, this 19 day of the month of MAY, 2016

President UNDE

_____________________

Brother John MacLennan