

UNDE LOCAL 80405

BY-LAWS

Approved by Executive:

15 January 2019

Approved by Membership:

31 January 2019

Approved by UNDE:

UNION OF NATIONAL DEFENCE EMPLOYEES

LOCAL 80405

BY-LAW 01 NAME

01-01 This organization shall be known as Local 80405, of the Union of National Defence Employees (UNDE). A component of the Public Service of Canada (PSAC), and should be referred to in these bylaws as the Local.

BY-LAW 02 GENERAL

02-02 Nothing in the bylaws of the local shall be construed to conflict with the bylaws of the Union of National Defence Employee (UNDE) or the Constitution of the Public Service Alliance of Canada (PSAC).

BY-LAW 03 AIMS AND OBJECTIVES

03-01 To encourage all employees of all classification coming under the jurisdiction of the Department of National Defence and within the jurisdiction of PSAC and the Local, without regard to race, creed, color or national origin, sex, age and station in life, to share in full benefits obtainable through membership in a single local capable of action on their behalf, by becoming Members of UNDE and PSAC.

03-02 To protect the interests, rights and privileges of any member or group of members under terms of the contract, in appeals or grievances under an established procedure or in any other matter with the jurisdiction of the local.

03-03 To obtain for its members, through meaningful consultation and the grievance procedure, safe and comfortable working conditions.

BY-LAW 04 MEMBERSHIP

04-01 Membership shall be open to all employees of the Department of National Defence employed at CFB Halifax, who come under the jurisdiction of the PSAC and the Local.

04-02 Upon being granted membership in the Local, and for term of such membership, each member is deemed to have agreed to abide by and to be bound

by the provisions of the bylaws of the local, UNDE and the Constitution of the PSAC.

BY-LAW 05 MEETINGS

05-01 All meetings shall be conducted according to “The rules of order for PSAC Meeting”

05-02 Regular Meetings shall be held in the following months: January, March, July, and September.

05-03 In the event of unforeseen circumstances that require changing of a scheduled regular meeting the local executive shall have the authority to make necessary changes.

05-04 A regular meeting may be cancelled by local executive where it is felt that a Quorum would be unlikely.

05-06 Notices of meetings shall be posted in the work area or other conspicuous places of members concern, at least seven (7) days prior to meetings.

05-07 Special meetings notices shall state the purpose of the meeting. Only the subject or subjects stated on the meeting notice can be discussed and dealt with at that meeting.

05-08 Meeting shall convene at a convenient time agreed on by executive.

05-09 The annual meeting of the local shall be held in the month of November. Annual reports, election of offices and other pertinent business shall be considered.

BY-LAW 06 QUORUM

06-01 A quorum at regular meetings shall not be less than nine (9) members, including the executive, at least half of the executive members must be in attendance.

06-02 A quorum at an executive meeting shall not be less than four (4) of the elected officers.

06-03 A quorum at a special meeting shall not be less than ten (10) members including the executive.

BY-LAW 07

ORDER OF BUSINESS

07-01 Meetings shall be conducted in accordance with the PSAC rules of order, in the follow order of business:

- a) Call to order
- b) Harassment statement
- c) Roll call of officers
- d) Welcome to new members and visitors
- e) Reading and adoption of previous minutes
- f) Treasurer's report
- g) Committee reports
- h) Unfinished business
- i) New business
- j) Adjournment

07-02 The order of business for a special meeting shall be:

- a) Call to order
- b) Roll call of officers
- c) Reading of letter of notification calling the meeting
- d) Discussion of subject or subjects for which the meeting was called
- e) Adjournment

BY-LAW 08

LOCAL EXECUTIVE OFFICERS

09-01 The carrying out mandates of the membership as voted on at a regular or special meeting.

09-02 The executive shall ensure that annual audits of the local financial records are conducted.

09-03 A member of the executive can only be removed from office if found to have contravened the UNDE bylaws or PSAC constitution by an investigation and not by "just cause" as determined by a majority of the executive.

09-04 The executive shall meet one week prior to the regular meeting or at the call of the President, as he deems necessary. Three members of the executive may

request a meeting, in writing to the president, who shall call the meeting within five working days of the request.

09-05 Executive shall attend all regular, special and executive meetings unless prevented from doing so by:

- a) Official union business
- b) Illness
- c) Work commitment

09-06 The executive shall oversee the progress and activities of all committees established by the local.

09-07 On vacating any of the offices of the executive, he/she must surrender all documents, records, minutes, files and publication, equipment or any other item belonging to the local, to their successor or president within 10 calendar days.

09-08 The executive will strictly adhere to the by-laws of this local, UNDE, and the constitution of the PSAC.

BY-LAW 10 DUTIES OF THE EXECUTIVE OFFICERS

10-01 The president shall:

- a) Act as chairperson at all regular, special and executive meeting at this local.
- b) Exercise supervision over the officers of the local.
- c) Be bound by and act in accordance with the provisions of these bylaws and carry out the wishes of the membership.
- d) Vote only in the case of a tie vote, with the exception of elections and secret ballots.
- e) Represent the local at unit LMRC, base LMRC, UNDE Area council meetings and UNDE national conventions.
- f) Act as an ex-officio member of all formed committees
- g) Have the power in an emergency to act immediately in the “best interests” of the local or members therefore provide prior approval has been obtained from not less than three (3) members of the executive, one of whom must be the Historian.

- h) Ensure that all correspondence to the local is brought before the executive at an executive meeting in a timely fashion.
- i) Approve and sign official documents and other instruments as instructed by the membership of the local.

10-02 the 1st vice president shall:

- a) Assist the president in performance of his duties in whatever way may be required.
- b) In the absence of the president, shall assume the duties and responsibilities of the president.
- c) Assume the office of the president in the event that the position becomes vacant.
- d) Represents the local at unit LMRCs
- e) Be the local education office
- f) Be a strike coordinator for the local

10-03 The 2nd Vice president shall:

- a) Assist the president in performance of his duties in whatever way may be required.
- b) In the absence of the 1st vice, shall assume the duties and responsibilities of the 1st Vice President.
- c) Assume the office of the 1st Vice President in the event that the position becomes vacant.
- d) Be a Strike Coordinator for the local

10-04 The Historian shall:

- a) Receive, file and report on all correspondence received by the local
- b) Conduct such correspondence as he/she may be directed to by President, Executive or membership meeting.
- c) Ensure that business arising out of a regular, special or executive meeting are acted upon promptly.
- d) Ensures that the results of an election and changes to the By-Laws are promptly reported to the UNDE national office.
- e) Conduct the roll call of the officers

- f) Attend all meetings of the executive and general membership and keep a true and accurate record of same.
- g) Maintain an attendance record of all minutes at all meetings or those properly excused at any meeting.
- h) Forward draft copies of all minutes to the president within two (20 weeks of a meeting.
- i) Be responsible to ensure that all persons attending any meeting of the local are members in good standing.
- j) Notify all executive members of executive or special meetings.
- k) Post minutes from regular meeting on local bulletin board.
- l) Maintain and supply and updated stewards list to the following people:
 - i. All executive members
 - ii. All shop stewards
 - iii. UNDE vice-presidents Nova Scotia
 - iv. UNDE National Office
 - v. PSAC National Office
 - vi. PSAC Regional Office
 - vii. Base Civilian Personnel Office
- m) Type and submit all bargaining input demands
- n) Be responsible to ensure that UNDE retirement certificates are obtained.
- o) Perform such other duties that may be assigned him/her by the President or Executive.

10-05 The Treasurer shall:

- a) Act as the chief financial officer of the local
- b) Keep a true and accurate record of all receipts and disbursements
- c) Pay all accounts by cheque. Said cheques to be signed by the Treasurer and President
- d) Report on all monies received and expended to all regular and executive meetings
- e) Ensure the financial records of the local are audited yearly.
- f) Submit annual audited statement to National executive of UNDE before 31 October of each year.

10-05 The Chief shop steward shall:

- a) Work in close liaison with all stewards, executives and chairpersons of all committees
- b) Interview all new shop stewards
- c) Represent executive and shop stewards at grievances and disciplinary hearings
- d) To receive and maintain copies of all grievances from all shop stewards
- e) To liaise with UNDE national offices on all grievances sent to national level.
- f) Ensures the proper application by management and members of existing collective agreements, arbitral awards, acts and regulations and refers to them when necessary.
- g) Conduct themselves in a manner consistent with the guidelines set out in the “PSAC Shop steward’s Handbook” and in the best interest of the members and the local.

BY-LAW 11

SHOP STEWARDS

11-01 Shop Stewards shall:

- a) Have steward training with UNDE or PSAC education departments
- b) Act as the local’s representative at the work site
- c) Endeavour to answer members queries and remedy complaints
- d) Act as member’s representative at grievance and disciplinary hearings
- e) Report all grievances to chief shop steward
- f) Conduct themselves in a manner consistent with the guidelines set out in the “PSAC shop steward’s handbook” and in the best interest of the members and the local
- g) Act as members on standing and special committees

BY-LAW 12

HEALTH AND SAFETY OFFICER

12-01 Health and safety officer shall:

- a) Investigate major health and safety and health (JOSH) meeting are held on base in accordance with the Canada labour code (CLC) part IV
- b) Ensure Joint Occupational Safety and Health (JOSH) meetings are held on base in accordance with the Canada Labour Code (CLC) part IV
- c) Receive a copy of minutes from JOSH meetings

- d) Attend JOSH meetings are required
- e) Assist stewards who are doing Health and \safety grievances as required
- f) Liaison with Formation General Safety Officer or any other Safety Officer as required
- g) Provide Health and Safety education as required

BY-LAW 13 COMMITTEES

13-01 There will be NO SECRET COMMITTEES in this Local

13-02 Committees shall be established with the approval at a regular meeting or Executive Meeting

13-03 The following Committees may be established:

- (a) Employment Equity
- (b) Health and Safety
- © Collective Bargaining
- (d) Nominations
- (e) Audit

13-04 Committees will make Reports at Executive and Regular Meeting, Committees and may report to Special \meeting if appropriate

BY-LAW 14 CONVENTIONS

14-01 The Local President shall by virtue of his |Office be a Delegate to UNDE Conventions. Additional Delegates shall be elected in accordance with UNDE Conventions. Additional Delegates shall be elected in accordance with UNDE By-laws.

14-02 Delegates to the Nova Scotia Federation of Labour (NSFL) Conventions may be elected in normal fashion.

14-03 Delegates to NSFL Convention may only receive expenses accorded in By-Law 17-02 and their entrances fee

BY-LAW 15***DISCIPLINE***

15-01 Discipline shall be in accordance with UNDE By-Laws

15-02 In the event of a strike, the Local will establish an investigation committee to investigate allegations of members crossing picket lines, and make recommendation to the Local Members. Committee recommendations can include removal of membership for a period of up to five (5) years and also fining the member the equivalent of their daily wage based on the classification and level for every day or part of the day any member so accused will be afforded every opportunity to prove their innocence.

BY-LAW 16***ELECTION OF OFFICERS***

16-01 Local Elections shall be governed by the UNDE By-Laws

16-02 Elections shall take place at the Local's Annual Meeting held in November

16-03 All nominees for office must be members in good standing of the Local and be in attendance at the time of the election or have given written consent to stand for election.

16-04 (a) The offices of "President" and "Historian" shall be for a period of two years and will be filled alternately so that one or the other will always have one year left to serve on even years.

(b) The offices of "First Vice President" and "Treasurer" shall be for a period of two (2) years and will be filled alternately so that one or the other will always have one year left to serve on odd years

16-05 Should a vacancy occur on the Local Executive other than the President and 1st Vice President the Executive shall have the authority to make Appointments.

16-06 All Elections shall be by secret ballot and decided by a simple majority of those voting.

16-08 All officers of the Local shall take office immediately following the meeting at which they are elected and shall be given a copy of the Local bylaws containing their duties therein.

16-09 The Senior Officer present shall give the Oath of Office at the meeting or the convention where the election takes place. Each officer shall repeat the oath aloud as directed by the person administering the oath. **NOTE:** the oath of office shall not be in conflict with the UNDE By-Law oath:

“ I _____ having been elected an officer of the Union of national Defence Employees do solemnly declare that during the term of office, 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.

BY-LAW 17 DUES

17-01 The membership dues shall be the monthly equivalent of the amount set by the PSAC Convention and UNDE Convention, plus an additional amount as authorized by a 2/3 majority vote of the membership attending a duly called meeting of the local. Dues to be paid by regular payroll deduction.

BY-LAW 18 FINANCES

18-01 The authority for the expenditure or investment of funds on behalf of the Local shall be vested in the Local Executive.

18-02 Local funds shall be deposited in a Chartered Financial Institution, credit Union or secure bonds.

18-03 The Financial Records of the Local shall be audited once a year.

18-04 The Financial Records of the Local shall be reported at all regular and executive meetings.

18-05 Photocopies of the Financial Report shall be made available at all meetings.

18-06 The signing officers of the Local shall be the Treasurer and one of the following:

- a) President
- b) 1st Vice President

18-07 Requests for donations, expense claims and other disbursements must be made in writing, including itemized statements and receipts. No disbursement of Local funds shall be made unless sanctioned by two-thirds (2/3) majority vote of the Local Executive.

18-08 The maximum donations shall not exceed one hundred dollars (\$100).

18-09 Expenses of Local Executive and Members attending official union meetings, courses and conventions on behalf of the local may be entitled to the following:

- a) For up to one-half (1/2) day in the Metro Halifax area, Ten dollars (\$10).
- b) For up to one-half (1/2) day outside the Metro Halifax area, Fifteen Dollars (\$15).
- c) For one whole day in the Metro Halifax area, Fifteen Dollars (\$15).
Maximum Sixty Dollars (\$60) per week.
- d) For one whole day outside the Metro Halifax area, Twenty Dollars (\$20).
Maximum Eight Dollars (\$80) per week.

18-10 Regular and Special Meetings of this Local are not included in bylaw 16-09.

18-11 Travel mileage Expenses for the first (1st) member shall be paid by UNDE where applicable, subsequent member may be paid by Local, at the UNDE rate.

BY-LAW 19 PER DIEMS

19-01 Per diems may if financial conditions warrant it be paid to Local Officials to help defray expenses not otherwise covered by the Local.

19-2 Subject to By-Law 19-01, Per diems will not exceed the following amounts per year:

- | | |
|-----------------------------------|-----------|
| a) President | \$ 200.00 |
| b) 1st Vice President | \$ 200.00 |
| c) 2 nd Vice President | \$ 200.00 |
| d) Historian | \$ 200.00 |
| e) Treasurer | \$ 200.00 |
| f) Chief Shop Steward | \$ 200.00 |
| g) Health & Safety Officer | \$ 200.00 |

19-03 local Officials who do not complete a full term will not receive a per diem.

19-04 Per diems shall not be paid to any Local Officials who do not actively carry out their Duties and responsibilities to the satisfaction of the Local Executive.

19-05 No Local Official shall be entitled to receive a Per diems who has not attended at least two-thirds (2/3) of the regularly meetings, unless prevented from doing so up to a maximum of three (3) meetings because of:

- i. Official union business
- ii. Illness
- iii. Work commitments

BY-LAW 20

INTERPRETATION AND AMENDMENTS

20-01 In the event of a dispute arising from the interpretation of the bylaws, the decision of the executive shall be considered binding, subject to a vote at the next Local General Membership meeting.

20-02 All proposed amendments to the bylaws, submitted by a member in good standing, shall be presented as a Notice of Motion (in writing) at a general Membership meeting, one meeting prior to their being considered by the membership.

20-03 A two-thirds (2/3) majority vote of the membership present is required for the adoption of any amendment to the bylaws.

20-04 The By-Laws are superseded by By-Laws of **UNDE** and the Constitution of **PSAC**

