# UNDE LOCAL 80407 REVISED 2019 BYLAWS

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**UNDE STATEMENT ON HARASSMENT**

**(To be read aloud at all UNDE events)**

The Union of National Defence Employees promotes a zero-tolerance policy in regards to harassment and discrimination.

The component believes and promotes full equality of all its members and the rights of each member to be treated with dignity and respect.

UNDE will neither tolerate nor condone attitudes and behaviours at union events, regardless of intent, that are likely to undermine the dignity, self-esteem or security of an individual or create an intimidating, threatening, hostile or offensive environment.

If you experience harassment at this event, contact (identify the intervener) who will assist you through the process outlined in the UNDE Harassment Policy and the Guidelines and Procedures for Managing Harassment Complaints.

## BYLAW 1

**Article 1** – **Name of Organization**

This organization shall be known as THE UNION OF NATIONAL DEFENCE EMPLOYEES LOCAL 80407, a Local of National Defence Employees, Ottawa, Ontario – a component of the *Public Service of Canada* (PSAC).

**Article 2** – **Location**

The Local shall have its office in MARLANT.

## BYLAW 2

**Article 1** – **Purpose**

The purpose of this organization shall be to promote the interests of all members and to advance their welfare both economically and socially.

**Article 2** – **Affiliation**

This Local shall not affiliate with any group other than the *Public Service Alliance of Canada* and its affiliated organizations without the approval by ballot of two-thirds of the membership present at a meeting.

Article 3 – Statement on Harassment

The UNDE Statement on Harassment shall be read aloud at all UNDE events.

## BYLAW 3

**Article 1** – **Membership**

Membership shall be open to all classifications of DND employees in Nova Scotia whose bargaining agent is PSAC in areas covered by the Local Agreement (attached) and outlying Stations.

**Article 2** – **Membership Rights**

1. To be represented by the Local;

2. To be free of any act or omission on the part of the Union, or other members, that would discriminate against the member on the basis of

age, sex, colour, national or ethnic origin, race, religion, marital status, family status, family status, criminal record, physical or mental disability, sexual orientation, gender identity, language, political belief, social and economic class or employer;

3. To be free from harassment by another member, both within the Union and in the workplace, on the basis of any of the grounds mentioned in Article 2.2.

## BYLAW 4

### Article 1 – Executive of UNDE Local 80407

The following shall comprise the Executive of Local 80407:

a. President (position by vote 2yr. term)
b. First Vice-President (position by vote 2yr. term)
c. Secretary (position by vote 1yr. term)
d. Treasurer (position by vote 1yr. term)
e. Chief Shop Steward (position by vote 1yr. term)

The following shall comprise of the additional voted positions:

f. Second Vice-President (position by vote 1yr. term)
g. Warden (position by vote 1yr. term)
h. Health and Safety Officer (position by vote 1yr. term)
i. Employment Equity Coordinator(position by vote 1yr term)

The following are appointed positions by the Local:

j. Stewards (by appointment)
k. Information Stewards (by appointment)
l. Classification Officer (secondary duty)

### Article 2 – Duties of the Executive

### A. Duties of the President

1. The President shall preside at all openings and closings of all meetings of the Local.

2. The President shall be an ex-officio member of all committees of the Local.

3. The President shall sign all documents as instructed by the membership of the Local.

4. The President shall have the power to call Special Meetings if and when necessary. In special circumstances, and by simple majority, the Executive may call a Special Meeting.

5. The President shall have the power, in an emergency, to act immediately in the best interests of the Local or membership thereof, provided prior verbal approval of actions to be taken has been obtained from not less than three other members of the Executive. An emergency is defined as an incident inside a 48 hr time frame which precludes calling a special executive meeting.

6. The President shall abstain from voting at meetings of the Local, except where there is a tie, in which case, the President shall cast the deciding vote.

7. The President, as Chief Executive Officer of the Local, shall represent the Local at the National Convention of the Union of National Defence Employees, in accordance with UNDE Bylaw 11, Article 5, along with other accredited delegates of the Local; and the Nova Scotia Federation of Labour.

8. In the event that any Executive member vacates their respective office during their tenure, the President shall appoint from the general membership, a member to serve out the remainder of the term of the office vacated, except in the case of First Vice-President where the Second Vice-President shall move up one office.

9. The President shall be elected to the office of President for a period of two (2) years.

10. Upon vacating the office of President, the Past President shall surrender not later than 15 December, all documents, records, minutes, files and publications accumulated during the tenure of office to the successor and provide full cooperation for a smooth and orderly handover.

11. The President is responsible for the display of the Charter at all General Membership Meetings.

**B. Duties of the First Vice-President**

1. In the absence of the President, the First Vice-President shall assume the duties and responsibilities of the President. The First Vice-President shall be elected to this office for a period of two (2) years – in alternate years to the President.

2. The 1st Vice-President shall assist the President in the performance of the President's duties in whatever capacity as may be required.

3. The 1st Vice-President shall assume the secondary duties of being the Education Officer, and the Membership Officer.

4. The Education Officer will ensure all executives have the required training prior to taking on the position elected to.

   Confirm with President/Treasurer for required funds prior to setting up training for members of the local.

5. The 1st Vice-President shall assume the secondary duty of being the Harassment Officer and (when not elected in) duties of the Employment Equity Coordinator as outlined in Article L of these Bylaws.

6. The 1st Vice-President shall attend meetings as requested by the President when the President is unable to attend.

**C. Duties of the Recording Secretary**

1. The Recording Secretary shall attend all regular, executive and special meetings and keep a true and accurate record of the minutes. The Recording Secretary shall be elected to this office for a period of one (1) year.

2. The Recording Secretary shall receive all correspondence related to the Local, and shall answer same as directed by the Membership and/or President of the Local. The Secretary shall distribute notices/correspondence to the membership as directed by the Local President.

3. Absentees of local executive at general meetings will be recorded in the minutes.

## D. Duties of the Treasurer

1. The Treasurer shall be responsible for all monies regarding the Local and act as the financial advisor to the Local. The Treasurer shall deposit monies in a Chartered Bank or Credit Union. A Checking Account with three (3) co-signers shall be opened or carried over to conduct the Local's financial business. The Treasurer shall be elected to this office for a period of one (1) year.

2. The Treasurer shall raise requisitions for the Local for the payment of expenditures duly passed by a regular meeting or Executive meeting of the Local. The Treasurer shall ensure that cheques are signed by two duly authorized signing officers. No authorized signing officer shall sign their own cheque. In accordance with UNDE (National) Bylaw 12 Article 8, no disbursements may be made without authorization of these Bylaws, or by a decision from, or by a General Membership meeting.

3. The Treasurer shall keep a detailed and accurate record of all receipts and disbursements of the Local and shall present a record of such at the General Membership Meetings. The Treasurer's report shall contain all receipts and disbursements of the previous months' activities.

4. Upon receipt of the audited report, the Treasurer shall submit to an annual meeting of the Local normally held in November, an annual audited statement and minutes of the Local's finances for approval of the membership attending the meeting. If approved, such statement shall be submitted to the National Office, attention Finance section, by registered mail not later than 31 December of the same year. In accordance with UNDE (National) Bylaw 12, Article 10 the fiscal year for the Local shall end on September 30th.

5. The Treasurer shall have the power to order, on recommendation of the Executive, wreaths or cards, for minimum 4 weeks missed work due to an illness or bereavement of members or their immediate families. Immediate family is defined using the definition within the current collective agreement. On notification of the above, the Treasurer may spend up to ($50.00) Fifty dollars for each or donate an equal amount to Charity at the request of the next of kin in the event of bereavement.

6. The Treasurer shall ensure that no blank checks are countersigned in advance.

7. For the November Local meeting the Treasurer will present the annual budget forecast.

**E. Duties of the Chief Shop Steward**

1. The Chief Shop Steward shall be Chairperson of the Grievance Committee and Stewards committee. The Chief Steward is held accountable directly to the President of the Local and shall attend meetings (external to the Local) as the President deems necessary. The Chief Shop Steward shall be elected to this office for a period of one (1) year.

2. The Chief Shop Steward shall hold meetings with the Stewards as deemed necessary. The meetings will cover topics of interest and upcoming Steward Education Courses. In addition, the Chief Shop Steward will provide advice and guidance to all Stewards in the performance of their duties as Stewards. The Chief Shop Steward shall provide in writing, by the Stewards, sufficient knowledge of all grievances, appeals or other matters pertaining to the legal well-being of the membership.

3. The Chief Shop Steward shall maintain a record of all Stewards/members with the courses and dates they have attended. In addition, the Chief Shop Steward shall nominate and course load all stewards requiring/requesting courses (those who have been approved by the Executive). The Chief Shop Steward and/or Education Officer shall ensure that no Steward/Member attends the same course unless a period of 5 years has elapsed.

4. The Chief Shop Steward is responsible for the submission of the Chief Shop Stewards report to be given to the Executive as well as the Regular meetings. The report shall contain general information regarding grievances and appeals ongoing as well as upcoming education courses.

   The Chief Shop Steward shall be elected by the general membership for a one year term. However, in order to be eligible to hold the office of Chief Shop Steward, the following courses will be required: UNDE/ PSAC Grievance Handling as well as any prerequisites required to obtain those courses. These need to be obtained at the earliest possible convenience.

5. The Chief Shop Steward shall be responsible for the forwarding to UNDE National Headquarters, all final level grievances, including all backup 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.

6. The Chief Shop Steward shall report to UNDE National Office monthly on the number and disposition of all level one and level two grievances which have been resolved at the Local level.

7. The working of the Local in regards to grievances is as follows:

    a. Steward representation of all local members will be overseen by the Chief Shop Steward.
    b. Where prudent, the Chief Shop Steward will represent all 2nd level grievances.
    c. The Chief Shop Steward shall have the responsibility to assign Stewards areas of responsibility to ensure full capability. However, in some cases, cross-over is possible.
    d. Stewards, after completion of their first level grievance hearings, shall provide the Chief Shop Steward a copy of any or all documentation related to the case.
    e. The Chief Shop Steward shall appoint a local Shop Steward to represent all areas where members work outside of the Halifax Regional Municipality (HRM).

**F. Duties of the Second Vice-President**

1. In the absence of the 1st Vice-President, the Second Vice-President shall assume the duties and responsibilities of the First Vice-President. The Second Vice-President shall be elected to this office for a period of one (1) year.

2. The 2nd Vice-President shall assist the President in the performance of the President's duties in whatever capacity as may be required.

3. The 2nd Vice-President shall attend meetings as requested by the President, when the President and First Vice-President are unable to attend.

**G**. – **Duties of the Warden**

1. The duties of the Warden shall be to prevent any unruly conduct by the membership or others during meetings and to escort from the meeting if necessary, by order of the Chair, any member(s) whose conduct is deemed objectionable. The Warden shall be elected to this office for a period of one (1) year.

2. The Warden is responsible for the maintenance of the attendance register of all meetings of the Local.

3. The Warden shall ensure individuals speaking do so in a timely manner.

**H** – **Duties of the Health and Safety Officer**

1. The Health and Safety Officer shall be voted in annually by the General Membership and shall act as the Local's representative on health and safety issues. The Health and Safety Officer shall be elected to this office for a period of one (1) year.

2. The Health and Safety Officer shall act as an advocate for designated group members by bringing forward their issues to the employer and the Union as they pertain to health and safety issues.

3. The Health and Safety Officer shall participate as the Local's representative on workplace committees that deal with health and safety issues. (JOSHE Committee).

4. The Health and Safety Officer shall act as a resource person for union issues relating to health and safety.

5. The Health and Safety Officer shall bring recommendations forward that would facilitate members' attendance at conferences, courses and other activities related to health and safety.

6. The Health and Safety Officer shall report to each Executive meeting on the activities of the Health and Safety Officer.

## I – Duties of the Employment Equity Coordinator

1. The Employment Equity Coordinator (EE) shall act as the Local's representative on equity issues. The Employment Equity Coordinator shall be elected to this office for a period of one (1) year.

2. The Employment Equity Coordinator shall develop their own knowledge and expertise on equity issues and pass on the information to the Local.

3. The Employment Equity Coordinator shall act as an advocate for designated group members by bringing forward their issues to the employer and the Union as they impact on equity group members and relate to employment equity.

4. The Employment Equity Coordinator shall participate as the Local's representative on workplace committees that deal with equity issues.

5. The Employment Equity Coordinator shall act as a resource person for Union Stewards on issues relating to discrimination and equity.

6. The Employment Equity Coordinator shall bring recommendations forward that would facilitate members' attendance at conferences, courses and other activities related to equity.

7. The Employment Equity Coordinator shall report to each Executive Meeting on the activities of the Local Employment Equity Coordinator.

## J – Duties of the Stewards

1. Prior to being appointed a Steward, a member must have completed, at a minimum, the PSAC/ UNDE Grievance Handling Course and any prerequisite training required to obtain those courses.

2. Stewards shall deal with all grievance matters at the first level under the guidance of the Chief Shop Steward.

3. Stewards shall keep the Chief Shop Steward informed in writing, of any and all ongoing grievances and other matters requiring member representation and, shall attend meetings that the Chief Shop Steward calls.

4. Stewards shall keep in mind that their responsibility as Steward is first and foremost to the membership and shall conduct themselves accordingly.

K– **Duties of Information Stewart**

1. Information Stewart shall be appointed by the President after annual elections.

2. Information Stewarts are expected to pass the Local's information on to those within their general workplace.

**L-- Duties of the Classification Officer**

1. The Classification Officer, if required, shall be appointed by the Executive and shall act as the Local's representative on classification matters.

2. The Classification Officer shall act as an advocate for classification group members by bringing forward their issues to the employer and the Union as they pertain to classification issues.

3. The Classification Officer shall participate as the Local's representative on workplace committees that deal with classification issues.

4. The Classification Officer shall act as a resource person for Union Stewards on issues related to classification.

5. The Classification Officer shall participate in investigations and problem solving initiatives.

6. The Classification Officer shall bring recommendations forward that would facilitate members' attendance at conferences, courses and other activities related to classification.

7. The Classification Officer shall report as required at Executive meetings on the activities of the Classification Officer.

## BYLAW 5

### Article 1 – Discipline

1. Subject to provisions contained in UNDE Bylaw 13, the Executive may recommend suspension from membership any individual or group of members for acts detrimental to the Local or against the principles of unionism. For the purpose of this article, 'acts detrimental to the Local or against unionism' are outlined in UNDE Bylaw 13, Article 5 (a) to (n).

## BYLAW 6

### Article 1 – Committees

Any committee that is deemed necessary by the Executive.

### Article 2 – Duties of the Committees

1. Committee chairpersons shall be appointed by the President as required. Committee chairpersons shall have the responsibility of appointing members to their respective committees and reporting the names of members to the next Executive meeting of the Local. Each committee shall have at least three members, one of whom shall be the Chairperson with the exception of the Nominating Committee and the Nova Scotia Council of UNDE Locals. In accordance with UNDE (National) Bylaw 10, Article 5, the Nominations Committee shall be appointed by the President of the Local and the Chairperson of such committee shall conduct the elections and appoint such assistants as necessary to ensure an orderly election.

## BYLAW 7

### Article 1 – Meetings

1. The regular general membership meetings of the Local shall take place on the third Tuesday of February, April, June, October and November with the General Election being at the October Annual General Membership (AGM) meeting.

2. The executive meetings shall take place on the third Tuesday of March, May, September and October (following the General Election).

3. In accordance with Bylaw 6, Article 2 of these Bylaws, appointments of committee chairpersons shall take place as required. Committee chairpersons will have the responsibility of deciding when they will hold their meetings.

4. In accordance with Bylaw 4, Article 2A, Para 4 of these Bylaws, the President and/or simple majority of the Executive shall call special meetings when deemed necessary.

**Article 2** – **Quorums**

1. At all General Membership Meetings, a quorum shall consist of at least six (6) members, not including the Chairperson.

2. At all Executive Meetings, a quorum shall consist of at least four (4) Executive members, not including the Chairperson.

**Article 3** – **Attendance**

1. Any Executive member of the Local absent from three (3) consecutive meetings (General Membership and Executive Meetings) without a justifiable cause shall be deemed to have vacated their office and forfeit any perdiems which would otherwise be due them.

## BYLAW 8

**Article 1** – **Election of Local Officers**

1. Election of Local Officers shall be in accordance with UNDE (National) Bylaw 10, Articles 1 to 8 inclusive.

2. The following minimum training is required for each executive position held within local 80407(to be taken at members earliest convenience):

   a. President – TUBS
   b. 1st Vice President - TUBS
   c. 2nd Vice President - TUBS
   d. Chief Shop Steward- TUBS & UNDE/ PSAC Grievance Handling
   e. Stewards – TUBS & UNDE/ PSAC Grievance Handling
   f. Warden – TUBS
   g. Health & Safety Officer – TUBS, CLC Part II, Advanced Duty to Accommodate
   h. Classification Officer – TUBS & UNDE/ PSAC Grievance Handling and Classification Course

i. Employment Equity Officer – TUBS

## BYLAW 9

### Article 1 – Dues

1. The Membership dues levied by the Local upon each member shall be the monthly equivalent amount set by Conventions and monthly amounts for affiliation with any other group, and additional dues as authorized by two-thirds (2/3) majority vote of the Local at a General Membership meeting.

## BYLAW 10

### Article 1 – National Conventions

1. In accordance with UNDE (National) Bylaw 11, Article 9, at least four months prior to the opening date of the Triennial National Convention, the Local shall elect, from amongst delegates and accredited alternates to the convention of the Union.

2. In accordance with UNDE (National) Bylaw 11, Article 8, no member shall be eligible to be nominated as an accredited or alternate delegate unless the member has attended 75% of all Local General Membership meetings held during the twelve (12) month period immediately prior to the day on which the election of delegates and alternates take place.

3. Delegates to attend the Triennial (National) Convention shall include the Local President and the Local shall elect, from amongst its eligible members at a General Membership Meeting, accredited delegates and accredited alternates. (Observers' expenses are **NOT** covered by the Local)

## BYLAW 11

### Article 1 – Local Property and Records.

1. All Executive members on termination of office are duly bound not later than 15 December to give their successor, all records of their office including all property.

2. The Treasurer shall act as Property Manager and hold signature cards indicating the location of each property. Signature cards shall be renewed after each annual election. A list of assets will be maintained complete with signature cards for all assets belonging to the local.

## BYLAW 12

**Article 1** – **Amendments to Bylaws.**

1. These Bylaws may be amended by a two-thirds (2/3) majority vote of the membership in attendance at any General Membership Meeting. All proposed amendments of these Bylaws must be submitted to the Local in writing by a member or members, or the Bylaw Committee at least one (1) month prior to being voted on by the General Membership.

2. Amendments to the Bylaws shall be made by a Notice of Motion at the preceding General Membership Meeting to which the General Membership will vote.

## BYLAW 13

**Article 1** – **Finance**

1. All donations to recognized organizations shall not exceed the sum of one hundred (100.00) dollars, any donations exceeding $100.00 **MUST** be approved at an executive meeting prior to the donation.

2. The operating accounts of the Local shall not be depleted beyond a balance of one hundred (100.00) dollars, except by prior approval at a General Membership or Special Meeting of the Local.

3. The Local President has the authority to spend up to a maximum of five hundred (500.00) dollars and the executive shall have the authority to spend up to a maximum of five hundred (500.00) in the carrying out of the duties of the Local once per year.

4. At the next General Membership Meeting, all monies spent as stated in paragraph three (3) above shall be accounted for in detail.

5. When a member is ill for a period of four (4) or more weeks, then the Local may send a gift to a maximum of fifty ($50.00) dollars.

6. In the event of the death of a member, the Local may make a contribution in memory to a maximum of fifty ($50.00) for the charity of choice of the family.

7. Union merchandise purchased for local members shall be prepaid by the members prior to orders be placed.

8. Any merchandise ordered to be given out free of charge to the local membership must be pre-approved by the executive.

**Article 2 – Perdiems.**

The following perdiems shall be paid to the Executive Members of this Local, once each fiscal year, normally at the November General Membership Meeting. If an Executive Member does not attend or be excused from seventy-five (75%) of all meetings of the Local in the current year, then their perdiems shall be based on the percentage of executive and general membership meetings attended by the membership in the current year. A member who holds 2 or more executive positions within the local (listed below) will **ONLY** receive the higher rate of the 2 positions.

| | | |
|---|---|---|
| a. | President | $300.00 |
| b. | First Vice President | $200.00 |
| c. | Second Vice President | $150.00 |
| d. | Treasurer | $250.00 |
| e. | Secretary | $250.00 |
| f. | Chief Shop Steward | $250.00 |
| g. | Health & Safety Officer | $250.00 |
| h. | Warden | $150.00 |
| i. | Employment Equity Coordinator | $150.00 |
| j. | Steward | $250.00 |
| k. | Information Steward | $ 75.00 |

**Article 3 – Reimbursement.**

1. Members of the Local travelling on Local Union Business in excess of 40 KM shall be reimbursed mileage at the current Treasury Board rate.
2. Members attending UNDE or PSAC weekend courses/seminars or on their regularly scheduled days off, shall be paid the **difference** between any perdiems and a maximum of one hundred ($100.00) dollars per day.

3. Education Courses for members of the Local shall be approved by the Executive, through the 1st Vice President upon verification of funds from the Treasurer. Every effort must be made to ensure the course/seminar taken will be beneficial to the Local. If a member wishes to attend a course on their own and without reimbursement, they may do so.
4. Members attending local area (under 40 km and not on TD status) training under leave code 641 of their collective agreement will not receive a perdiem from the local.
5. Members on travel status and outside the 40km limit will be entitled to an incidental perdiem of fifty ($50.00) per day if it is not already covered.

## BYLAW 14

**Article 1** – **Interpretation**

1. In the event of a dispute from the interpretation of anything contained within these Bylaws, the decision of the Executive shall be taken subject to appeal at the next General Membership Meeting of the Local.

## BYLAW 15

**Article 1** – **Rules of Order**

1. The Rules of Order shall be those used by UNDE and PSAC at Triennial Conventions.

## BYLAW 16

**Article 1** – **Oath of Office**

1. In accordance with UNDE (National) Bylaw 10, Article 8, the following Oath of Office shall be administered to all elected officers of the Union of National Defence Employees immediately upon acceptance of their respective office. The Oath of Office shall be given at the meeting where the election takes place by the Senior Officer at the meeting or by the Chairperson of the Nominations Committee. Each Officer will repeat the Oath aloud as directed by the Officer administering the Oath.
   "I _____, having been elected an officer of the Union of National Defence Employees, do solemnly declare that I will faithfully

carry out the duties appertaining to my office. I will at all times, uphold the dignity of the organization and preserve in confidence all matters that are brought to my attention in connection to the business of the Union."

2. 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.