NUNAVUT EMPLOYEES UNION

of the

Public Service Alliance of Canada

BY-LAWS

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BY-LAW 1- Interpretation

Section 1

The following definitions shall apply where used in these By-Laws:

a) **MAY**: is to be construed as permissive.

b) **SHALL**: is to be construed as imperative.

c) **PSAC**: means the Public Service Alliance of Canada.

d) **UNION**: shall be construed to mean the Component called the "Nunavut Employees Union" of the Public Service Alliance of Canada.

e) **BY-LAWS**: means the rules that regulate the operation of the Union which have been approved by a two-thirds majority vote of delegates present at a Union Convention. Resolutions presented to Convention for approval may amend, rescind, replace, add to, or delete portions from existing By-Laws.

f) **REGULATIONS**: means the administrative processes that form part of the By-Laws and have been approved by a two-thirds majority vote of delegates present at a Union Convention. Resolutions presented to Convention for approval may amend, rescind, replace, add to, or delete portions from existing Regulations.

g) **POLICIES**: means the legal and administrative processes approved by a two-thirds majority vote by the Executive members present at any meeting between Union Conventions. Prior to each Union Convention these Policies shall be prepared for approval by Convention, at which time, if approved, they amend the appropriate, or are added as new, By-Laws or Regulations.

Section 2

Nothing in these By-Laws shall conflict with the PSAC Constitution.

BY-LAW 2 - Name, Headquarters And Seal

Section 1

This union, a Component of the Public Service Alliance of Canada, shall be known as the Nunavut Employees Union.

Section 2

The Union shall have its headquarters in the Municipality of Iqaluit, NUNAVUT, Canada.

Section 3

The Seal of the Union shall bear the words "Nunavut Employees Union" and shall be in the custody of the President.

BY-LAW 3 Objects

Section 1

1. To unite all members of the PSAC over which this Union has jurisdiction into a single union capable of acting on their behalf.

2. To support fully the PSAC in the furtherance of its constitutional responsibility for the improvement and protection of wages, working conditions, salaries and other terms of employment of all PSAC members.

3. To obtain through democratic means for all members the best possible standards of wages, salaries and other conditions of employment, and to protect the interests, rights and privileges of all such workers.

4. To subscribe unconditionally to the aims and objects outlined in the PSAC Constitution.

5. To engage in educational, political, economic and other activities to advance and protect the economic and social conditions of members and other working people.

BY-LAW 4 Membership

Section 1

Membership is open to all workers who fall under the jurisdiction of and who are not excluded from membership in the Union.

Section 2 Regular Membership

A member in good standing is a worker who:

a) signifies a desire to become a member by signing an application;

b) has been accepted for membership in the Union;

c) has not been suspended or expelled;

d) has no outstanding debts to the Union or the PSAC; and

e) pays dues as defined by the PSAC Constitution and these By-Laws no later than the month in which they become due.

Section 3 Associate Membership

1. An associate member is an employee of the Union or its Local or Sub-Local who applies and is accepted for membership, or a former member of the Union who is temporarily subject to confidential exclusion.

2. An associate member must pay fees equivalent to the dues of a member.

3. Associate members are not entitled to vote at meetings nor to be elected to office, but shall be entitled to all other rights and privileges of membership.

4. Associate membership shall only be granted by the approval of the Executive.

Section 4 Honorary Membership for Retired Members

Through application by a Local or Sub-Local to the Union President and with the approval of the Executive, a member who has retired may be granted honorary membership for outstanding service to the Union or to the PSAC. Honorary members shall not be required to pay dues and shall not be entitled to vote at meetings or to hold office in the Union or the PSAC, but shall be entitled to all other rights and privileges of membership. Honorary membership shall be suspended for any period of time that an honorary member is a worker in a bargaining unit represented by the Union or the PSAC.

Section 5 Life Membership

A life membership may be awarded at the discretion of the Union Executive to any member who, through personal and devoted efforts in the affairs of the Union has performed exemplary services for the membership. Unless a life member is a worker in a bargaining unit represented by the Union or PSAC, a life member shall not be required to pay dues and shall not be entitled to vote at a meeting or to hold office in the Union or the PSAC. The Union President shall invite nominations from Locals for life membership awards.

Section 6 PSAC Associate, Honorary and Life Memberships

Through application by Locals or Sub-Locals to the Union, or upon the initiative of the Union Executive, the Union may recommend to the PSAC that PSAC associate, honorary or life memberships be granted under the provisions of the PSAC Constitution Section 4(10).

Section 7

With the concurrence of the PSAC and with the exception of associate, honorary and life memberships, all members shall be issued with an identification card as evidence of their membership in the Union.

BY-LAW 5 Membership Rights And Responsibilities

Section 1

Upon being granted membership in the PSAC and this Union and for the term of such membership, each member of this Union is deemed to:

a) have agreed to abide by and to be bound by the provisions of these By-Laws and the PSAC Constitution; and

b) nominate, constitute and appoint this Union and the PSAC as agents to negotiate, enter into collective bargaining under procedures established by law, and after ratification by the membership, to sign agreements reached through collective bargaining, conciliation and/or arbitration with employers.

Section 2

Every member except where explicitly stated otherwise, is entitled:

a) to be represented by the Union;
b) to participate in the activities of the Union;
c) to consider and vote on the ratification of conciliation reports and formal agreements reached with their employer through collective bargaining;
d) to be free from 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 or family status, criminal record, physical or mental disability, sexual orientation, language, political belief, or other ground as determined by the Executive;
e) to be free from harassment by another member, both within the Union and in the workplace, on the basis of any of the grounds referred to in Sub-Section d);
f) to be nominated for and hold office in the Union subject to any qualifications stipulated elsewhere in these By-Laws or the PSAC Constitution; and
g) to participate in Union business at any level, and to participate in the election of delegates to Conventions in accordance with the provisions of these By-Laws and the PSAC Constitution.

BY-LAW 6 Membership Dues

Section 1

The dues paid by each member and deductee of the Union shall be comprised of a) PSAC dues, b) Union dues, and c) Local dues as determined by the Local. PSAC dues shall be determined at the PSAC Triennial Convention. Union dues shall be established by a majority vote of accredited delegates at the Union Convention. A portion of the Union dues determined by Convention shall be rebated to each Local.

Section 2

Local dues rebates shall be calculated based on the number of members in good standing of the Local.

Section 3

Local dues are established by a two thirds [2/3] majority vote of the ballots cast by the members in good standing of the Local:

a) at a general meeting of the members called for that purpose, such purpose and meeting having been publicly advertised for at least thirty [30] days; or

b) by a secret mail ballot sent to each member.

BY-LAW 7 Form Of Organization

Section 1

The Union shall be composed of Locals situated in Regions as established by the Executive pursuant to these By-Laws.

Section 2

The Executive shall have the authority to allow bargaining groups to form Locals across regional boundaries and to determine reporting responsibilities.

BY-LAW 8 Regions

Section 1

Geographic regions shall be established as follows:

- Kitikmeot;
- Kanangnangani Qiqiktaaluum (South Baffin) - Iqaluit; Kimmirut; Sanikiluaq;
- Kivalliq North -Rankin Inlet, Chesterfield Inlet, Coral Harbour & Repulse Bay;
- Kivalliq South - Winnipeg, Churchill, Arviat, Whale Cove & Baker Lake;
- Baffin North - Grise Fiord, Resolute, Pond Inlet, Hall Beach, Igloolik & Arctic Bay;
- Baffin Central - Clyde River, Pangnirtung, Qikiqtarjuaq & Cape Dorset

Section 2

Notwithstanding any other provision of these By-Laws, after consultation with the Locals, the Executive shall have the authority to re-define Regions where, in their opinion, the numbers of members in the regions so warrant.

Section 3

For each Region, there shall be a Regional Vice-President and alternate Regional Vice-President.

BY-LAW 9 - Executive

Section 1

The Executive is responsible for administering and carrying out the affairs and objects of the Union. Between Conventions, all Executive powers of the Union consistent with these By-Laws shall be vested in the Executive. All acts of the Executive on behalf of the Union may be subject to review by Convention.

Section 2

All members of the Executive shall be required to be members in good standing of the Union.

Section 3

The Executive shall be composed of:

a) a full-time paid President;

b) a First and Second Executive Vice-President;

c) a Secretary-Treasurer; and

d) one Regional Vice-President from each of the regions established by these By-Laws.

Section 4

A quorum of the Executive shall be the President and a majority of the other members of the Executive.

Section 5

The Executive shall hold meetings at least quarterly at the call of the President or at any other time if requested by a majority of the members of the Executive. Minutes or proceedings of all meetings shall be recorded. Minutes shall be distributed to all Local Presidents.

Section 6

The Executive shall have the power to make such policies as are necessary for the proper conduct of the business of the Union, provided such policies do not conflict with the provisions of these By-Laws. Such policies shall be promulgated within sixty (60) days of their adoption by the Executive and shall be subject to ratification at Convention.

Section 7

1. The Executive shall have authority to hire or dismiss employees of the Union.

2. a) Terms and conditions of employment, other than salaries for full time elected or appointed officers and staff shall be similar to the terms and conditions of employment in the Government of Nunavut unless negotiated with the recognized bargaining agents;

   b) The salaries of full-time elected officers of the Union shall be established by Convention; and

   c) The salaries of appointed officers and staff shall be established by the Executive, or as negotiated with the recognized bargaining agents.

Section 8

The Executive shall have the authority to establish any committee necessary for the conduct of the affairs of the Union. The President shall be ex-officio a member of any committee so formed.

Section 9

Standing Committees of the Executive: An Executive member shall be the Chair and the Executive shall appoint up to three (3) members in good standing. Members appointed by the Executive from the membership shall formalize their acceptance by signing the oath of office. The Standing Committees of the Executive shall be an Administration Committee, a Finance Committee, a Membership Committee, an Education Committee, an Equal Opportunities Committee, and a Health and Safety Committee.

Section 10

The Administration Committee shall be chaired by the President. The Finance Committee shall be chaired by the Secretary-Treasurer. Committee members shall be Executive members.

Section 11

Except as otherwise provided in these By-Laws, the Executive may determine any matter by a referendum.

BY-LAW 10 - Locals

Section 1

1. A Local shall be composed of all members in good standing of the Union within a geographic area or bargaining unit as defined by the Union Executive.

2. Upon application and with the approval of the Union Executive, a Local may be formed by thirty (30) or more members in good standing.

3. Notwithstanding Section 1, Sub-section 2, the Union Executive may determine that a Local consisting of less than thirty (30) members in good standing is viable and in the best interests of the members, and establish the Local.

4. Notwithstanding any other provisions of these By-Laws, the Executive shall have the authority to re-define Locals.

Section 2

1. A Local may, in the interest of its members, be divided into Sub-Locals. A Sub-Local may be formed where there are fifteen (15) or more members in good standing, upon application and with the approval of the Local Executive. The Local shall advise the Union and Regional Vice-President of the formation of a Sub-Local within fourteen (14) days.
2. Notwithstanding Section 2, Sub-Section 1, the Local Executive may determine that a Sub-Local consisting of less than fifteen (15) members in good standing is viable and in the best interests of the members and establish the Sub-Local. The Local shall advise the Union and Regional Vice-President of the formation of a Sub-Local within fourteen (14) days.
3. Where a Local has approved the establishment of a Sub-Local in accordance with these By-Laws, such Sub-Local may then claim dues rebates for each member in good standing of that Sub-Local through the parent Local. It shall be incumbent on the parent Local to remit such dues rebates for each member in good standing of the Sub-Local upon application, which shall be in keeping with existing By-Laws and policies. It shall be the responsibility of the Sub-Local to report all activities of the Sub-Local to the parent Local.

Section 3

1. Locals shall elect, not less than four (4) officers, who shall be President, Vice-President, Secretary-Treasurer and Chief Shop Steward, to conduct its affairs.

2. Sub-Locals shall elect, not less than three (3) officers, who shall be President, Vice-President and Secretary-Treasurer, to conduct its affairs.

3. Locals and Sub-Locals may elect or appoint Shop Stewards.

Section 4

A Local or Sub-Local Executive shall normally meet monthly, but in any event not less than four (4) times in a calendar year and minutes or proceedings of all meetings shall be recorded.

Section 5

1. Each Local or Sub-Local shall hold an annual general meeting in the month of November for the purpose of receiving annual reports from its officers and considering such business and holding such elections as required by these and the Local or Sub-Local By-Laws. Where the Local or Sub-Local Executive deems it impractical to hold the annual general meeting in November, the meeting may, upon the approval of the Union President, be held at another time.

2. Each Local or Sub-Local shall hold at least two meetings of the membership in a calendar year, one of which shall be the annual general meeting, and the minutes or proceedings of all membership meetings shall be recorded.

Section 6

Each Local and Sub-Local shall make available minutes of meetings, notice of election and other communication to its members. The minutes or proceedings of all meetings shall be forwarded to the Union within a reasonable period of time.

Section 7

Locals or Sub-Locals shall adopt By-Laws for the conduct of its affairs and such Local or Sub-Local By-Laws shall not conflict with the provisions of these By-Laws or the PSAC Constitution. A copy of all Local or Sub-Local By-Laws and amendments shall be forwarded to the Union immediately following their approval by the Local or Sub-Local.

Section 8

A Local or Sub-Local may designate any one of its elected officers as a full-time paid officer of the Local or Sub-Local. Before assuming the full-time office, such person shall first obtain leave of absence without pay from the employer to perform such duties. The Local or Sub-Local shall be responsible for all costs associated with designating and maintaining a full-time paid officer of the Local or Sub-Local.

Section 9

Where Locals or Sub-Locals deal directly with employer representatives concerning the interests of their own members, each Sub-Local Executive shall provide a monthly report to its parent Local of all joint consultation activities, and each Local shall provide a quarterly report to the Union of all joint consultation activities under its jurisdiction. No agreement shall be entered into with an employer without the express approval of the Union.

Section 10

When the Union President is notified or becomes aware that a Local or Sub-Local is not carrying out its responsibilities, the Regional Vice-President responsible for that Local or Sub-Local shall be instructed to conduct an immediate investigation and submit a report to the Union Executive. The Executive shall consider any action so recommended, including a recommendation to dissolve or suspend the Local or Sub-Local.

Section 11

Where a recommendation is made to dissolve or suspend a Local or Sub-Local, the Union Executive shall have the authority to determine if administration or trusteeship procedures will be used to address the problems identified by the investigation and to a) appoint one (1) administrator to assist the Local or Sub-Local Executive recover; or b) appoint no fewer than two (2) trustees with responsibility to manage the Local or Sub-Local's affairs and, if appropriate, to bring about the reinstatement of the Local or Sub-Local with minimum delays.

Section 12

Unless a satisfactory reason is given, a Local or Sub-Local shall remove from office any Local or Sub-Local officer who has missed three consecutive Local or Sub-Local meetings. An officer so removed may appeal this removal to the Union Executive.

Section 13

All capital asset purchases under $2000.00 must be approved at a Local meeting of the membership. Capital asset purchases over $ 2000.00 must have the written consent of the NEU Executive, before proposing to the Local membership for approval.

BY-LAW 11 - Duties Of Officers

Section 1

The President of the Union shall:

a) represent the Union on the National Board of Directors of the PSAC as required by the PSAC Constitution;

b) preside at all meetings of the Union Executive;

c) preside at all sessions of the Union Convention;

d) interpret these By-Laws, Regulations and policies for the administration and management of the Union and the interpretation shall be conclusive and in full force and effects unless reversed by the Union Executive or a Union Convention;

e) ensure that the Union Executive carries out the directives and policies established by the PSAC Triennial Conventions and the Union, in accordance with the authorities of each as provided by these By-Laws;

f) call a meeting of the Union Executive at least quarterly with teleconferences or upon request by a majority of the Executive;

g) report on activities in writing to meetings of the Union Executive;

h) report in writing to the Union Convention on the activities of the Union Executive and such other Executive committees so formed by the Executive;

i) submit in writing to the Union Convention such recommendations as the Executive deems necessary to carry out the aims and objectives of the Union and the PSAC;

j) have the authority to attend any Local meeting and to examine the records and accounts of any Local or Sub-Local; and

k) perform such other duties as directed by the Union Executive.

Section 2

The Executive Vice-Presidents shall:

a) in the case of the First Vice-President, perform the duties of the President in the latter's absence, or upon the resignation or incapacity of the President;

b) attend all meetings of the Union Executive;

c) attend all sessions of the Union Convention;

d) file a report of all activities and recommendations made to the Union Executive three months prior to the Union Convention; and

e) perform such other duties as may be assigned by the President or the Union Executive.

Section 3

The Secretary-Treasurer shall:

a) cause to be kept the books, documents, files and effects of the Union which shall at all times be subject to inspection by the Union Executive;

b) be responsible for ensuring the preparation of all financial documents as required by the Union Executive;

c) have the books audited and an audited financial statement prepared annually;

d) be a signing officer;

e) be chairperson of the Finance Committee;

f) be responsible to the Executive for all correspondence and all official documents including financial documents of this Union; and

g) be responsible for ensuring that minutes of all meetings of the Union Executive are compiled and retained.

Section 4

Regional Vice-Presidents shall:

a) attend all meetings of the Union Executive;

b) file a report of all activities and recommendations made to the Union Executive three months prior to the Union Convention;

c) be responsible to the Union Executive for the administration of the Union affairs in their Region;

d) upon request from a Local or Sub-Local, attend membership and Executive meetings of Locals and Sub-Locals within their respective region;

e) have the authority to attend any Local meeting and to examine the records and accounts of any Local or Sub-Local of the Union within their respective Regions;

f) upon request, assist any Local or Sub-Local of the Union, within their respective Regions;

g) represent the interest of the Locals within their Region at meetings of the Union Executive;

h) report to the Locals within their Region on the activities of the Union Executive;

i) following their election as such, be required to resign any Local or Sub-Local office held if the Local has one hundred (100) or more members, and any PSAC office held, within one month of such election; and

j) perform such duties as may be assigned to them by the Union President or the Union Executive.

Section 5

1. The alternate Regional Vice-President shall perform the duties of the Regional Vice-President in the case of absence or upon the resignation or incapacity of that officer or upon the delegation of such duties by the Regional Vice-President or the Union Executive.

2. The alternate Second Executive Vice-President shall perform the duties of the Second Vice-President in the case of absence or upon the resignation or incapacity of that officer or upon the delegation of such duties by the Union Executive.

3. The alternate Secretary-Treasurer shall perform the duties of the Secretary-Treasurer in the case of absence or upon the resignation or incapacity of that officer or upon the delegation of such duties by the Secretary-Treasurer or the Union Executive.

Section 6

Local and Sub-Local Presidents shall:

a) preside at Local or Sub-Local Executive and membership meetings;

b) ensure that the Local or Sub-Local Executive carries out the directives and policies established by the members at an annual general meeting and the Union, in accordance with these By-Laws; and

c) inform their Regional Vice-President of their Local or Sub-Local activities in a timely and appropriate manner.

Section 7

The Local and Sub-Local Vice-Presidents shall:

a) perform the duties of the Local or Sub-Local President in the event of the absence or upon the resignation or incapacity of that officer or upon the delegation of such duties by the Local or Sub-Local President;
b) attend all meetings of their Local or Sub-Local Executive and membership meetings; and
c) perform such other duties as directed by their Local or Sub-Local Executive.

Section 8

Local Chief Shop Stewards shall:

a) ensure a steward network is established in their Local;
b) co-ordinate the activities of the Local's Shop Stewards;
c) when necessary hold monthly meetings with Local Shop Stewards, but at least three per year;
d) report at Local meetings on all Local Shop Steward activities; and
e) perform other tasks as assigned by the Local.

Section 9

Local and Sub-Local Secretary-Treasurers shall:

a) have signing authority and keep accurate records of all meetings of their respective Local or Sub-Local;
b) be responsible for keeping proper files of documents, financial records, and all correspondence relating to their Local or Sub-Local;
c) report on Local or Sub-Local financial matters at Local Executive and membership meetings; and
d) in the case of Sub-Local Secretary-Treasurers, file reports of Sub-Local activities to the Local Secretary-Treasurer and, in the case of Local Secretary-Treasurers, file reports of Local and Sub-Local activities to the Union.

Section 10

All officers of the Union shall deal promptly and appropriately with matters submitted to them by the membership or by an officer of the Union or PSAC.

Section 11

Immediately upon vacating office, all officers of the Union shall deliver to their successors or the Union all documents, funds, or other property of the Union in their possession or control.

BY-LAW 12 Election Of Officers

Section 1

The following conditions shall apply to election of Union Officers:

a) all elections shall be conducted by secret ballot and decided by a simple majority of the votes cast;

b) proxy voting shall not be permitted;

c) where there are more than two (2) candidates for office, the candidate receiving the fewest number of votes shall be dropped from the first 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; and

d) all officers of the Union shall take office at the end of the meeting or Convention at which they are elected.

Section 2

The President, First and Second Executive Vice-Presidents, Secretary-Treasurer, alternate Second Executive Vice-President and alternate Secretary-Treasurer, shall be nominated and elected at each Union Convention and must be accredited delegates to Convention.

Section 3

1. In the event of a vacancy in the office of the President, the vacancy shall be filled by the First Executive Vice-President and the Second Executive Vice-President shall automatically become first Executive Vice-President.

2. In the event of a vacancy of the Second Vice-President or Secretary-Treasurer the successor shall automatically be assumed by the alternate for that position. In the event further vacancies in the positions of either the Second Vice-President or Secretary-Treasurer occur, the successor shall be elected by the accredited delegates to the previous Convention.

Section 4

1. Regional Vice-Presidents and alternate Regional Vice-Presidents shall be elected by the members in good standing of their respective Region by a secret ballot held within one hundred and twenty (120) days prior to the opening of Convention.

2. Candidates for office shall have demonstrated at least one year of active service to the Union, normally achieved by virtue of having served as a Shop Steward, Local, Sub-Local or Executive officer of the Union. Each candidate must agree in writing to stand for office and be nominated by at least two (2) members in good standing of the respective Local or Sub-Local in their Region. Once these conditions have been met, candidates are entitled to receive from the Union a copy of their respective regional membership lists.

3. In the event a Regional Vice-President vacancy occurs within six (6) months prior to the Union Convention and the secret ballot vote for a Regional Vice-President and alternate is completed before the ninety (90) day election period prior to the opening of Convention, the successful Regional Vice-President shall sign the oath of office and assume office immediately and subsequent to Convention.

4. In the event a new Region is formed, the Regional Vice-President and its corresponding Alternate Regional Vice President position becomes a new position, the election should occur within ninety (90) days of the position(s) being approved by Convention.

Section 5

Officers of Locals and Sub-Locals shall be elected annually by the members in good standing of their respective Local or Sub-Local:

a) at a Local or Sub-Local membership meeting; or

b) where the respective Local or Sub-Local Executive believe it is advisable to do so, by a secret mail ballot sent to the members in good standing. In order to be a candidate, a member must agree in writing to stand for office and be nominated by at least two (2) members in good standing of the respective Local or Sub-Local.

Section 6

Members of the Union Executive except for the position of President may also be eligible for election to Local or Sub-Local office if the Local has fewer than one hundred (100) members in good standing.

Section 7

1. For Executive Officer, the elections shall proceed in the following order: President, First Executive Vice-President, Second Executive Vice-President, Secretary-Treasurer, alternate Second Executive Vice-President and alternate Secretary-Treasurer.

2. For Regional Officer, the elections shall proceed in the following order: Regional Vice-President and alternate Regional Vice-President.

3. For Local and Sub-Local Officers, elections shall proceed in the following order: President, Vice-President, and Secretary-Treasurer. Local elections shall also elect a Chief Shop Steward, and may elect in the following order: an alternate Vice-President, an alternate Secretary-Treasurer and an alternate Chief Shop Steward.

Section 8

Members in good standing who are nominated for Local or Sub-Local office and who are absent from the general meeting shall be allowed to let their name stand for election to the said office provided they submit a letter to the Local or Sub-Local Executive indicating that they agree to stand for the office.

Section 9

All officers of the Union, its Locals and Sub-Locals, shall take office immediately upon their election or appointment to office and taking or signing the oath of office.

Section 10

The following oath of office shall be administered to all officers as soon as possible following their election:

> I, _____, having been elected or appointed an officer of the Nunavut Employees Union, a Component of the Public Service Alliance of Canada, do solemnly declare that during my term of office, I shall faithfully carry out the duties of such office. I will uphold the dignity of the Union and respect all confidences pertaining to the affairs of the Union and the PSAC that are brought to my attention.

Section 11

In the event of a vacancy in the office of the President of a Local or Sub-Local, the vacancy shall be filled by the Vice-President. In the event of a vacancy of the Vice-President, Secretary-Treasurer, or Chief Shop Steward the successor shall automatically be assumed by the alternate for that position. In the event further vacancies in the positions of either the Vice-President, Secretary-Treasurer or Chief Shop Steward occur, or no alternates were elected, the successor shall be elected by a membership vote.

Section 12

Shop Stewards may be elected by a simple majority of represented members in good standing or may be appointed by the Local or Sub-Local Executive. Shop Stewards shall hold office for an indeterminate period. A simple majority of the members represented by the Shop Steward may at any time revoke the mandate of the Shop Steward and choose a replacement in accordance with these By-Laws.

Section 13

The names and addresses of Executive, Local, and Sub-Local officers and a signed copy of the oath of office shall be forwarded to and retained by the Union immediately upon assumption of office.

BY-LAW 13 - Conventions

Section 1

The supreme governing body of the Union is Convention. Convention shall be composed of the Executive of the Union and accredited delegates from Locals duly elected in accordance with these By-Laws. Convention shall establish the By-Laws and Regulations of the Union.

Section 2

At least nine (9) months before that date of the Convention, the official Convention Call shall be issued.

Section 3

Each accredited delegate present at the Convention shall be entitled to one (1) vote on each question and proxy votes shall not be permitted.

Section 4

Subject to available space, all members in good standing shall have the right to attend Convention at their own expense as observers. Locals shall have the right to send observers to Convention at the expense of the respective Local. Observers shall not have the right to vote or to participate in debate.

Section 5

At least three (3) months prior to the opening date of the Convention, each Local may elect from among its members a total of:

a) for Locals with 1 - 75 signed members - 1 delegate
b) for Locals with 76 - 175 signed members - 2 delegates
c) for Locals with 176 - 300 signed members - 3 delegates
d) for Locals with 301 - 450 signed members - 4 delegates
e) for locals with 451- 600 signed members - 5 delegates
f) for locals with 601- 750 signed members - 6 delegates
g) for locals with 751- 900 signed members - 7 delegates
h) for locals with 901- 1000 signed members - 8 delegates
i) for locals with more than 1000 signed members – 9 delegates

To be eligible to send delegates to Convention, each Local must be active 12 months prior to the Convention Call. Any new Local established within 12 months of Convention Call may be given approval by the Executive to send the number of delegates permitted according to the number of signed members.

Section 6

1. Each Local entitled to elect delegates to Convention shall conduct a secret ballot among its members for election of delegates and alternates to Convention. In order to be a candidate, a member must be a member in good standing of the Union and must agree in writing to stand for election and be nominated by at least two (2) other members in good standing from their Local. The candidates receiving the highest number of votes shall be the delegates to Convention and the alternates will be selected from the remaining candidates in descending order; or

2. A Local may, when it is deemed appropriate by the Local Executive appoint alternates to Convention.

3. Members shall be allowed to let their name stand for election as a delegate or alternate provided that:

    a) they are nominated in writing by two members from their Local;

    b) they submit a letter, along with their nomination form to their Local Executive, stating that they agree to stand for election as a Convention delegate or alternate in advance of the election; and,

    c) they have been a member of the Union for at least thirty (30) days prior to election.

Section 7

Immediately following election of delegates to Convention, the Regional Vice-President shall submit to the Union the names of the Local accredited delegates and alternates on a credential form supplied by the Union.

Section 8

In the event that any of the accredited delegates is unable to attend the Convention, the position(s) shall be filled by an alternate delegate. Elections for alternate delegates must take place no later than two (2) days before the opening of Convention.

Section 9

1. All resolutions from Locals shall be received no later than sixty (60) days prior to the opening of Convention.

2. All resolutions from the Executive shall be received by the Union no later than sixty (60) days prior to the opening of Convention.

3. Late resolutions to Convention shall be received by the Union no later than two (2) days prior to the opening of Convention. No late resolutions shall deal with amendments to these By-Laws. Unless a two-thirds (2/3) majority of accredited delegates voting at Convention agree to place them elsewhere on the agenda, late resolutions shall be the last order of business.

4. Emergency resolutions shall be presented to the Convention Chair, who shall determine whether the resolution deals with a situation that was not known at the time of the original deadline for the submission of resolutions. The assembled delegates will be asked to vote on the acceptance of the emergency resolution. If accepted by a simple majority, the resolution will be referred to the appropriate Convention Committee.

Section 10

1. At least fifty (50) days prior to the opening of Convention, the Executive shall appoint from among accredited delegates such committees as may be necessary for the conduct of the business of the Convention. Delegates shall be advised of their committee assignment by the Executive at least fifty (50) days prior to the opening of Convention and shall be supplied with an official copy of the agenda proposed by the Executive.

2. The Convention Agenda shall include a resolutions book containing copies of all resolutions and other matters to be brought before the Convention.

Section 11

All matters and resolutions not dealt with by the Convention shall be referred to the Executive who will consider and act upon such unfinished business before the conclusion of the second regular meeting of the Executive following the Convention. The disposition of all Convention matters and resolutions by the Executive shall be prepared and presented for approval at the next Convention. This report to Convention shall include reasons for all decisions and vote results, if any, taken on each matter.

Section 12

1. A Special Convention shall be called at the request of a two-thirds (2/3) majority of the Executive or at the request of a majority of the Locals of the Union.

2. The time and place of the Special Convention shall be decided by the Executive but the time shall be within four (4) months of the request referred to in Sub-Section 1.

3. A Special Convention shall deal with only the matters for which it was called unless a two-thirds (2/3) majority of accredited delegates vote to consider other matters of an urgent or necessary nature.

Section 13

Following the election of officers, delegates of the Union to the PSAC Triennial Convention shall be elected from accredited delegates in attendance at the Union Convention in accordance with the requirements of the PSAC Constitution.

Section 14

The Executive shall be considered as being in session throughout the period of the Convention, and its members shall have the rights and privileges due accredited delegates, including the right to vote.

Section 15

Resolutions to amend, rescind, replace, add to, or delete portions from these By-Laws and existing Regulations shall be approved by:

a) a two-thirds (2/3) vote at a Union Convention; or

b) between Union Conventions, if ordered by a two-thirds (2/3) vote of the Union Executive, a majority vote of the membership in a referendum, provided that fifty percent (50%) of the membership vote in the referendum.

Section 16

Convention shall adopt rules of order to govern its proceedings.

Section 17

Resolutions and PSAC constitutional amendments submitted and received by the Union by the deadline shall be circulated to all Locals thirty (30) days prior to the opening of Convention.

Section 18

Convention venues will alternate in this order, in a community chosen by the Executive: Baffin South, Kitikmeot, Kivalliq South, Kivalliq North, Baffin North, and Baffin Central. The default location will always be Iqaluit.

BY-LAW 14 - Finances

Section 1

The financial records of the Union shall be audited annually by a certified accountant approved by the Union Executive. Immediately upon completion of the annual audit, a copy of the audited financial statements shall be forwarded to the PSAC and to each Local, Sub-Local, and member of the Executive.

Section 2

The signing authorities of the Union shall be the President, First Vice-President, Second Vice-President and Secretary-Treasurer. All financial documents including cheques shall be signed by the Secretary-Treasurer and one other member of the Executive, normally the President.

Section 3

The signing officers of the Union shall be bonded in an amount as determined by the Union Executive.

Section 4

The fiscal year of the Union and all Locals and Sub-Locals shall be the calendar year.

Section 5

All financial records of the Union and its Locals and Sub-Locals shall be retained by the Union for the legal period prescribed by the Income Tax Act.

Section 6

Locals and Sub-Locals shall approve at least three (3) signing officers; the Secretary-Treasurer and one (1) other, normally the President, shall sign all cheques. No disbursements shall be made without prior authorization of the Local or Sub-Local Executive, or as directed by its membership.

Section 7

The Secretary-Treasurer of the Local and Sub-Local shall submit a financial statement to all membership meetings. The Secretary-Treasurer of a Sub-Local shall forward a copy of the financial statement to the Local Secretary-Treasurer following each Sub-Local meeting where it was presented.

Section 8

1. Locals shall submit to the Union Executive quarterly statements of Local and Sub-Local finances. The Union shall make no remittance of dues rebate until such statements have been received. Rebates shall be due and payable quarterly.
2. For the purposes of this section, the statements prepared by the Local Secretary-Treasurer shall be reviewed and signed by any three members in good standing of the Local not holding office in the Local or Sub-Local affected.
3. Any Local may apply for and, subject to the approval of the Union Executive, may be granted an advance against the future dues of the Local.

Section 9

No Local or Sub-Local shall enter into any fiscal contractual understanding agreement without prior approval of the Union Executive.

Section 10

All financial records of the Union and its Locals and Sub-Locals shall be maintained in an approved manner, as advised by the Union Executive in the case of each Local and Sub-Local, and otherwise by the Union-appointed auditors.

Section 11

The Union, Local or Sub-Local may:

a) enter into association or affiliation with organizations with similar objects and purposes as the Union and to pay dues to such organizations; and

b) invest all monies of the Union in securities that trustees are permitted to invest in under the Trustees Act.

BY-LAW 15 - Discipline

Section 1

The Locals and the Union Executive shall have the authority to discipline any member in accordance with the PSAC Constitution and PSAC Regulation 19.

Section 2

It is an offence for a member to violate any provision of these By-Laws or any Local or Sub-Local By-Laws.

Section 3

1. A two-thirds (2/3) majority of those voting at the Union Executive shall have the authority to remove from office any officer who has contravened any provision of these By-Laws or the PSAC Constitution.

2. A Local of this Union shall have the right to remove from office any Local or Sub-Local Officer for contravening a provision of the Local By-Laws, these By-Laws or the PSAC Constitution.

3. A member who has been found guilty of an offence may:

   a) be liable to a fine not exceeding five hundred ($500.00) dollars payable to the Union; and/or
   b) be recommended by the Union for suspension for a period not exceeding five (5) years or expulsion from membership by the PSAC; and/or
   c) receive other such lesser penalty as is deemed appropriate.

Section 4

All Union members who participate in contract negotiations representing management across the table from the Union shall be subject to disciplinary action of:

a) a recommendation to the PSAC for a maximum of five (5) years membership suspension; and

b) a maximum $5,000.00 (five thousand) fine.

BY-LAW 16 - General

Section 1

Jurisdictional disputes between Locals or Sub-Locals shall be referred to the Union Executive and its decision shall be binding on all Locals or Sub-Locals concerned. In such matters, the Locals or Sub-Locals concerned shall have the right to appeal to Convention.

Section 2

Unless otherwise expressly provided by these By-Laws, all decisions requiring a vote shall be decided by a simple majority.

Section 3

Unless otherwise expressly provided by these By-Laws, the PSAC 'Rules of Order' shall apply at all meetings of the Union.

Section 4

The Union shall issue such publications as are necessary to keep its members informed on matters of concern to them. The format of such publications shall be determined by the Union Executive.

Section 5

The register of members kept by the Union may be inspected by any member of the Union provided that adequate notice of intention to inspect is given. No additional information on the membership of the Union or of any Local or Sub-Local shall be furnished to any person without the written authorization of the Union Executive other than to those whose official position would entitle them to have such information.

Section 6

Copies of these By-Laws and the PSAC Constitution shall be available to all members upon request.

Section 7

Subject-matter files shall be established and maintained by the Union and its Locals and Sub-Locals for periods established by the Union Executive.