

NUNAVUT EMPLOYEES UNION
A Component of the
Public Service Alliance of Canada

REGULATIONS Feb 2006, Amended: Oct. 2008, Oct. 2011, Oct. 2014

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1) NEU MEMBERSHIP AWARDS
(pursuant to By-Law 4.3, 4.4 and 4.5)

1. Through application on a form prescribed by the Union Executive by Locals to the Union, or upon the initiative of the Union Executive, nominations for NEU associate, honorary, and life memberships shall be made on a separate application form for each nominee.
2. All applications shall be referred to the Standing Membership Committee to make appropriate recommendations to the Executive.
3. Long-term service recognition awards for continuous service of five (5), ten (10), fifteen (15), twenty (20) and twenty-five (25) years, shall be determined following an annual review of the membership lists as of December 31st of each year by the Standing Membership Committee to make appropriate recommendations to the Executive.
4. All decisions, in all circumstances, require a two-thirds majority vote of the Union Executive assembled at a regular meeting, and voting by secret ballot.

2) PSAC MEMBERSHIP AWARDS
(pursuant to By-Law 4.6)

- a) Through application on a form prescribed by the Union Executive by Locals to the Union, or upon the initiative of the Union Executive, nominations for PSAC associate, honorary and life memberships shall be made on a separate application form for each nominee.
- b) A member nominated for a PSAC associate, honorary or life membership shall be or have been a member in good standing of the Union.
- c) All applications shall be referred to the Standing Membership Committee to make appropriate recommendations to the Executive.
- d) All decisions, in all circumstances, require a two-thirds majority vote of the Union Executive assembled at a regular meeting, and voting by secret ballot to be transmitted to the PSAC on the appropriate application forms and in accordance with the submission deadlines established by the PSAC.

3) STANDING EXECUTIVE COMMITTEES:

(Pursuant to By-Law 9.9 and 9.10)

With the approval of the Union Executive, Standing Executive Committees may establish sub-committees comprised of members at large for the purpose of gathering information or providing services directly to and from the membership as required.

3.1) ADMINISTRATION COMMITTEE

The Administration Committee comprised of the President as chair and up to three (3) Executive members shall ensure that:

- a) all administrative issues related to the provision of staff support and/or office and communication equipment to committees and/or membership projects raised by the Executive, Locals, Sub-Locals and/or members are reviewed and dealt with by the Committee. Decisions taken by the Committee shall be reported and recommendations if any prepared for Union Executive meetings;
- b) budget projections and/or budget revisions, and policies and procedures governing budget expenditures (e.g., offices, meeting rooms, equipment, services and supplies, etc.) are developed, and recommendations prepared for Union Executive meetings for transmission to the Standing Finance Committee upon approval by the Executive.
- c) any other duties as assigned by the Executive.

3.2) FINANCE COMMITTEE

The Finance Committee comprised of the Secretary-Treasurer as chair and up to three (3) Executive members shall ensure that:

- a) all monies payable to this Union are collected and deposited in a chartered financial institution to the credit of this Union and that proper records are kept of all transactions;
- b) all funds payable by the Union in settlement of its debts are properly disbursed and proper records are kept of these transactions;
- c) all Local and Sub-Local meeting minutes and financial records are gathered and reviewed on a quarterly basis and that the necessary recommendations to deal with problems identified are prepared for Union Executive meetings;
- d) policies and procedures are developed to gather, review and compile budget projections and/or budget revisions, determine bonding requirements, investment strategies, and any other financial matter and that recommendations are prepared for Union Executive meetings;

e) a detailed year-to-date financial position statement of the Union is prepared for each Executive meeting and that the necessary recommendations to deal with budgetary problems identified are prepared for Union Executive meetings;

f) a detailed audited statement of receipts and expenditures is provided annually to the PSAC;

g) a detailed 3-year projected Union budget based upon the strategic plan is produced for approval at the Union Convention.

3.3) MEMBERSHIP COMMITTEE

The Membership Committee comprised of an Executive officer as chair and up to three (3) Executive-appointed members shall ensure that:

a) all issues raised by the Executive, Locals, Sub-Locals and members related to the membership list and grievance databases, the steward network, collective bargaining negotiation and input, mobilizing for community involvement, building research capacities, applications for associate, honorary and life memberships, etc., are reviewed and dealt with by the Committee. Decisions taken by the Committee shall be reported and recommendations if any prepared for Union Executive meetings;

b) budget projections and/or budget revisions, and policies and procedures governing budget expenditures (e.g., Union communication equipment and services deployed in the regions, translation costs at meetings, elections, and grievance hearings, membership benefit programs etc.) are developed and recommendations prepared for Union Executive meetings for transmission to the Standing Finance Committee upon approval by the Executive.

3.4) EDUCATION COMMITTEE

The Education Committee, comprised of an Executive officer as chair and up to three (3) Executive-appointed members shall ensure that:

a) all educational issues including new member orientation, mentoring, training eligibility criteria, improving access and the delivery of educational opportunities, funding allocations, reporting mechanisms etc., raised by the Executive, Locals, Sub-Locals and members are reviewed and dealt with by the Committee. Decisions taken by the Committee shall be reported and recommendations if any prepared for Union Executive meetings;

b) budget projections and/or budget revisions, and policies and procedures governing budget expenditures (e.g., course costs, transportation, facilitation and room rental costs etc.) are developed and recommendations prepared for Union Executive meetings for transmission to the Standing Finance Committee upon approval by the Executive.

3.5) EQUAL OPPORTUNITIES COMMITTEE

The Equal Opportunities Committee, comprised of an Executive officer as chair and up to three (3) Executive-appointed members shall ensure that:

- a) all employment equity and human rights issues raised by the Executive, Locals, Sub-Locals and members are reviewed and dealt with by the Committee. Decisions taken by the Committee shall be reported and recommendations if any prepared for Union Executive meetings;
- b) position papers related to legislative change, bargaining proposals or any other issue relevant to the membership are researched and prepared for Union Executive approval prior to presentation to external bodies on behalf of the Union;
- c) budget projections and/or budget revisions, and policies and procedures governing budget expenditures are developed and recommendations prepared for Union Executive meetings for transmission to the Standing Finance Committee upon approval by the Executive.

3.6) HEALTH AND SAFETY COMMITTEE

The Health and Safety Committee comprised of an Executive officer as chair and up to three (3) Executive-appointed members shall ensure that:

- a) all health, safety and workplace injury compensation issues raised by the Executive, Locals, Sub-Locals and members are reviewed and dealt by the Committee. Decisions taken by the Committee shall be reported and recommendations if any prepared for Union Executive meetings;
- b) position papers related to legislative change, bargaining proposals or any other issue relevant to the membership are researched and prepared for Union Executive approval prior to presentation to external bodies on behalf of the Union;
- c) budget projects and/or budget revisions, and policies and procedures governing budget expenditures are developed and recommendations prepared for Union Executive meetings for transmission to the Standing Finance Committee upon approval by the Executive.

4) LOCAL OR SUB-LOCAL ADMINISTRATION OR TRUSTEESHIP

(pursuant to By-Law 10.11)

1. An Administrator appointed by the Union Executive shall:

a) act as an interim Local Co-President with all the powers that normally rest with the Local or Sub-Local President in order to assist the Local or Sub-Local Executive directly; and

b) make every effort to re-establish the Local or Sub-Local and/or recommend other action for consideration by the Union Executive. In either case, a full report must be submitted to the Executive.

2. Trustees appointed by the Union Executive shall:

a) take charge of all books and records of the Local or Sub-Local; and

b) appoint a committee of not less than three (3) members. The chair shall be one of the trustees appointed by the Union Executive, or an Alliance-appointed representative. The committee shall act as an interim Local Executive with all the powers that normally rest with the Local or Sub-Local. The committee shall make every effort to re-establish the Local or Sub-Local and/or recommend other action for consideration by the Union Executive. In either case, a full report must be submitted to the Executive by the committee chair.

5) UNION OFFICER VACANCIES

(Pursuant to By-Law 12)

Executive succession:

- President, First Vice-President, Second Vice-President, alternate Second Vice-President;
- Secretary-Treasurer, alternate Secretary-Treasurer.
- Regional Vice-President, alternate Regional Vice-President;

In the event further vacancies in the positions of Second Vice-President or Secretary-Treasurer occur, the successor shall be elected by the accredited delegates to the previous Convention.

In the event further vacancies in the positions of Regional Vice-President, that occur prior to the ninety (90) day election period prior to the opening of Convention, the successor shall be elected by the members of the respective Region.

Local succession:

- President, Vice-President, alternate Vice-President;
- Secretary-Treasurer, alternate Secretary-Treasurer;
- Chief Shop Steward, alternate Chief Shop Steward.

In the event further vacancies in the positions of Vice-President, Secretary-Treasurer, or Chief Shop Steward occur, the successor shall be elected by the members of the respective Local.

Sub-Local succession:

- President, Vice-President.

In the event further vacancies in the positions of President occur, the successor shall be elected by the members of the respective Sub-Local.

6) LOCAL REPORTING PROCEDURES

(Pursuant to By-Law 14)

1. All Locals or Sub-Locals must submit an annual budget to the November annual general meeting called for the purpose of receiving annual reports from its officers, considering new business and holding elections. Local or Sub-Local funds should not be used for social and/or recreational activities unless they have direct Local or Sub-Local membership application. The Local or Sub-Locals budget should include such items as:

- a) meeting expenses;
- b) provision for training (shop steward, local officer, etc.);
- c) delegates or observers to Conventions (Union, PSAC, Federations of Labour, Canadian Labour Congress, etc.);
- d) communication expenses (telephone costs, postage, notices, bulletins, etc.);
- e) honoraria or project wages paid to members;
- f) Local or Sub-Local Executive and Shop Steward expenses;
- g) affiliation dues.

2. The budget, once approved, becomes the official guideline for the expenditure of Local or Sub-Local funds.

3. Notwithstanding the authority granted by the membership to expend funds as evidenced by the approval of the budget, all actual expenditures must be reported to the Local or Sub-Local at its general meeting and be supported by acceptable accounting documents such as receipts for audit purposes.

4. Expenditures not covered by a budget item can only be incurred with the approval of a general meeting or membership vote.

5. Financial statements comprised of a detailed year-to-date financial position statement of the Local or Sub-Local shall be prepared for Executive meetings. Any necessary

recommendations required to deal with budgetary problems shall also be prepared for Executive meetings;

6. All Sub-Locals shall provide financial statements to their parent Local following each Executive and membership meeting and all Locals shall provide compiled financial statements to the Union on a quarterly basis.

7) DISCIPLINE PROCEDURES
(pursuant to By-Law 15)

1. General:

a) Complaints against any Member, Local or Sub-Local Officer, or Executive Officer shall be in writing, signed by a member and indicate which section of the Local, Sub-Local, Union By-Laws or PSAC Constitution the complaint is being filed under.

b) Complaints designed to harass, embarrass or discredit, or of a frivolous nature may result in action being taken against the member or members filing the complaint.

2. Local or Sub-Local Procedure:

A complaint filed against a member or members of a Local or Sub-Local may be handled as follows:

a) The Local or Sub-Local shall establish a committee consisting of three (3) members of the Local or Sub-Local, at least one (1) of which shall be a member of the Local or Sub-Local Executive.

b) The member or members shall have the right to appear before the committee to answer the charges.

c) The committee findings shall be tabled with the Local or Sub-Local Executive and if disciplinary action is recommended, it shall be subject to approval by a two-thirds majority vote of members in attendance at a general meeting of the Local or Sub-Local.

d) The disciplined member or members may appeal the decision of the Local or Sub-Local to the Union Executive. In such cases, the Executive Procedure (Section 3) shall apply.

e) The results of all complaints shall be submitted to the Union President, who, in the case of a recommendation for suspension, shall refer the recommendation to the Union Executive for review.

3. Executive Procedure:

A complaint filed against a member or members of the Union Executive or an appeal filed under Local or Sub-Local Procedure (Section 2 Sub-Section d), shall be dealt with as follows:

- a) With the exception of a complaint filed against a member of the Union Executive, complaints will be handled by the Union Executive.
- b) The Union Executive may reject the complaint or establish a committee to investigate the complaint and cause to be filed with the Union Executive a full report including its recommendations.
- c) In the case of rejection of a complaint, the Union Executive shall submit a full report including the reasons for rejection to the Complainant and the Union Executive.
- d) In the case of a complaint filed against a member or members of the Union Executive, the procedure outlined in (Section 3 Sub-Section b and c) will be followed except that the committee shall consist of two (2) Union Executive members not named in the complaint and a member appointed by the PSAC.
- e) In the case of an appeal filed under Section 2 Sub-Section d, the Union President shall establish or cause to be established a committee to review the grounds for appeal and, if necessary, conduct a full hearing in the Local or Sub-Local of the appellant. In either case a full report, including recommendations, will be submitted to the Union Executive by the committee chair.
- f) If disciplinary action is recommended it shall be subject to approval by a two-thirds majority vote of the Union Executive. The disciplined member or members may appeal the decision of the Executive to the Union Convention.
- g) In cases where the Executive upholds a recommendation for suspension from membership, that recommendation shall be transmitted to the PSAC to be dealt with in accordance with the PSAC Constitution by the Union President.
- h) PSAC has made changes to Regulation 19 in their constitution; therefore NEU Regulation 7 must also be amended to reflect such changes. See appendix "A" attached to these regulations for the amendments.

8) COLLECTIVE BARGAINING

1. Collective Bargaining Committees

a) Collective Bargaining Committees of bargaining units totally located in one community will be made up of the membership of bargaining unit members, Local President or designate and Regional Vice President or designate. Members of this Collective Bargaining Committee that are not members of the bargaining unit shall have voice but no vote.

b) Collective Bargaining Committee for members employed by the Qulliq Energy Corporation (QEC) shall be made up of 3 bargaining unit members chosen from and by bargaining unit members of their local from all of the regions within NEU and the Local President or his or her designate; the NEU president or his/her designate will attend with full voice, but vote only in the case of a tie.

c) Collective Bargaining Committees for members employed by the Government of Nunavut (GN) shall be made up of the President of the NEU, all NEU Executive members who are members of this bargaining unit plus one delegate for each local and one more local delegate for every 300 signed members;

2. Collective Bargaining Teams

a) The Nunavut Employees Union negotiating team for the employees of the Government of Nunavut will be comprised of the President and 5 members elected by the Collective Bargaining Committee, plus technical personnel provided by the Public Service Alliance of Canada.

b) The Nunavut Employees Union negotiating team for the employees of the Qulliq Energy Corporation will be comprised of the President or designate and 3 members elected by the Collective Bargaining Committee, plus technical personnel provided by the Public Service Alliance of Canada.

b) The Nunavut Employees Union negotiating team for the employees of bargaining units totally located in one community will be made up of the membership of at least two bargaining unit members (depending on the provisions of their respective collective agreements).

9) EMERGENCY FUND

- a) This fund will be used at the discretion of the NEU Executive for the purpose of supporting the NEU membership and charitable organizations who may request donations. NEU Executive will be required to have a recorded majority vote on all expenditures.
- b) These expenditures include but are not limited to supplementary NEU Strike Pay, Hardship fund and charitable donation requests.
- c) The NEU Executive shall make a template for submissions of proposals to the NEU Executive.

10) EDUCATION FUND

- a) This fund will require the approval of the NEU Executive for the purpose of supporting the NEU membership to attend Union workshops, courses like Canadian Labour Congress courses. It will be the responsibility of the NEU Executive Committee on Education to review all applications and make recommendations to the NEU Executive for approval. NEU Executive will be required to have a recorded majority vote on all expenditures.
- b) The NEU Executive shall make a template for submissions of proposals to the Education Committee.

11) OFFICERS PAY

The position of elected paid Executive Officers shall be following specific terms:

1. The Presidents Pay Range shall be equivalent to Pay Range 22 Step 6, of the NEU/GN Collective Agreement (08 Convention) where it states in that collective agreement (clause 11.10) that “The Employer shall continue to pay such employees their applicable salary in accordance with the terms of the Collective Agreement plus any additional salary amounts as required by the Union to be paid to the Employee. Upon invoice by the Employer, the Union shall reimburse the Employer for the amounts so paid; the benefits of any group plan shall be extended to such employees and the Union shall reimburse the Employer for any costs involved; such employees shall be entitled to an increment for each year of their leave of absence to a maximum of Step six (6) in their pay level of their applicable salary; to be clear the Government of Nunavut pays the employee the difference of the employee’s substantive position’s salary and pay range 22 step 6 a non-pensionable allowance denoted as “President Allowance”. The employee should have the choice of being remunerated the “additional salary amounts as required by the Union to be paid to the Employee” by way of the PSAC payroll system, which would make such remuneration pensionable service with the PSAC pension benefit.
2. With respect to vacation leave, sick leave and special leave, the paid Executive Officer shall earn such credits as defined in their home bargaining unit’s collective agreement;
 - (i) In the absence of specific language in a Collective Agreement, a Memorandum of Understanding for the secondments shall be negotiated with the Employer. The terms and conditions of employment will be as described in the NEU/GN Collective Agreement, except for the payment of overtime worked, will apply to paid Executive Officers. A total of twenty (20) days leave with pay per year shall be given in lieu of all overtime worked and will be advanced at the beginning of each fiscal year. If the work year is less than half the full fiscal year, such lieu time will be advanced on a pro-rated basis.
3. Such employees shall advise the Employer as soon as possible when an extension of the leave of absence is applicable due to re-election. Upon termination of their leave of absence, such employees shall be returned to their former position with the Employer in the same worksite and community as prior to their secondment. When such employees wish to invoke this clause of the Collective Agreement they shall provide the Employer with a three (3) month notice of their intent to do so.
4. The NEU Executive will review the compensation for Executive Officers seconded to the NEU at least once per term to ensure the executive officer’s pay is equal to the work performed.

Appendix “A”

REGULATION 19 Public Service Alliance of Canada

Enacted this 2nd day of June 1983
(As amended February 3, 1984)
(As amended October 1, 1987)
(As amended May 22, 1990)
(As amended May 29, 1991)
(As amended March 1, 1993)
(As amended May 27, 1993)
(As amended April 15, 1997)
(As amended May 21, 1998)
(As amended May 2003)
(As amended June 8, 2004)
(As amended June 2006)
(As amended Feb 5, 2013)

REGULATION GOVERNING MEMBERSHIP DISCIPLINE

- 1) The national Board of Directors, in accordance with Section 25 of the Constitution, retains the authority to suspend or expel from membership any PSAC officer or member.
- 2) In accordance with this regulation, a Regional Council, Component, Local or Regional Committee shall have the authority to remove from an office of the body concerned any member who is found to be in contravention of the Constitution as specified in Sub-Section (5) of Section 25 or the Regional Council, the Component, the Local or the Regional Committee By-Laws.
- 3) In accordance with the procedure outlined in this Regulation, a Regional Council, Component, Regional Committee or Local may recommend the suspension or expulsion from membership of any member of that body.
- 4) Any and all charges against a member shall be placed in writing, signed by the member or members making the charge or charges, and shall be submitted to the appropriate body for consideration.

Allegations Against	Appropriate Receiving Body	Appropriate Body Validating Process	Deciding Body Membership Suspension	Deciding Body Removal from Office	Deciding Body Removal from all PSAC Offices
Member	Local President	Component	NBoD	Component National Executive	NBoD
Directly Chartered Local (DCL)	Local President	REVP	NBoD	Regional Council	NBoD
Regional Committee	REVP	Regional Council	NBoD	Regional Council	NBoD
Alliance Executive Committee (AEC)	PSAC National President	NBoD	NBoD	NBoD	NBoD
Component President	Component First or National Vice-President	Component National Executive	NBoD	Component National Executive	NBoD
NBoD/Component President	PSAC National President	NBoD	NBoD	NBoD	NBoD
PSAC National President	PSAC National Executive Vice-President	Alliance Executive Committee	NBoD	NBoD	NBoD

- 5) The appropriate executive body receiving the allegation(s) shall determine whether “evidence” (prima facie and supporting document) warrants an investigation.
- 6) Any charge or charges which are found to be frivolous or intended to harass, embarrass, or discredit a member or members may result in disciplinary proceedings under Section 26, Sub-Section (5)(e) and/or (g).
- 7) The Procedure for the handling of disciplinary charges shall be as follows:
 - (a) The appropriate body shall establish an internal or external impartial review committee consisting of three (3) people to investigate and assess the charges, including the receipt of oral and written evidence.

- (b) The member(s) charged with misconduct shall be provided a copy of the charges and, both the members making the charge and member(s) charged will be afforded the right to appear before the Committee.

- (c)
 - (i) If disciplinary action is recommended, the Committee report shall be placed before a special or general meeting of the appropriate body and shall be subject to the acceptance of two-thirds (2/3) of those members in attendance; except only that the member(s) initiating disciplinary action against another member(s), and the accused member(s) shall be denied voice and vote during the decision-making process,
 - (ii) If the Committee determines that the PSAC Constitution or appropriate body by-laws are not violated no further action is taken.
 - (iii) If the Committee determines that the PSAC Constitution or appropriate body by-laws are violated but does not recommend disciplinary action, the Committee report shall be placed before a special or general meeting of the appropriate body and shall be subject to acceptance of two-thirds (2/3) of those members in attendance; except only that the member(s) initiating disciplinary action against another member(s), and the accused member(s) shall be denied voice and vote during the decision-making process.

- (d) If allegations are founded, the report of the Committee established in Section 7 (a) of this regulation shall consist of two parts.
 - (i) Part I: will include a finding of fact that confirms the members have violated the PSAC Constitution or Component, Local, Regional Council or Regional Committee By-Laws. This part of the report cannot be amended.
 - (ii) Part II: will recommend the specific disciplinary action, if any to be imposed.

- (e) If the appropriate body accepts a recommendation of removal from office, it shall convey that decision to the member or members concerned together with written notice that an appeal may be submitted to the appropriate body.

- (f) If the appropriate body accepts a recommendation to suspend or expel from membership, the appropriate body shall forthwith advise the Regional Executive Vice-President or Component President in writing together with all relevant documentation.

- 8)
- (a) A charge or charges against an officer of the National board of Directors in the capacity of a member of the NBoD shall be submitted to the PSAC Alliance Executive Committee, except as provided in Section 9.
 - (b) A charge or charges against an officer of the National Board of Directors in the capacity of a component President shall be submitted to the Component First or National Vice-President.
- 9)
- (a) Where a charge or charges of misconduct is alleged against an officer of the Alliance Executive Committee, except the National President, the written allegation shall be submitted to the National President and, at its next regular meeting, the National Board of Directors shall establish an internal or external impartial review committee to deal with the matter in accordance with Section 7.
 - (b) Where a charge or charges of misconduct is alleged against the National President, the written allegation shall be submitted to the National Executive Vice-President and, if validated by the Alliance Executive Committee, the NBoD shall, at its next regular meeting, establish an internal or external impartial review committee to deal with the matter in accordance with Section 7.
- 10) Any member charged with misconduct shall not be a member of the Committee established to investigate the allegation(s), and shall not participate in the vote to accept or reject the findings and recommendations of such a committee. For greater clarification, where more than one member is charged with a similar offence, such as crossing a picket line (Section 25, Sub-Section (5)(n)), the member(s) charged will not be member(s) of the Committee established to investigate the allegation(s), and shall not participate in the vote to accept or reject the findings and recommendations of such a committee.

Appeal Procedure

- 11)
- (a) A decision to implement disciplinary action under the provisions of Sub-Sections (1) or (2) of Section 25 of the Constitution, the applicable Regional Council, Component, Local or Regional Committee By-Laws may be appealed to a tribunal empowered to hear appeals. A written notification of the individual's intent to appeal must be submitted to the Senior Officer of the appropriate body within sixty (60) calendar days of receipt of the disciplinary notification. The appropriate body will determine whether the Tribunal consist of one or three members.
 - (b) A Tribunal comprised of three (3) members shall include a representative of the appellant, a representative of the appropriate PSAC body and a third independent person agreed to by both parties or appointed by an appropriate labour organization

such as a Canadian Labour Congress affiliated union, a Federation of Labour or the Canadian Labour Congress, as determined by the AEC. The appellant shall not be a member of the Appeal Tribunal. The representative of the appropriate PSAC body must not have a conflict of interest in the outcome nor have been involved in the process or the decision to suspend.

(c) The decision of the Tribunal shall be final and binding on all parties to the appeal.

12) The Tribunal shall be established within a two-month period unless the timeframe is extended by:

(a) Mutual agreement of the parties concerned; or

(b) The AEC if it determines that extenuating circumstances prohibit the establishment of the tribunal within the above-noted timeframe.

13) The PSAC Centre shall be responsible for the cost of the hearing and the expenses of the Tribunal in in the case of a single member Tribunal.

The PSAC Centre shall be responsible for the cost of the hearing and the expenses of the Chairperson in the case of a three (3) member Tribunal, except as follows:

(a) Each party will be responsible for his/her own expenses, except that if the appellant's appeal is successful, the appellant may be entitled to reasonable expenses as determined by the National Board of Directors. Such expenses shall be paid by the applicable level of the Public Service Alliance of Canada.

(b) The expenses of the member of the Tribunal appointed by the appellant, including any per diem or salary required, shall be borne by the appellant.

(c) When a PSAC Regional Council or Component/Local takes disciplinary action against a member and an appeal is lodged with the Public Service Alliance of Canada, the PSAC Regional Council or Component/Local member of the Tribunal will be appointed by that Regional Council or Component/Local, and the Regional Council or Component/Local will be solely responsible for his/her expenses.

(d) Each party shall normally be responsible for any expenses incurred as a result of testimony from any witness they wish to call. However, where the appeal is upheld, the appellant may, in extenuating circumstances, request full or partial payment of reasonable expenses incurred by witnesses for the appellant. Such expenses, whose reasonableness shall be determined solely by the National Board of Directors, shall be paid by the applicable level of the Public Service Alliance of Canada.

- 14) Notwithstanding the procedures contained in the previous paragraphs of this Regulation, disciplinary action may be initiated in accordance with Section 25 of the PSAC Constitution at a higher level than where the actions giving rise to disciplinary action occurred.
- 15) The procedure for dealing with any disciplinary situation which may arise which is not specifically covered under this Regulation shall be deemed to be covered and processed within the spirit and intent of this Regulation.

Strike Breaker

- 16) Notwithstanding any previous provisions of this Regulation, in the case of an alleged violation of Section 26, Sub-Section (5)(n) of the PSAC Constitution, the following procedures may be utilized;
 - (a) At the Local level, the alleged violation of Section 25, Sub-Section (5) (n) will be signed by a Local member and submitted to the Local Discipline Committee or Local Executive for study and recommendation to a general membership meeting. The member alleged to have violated Section 25, Sub-Section (5)(n) will be notified in writing, notified of the general membership meeting and given an opportunity to make representation at the Local meeting. The decision of the general membership meeting will be forwarded to the Component President in writing together with all relevant documentation. The Component President, after satisfying himself/herself that the proper procedure has been followed, shall submit the matter to the National Board of Directors for decision.

or

- (b) At the Component national or regional level, upon receipt of an alleged violation of Section 25, Sub-Section (5)(n) signed by a Local member, an assigned Component National Officer shall notify the member charged, conduct an investigation providing an opportunity for the member charged to make representation and prepare a written report for the Component President. The Component President shall submit the written report to an executive body of the Component for its review and recommendation. The Component President, after satisfying himself/herself that the proper procedure has been followed shall submit the matter to the National Board of Directors for decision.

REGULATION 19A
Public Service Alliance of Canada
(Enacted February 5, 2013)

**REGULATION GOVERNING THE OPERATION OF THE STANDING DISCIPLINE COMMITTEE OF THE
NATIONAL BOARD OF DIRECTORS**

PREAMBLE

- 1) The National Board of Directors established a Standing Committee on Discipline at its September 2002 meeting. Since that time, the Committee has reviewed all discipline being brought forward to the Board to ensure that disciplinary process was properly followed. This Regulation expands the mandate and the role of the Committee.

COMPOSITION OF THE COMMITTEE

- 2) The National President of the Public Service Alliance of Canada shall appoint four members of the National Board of Directors and/or full-time Component National Vice-Presidents to sit on the Standing Discipline Committee of the National Board of Directors.

MANDATE AND ROLE OF THE COMMITTEE

- 3) The Committee shall meet prior to each regular meeting of the NBoD and review all disciplinary action being submitted to the NBoD. In the event that the disciplinary process outlined in Regulation 19 was followed, the Committee shall submit it to the NBoD for decision, along with any recommendations that it wishes to make to ensure that disciplinary quanta are consistent across the Union.
- 4) The Committee shall be responsible for ensuring that all members of an internal or external impartial review committee established after February 2014 have received training in the conduct of investigation committees; fully understand the requirement for confidentiality

and procedural fairness and have the requisite skills question witnesses and draft clear reports and recommendations based on the evidence presented to the Committee.

- 5) The Committee is further mandated to review Regulation 19 on a periodic basis and make recommendations to the NBoD to amend Regulation 19.