



## BY-LAWS OF

# MUNACA

## **MCGILL UNIVERSITY NON-ACADEMIC CERTIFIED ASSOCIATION/PSAC 17602**

### **ARTICLE 1 - INTRODUCTION, NAME AND HEAD OFFICE**

- i) The name of the Association is MUNACA/PSAC 17602. It is a 'Local' union directly chartered to the Public Service Alliance of Canada (PSAC). It is a directly chartered local of the PSAC as per its constitution.
- ii) The authority of the By-laws derives from the Constitution of the PSAC, and is superseded only by the laws of the land and the Constitution of PSAC.
- iii) The head office of the Association is located at the place designated by the Executive Committee.
- iv) The stated goal and purpose of the Association is to represent and defend the interests of its members on salaries, benefits, and working conditions and directly support them on all labour-related issues. The Association will promote and defend unionization and union ethics.

### **ARTICLE 2 – MEMBERSHIP**

#### **A) MEMBERSHIP REQUIREMENTS:**

- i) In order to become and remain a member in good standing of the Association, a person must:
- ii) Be a member of the bargaining unit in respect of which the Association was certified; or be on a bargaining unit recall list or on temporary layoff or leaves of absence;
- iii) Sign an application for membership;
- iv) Pay dues and any other fees approved by the Association;
- v) Comply with the PSAC Constitution, Regulations and By-laws of the Association, and MUNACA Code of Conduct.

#### **B) MEMBERSHIP CARDS:**

Every member in good standing shall receive a membership card signed by the PSAC National President.

### **C) EMERITUS MEMBERSHIP:**

In recognition of special service to the Association, a person who is retired or who is no longer an employee of McGill University may be declared by the Union Council to be a Member Emeritus of the Association. A Member Emeritus will have the right to attend all meetings of the Association, with no voting or other privileges. Member Emeritus status may also be revoked by the Union Council.

### **D) SUSPENDING MEMBERS:**

- i) The authority to suspend members rests solely with the National Board of Directors (NBoD) of the PSAC which, however, is asked to ratify the decision by the General Assembly.
- ii) The Membership of a member may be suspended in the event that said member is found guilty of conduct prejudicial to the good name of the Union or PSAC; or infringes the By-laws and Constitution of the Union or PSAC; or actively disregards the decisions of the Union or PSAC's governing bodies. Suspension and removal of membership are matters to be decided by the General Assembly in accordance with PSAC Constitution and Regulations.
- iii) Notwithstanding clauses i) and ii) above, should a member be suspected of violating the provisions outlined in clause ii), the question can be put to the President who, along with two members of the Union Council named by said Union Council, will investigate and report to the Union Council and the members who raised the question. The question can only be placed in front of this investigation committee by way of a written request duly signed by five (5) members in good standing. If the President is the subject of the question, then the duty to investigate falls to the Vice-President (Internal Affairs).
- iv) It is to be understood that all complaints and investigation procedures shall respect natural law and due process. Within four (4) months following the ratification of these Bylaws the Union Council shall adopt detailed regulations describing such processes, which shall be subsequently vetted by a lawyer of the Executive Committee's choosing to ensure they accord with all existing statutes and fundamental legal principles.

### **ARTICLE 3 – DUES**

The Association's dues are subject to the decision of the General Assembly and PSAC, which have the right to establish the dues for its members.

Each member of the bargaining unit for which the Association is certified shall pay dues in the amount of one point six percent (1.61%) of their salary-scale minimum, excluding bonuses and overtime or any other amount as determined by the General Assembly.

These dues shall be deducted each pay period.

Furthermore, the membership dues, by majority vote of the Union Council, may be increased during each calendar year by a percentage within the range of zero percent (0%) to a maximum of ten percent (10%), as deemed necessary by the Union Council to ensure MUNACA/PSAC 17602's sound financial condition.

#### **ARTICLE 4 - FISCAL YEAR**

The fiscal year shall begin on April 1st and shall end on March 31st.

#### **ARTICLE 5 - STRUCTURE OF THE ASSOCIATION**

The Association is composed of a General Assembly, the Executive Committee, the Union Council, and the Stewards.

#### **ARTICLE 6 - THE GENERAL ASSEMBLY AND MEETINGS**

The General Assembly is the supreme body of the Association with all powers, as outlined in these By-laws.

The General Assembly must hold an Annual Meeting in the manner determined by the By-laws.

The By-laws of the Association may provide for special meetings and determine the manner in which such meetings may be convoked.

##### **A) STRUCTURE:**

The General Assembly shall comprise all members in good standing of the Association.

##### **B) ANNUAL MEETING:**

The Association shall hold its Annual Meeting before June 15th of each year. Notice of twenty (20) working days shall be given to all members.

The agenda of any Annual Meeting of the General Assembly must include:

- a. Taking attendance of members in good standing present;
- b. Adoption of the agenda;
- c. Report of the Executive Committee;
- d. Report of the Union Council;
- e. Reports of Committees;
- f. Questions and Varia.

**C) SPECIAL MEETINGS:**

A Special Meeting may be convened by the Union Council upon giving written notice of at least two (2) working days, but no more than ten (10) working days, to all members.

A Special Meeting must also be convened by the President upon written motion of ten percent (10%) of the membership, by giving written notice of at least two (2) working days but no more than ten (10) working days, to all members.

The agenda of the Special Meeting shall consist solely of the items mentioned in the written notice.

**D) QUORUM AT ANNUAL AND SPECIAL MEETINGS:**

A quorum of at least five percent (5%) of the Association's members is required in order to conduct the Association's business at any Annual or Special Meeting, except under the conditions laid out in Article 16.

The quorum is established once at the opening of the Annual or Special Meeting based on those members present at that time.

**E) MINUTES TO BE READ AT ANNUAL AND SPECIAL MEETINGS:**

The minutes to be read at Annual Meetings and Special Meetings shall be the minutes of the last Annual Meeting and any Special Meetings.

**F) VOTING PROCEDURE AT ANNUAL AND SPECIAL MEETINGS:**

Any member in good standing shall have the right to vote at any Annual or Special Meeting of MUNACA/PSAC 17602. Voting shall be by show of hands or by secret ballot as deemed appropriate by the Chair of the meeting. A secret ballot must be held if requested by a majority of the members present.

In the event of a secret ballot, nominations from the Annual or Special Meeting will be put forth proposing a scrutineer and assistants as necessary to distribute, receive and count the ballots.

**G) A SPECIAL MEETING OF THE GENERAL ASSEMBLY MAY BE CALLED:**

In the manner set out in C), a Special Meeting may be called for the purpose of a vote of non-confidence in an Executive Committee member. If such a meeting is requested by the Union Council, then the Union Council shall be responsible for distributing a report to the membership seventy-two (72) hours prior to the Special Meeting. If such a meeting is requested by the membership, they must include the reasons for the non-confidence vote in their request. Those subject to such a motion shall be afforded the opportunity to present a formal one-page rebuttal, either in person or by a delegate following the presentation of the motion.

## **ARTICLE 7 - EXECUTIVE COMMITTEE**

### **A) DUTIES OF THE EXECUTIVE COMMITTEE:**

The principal duties of the Executive Committee shall be the following:

- i) To manage the Association's business, including ensuring the proper functioning of all support and ancillary bodies of the Local (committees, secretariat, etc.). No member of the Executive Committee may be named as Chair of a standing committee unless specifically requested by the Union Council;
- ii) To implement the members' decisions taken at Annual and Special Meetings as well as the decisions taken by the Union Council;
- iii) To keep all contracts, books, records and all other property of the Association, furnishing these items when required to do so by the General Assembly;
- iv) To admit new members;
- v) To authorize all proceedings, legal or otherwise, in the Association's interest, excepting those proceedings for which the law requires an authorizing motion from the General Assembly;
- vi) To prepare, organize and report to the Annual General Meeting and Special Meetings.
- vii) To designate persons amongst Executive Committee members authorized to sign monetary documents in the name of the Association;
- viii) To name the official delegates (Steward or elected representative) of the Association to represent the Association and to receive the delegates' reports;
- ix) To meet with Stewards, Union Council Representatives and members, and to respond to their concerns;
- x) To develop solidarity with other unions;
- xi) To receive and distribute relevant information to the members;
- xii) To have a working knowledge of the Collective Agreements (past and current), PSAC's Constitution, the Rules of Order as defined in Article 14, and these By-laws;
- xiii) To receive correspondence on behalf of the union and forward to the appropriate officer;
- xiv) Ensure that written communication is available in both English and French, to the greatest extent possible;

- xv) To redistribute responsibilities in an effective manner to ensure the Executive Committee's efficiency at any time and particularly in the event that an officer is unable to fulfill their responsibilities for a period of time.
- xvi) Report on a regular basis on their activities to the Union Council;
- xvii) To meet at the request of the President or any two (2) Executive Committee members.

**B) STRUCTURE OF THE EXECUTIVE COMMITTEE:**

The Executive Committee shall be comprised of the following five (5) officers:

- President;
- Vice-President (Internal Affairs);
- Vice-President (Communications and Mobilization);
- Vice-President (Finance);
- Vice-President (Labour Relations).

**C) DUTIES OF EXECUTIVE COMMITTEE OFFICERS:**

**i) President**

- a) The President shall preside over the Annual and Special Meetings and meetings of the Executive Committee and the Union Council, preserving order, directing debate and enforcing the Constitution and By-laws. If the President wishes, the President may name a replacement in this role;
- b) The President shall be responsible for carrying out or ensuring that the decisions and policies of the Association are carried out;
- c) The President shall not normally vote, but in the case of a tie, shall cast the deciding vote;
- d) The President shall be an ex-officio member of all committees of the Association that are appointed by the Union Council or the General Assembly;
- e) The President shall be the official spokesperson for the Association; which includes liaising with representatives of the University administration and addressing University policy and procedures that have an impact on the membership;
- f) The President shall present the Annual Report of the Executive Committee to the General Assembly;

- g) The President shall prepare an agenda, and chair, or ensure that these two tasks are done, for all of the following meetings: Executive Committee, General Assembly, Special General Meetings, Union Council, Strike Committee, and Stewards' meetings;
  - h) The President shall enforce and ensure proper implementation of the By-laws and decisions of the Union's governing and support bodies;
  - i) The President shall be the chief administrator of the Union, and be responsible for ensuring the smooth operation of the Union; this includes ensuring that officers and members holding elected office in the Union (including Stewards and Committee Chairs), fulfill their mandates. The President will report to the Executive Committee and the Union Council if any of the above mentioned is not fulfilling their mandates. The President is responsible for all issues related to the office staff and the implementation of any decisions; including but not limited to hiring, firing, evaluating performance, administering and negotiating of the collective agreement of the office staff. Any collective agreement signed with the Union's support staff Union must have the approval of the Union Council;
  - j) The President shall sign all contracts, cheques, and official documents of the Union, or ensure that they are signed, including the minutes of the General Assembly, Union Council and Executive Committee meetings;
  - k) The President shall report when requested to do so on the President's activities to the General Assembly, Union Council and Executive Committee;
  - l) The President shall attend PSAC's national and regional conventions, as well as conventions of other organizations that the Union affiliates with or has membership in as the Union's chief delegate, or designate a delegate to attend in this capacity;
  - m) The President shall, along with the Executive Committee, modify the various duties of the members of the Executive Committee for short or long-term duration, depending upon the needs of the Committee and taking into consideration the skills, interests and willingness of the members of the Executive Committee, while ensuring that their primary duties are fulfilled.
- ii) **Vice-President (Internal Affairs)**
- a) The Vice-President (Internal Affairs) shall be responsible for giving general assistance to the President;
  - b) The Vice-President (Internal Affairs) shall record or cause to be recorded the minutes of the meetings of the Executive Committee, the Union Council, and the General Assembly and shall, jointly with the President or another Chair, sign these minutes;
  - c) The Vice-President (Internal Affairs) shall convene meetings (except for Committee meetings) when requested to do so by the President or the Executive Committee;
  - d) The Vice-President (Internal Affairs) shall work closely with the Committee Chairs to ensure that minutes are recorded and kept as necessary;

- e) The Vice-President (Internal Affairs) shall keep records of the membership of the Union; process membership forms and membership cards or ensure that these tasks are done;
- f) The Vice-President (Internal Affairs) shall work closely with the office staff to ensure smooth day-to-day operations and organization of the Union;
- g) The Vice-President (Internal Affairs) shall keep records of all By-laws and Policies of the Union and all other governance documents;
- h) The Vice-President (Internal Affairs) shall report when requested to do so on the Vice-President (Internal Affairs)'s activities to the General Assembly, Union Council and Executive Committee;
- i) The Vice-President (Internal Affairs) shall be an ex-officio member on all committees of the Association that are appointed by the Union Council or the General Assembly.

During a period of more than thirty-five (35) days when the President is absent or is for any other reason unable to perform the functions of President, those functions shall be assumed and performed by the Vice-President (Internal Affairs), until such time as the President returns or there are by-elections held;

iii) **Vice-President (Communications and Mobilization)**

- a) The Vice-President (Communications and Mobilization) shall be responsible for mobilizing the members in support of their rights and collective bargaining demands;
- b) The Vice-President (Communications and Mobilization) shall be responsible for maintaining the Union's website and social media and shall be responsible for the Union's Newsletter;
- c) The Vice-President (Communications and Mobilization) along with the President or Vice-President (Labour Relations) shall prepare the Agenda for, and chair Stewards meetings, or ensure that it is done;
- d) The Vice-President (Communications and Mobilization) along with the President or Vice-President (Labour Relations) shall ensure that Steward training courses are available to all Stewards on a yearly basis;
- e) The Vice-President (Communications and Mobilization) shall report when requested to do so on the Vice-President (Communications and Mobilization)'s activities to the General Assembly, Union Council and Executive Committee;
- f) The Vice-President (Communications and Mobilization) shall be an ex-officio member of any communications and Stewards committees.



iv) **Vice-President (Finance)**

The Vice-President (Finance) shall be responsible for carrying out the financial transactions of the Association, and in particular shall have the following duties:

- a) keeping records of monies and securities belonging to the Association;
- b) receiving the members' dues from PSAC Centre and any other revenues;
- c) keeping the accounts in a manner approved by the Executive Committee;
- d) depositing Association receipts in one or more of several chartered banks chosen by the Executive Committee;
- e) signing cheques and other negotiable instruments jointly with the President or any other officer duly authorized to do so by resolution of the Executive Committee;
- f) submitting a preliminary budget of projected income and expenditures to the Executive Committee for its approval within thirty (30) days of the Vice-President (Finance)'s election;
- g) submitting an annual financial statement to the General Assembly at the end of every fiscal year;
- h) ensure that the members of the Executive Committee be insured for liability in an amount to be determined by the Executive Committee for the faithful performance of the trust reposed in them, the cost to be borne by the Union;
- i) be an ex-officio member of the Finance Committee and work with them to prepare the budget, and audit and review any other financial matters;
- j) work with an auditor to complete an audited financial statement by March 31st of the following year;
- k) The Vice-President (Finance) shall report when requested to do so on the Vice-President (Finance)'s activities to the General Assembly, Union Council and Executive Committee. The Union Council may request quarterly reports;
- l) The Vice-President (Finance) shall be responsible for health and safety issues, including being an ex-officio member of the Health and Safety Committee and shall work closely with the Vice-President (Labour Relations) with regards to grievances; subject to c), i), and m) of this article, by which the executive roles can be altered.

v) **Vice-President (Labour Relations)**

- a) The duties of the Vice-President (Labour Relations) shall include receiving grievances and transferring such information to the PSAC Legal/Representation Section for analysis, or ensure that that this is done. When necessary, the Vice-President (Labour Relations) shall initiate the Grievance Procedure

for purposes of negotiating with the University Administration a solution to the grievance, or proceeding to arbitration;

- b) The Vice-President (Labour Relations) must communicate all progress, actions and decisions concerning such grievances during each stage of the Grievance Procedure to the Grievance Committee, stewards involved and those members immediately concerned;
- c) The Vice-President (Labour Relations) shall report when requested to do so on the Vice-President (Labour Relations)'s activities to the best of their ability at the time to the General Assembly, Union Council and Executive Committee;
- d) The Vice-President (Labour Relations) shall work closely with the Vice-President (Communications and Mobilization) with regards to stewards meetings, training and steward duties;
- e) The Vice-President (Labour Relations) shall be an ex-officio member on all grievance-related committees of the Association that are appointed by the Union Council or the General Assembly;
- f) During a period of thirty-five (35 days) or less when the President is absent or is for any other reason unable to perform the functions of President, those functions shall be assumed and performed by the Vice-President (Labour Relations), until such time as the Vice-President (Internal Affairs) assumes the President's functions during this period;

**D) NOTICE OF THE EXECUTIVE COMMITTEE MEETINGS:**

Notice of a meeting must be given to all members of the Executive Committee at least twenty-four (24) hours before each Executive Committee Meeting, though the President may call a meeting of the Executive Committee with less notice if an urgent meeting is required.

**E) QUORUM:**

The quorum of the Executive Committee shall be formed by the majority of its members.

**F) VOTING PROCEDURE AT EXECUTIVE COMMITTEE MEETINGS:**

All voting at Executive Committee Meetings shall be by consensus. In the event of a vote, each member of the Executive Committee has one vote, except for the Chair of the meeting. All votes shall be decided by simple majority, with the Chair of the meeting casting the deciding vote in case of a tie.

Members of the Executive Committee shall have the right to have their vote on a particular matter recorded in the minutes if they so request.

**ARTICLE 8 – ELECTION OF THE EXECUTIVE COMMITTEE AND UNION COUNCIL**

- i) The Executive Committee and Union Council shall be elected and remain in office for a period of three (3) years. Elections must be held between January 1st and June 15th of the year in which the term ends.

- ii) The Union Council of the Association shall appoint a Chief Returning Officer (CRO) for the elections who shall be responsible for setting up a volunteer committee to handle the scrutineering process and the counting of votes. The CRO may not be a candidate in the elections, but is responsible for assisting with any transition of roles on the Executive Committee following the election. The CRO will have sole jurisdiction and final authority in all electoral matters.
- iii) Nominations shall be invited from the members of the Association commencing at least twenty-five (25) working days prior to the Annual Meeting. All members of the Executive Committee and the Union Council, whether they are running for re-election or not, must submit two (2) written reports to the CRO prior to the posting of nominations for the elections. One report will be given to the membership at the Annual General Meeting and should include a summary of the members' activities conducted during the term coming to an end. The second report is to be a transitional one with detailed information on the members' activities with an eye to assisting with the transition of a new incumbent.
- iv) The Association shall make available prescribed nomination forms, prepared by the CRO, at least twenty-five (25) working days prior to the Annual Meeting.
- v) The closing date for receiving nominations shall be announced as part of the notice inviting nominations and shall be at least fifteen (15) working days prior to the Annual Meeting. The CRO must accept nomination forms in paper and electronic format.
- vi) Nominations received after 17:00 hours on the closing date shall not be entertained.
- vii) The CRO shall validate the nominations and publicize them at least ten (10) working days prior to the election, together with notice of the election procedures.
- viii) The information to be circulated by the CRO on each nominee shall contain only the following:

**NAME:**

**DEPARTMENT:**

**TELEPHONE NUMBER:**

A pen sketch of four hundred (400) words or less shall be provided by the nominee prior to the deadline for receiving nominations.

- ix) Only members of the Association in good standing may place names in nomination.
- x) Only members of the Association in good standing may propose, second or sign the nomination form for nominees. A member may do so for one nominee only for the same office or committee chair, and may only nominate one Union Council Delegate (Chief Stewards) to represent the campus of the member (the three campuses being: Downtown; Glenn and Solin Hall; and Macdonald Campus and the estate at Mont St Hilaire).
- xi) There are 28 positions available on the Union Council.

- Five (5) Executive Committee members;
  - Five (5) Standing Committee Chairs (Grievance, Health and Safety, Finance, Solidarity, and Communications);
  - Fourteen (14) Chief Stewards/District Heads from the Downtown Campus;
  - Two (2) Chief Stewards/District Heads from the Macdonald Campus and the estate at Mont St Hilaire;
  - Two (2) Chief Stewards/District Heads from the Glenn Campus and Solin Hall.
- xii) The persons nominated must be members of the Association in good standing and must be identified by name and department and must have agreed beforehand, in writing, to serve if elected.
- xiii) Nominations for Union Council Delegates (Chief Stewards/District Heads) must be proposed and seconded and agreed to by at least five (5) members in good standing of the Association from the represented Campus who will all have signed the nomination form and shall have identified themselves by name and McGill ID number. The nominations for the Chairs of the five (5) Standing Committees must be proposed and seconded and agreed to by at least five (5) members in good standing of the Association who will all have signed the nomination form and shall have identified themselves by name and McGill ID number.
- xiv) Nominations for Officers of the Executive Committee must be proposed and seconded and agreed to by at least ten (10) members in good standing of the Association who will all have signed the nomination form and shall have identified themselves by name and McGill ID number.
- xv) After the closing date for nominations, the members shall be informed of the names of all candidates duly nominated.
- xvi) Members shall be asked to return mail-in ballots according to instructions published by the CRO, or the CRO may prepare an electronic voting system using a secure ballot requiring user authentication, subject to approval by the Union Council.
- xvii) All members in good standing shall be eligible to vote in the elections.
- xviii) Subject to the method chosen above under xvi), ballots shall be counted publicly under the supervision of the Chief Returning Officer at the end of the election, and the results will be officially announced at the Annual Meeting.
- xix) Ballots shall be considered spoiled if returned in a manner inconsistent with the instructions published by the CRO.
- xx) Of the persons nominated, the one gaining a clear majority shall be declared the winner. In case of a tie, a recount will be conducted, and if the recount upholds the tie, a new vote shall be taken immediately until a clear majority is achieved.

- xxi) Any person nominated who is not satisfied with the results of the vote may request a recount. Upon the request being granted by a majority vote of the General Assembly, the recount shall take place in the presence of the General Assembly and the members shall be permitted to inspect the ballots. The results shall be announced to the meeting and shall be the final result. Pursuant to paragraph (iii), any dispute concerning the validity of the ballots shall be resolved by the CRO whose decision shall be final and binding.
- xxii) All ballots shall be kept for a period of at least one (1) year.
- xxiii) If for any reason a vacancy occurs on the Executive Committee, the remaining Executive Officers must assume the duties of the vacant position if the vacancy occurs six (6) months or less prior to the next regularly scheduled election. The Executive Committee may request that the Union Council name a member of the Union Council not currently on the Executive Committee to join the Executive Committee temporarily and assist with the duties as determined by the Executive Committee.
- xxiv) If a vacancy occurs on the Executive Committee more than six (6) months before the next regularly scheduled election, a by-election must be held.
- xxv) A position on the Executive Committee will be declared vacant when the incumbent resigns, or has been declared delinquent in fulfilling the duties of that office. If the position is left vacant for any other reason, the Union Council shall name a replacement from the Union Council members not currently on the Executive Committee until the incumbent returns or until the next Annual General Meeting is held, during which the membership may confirm the appointment or elect another member to temporarily fulfil the duties.
- xxvi) Should a Union Council Delegate/Chief Steward's position become vacant, the Union Council may name a steward to the Union Council, however, the Union Council must, as appropriate, follow the procedures outlined in clauses xxiv) and xxv) of this article.

## **ARTICLE 9 - UNION COUNCIL**

### **A) MANDATE:**

The duties of the Union Council are set out in the By-laws. Fundamentally, the Union Council is the legislative body of the Association and has all powers to that effect, including the powers to adopt and modify the By-laws of the Association, pending ratification by the General Assembly at the next Annual Meeting or Special Meeting, which shall be held within thirty (30) working days of the adoption of the amendment(s).

### **B) STRUCTURE:**

The Union Council shall comprise of the following twenty-eight (28) members:

- President;
- Vice-President (Internal Affairs);
- Vice-President (Communications and Mobilization);

- Vice-President (Finance);
- Vice-President (Labour Relations);
- The eighteen (18) Union Council delegates (Chief Stewards/District Heads) referred to in Article 8(xi): fourteen (14) from the Downtown Campus, two (2) from Macdonald and the estate at Mont St. Hiliare Campus, and two (2) from the Glenn and Solin Hall Campus;
- The five (5) Standing Committee chairs (Grievance, Health and Safety, Finance, Solidarity, Communications).

#### **C) DUTIES:**

- i) The Union Council exercises duties as set out in these By-laws. The principal duty of the Union Council shall be to formulate and set out the policies of the Association, notably by adopting or modifying the By-laws of the Association, pending ratification by a majority of the members in good standing who exercise their right to vote at the next meeting. The Union Council shall meet at the request of the President or five (5) members of the Union Council. All Representatives elected to the Union Council shall act as District Heads to specified districts. District Heads (or Chief Stewards) shall coordinate and assist with the activities and duties of the Stewards in their designated district and be responsible for the distribution of information to and from the Union Council and Stewards. The District Head shall also ensure that the Stewards in their district receive the appropriate training, and shall be responsible for recruiting new Stewards. The Districts shall be determined at the first Union Council meeting, after the first elections following the adoption of these By-laws.
- ii) The Union Council may increase the Association's dues as per Article 3 of these By-laws.
- iii) The Union Council shall be responsible for naming the auditor and receiving the auditor's report at the end of the fiscal year, consistent with provisions in the PSAC Constitution.
- iv) At the first meeting of the Union Council after the first elections following the adoption of these By-laws, which must take place within twenty-one (21) days following the Annual General Meeting, the Union Council shall determine the districts and assign them to the eighteen (18) Chief Stewards/District Heads. The Union Council shall also be charged with determining the mandates of the five (5) Standing Committee Chairs. These mandates are to be appended to these By-laws.
- v) The Union Council shall be charged with the formation of a negotiations committee comprised of the President, the Vice-President (Labour Relations), and five (5) other members of the Union Council. At least one (1) member from each campus will be chosen; priority will be given to ensure this representation.

#### **D) NOTICE OF UNION COUNCIL MEETINGS:**

Notice of a meeting must be given to all members of the Union Council at least twenty-four (24) hours before each Union Council meeting.

**E) QUORUM:**

The quorum of the Union Council shall be formed by the majority of its members, consisting of at least three (3) Executive Officers.

**F) VOTING PROCEDURE AT UNION COUNCIL MEETINGS:**

All voting at Union Council meetings shall be by show of hands with each member of the Union Council having one (1) vote, except for the Chair of the meeting. All votes shall be decided by simple majority, with the Chair of the meeting casting the deciding vote in case of a tie.

Members of the Union Council shall have the right to have their vote on a particular matter recorded in the minutes if they so request.

**ARTICLE 10 – STEWARDS**

**A) DUTIES:**

The duties of each Steward are to address any concerns of members in their district regarding the members' working conditions and to ensure that these concerns are addressed by the Union Council and the members of the Executive Committee. These concerns include recommendations of issues to bring forward during negotiations with the University. Stewards will be charged with the investigation of any complaints, the gathering of information, the passing of recommendations, and filing grievances, to both District Heads (Chief Stewards) and the Vice-President (Labour Relations) if necessary. As part of their mandate, Stewards shall assist with mobilization efforts and participate on union committees. Stewards will be entitled to at least two (2) hours of liberation per month for the purpose of meeting members in their workplaces and addressing their concerns.

**B) MEETINGS:**

Six (6) meetings per year with all Stewards will take place with the Executive Committee, following which a report will be issued by the Vice-President (Communications and Mobilization) or by a delegate, to the Union Council at the Union Council's next regular scheduled meeting. The Stewards may request naming a chair for their meetings.

**C) RESPONSIBILITY FOR DISTRICTS:**

- i) The District Heads shall be directly responsible, along with the members of the Executive Committee, for communicating with each Steward in their respective districts. District Heads will serve as contacts and may ask for regular reports from each Steward in their area. They may be assisted in these tasks by the Executive Committee.
- ii) Should Stewards be required to be absent from work due to addressing members' concerns, they shall inform the Executive Committee, in addition to their supervisors, so that a report is kept of these activities and any questions from management responded to.

**D) REMOVAL OF STEWARDS:**

Any questions regarding steward behaviour would be brought to the Union Council for discussion and resolution. The Union Council would have the mandate to remove Stewards, following an investigation of a complaint by members in the Steward's area or from the District Head.

**ARTICLE 11 – COMMITTEES**

**A) STANDING COMMITTEES:**

There are five (5) Standing Committees: Grievance, Health and Safety, Finance, Solidarity, and Communications. These Standing Committees are part of the Union Council. The Chairs are elected by the membership at large. Two additional members are to be named by the Union Council; these members may be ex-officio members should the Union Council see fit. Should the position of Chair be vacant, the Union Council shall name a replacement from its number. The mandates of these committees shall be determined by the Union Council, at the first meeting following the first elections after the adoption of these By-laws, and may be subsequently modified if deemed necessary by the Union Council.

**B) APPOINTMENT AND DUTIES:**

The Union Council can appoint ad-hoc committees and the committee chair. Ad-hoc committees shall make investigations, conduct studies and hearings, and make recommendations to the Union Council.

**C) AUTHORITY OF COMMITTEES:**

No action by any committee shall be binding upon or constitute an expression of the policy of the Association until it is approved by the Union Council.

**D) DISSOLUTION OF COMMITTEES:**

Committees appointed by the Union Council may be discharged by the Union Council when their work is completed or the mandate of the committee(s) is no longer deemed necessary.

**ARTICLE 12 - TERMINATION OF MEMBERSHIP IN THE UNION COUNCIL**

**UNION COUNCIL REPRESENTATIVE**

- i) If any Union Council Representative, excluding a member of the Executive Committee (see Article 6 G)\_is alleged to have been delinquent in their duties and if a petition to remove this Representative from their duties is made by one-third (1/3) of the members of the Union Council and submitted to the Chair, a motion for removal from their position on the Union Council shall be inscribed on the agenda of the next Union Council Meeting.
- ii) On adoption of such a motion by a three-quarters (3/4) majority of the members in attendance at the meeting, the position shall be declared vacant.



- iii) The Union Council member who has been relieved of their duties may appeal the decision to the next Annual General Meeting or Special General Meeting.
- iv) The membership may request that a vote of non-confidence of a Union Council member be held at the next Union Council meeting, Annual General Meeting, or Special General Meeting. This motion must be made in writing and have the signature of five percent (5%) of the membership in good standing, and include the reasons for the non-confidence vote.

## **ARTICLE 13 - GRIEVANCE PROCEDURE**

### **A) GRIEVANCE PROCESS:**

It shall be the responsibility of the Association to investigate as fully as possible all aspects of each potential grievance and to judge the validity of each grievance and to determine the disposition of each grievance for representation by the Association, according to the following procedures:

- i) Grievances shall be investigated by the Vice-President (Labour Relations) and the Stewards, and be approved or rejected by the Vice-President (Labour Relations) and the Grievance Committee;
- ii) In the event that a grievance is rejected by the Grievance Committee, the employee(s) concerned may appeal the decision of the Council to the Union Council;
- iii) In the event that a grievance is not dealt with within a reasonable time frame by the Vice-President (Labour Relations) and/or the Chair of the Grievance Committee, the employee(s) concerned may refer the grievance to the Union Council.

### **B) GRIEVANCE VOTING:**

Any Union Council member or Steward personally involved with a grievance shall be required to be absent from the meeting for all discussions or voting on that grievance, except when presenting testimony to the meeting concerning said grievance.

### **C) GRIEVANCE MANAGEMENT:**

Once a grievance has been found valid by the Association, the Vice-President (Labour Relations) shall be responsible for following the Grievance Procedure up to arbitration. During this process, the Vice-President (Labour Relations) may, for legitimate reasons, refer the grievance back to the body which approved it for a decision on whether the grievance should continue to be supported by the Association.

### **D) GRIEVANCE DEVELOPMENT UPDATES:**

The Vice-President (Labour Relations) shall keep the Grievance Committee and the responsible Stewards advised of all developments and progress concerning each grievance.

**E) DELEGATING GRIEVANCES:**

The Vice-President (Labour Relations) may delegate their role in the Grievance Procedure for a particular grievance, in whole or in part, to another Executive Officer by agreement among the Executive Officers.

**F) GRIEVANCE CONFLICTS:**

If the Vice-President (Labour Relations) is personally involved in a particular grievance, the role of Vice-President (Labour Relations) in the procedure must be assumed by another Executive Officer.

**ARTICLE 14 - RULES OF PROCEDURE**

In matters not provided for in whole or in part herein, "Robert's Rules of Order" shall serve as the basis for the rules of procedure of the various bodies of the Association.

**ARTICLE 15 - INTERPRETATION OF THE BY-LAWS**

In all questions concerning the official interpretation of these By-laws, the interpretation shall be based on the English version, English being the language in which the By-laws were originally drafted. The union must make its By-laws available in both official languages.

**ARTICLE 16 – AMENDMENTS TO THE BY-LAWS**

In order to change the present By-laws in whole or in part, a majority of members in good standing who exercise their right to vote is required. Notwithstanding Article 6 D, the quorum needed for such a vote is ten percent (10%) of the Association's members.

**ARTICLE 17 - DEFINITION OF THE TERM "WORKING DAY"**

For the purpose of these By-laws, the term "working day" shall be defined to be any day on which the University Administration Offices are open.

**ARTICLE 18 – DECLARATION**

The preceding is the entire text of the general By-laws duly adopted by the Association.

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**PRESIDENT AND/OR SECRETARY**