

Public Service Alliance of Canada



BYLAWS PSAC LOCAL 77000

LOCAL UNION BYLAWS

Public Service Alliance of Canada, Local 77000

As adopted on the 28th of November, 2016 at the city of Ottawa, Ontario

and amended on: *date*
 date
 date

Table of Contents

<u>Section</u>	<u>Subject</u>	<u>Page</u>
	PREAMBLE	1
1	NAME	1
2	AIMS, OBJECT, AND RELATIONSHIP TO PSAC	1
3	INTERPRETATION & DEFINITIONS	2
4	MEMBERSHIP	2
5	DUES	3
6	LOCAL UNION MEETINGS	4
7	EXECUTIVE	6
8	OTHER OFFICERS	8
9	DUTIES OF OFFICERS	8
10	AUTHORITY & RESPONSIBILITIES	12
11	COMMITTEES	13
12	FINANCIAL AFFAIRS	13
13	AMENDMENTS	13

P R E A M B L E

IN ORDER TO unite all members of the Public Service Alliance of Canada in a single, democratic organization through the institution of the Local Union;

AND IN ORDER TO obtain for all members of the Public Service Alliance of Canada subject to the jurisdiction of the Local Union, the best standards of compensation and other conditions of employment;

AND IN ORDER TO maintain and defend the right to strike;

AND IN ORDER TO advance and safeguard the aims and objects of the Public Service Alliance of Canada and the Canadian labour movement;

THIS LOCAL 77000 HAS BEEN FORMED BY ITS MEMBERS AND GRANTED A CHARTER BY THE PUBLIC SERVICE ALLIANCE OF CANADA.

The following Bylaws are adopted by the Local Union pursuant to the Constitution and Regulations of the Public Service Alliance of Canada, in order to pursue and protect the rights and interests of all members, to provide for the responsible administration of the Local Union, and to facilitate and encourage the involvement of members in the administration and activities of the Local Union.

SECTION 1 – NAME

This Local Union shall be known as PSAC Local 77000 (hereinafter referred to as “the Local” or “the Local Union”.)

SECTION 2 – AIMS, OBJECTS & RELATIONSHIP TO PUBLIC SERVICE ALLIANCE OF CANADA

- a.) It shall be the object of the Local to protect, maintain and advance the interests of members coming under its jurisdiction.
- b.) The Local Union shall unconditionally subscribe to and accept as its governing documents the *Constitution and Regulations of the Public Service Alliance of Canada* (hereinafter referred to as the “PSAC Constitution”), as amended from time to time, including the applications and interpretations thereof, to all of which these Bylaws are always subordinate.

- c.) Subject and subordinate always to the provisions of the PSAC Constitution, the General Membership Meeting of the Local Union shall otherwise be the governing authority of the Local Union.
- d.) Between General Membership Meetings of the Local Union, and subject and subordinate always to the PSAC Constitution, the Executive Officers in committee shall be the Local Union's governing body and authority.

SECTION 3 – INTERPRETATION & DEFINITIONS

- a.) References in these Bylaws to masculine pronouns shall be understood to include reference to the feminine gender, and references to the singular shall be understood to include the plural, as and when context dictates same in order to achieve a just and democratic interpretation of these Bylaws.
- b.) Interpretation of these Bylaws is the prerogative of the Executive Officers of the Local Union in committee, and shall reflect a consensus of the Executive Officers. In the event that no consensus interpretation can be arrived at by the Executive Officers, the interpretation favoured by the President of the Local Union shall govern. No interpretation of these Bylaws shall be contrary to the terms and provisions of the PSAC Constitution. No interpretation of these Bylaws shall permit or result in the taking of any steps that are contrary to the terms and provisions of the PSAC Constitution.
- c.) Interpretation of the PSAC Constitution is the sole prerogative of the National President of the Public Service Alliance of Canada ("PSAC"), including the determination of conflict between these Bylaws, the PSAC Constitution, and any Service Agreement between PSAC and the Local Union.

SECTION 4 – MEMBERSHIP IN LOCAL UNION

- a.) All employees under the jurisdiction of the Local whose membership is defined by the certificate issued by the Ontario Labour Relations Board on the date of certification and who:
 - 1.) Are currently employed as a Postdoctoral Fellow at Carleton University.
 - 2.) Have been employed as a Postdoctoral Fellow at Carleton University in the previous four (4) consecutive calendar months.
 - 3.) Have confirmation of a postdoctoral contract at Carleton University beginning in the next four (4) calendar months.
- b.) Members of this local are also members of the Public Service Alliance of Canada: the jurisdiction of the Local may be assigned from time to time by the PSAC.

c.) Members are considered to be in good standing when they have signed a PSAC membership card.

SECTION 5 – PSAC MEMBERSHIP DUES

- a.) The dues payable to the PSAC by each member or employee in the Local Union’s jurisdiction shall be not less than the amount determined by the most recent PSAC Triennial National Convention and shall be determined in accordance with Section 24 of the PSAC Constitution. The Local dues shall be set at 1.8%.
- b.) All dues payable by members and employees within the Local Union’s jurisdiction shall be paid by way of “employer check off” from the pay received by an individual, except in cases of terminated, laid-off or associate members within the meaning of Section 4, who may make payment to the PSAC in such form or manner as is determined by the PSAC in its own discretion.
- c.) The amount of Union dues payable by a member of the Local Union shall include the amount referred to in Sub-Section 5(a) of these Bylaws, and shall also include the “component weighted average”, which is an additional amount reflecting the per capita weighted average of the amount of union dues that are payable pursuant to Section 24(2) of the PSAC Constitution by all members of the PSAC who are members of Local Unions that have been assigned to a Component Union. Dues deducted and collected pursuant to this sub-section of these Bylaws shall be treated in accordance with the terms of any applicable Service Agreement that has been entered into between PSAC and a Directly Chartered Local.
- d.) In addition to the amounts set out in Sections 5(a) and 5(b) of these Bylaws, the Local Union may require that an additional amount of union dues be deducted for purposes of its own administration and the provision of services to employees within the Local Union’s jurisdiction. In order to be entitled to require the deduction of and to receive such amounts of dues as may be determined to be payable by members of the Local Union pursuant to this sub-section of these Bylaws, the Local Union must obtain the authorization of the members of the PSAC falling under the Local Union’s jurisdiction by a two-thirds majority vote of the membership in attendance at an Annual General Membership Meeting of the Local Union, or at a Special Meeting of the Local Union called for that purpose. Such additional dues will be collected by PSAC and shall thereafter be rebated to the Local Union.

- c.) The amount of any dues established pursuant to sub-section 5(d) of these Bylaws may be changed by resolution upon a two-thirds majority vote of the regular members in attendance at any Annual General Membership Meeting of the Local Union or any Special Meeting of the Local Union, called for that purpose, provided that twenty (20) work days notice that such a proposition will be voted upon at the meeting has been provided to all members of the union falling under the Local Union's jurisdiction.

SECTION 6 – LOCAL UNION MEETINGS

Quorum at Local Union Membership Meetings

- a.) A quorum for the transaction of business at any membership meeting of the Local Union shall be fifteen percent (15%) of the members falling under the jurisdiction of the Local Union.

Annual General Membership Meeting

- b.) The Local Union shall hold an Annual General Membership Meeting prior to the end of each fiscal year of the Local Union, for purposes of: receiving annual reports from the Executive Officers of the Local and the Committees of the Local Union, the election of Executive Officers and other Officers of the Local, the consideration of such business as may be required by these Bylaws or by the PSAC Constitution, and such other business as the Local may wish to conduct. The Annual General Membership Meeting shall be held on not less than seven (7) work days written notice to the membership of the date, time and location of the meeting. The Annual General Membership Meeting shall be held not earlier than eleven (11) and not later than thirteen (13) months following the date of the last Annual General Membership Meeting that was held.

General Membership Meetings

- c.) General Membership Meetings of the Local Union may be held as determined by the Executive Officers in committee of the Local Union, but shall not be held on less than one (1) week's notice to the membership of the date, time and location of the meeting.

Special Meetings of the Membership

- d.) A Special Meeting of the Membership may be called at the request of a simple majority of the Local Union Executive Officers or may be called at the request of not less than ten percent (10%) of the members of the union,

with the date, time and place to be decided by the Local Union Executive Officers, but with such meeting to be held in every case within twenty-one (21) days of the date on which the Local Union Executive Officers initiate or receive the request that a Special Meeting be held. Members shall be entitled to receive a minimum of seven (7) work days written notice of the Special Meeting and the business to be conducted and considered at such meeting. A Special Meeting shall only deal with the matters for which it was called and for which written notice to the members has been provided in accordance with this section of these Bylaws, unless the members present agree by a two-thirds majority of those present, comprising at least fifty percent (50%) of the total membership, to consider other matters of an urgent or necessary nature.

Emergency Meetings of the Membership

- e.) In circumstances of urgency, the President of the Local Union may call and conduct an Emergency Meeting of the Membership. The greatest amount of notice that is reasonably possible in the circumstances shall be provided to all members, by such means as are deemed appropriate by the President, and such notice, whether verbal or written, shall inform members of the matters to be considered at such Emergency Meeting. In such circumstances, the failure of members to receive actual notice of the meeting does not invalidate the business conducted at that meeting. Emergency Meetings of the Membership shall not be held to consider matters or conduct business that could be considered or conducted at a Special Meeting, General Meeting, or Annual General Meeting without the incurring of significant harm to the interests of the Local Union and its members. The power to call and conduct Emergency Meetings shall be exercised at all times in good faith and with a view to the pursuit of the legitimate interests of the Local Union and its members, and in a manner and for purposes that reflect the democratic tradition of the Local Union and the PSAC.

Strike Vote, Collective Agreement Ratification Vote and Employer Offer Vote Meetings

- f.) Strike votes, collective agreement ratification meetings, ratification votes and meetings and votes held concerning employer offers in collective bargaining are all within the exclusive jurisdiction of PSAC. Upon the request of PSAC, the Local Union shall provide all reasonable assistance to PSAC in the announcement and conduct of such meetings and votes.

Executive Officer Meetings

- c.) The Executive Officers in committee shall hold regular meetings at dates, times and locations as determined in the discretion of the President, or the Vice-President in the absence of the President, in order to attend to the proper conduct of the Local's affairs, provided that such meetings are held at a minimum of once per month.
- h.) Quorum at any meeting of the Executive Officers shall be not less than three (3) members, including the President (or Acting President, as the case may be) or the Vice-President in the absence of the President or Acting President.

Committee Meetings

- i.) Committees formed for purposes of collective bargaining and negotiation with the employer are exempt from these Bylaws, subject to the terms and provisions of the PSAC Constitution, and within the exclusive jurisdiction of PSAC. Other Committees of the Local Union shall meet at dates, times and locations as determined in their discretion, provided that such meetings are held on an approximately quarterly basis.

Meeting Notices

- j.) At least seven (7) work days notice must be provided in writing in advance of any Annual General Membership Meeting, General Membership Meeting or Special Meeting of the Local Union. Notice of such meetings shall specifically indicate the date, time and location of the meeting, set out the agenda for the meeting, and list approval of the agenda as the first item of business for the meeting.

Rules of Procedure for Meetings

- k.) At any Annual General Membership Meeting, General Membership Meeting, Special Meeting or Emergency Meeting of the Local Union, parliamentary procedure shall be followed in the form set out in "Ed's Rules of Order" published by PSAC.

SECTION 7 – EXECUTIVE OF THE LOCAL UNION & ELECTION OF OFFICERS OF THE UNION

- a.) Any member of the union in good standing at the time of nominations for Executive Officers being made at the Annual General Membership

Meeting of the Local or at a Special Meeting called for that purpose, may nominate or be nominated for office in the Local Union as provided below:

1. The member nominated shall become a candidate only after accepting such nomination, either verbally at the meeting at which nomination occurs, or in writing if acceptance is not communicated at a meeting of the membership.
2. No member shall be permitted to occupy more than one position on the Local Union Executive simultaneously.

b.) Executive Officers of the Local Union shall consist of the following:

1. President
2. Vice-President
3. Secretary-Treasurer

c.) Officers of the Local Union shall be elected at the Annual General Membership Meeting of the Local Union or at a Special Meeting called for that purpose, by secret ballot, and shall hold office for a period of one (1) year or until the next occurring Annual General Membership Meeting, whichever occurs first.

d.) In order to attempt to ensure that the Executive of the Local Union is diverse and reflective of the membership of PSAC and the Local, as well as greater Canadian society, the Local Union will endeavor to encourage participation on the Executive and the election to the Executive of persons who are women, who are members of racially visible communities or of First Nations, or who are members of historically disadvantaged, equality-seeking communities.

e.) Upon the resignation or incapacity of any Officer of the Local Union, the vacancy in question shall be filled by the President or Acting President of the Local on an interim basis, with appointment thereafter being made on the basis of a majority vote of the remaining members of the Executive at their earliest opportunity to meet. In the event of a deadlock in respect of who to appoint to an Officer vacancy, the deciding vote shall be cast by the President or Acting-President, as the case may be. Upon the filling of a vacancy in accordance with this section of these Bylaws, the appointment made by the Executive will stand until the next occurring Annual General Membership Meeting at which elections of officers are held, or until it is nullified at any Special Meeting called for the purpose of electing a different Officer or Officers, whichever occurs first.

- f.) The Executive of the Local Union shall administer the affairs of the Local Union, subject to the decisions of the membership as expressed in properly conducted meetings and votes, and shall supervise handling of all Local Union funds.
- g.) The Executive of the Local Union shall oversee the annual audit of the financial records and statements of the Local Union.

SECTION 8 – OTHER OFFICERS OF THE LOCAL UNION

- a.) Other Officers of the Local Union are Stewards and Committee Chairpersons, but these officers are not members of the Executive of the Local Union and shall not have authority to bind the union in any matter.

Stewards

- b.) The number of Stewards required shall be determined by the membership of the Local Union, having regard to the employer's plan of organization, the distribution of members at the workplace or at worksites, and the administrative framework implied by the grievance procedure in an applicable collective agreement.

Committee Chairpersons

- c.) Committees shall select a Chairperson, who shall maintain responsibility for the conduct of Committee meetings, for liaison with the Executive, and for reporting to the Executive and the general membership on matters of Committee business.

SECTION 9 – DUTIES OF OFFICERS OF THE LOCAL UNION

Any Officer of the Local Union, on vacating an office, shall surrender all documents, monies or other property of the Local Union, to their successor.

President

- a.) The President shall:
 - i.) preside at all meetings of the Local Union called pursuant to these Bylaws and shall preserve order;

- ii.) decide all points of order and procedure (subject always to appeal to the membership);
- iii.) subject to the authority of the Executive and the provisions of these Bylaws and the PSAC Constitution, have general supervision of the affairs and business of the Association;
- iv.) be, *ex officio*, a member of all committees formed pursuant to these Bylaws;
- v.) ensure that all Officers perform their assigned duties;
- vi.) perform such other duties as may from time to time be determined by the Executive.

Vice-President

- b.) The Vice-President shall:
 - i.) in the absence or incapacitation of the President, perform all of the duties of the President;
 - ii.) if the office of the President falls vacant, be Acting President until a new President is elected;
 - iii.) render assistance to any Officer of the Local Union as requested by the Executive Officers in committee;
 - iv.) perform such other duties as may from time to time be determined by the Executive.

Secretary-Treasurer

- c.) The Secretary-Treasurer shall:
 - i.) Keep full and accurate accounts of all receipts and disbursements of the Association in proper books of account and shall deposit all moneys or other valuable effects in the name and to the credit of the Association in such bank or banks as may from time to time be designated by the Executive;

- ii.) disburse the funds of the Association under the direction of the Executive, taking proper vouchers for the funds and shall render to the Executive at its regular meetings or whenever required, an account of all transactions as Secretary-Treasurer, and of the financial position of the Association;
- iii.) prepare and present a financial statement and budget for presentation to each member at the Annual General Membership Meeting;
- iv.) present a summary financial report at each General Meeting of the Local Union;
- v.) present a summary financial report at any meeting of the Local Union, upon request of the Executive;
- vi.) produce and/or provide to PSAC in a timely fashion, any financial statement, budget or financial report produced by the Secretary-Treasurer;
- vii.) give all notices required to be given to members and to officers;
- viii.) ensure that minutes and agendas of meetings are made available to members;
- ix.) perform such other duties as may from time to time be determined by the Executive or membership.

Committee Chairs

- c.) The Committee Chairs shall:
 - i.) preside over and maintain order at meetings of committees formed by the Local Union pursuant to these Bylaws;
 - ii.) liaise with the Executive and membership on matters relating to the committee and its work;
 - iii.) report to the Executive or membership on the status of the committee or its work, upon the request of the Executive;

- iv.) ensure that the committee operates in a fair and democratic manner, in accordance with union principles and principles of equity;
- v.) facilitate the work of the committee in such other manners as are necessary, appropriate and/or requested by the Executive or by a majority of the members of the committee;

SECTION 10 – AUTHORITY & RESPONSIBILITIES OF THE LOCAL UNION

- a.) The authority and responsibilities of the Local Union are those set out in these Bylaws, any applicable Service Agreement, and the PSAC Constitution. In circumstances of conflict between those sources, or in any matter where a question arises as to where authority or responsibility lies in any given matter, the National President of PSAC is vested with the sole prerogative to determine the matter in her exclusive discretion.

SECTION 11 – COMMITTEES OF THE LOCAL UNION

- a.) The Local Union is empowered to create, by resolution, committees to carry on work concerning matters under the jurisdiction of the Local Union, when deemed by the membership to be in the interest of the Local Union. Committees may pertain to matters including health and safety, grievances, union education, local union elections, organizing, human rights, political action or any other issue of serious concern to the membership.
- b.) All committees shall have a Chairperson who shall fulfill the duties set out in Section 9(g) of these Bylaws.
- c.) All committees shall have the right to request that a report from any committee be placed on the agenda of a meeting held pursuant to these Bylaws.

SECTION 12 – FINANCIAL AFFAIRS, FINANCIAL AUTHORITIES, FUNDS & ASSETS OF THE LOCAL UNION

- a.) The Local Union is empowered to hold money and property and to acquire such accounts with financial institutions as are necessary for the proper administration of the affairs of the Local Union.
- b.) The signature of two (2) Executive Officers of the Local Union, one of whom must be the Secretary-Treasurer, shall be required for the expenditure of funds of the Local Union, the issuance of cheques or the execution of other financial instruments.
- c.) In the event of decertification of PSAC as bargaining agent for employees falling under the jurisdiction of the Local Union, all assets of the union shall pass to PSAC, which shall determine their disposal.

SECTION 13 - AMENDMENTS TO BYLAWS

- a.) A proposal to amend these bylaws may be made by majority vote of the Executive or by the submission of such a proposal to the Executive by five members in good standing. The proposed amendment must be submitted to members at least ten (10) work days prior to the General Meeting at which the amendment will be voted on. Amendments to these Bylaws shall be made by majority vote of all those members present at the Meeting.

ADOPTED by the Executive of PSAC Local 77000 this 28th day of
November, A. D., 2017.

.....
President

.....
Vice-President

.....
Secretary-Treasurer

RATIFIED at a Meeting of the Membership of PSAC Local 77000 on the 28th day of
November, A. D., 2017.

.....
President

.....
Vice-President

.....
Secretary-Treasurer