2023 NATIONAL TRIENNIAL CONVENTION OF THE UNION OF TAXATION EMPLOYEES AUGUST 16 – 19, 2023

BY-LAWS AND REGULATIONS
OF THE UNION OF TAXATION EMPLOYEES
OF
THE PUBLIC SERVICE ALLIANCE OF CANADA

as adopted by the Founding Convention
at Ottawa, in November 1966
and as amended by the
Triennial National Convention
at

Scarborough, June 1969
Penticton, June 1972
Montréal, July 1975
Halifax, September 1978
Calgary, August 1981
Ottawa, July 1984
Toronto, July 1987
Vancouver, July 1990
St. John's, July 1993
Edmonton, July 1996
Québec City, July
1999
London, July 2002
Saint John, July 2005
Vancouver, July 2008
Montreal, July 2011
Windsor, July 2014
Ottawa, July 2017
Virtual, July 2021
Winnipeg, August 2023

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BY-LAW 1

NAME

Section 1

This Union shall be called the "Union of Taxation Employees-Public Service Alliance of Canada" hereinafter referred to as UTE.

Section 2

UTE shall have its Headquarters in the National Capital Region.

BY-LAW 2

PURPOSE, AIMS AND OBJECTIVES

Section 1

To unite all members in good standing with UTE in a single democratic organization.

Section 2

To obtain through democratic means for all members of UTE, as defined in By-Law 3, the best possible standard of wages, salaries and other conditions of employment and to protect their interests, rights and privileges.

Section 3

To support the PSAC in the furtherance of its purpose, objectives and constitutional responsibility.

Section 4

To represent any member or group of members in appeals, grievances, complaints, independent third party reviews or any other matters within the jurisdiction of UTE.

Section 5

To promote solidarity, develop and maintain good communications, and build union pride amongst members in good standing of the UTE.

BY-LAW 3

MEMBERSHIP

Section 1 - **Member**

All members in good standing with the PSAC and employed by the Canada Revenue Agency (CRA) shall be eligible for membership in UTE.

Section 2 - **Honorary Member**

UTE may, by decision of the Executive Council, the Convention or by Local proposal approved by Executive Council, award honorary membership in UTE to anyone who is deemed to merit such honour and is not eligible for membership as defined in By-Law 3, Section 1.

Honorary members shall not be required to pay dues and shall not be entitled to vote at meetings or to hold office in UTE but shall be entitled to all other rights and privileges of membership in UTE.

Section 3 - **Life Member**

UTE may, by decision of the Executive Council, the Convention or by Local proposal approved by Executive Council, award a Life Membership to any member or ex-member who, through personal and devoted efforts within UTE, has performed exemplary services for the membership of UTE.

Life members shall not be required to pay dues but shall be entitled to all rights and privileges of membership in UTE. Life members who are not members in accordance with By-Law 3, Section 1, shall not be entitled to vote at meetings or to hold office in UTE.

BY-LAW 4

MEMBERSHIP RESPONSIBILITY

Section 1

Upon being granted membership in the PSAC and UTE and for the term of such membership, each member of UTE is deemed to have agreed to abide by and to be bound by the provisions of these By-Laws and the Constitution of the PSAC.

Section 2

Upon being granted membership in the PSAC and UTE and for the term of such membership, each member of UTE is deemed to constitute, appoint and nominate UTE and the PSAC as their agents to negotiate with their employer on their behalf in the spheres of competence of UTE and the PSAC respectively.

Section 3

Upon being granted membership in UTE and for the term of such membership, each member is deemed to constitute, appoint and nominate the PSAC as their agent for the purpose of entering into collective bargaining with their employer under the procedures established by legislation for collective bargaining in the Public Service of Canada.

BY-LAW 5

MEMBERSHIP DUES

Section 1

The monthly union dues for membership in UTE shall be set by the Convention. The Executive Council may lower, with rationale, the monthly union dues payable to UTE.

Section 2

Any Local may set dues for its operation, as authorized by the Local's By-Laws or Regulations or by its membership in attendance at an Annual General Meeting (AGM).

Section 3

Local dues received by UTE from PSAC not withstanding any agreement between UTE and the Local, shall be due and payable monthly to the Local concerned.

Section 4

Locals shall receive all dues to which they are entitled. Any shortages shall be borne by UTE.

BY-LAW 6

FORM OF ORGANIZATION

Section 1

UTE shall be composed of all Locals as provided in Regulation.

Section 2

A Local shall be composed of all members of UTE in a locality prescribed by Regulation. The membership in each Local shall elect, in accordance with the provisions of these By-Laws, not less than three (3) officers to conduct their affairs. Their term of office shall not exceed three (3) years without re-election.

Section 3

Each Local shall have the right to deal with the CRA officials who have direct managerial responsibility on that Locals' members, and on matters affecting the interests of its own members.

A Local shall also have the right to initiate action(s) on such matters having broader scope than those of direct concern to the Local members; by first seeking a solution through written submission to UTE (the Regional Vice-President, the Executive Council, the Convention). After exhausting the foregoing, then by direct recourse to the PSAC.

Section 4

Each Local shall adopt By-Laws for the conduct of its affairs consistent with the provisions of the UTE By-Laws and the PSAC Constitution. The Local shall submit a copy of their current Local By-Laws and any Regulations to their Regional Vice-President each time they are amended.

Section 5

The By-Laws of each Local shall provide for the orderly disposition of its assets and liabilities in the event of dissolution.

Section 6

The elected officers of each Local shall hold regular executive meetings during each year for the proper conduct of the Local's affairs.

Section 7

Each Local shall hold an Annual General Meeting for the purpose of receiving annual reports from its officers and considering such other business as may be required by its By-Laws, and other business as may be properly considered at that time.

Section 8

Each Local shall submit annually, a copy of their Local Annual Financial Statement/Reports to the Vice-President responsible for Finance. They shall be submitted no later than 90 days from when they were presented to the Local's Annual General Meeting.

Section 9

Each Local shall have the authority to submit resolutions to the Convention.

BY-LAW 7

ADMINISTRATIVE STRUCTURE

Section 1 - **Executive Council**

(1) Composition of the Executive Council

The Executive Council shall consist of:

(a) President;
(b) 1st Vice-President;
(c) 2nd Vice-President; and
(d) Ten (10) Regional Vice-Presidents permanently employed in and representing regions as provided by Regulation.

(2) Duties and Responsibilities

The Executive Council shall:

(a) exercise all the powers and perform all the duties vested in it by these By-Laws;

(b) discharge all duties and obligations imposed upon it by Convention;

(c) be vested with the authority to deal with all matters affecting the business, purpose, aims and objectives of UTE between Conventions;

(d) have the authority to spend UTE funds for the benefit of the members, in keeping with these By-Laws and Regulations;

(e) approve all expenditures of UTE. Notwithstanding any other By-Law and Regulations, when any expenditure in excess of the adopted budgeted amounts is to be funded from the surplus, a two-thirds (2/3) majority vote of the Executive Council is required;

(f) approve the reallocation of budgeted amounts between Conventions as required;

(g) approve all expenses reimbursed to each Officer of the Executive Council. Each approved expense shall be reported separately in the minutes of each meeting as well as the activity report of the said officers;

(h) appoint the representatives of UTE to any organization to which UTE may send representatives;

(i) make, amend or delete such Regulations as deemed necessary, consistent with the PSAC Constitution and these By-Laws, provided that such Regulations are sent in writing to all Locals and are submitted to the first succeeding Convention for ratification;

(j) may call into conference or consultation and invite to attend the Convention or a meeting of the Executive Council any person who may be able to assist UTE in carrying out its purpose, aims and objectives or provide its members with information; and

(k) have the authority to submit resolutions to the Convention.

(3) Meetings

(a) The Executive Council shall meet at the call of the President or at the request of a two-thirds (2/3) majority of its members. The Executive Council shall meet no less than four (4) times in each fiscal year.

(b) Meetings of the Executive Council shall normally be held in the National Capital Region between Conventions.

(4) Restrictions

A member of the UTE Executive Council shall not be permitted to hold an elected office at the Local level.

Section 2 - **Executive Committee**

(1) Composition of the Executive Committee

The Executive Committee shall consist of:

(a) President;
(b) two (2) Vice-Presidents; and
(c) one (1) Regional Vice-President selected by the Regional Vice-Presidents for a period of time determined by the Regional Vice-Presidents.

(2) Duties and Responsibilities

The Executive Committee shall:

(a) deal with all matters affecting the business of UTE between Executive Council meetings; and

(b) discharge all duties and obligations imposed upon it by the Executive Council.

(3) Meetings

(a) The Executive Committee shall meet at the call of the President or at the request of two (2) members of the Executive Committee;

(b) the President may**,** instead of convening a meeting at a specified place and date, hold a telephone conference if the subject matters can be so dealt with; and

(c) when a subject matter is referred by a Regional Vice-President, the President shall ensure the matter is well understood by the Executive Committee. If necessary, the President shall invite the Regional Vice-President concerned to the next meeting of the Executive Committee where the subject is to be discussed.

Section 3 - **Committees**

(1) There shall be Committees as established by Regulation.

(2) The National President is empowered to appoint any other Committees as are necessary subject to the approval of the Executive Council.

(3) The National President is empowered to appoint the Chairperson and the other Executive Council Officer(s) of all Committees subject to the approval of theExecutive Council.

(4) All Committees shall submit a written report on their activities to each regular Executive Council meeting.

Section 4 - **Vacancies**

(1) If the office of the **National** President, 1st National Vice-President or 2nd National Vice-President becomes vacant or if the incumbent becomes unable to perform the duties of the position, six (6) months or more prior to the Convention, an election shall be held to fill the vacancy.

Subject to the limitations in By-Law 11 Section 1 (4), nominations shall be called by the National Office. A period of not more than thirty (30) days shall elapse from the date of notice of vacancy to the date of the nomination call and the National Office shall ensure that the nominees are members in good standing and have indicated in writing that they are prepared to stand for office.

(2) If the position of Regional Vice-President becomes vacant, the Alternate Regional Vice-President for that region shall assume the position.

(3) If the position of Alternate Regional Vice-President becomes vacant or if the incumbent becomes unable to perform the duties of the position, an election shall be held to fill the vacancy. Subject to the limitations in By-Law 11 Section 9, nominations shall be called by the National Office. A period of not more than thirty (30) days shall elapse from the date of notice of vacancy to the date of the nomination call and the National Office shall ensure that the nominees are members in good standing and have indicated in writing that they are prepared to stand for office.

(4) In the event that both the position of Regional Vice-President and Alternate Regional Vice-President are vacant at the same time, the National Office shall proceed with the election of a Regional Vice-President for that region and upon completion of that election process, proceed with the election of Alternate RVP as per Section 4 (3).

(5) An Alternate Regional Vice-President who temporarily replaces a Regional Vice-President shall have full voting rights.

(6) The elections to fill vacancies shall be by mail, email or other electronic means and shall be conducted by the National Office.

(7) (a) When elections are required to fill vacancies, only those Local delegates from the last Convention who are still members in good standing and, the current Executive Council Members, shall beeligible to vote.

(b) A Local delegate relinquishes their delegate status if;

(i) they assume a position on the Executive Council,
(ii) leave to become a member of another Local or
(iii) cease to be a member in good standing.

That Local shall have the right to replace that delegate with their next available alternate or appoint a new delegate by process established by the Local if no alternates are available.

(8) Positions filled under Sub-Sections (1), (2) (3) or (4) of this Section shall have the same force and effect as an election at a Convention.

BY-LAW 8

CONFERENCES

Section 1 - **Presidents' Conference**

(1) There shall be a Presidents' Conference constituted in the following manner:

(a) the President or their Alternate shall be the Chairperson;

(b) the delegates shall be the President or Alternate of all Locals as defined in Regulation;

(c) the Presidents' Conference shall meet at the call of the Executive Council, not less than two (2) times in a year;

(d) each sitting of a Presidents' Conference will normally be for a maximum of two and one-half (2 ½) days;

(e) the Presidents' Conference shall be vested with the authority to discuss all the business transacted by the Executive Council between Conventions;

(f) the discussion of the business transacted by the Executive Council may not normally extend past one-half (1/2) day sitting;

(g) it will be the responsibility of the Chairperson to prepare an agenda dealing with the following items:

(i) business conducted by the Executive Council,
(ii) those items Executive Council wishes to have discussed;
(iii) items submitted in writing by the Local Presidents;
(iv) the election of the Presidents' representative(s) on UTE Standing Committees every three (3) years at the September Presidents' Conference after Convention;
(v) if a vacancy occurs on a Standing Committee, theelection of the President's representative(s) shall take place at the next Presidents' Conference to fill the remainder of thatterm.

(h) the Presidents' Conference, by a simple majority vote of those delegates in attendance, may make recommendations by means of motions to Executive Council;

(i) all expenditures for a sitting of a Presidents' Conference will be the responsibility of UTE;

(j) members of UTE in good standing may attend as observers at their own or Local's expense or by the approval of the Executive Council at UTE's expense;

(k) observers shall have no vote but with the approval of the Chairperson and a simple majority vote may have voice once during the full sitting; and

(l) Executive Council shall attend as fully funded observers.

Section 2 - **Equal Opportunities Conferences**

(1) There shall be Equal Opportunities Conferences constituted in the following manner:

(a) a National Conference shall normally be held in Ottawa the calendar year prior to the Convention;

(b) the dates, location and regions attending the Regional Conferences held prior to the National Equal Opportunities Conference shall be recommended by the Equal Opportunities Committee and approved by the Executive Council;

(c) the Chairperson of the Equal Opportunities Committee or their Alternate shall be the Chairperson of the National and Regional Conferences;

(d) UTE shall fund two (2) members per Local as defined in the Regulations**;**

(e) members of the Equal Opportunities Committee shall be funded by National to attend the National Conference and all Equal Opportunity Regional Conferences ;

(f) it will be the responsibility of the Equal Opportunities Committee to set the agenda and workshops for the Conferences. Expenses related to the agenda, the workshops, and/or items for the Conferences require prior approval of the 1st Vice-President responsible for Finance, or in their absence the National President;

(g) each Regional Equal Opportunities Conference shall normally be scheduled for two and a half (2 1/2) days on a Friday, Saturday **and** Sunday;

(h) the National Conference shall normally be scheduled for two and a half days on Friday, Saturday and Sunday;

(i) members of the Executive Council shall be funded to attend the National Conference and the Regional Conferences in which their home Local has been assigned or to which Locals in their region have been assigned to attend; and

(j) notwithstanding (d), members of UTE in good standing may attend at their own or Local's expense, subject to space availability.

Section 3 - **National Health & Safety Conference**

(1) There shall be a National Health and Safety Conference constituted in the following manner:

(a) a National Conference shall normally be held in Ottawa the calendar year prior to Convention;

(b) the Chairperson of the Health and Safety Committee or their Alternate shall be the Chairperson of the Conference;

(c) UTE National fund the cost of the greater of one (1) delegate per workplace committee or two (2) delegates per local to each Health and Safety Conference;

(d) it is the responsibility of the National Health and Safety Committee to set the agenda and workshops for this conference. Expenses related to the agenda, the workshops, and/or items for the Conferences require prior approval of the 1st Vice-President responsible for Finance, or in their absence the National President;

(e) the Conference shall normally be scheduled for two and one half (2 ½) days;

(f) members of the Executive Council shall be funded to attend the Conference; and

(g) notwithstanding (c), members of UTE in good standing may attend at their own or Local's expense, subject to space availability.

BY-LAW 9

CONVENTIONS

Section 1 - **Convention**

(1) The Convention shall be the supreme governing body of UTE, subject to the limitation in Section 3.

(2) The Convention of UTE shall be held in the third calendar year following the last general Convention. It shall be held on a date consistent with provisions of the Constitution of the PSAC.

(3) Only the Executive Council shall have the authority to determine the date and place of each Convention

(4) Notice of the Convention shall be given to each Local by the National Office not less than six (6) months prior to the opening date of the Convention. Such notice will include but not be limited to:

(a) dates and location of the Convention;

(b) deadline for receipt in the National Office of resolutions;

(c) deadline for receipt in the National Office of the names of the delegates to Convention and the alternate delegates; and

(d) deadlines as noted in Sub-Sections (b) and (c) shall be by the close of business of the Presidents' Conference preceding the Triennial Convention.

(5) For the purpose of representation at a Convention, each Local shall:

(a) be entitled to one (1) delegate with full voting rights for each block of two hundred (200) members in good standing or fraction of this number during the calendar year preceding the Convention taking into account the month during which the number of members has been the highest for each UTE Local. Hence, the month may be different depending on the Local. Every delegate shall be a member in good standing of the Local.

(b) for the purpose of replacing delegates at Convention, submit to the National Office the name and ranking of the alternate delegates. Every alternate delegate shall be a member in good standing of the Local.

(6) At least ninety (90) calendar days prior to the opening date of the Convention, the Executive Council shall appoint such Committees as may be necessary for the conduct of the business of the Convention. Committeeassignment shall be made by the Executive Council and where possible such assignment will be in keeping with the request of the region or Local. Delegates to Committees shall be advised of the Committee composition atleast thirty (30) calendar days prior to the opening date of the Committee meetings. Where possible delegate representation from the same region shall be allocated uniformly among the various Committees established for Convention purposes.

(7) Travel expenses of delegates, named by a Local, shall be paid by UTE in accordance with the Regulations**.**

(8) The cost of accommodation and per diems of the delegates at Conventions and all loss of salaries incurred as a result of attendance at the Convention shall be paid by UTE at the rate and under conditions determined by the Executive Council. Delegates missing a session of the Convention shall not be reimbursed for loss of salary for the period absent unless the Executive Council, after reviewing the circumstances, decides to authorize payment.

(9) Each Officer of the Executive Council shall be considered a delegate and entitled to attend Conventions with full voting rights as provided in By-Law 9, Section 1 (5). Their expenses, including traveling expenses, shall be paid by UTE. Regional Vice-Presidents shall be considered delegates from the region they represent. The President and Vice-Presidents shall be considered delegates from the region in which they resided immediately prior to their initial election to the national position.

(10) Each Local may send observers to attend the Convention Committees at their expense. The President may limit the number of observers per Local, when space is limited. The observer may address the Committees once on each resolution submitted by their Local for the purpose of explaining the rationale where the Local does not have a delegate.

(11) The Executive Council shall submit their draft budget and Convention agenda to the member Locals at least sixty (60) days prior to the commencement of the Convention.

(12) UTE shall pay the transportation costs in accordance with By-Law 9**,** Section 1 (7) for one (1) observer per Local in order to attend the Convention.

(13) UTE shall pay the transportation cost in accordance with By-Law 9**,** Section 1 (7) as well as accommodation costs, loss of wages and per diem for one (1) observer to the UTE Convention from each Local having two hundred (200) or less members in good standing.

(14) ~~(a)~~ The delegates to the PSAC Convention shall be elected during the UTE Convention.

(a) The election shall be chaired by the Regional Vice-President or by a person appointed by the RVP at a regional caucus.

(b) Any member in good standing of that region may stand for election. However, only accredited Convention delegates of that region as defined in By-Law 9, Section 1 (5) and (9) may nominate, second and vote for PSAC Convention delegates in that region.

(c) Any member nominated who is not present shall have provided in writing their acceptance of the nomination.

(15) All matters and resolutions not dealt with by the Convention shall be referred to the Executive Council.

Section 2 - **Special Convention**

(1) A Special Convention may be called by the Executive Council to deal with any special issue. A Special Convention shall have power to deal only with the matters specified in the notice of the Special Convention.

(2) A Special Convention shall be called by the President at the request of a majority of Locals and such majority of Locals shall represent a majority of UTE members. A request for a Special Convention by a Local shall be in writing. A Special Convention shall have the power to deal only with the matters specified in the written request.

(3) Notice of any Special Convention shall be given to each Local by the National Office not less than sixty (60) calendar days prior to the opening date of the Special Convention. Such notice will state the matters to be dealt with.

BY-LAW 10

DUTIES OF OFFICERS

Section 1- **President**

The President shall:

1. uphold the Constitution of the PSAC and the By-Laws of UTE;

2. represent UTE on the National Board of Directors of the PSAC as required by the Constitution;

3. be responsible to the Executive Committee, to the Executive Council and to the Convention;

4. be responsible for the receipt and keeping of all monies of UTE along with their disbursement under the direction of the Executive Council;

5. preside at all meetings and Conventions;

6. be an ex-officio member of all Committees;

7. ensure that notices and agendas of each Executive Council, Executive Committee meeting, Presidents' Conference and Convention are prepared and circulated in advance;

8. be responsible for the minutes of all meetings of the Executive Council, Executive Committee and Presidents' Conferences and will countersign them along with the 1st Vice-President; or in their absence the 2nd Vice-President;

9. ensure that copies of minutes of the Executive Council or Executive Committee meetings are sent to each Local within four (4) weeks and ensure that the record of any Convention is sent to each Local within four (4) months;

10. be responsible for the preparation of a complete record of any Convention;

11. ensure that UTE directives, policies and procedures are updated and subsequently forwarded to Locals;

12. make written reports on the administration of the office and on the affairs of UTE to each regular meeting of the Executive Council and to each Convention;

13. be responsible for the administrative management, control and allocation of staff in the National Office;

14. ensure that the National Office provides services in both official languages;

15. discharge all duties and obligations imposed upon them by Convention and/or the Executive Council; and

16. perform all duties that are incidental to the office of President;

Section 2 - **Vice-Presidents**

(1) The Vice-Presidents shall submit written reports on their assigned responsibilities at each regular meeting of the Executive Council and to the Convention.

(2) If the office of President becomes vacant between Conventions or the incumbent becomes unable to perform the duties of the position, the 1st Vice-President shall assume the office temporarily.

(3) In the temporary absence of the President and with the concurrence of the President, the 1st Vice-President shall exercise all the functions and shall be vested with all the powers of the President.

(4) In the temporary absence of the President and the 1st Vice-President and with the concurrence of the President, the 2nd Vice-President shall exercise the functions and shall be vested with all the powers of the President.

(5) In circumstances not covered by these By-Laws, the Executive Council shall have the authority to appoint persons to these positions temporarily.

(6) At the meetings of the National Board of Directors of the PSAC, the Alternate to the President shall be the 1st Vice-President or in the absence of the 1st Vice-President, the 2nd Vice-President shall be the Alternate.

Section 3 - **The 1st Vice-President responsible for Finance shall:**

(1) ensure that the funds of UTE are handled in a sound financial manner and in the best interest of the members;

(2) ensure that proper books, records and vouchers are kept in accordance with the operations of UTE;

(3) supply to each Executive Council meeting such statements and supportive material which will enable the Executive Council to properly evaluate and control the financial affairs of UTE;

(4) include in the written reports to the Executive Council and the Convention the dollar amount expended by each member of the Council and the Alternate for the Regional Vice-Presidents for the current period as well as the cumulative amount since the last Convention; and

(5) chair the Standing Finance Committee.

Section 4 - **The 2nd Vice-President responsible for Collective Bargaining shall:**

(1) oversee the implementation of the Regulation governing Collective Bargaining procedures;

(2) issue frequent bulletins on the state of negotiations during the bargaining process;

(3) be the Chairperson of the Standing Bargaining Committee;

(4) participate on the PSAC/CRA Negotiating Team;

(5) be the Chairperson of the National Bargaining Committee;

(6) be a member of the PSAC National Strategy/Strike Co-ordinating Committee (NSCC);

(7) ensure that the bargaining process for UTE is handled in a sound manner in the best interest of the members; and

(8) attend and participate in discussions and meetings in preparation for bargaining between PSAC/UTE and the employer.

Section 5 - **The Regional Vice-Presidents shall:**

(1) perform the duties in accordance with the guidelines established by the Executive Council by way of a Regulation;

(2) perform such services within their region as the Executive Council or the President may direct;

(3) account for all expenses that are paid by UTE with respect to the position;

(4) submit a report showing their activities, the expenses they incurred and other pertinent information, according to a standard format. A Regional Vice-President shall be entitled to submit a supplementary report to cover items not included in their report. Such supplementary reports will be considered by the Executive Council separate and apart from the reports; and

(5) submit annually a detailed accounting of all monies allocated to them for regional activities, including all expenses incurred. This information is to be provided to all of the Locals in their region and to the 1st Vice-President responsible for Finance within ninety (90) days of the end of the calendar year.

BY-LAW 11

ELECTION OF OFFICERS

Section 1

(1) The President and the Vice-Presidents shall be elected by ballot during Convention.

(2) The Regional Vice-Presidents shall be elected at a regional caucus during Convention as set out in By-Law 11, Section 9.

(3) Only delegates, as defined by By-Law 9, Section 1 (5) and (9) shall be entitled to vote for the election of officers.

(4) A delegate may nominate a member in good standing, who is not a delegate, for an office, provided the member so nominated, has indicated in writing their acceptance of the nomination.

(5) All nominations must be seconded by a delegate.

Section 2

The Executive Council shall appoint a Nominations Committee of at least three (3) and not more than five (5) persons and shall name one as Chairperson. The Nominations Committee shall:

(1) call for nominations for the offices of the National Officers from delegates;

(2) receive nominations for offices of the National Officers from delegates;

(3) determine the eligibility of such nominees; and

(4) place the names of all eligible nominees in nomination at the time set forth for the election of the National Officers and to report to the Convention the name of any nominee considered to be ineligible.

Section 3

All nominations submitted to the Nominations Committee shall be in writing, signed by the nominators and by the nominees signifying that they will accept office if elected.

Section 4

The Nominations Committee shall publish a list of nominees for each office and post this list in a conspicuous place in the Convention Hall by 18:00 hours of the day prior to the day set for the election of officers.

Section 5

In addition to the nominations reported to the Convention by the Nominations Committee, nominations for each office as called may be made from the floor of the Convention by delegates. The nominees' agreement shall be secured prior to the nomination being accepted.

Section 6

Any member in good standing is permitted to speak on behalf of any member nominated for elected office, if chosen by the member nominated.

Section 7

The Chairperson of the Nominations Committee shall:

(1) preside at the election of the National Officers;

(2) appoint the necessary persons to distribute, collect and count the ballots;

(3) receive the results of each ballot from those appointed in Sub-Section (2);

(4) report to the Convention, the results of each ballot; and

(5) report the results of the elections of Regional Vice-Presidents and their Alternates following the election of the President and Vice-Presidents.

Section 8

Officers are elected by an absolute majority of votes. If no candidate obtains the required majority in the first ballot, the candidate with the lowest result in that ballot is eliminated and a new ballot is held. This process is repeated until a candidate obtains the required majority. Where only two (2) nominees remain, or where only two (2) nominees are standing for election for thesame office and a tie vote results, the Chairperson of the Nominations Committee will declare no ballot and a new vote be taken immediately.

Notwithstanding the foregoing, if only one candidate accepts the nomination for a position, the candidate is declared elected by acclamation at the close of nominations without the need for a ballot.

Section 9

(1) Prior to the election of the National Officers, each Regional Vice-President shall convene a meeting of delegates of their region in order to elect a Regional Vice-President and an Alternate.

(2) The election of the Regional Vice-Presidents and their Alternates shall be conducted by a person who is ineligible to vote in such election and shall be appointed by the RVP.

(3) In the event that a tie vote between candidates cannot be resolved by the region, the question shall be brought to the Convention for a deciding vote following the election of the National Officers. Each candidate or their designate shall have the right to address the Convention before the ballot is taken on the floor.

(4) Elections shall be by simple majority vote.

BY-LAW 12

DISCIPLINE

Section 1

The Executive Council shall have the authority by resolution passed by a majority consisting of two-thirds (2/3) of those eligible to vote, to recommend to the National Board of Directors of the PSAC, suspension of membership in the PSAC for such period as may be deemed appropriate in the particular circumstances, if it is found that they have contravened any provision of these By-Laws or the Constitution or for cause listed in By-Law 12, Section 3.

Section 2

The Executive Council shall have the authority by resolution passed by a majority consisting of two-thirds (2/3) of those eligible to vote, to remove from office and deny the right to hold any office for a period not exceeding five (5) years, any member of a Local, any officer of a Local or any officer of the Executive Council if it is found that they have contravened any provision of these By-Laws or the Constitution or for cause listed in By-Law 12, Section 3.

Section 3

A member or an officer of the Local or officer of the Executive Council is guilty of an offence against these By-Laws who:

(1) violates any provision of the Constitution, or these By-Laws;

(2) obtains membership or solicits membership by misrepresentation;

(3) institutes, urges or advocates that a member institute action in a court of law against the PSAC, UTE or any of its constituent parts or any of its officers without first exhausting all remedies through appeal within the PSAC or the UTE;

(4) other than through proper union channels advocates or attempts to bring about the withdrawal from the PSAC, UTE, or Locals of any member or group of members;

(5) willfully publishes or circulates among the members false reports or misrepresentations;

(6) works in the interests of a rival organization against the PSAC, UTE or Locals;

(7) slanders, libels or willfully wrongs an officer or member of the PSAC, UTE or Locals;

(8) uses abusive language or disturbs the peace of any meeting or around any office or meeting place of the PSAC, UTE or Locals;

(9) fraudulently receives or misappropriates any monies due to or received by the PSAC, UTE or Locals;

(10) uses the name of UTE for soliciting funds or advertising without the consent of the Executive Council;

(11) furnishes without prior authority a list of any information on the membership of the PSAC, UTE or Locals, to any person or persons other than those whose official position in the PSAC or UTE or Locals, would entitle them to have such information;

(12) deliberately interferes with an official of the PSAC, UTE or Locals, in the discharge of duties;

(13) engages in any other conduct prejudicial to the good order and discipline of the PSAC, UTE or Locals;

(14) if non-essential services employees cross the picket line of their own bargaining group;

(15) sexually or personally harasses another member or employee of UTE; or

(16) violates the Regulation regarding UTE delegates to PSAC Convention.

Section 4

(1) Any member in a legal strike position, who either crosses the picket line or is paid by the employer not to participate in strike action, or performs work for the employer, unless required to do so by law, or who voluntarily performs struck work shall be subject to a financial penalty.

(2) The procedure for handling financial penalties shall be in accordance with the Constitution.

(3) Locals shall be authorized to undertake all necessary steps in order to collect any financial penalties imposed up to and including formal legal proceeding. Those financial penalties collected shall be the property of the Local.

BY-LAW 13

TRUSTEESHIP

A Local which has, in the opinion of the Executive Council, not carried out the responsibilities required by By-Law 6 and By-Law 12 or any other of these By-Laws shall be considered to be in violation of them. The Executive Council shall have the authority, by resolution passed by a majority consisting of two-thirds (2/3) of those eligible to vote, to appoint a trustee with the responsibility to manage the Local's affairs for a period not exceeding one hundred eighty (180) days. The trusteeship may be renewed from time to time by resolution passed by a majority consisting of two-thirds (2/3) of those eligible to vote for a period not exceeding one hundred eighty (180) days.

BY-LAW 14

FINANCES

Section 1 - **Fiscal Period**

The fiscal period of UTE shall be the calendar year.

Section 2 - **Audit**

(1) The Executive Council shall appoint a firm of public accountants who shall audit UTE's accounts and report thereon to the Executive Council and certify the financial statements issued by the 1st Vice-President responsible for Finance.

(2) Upon receipt of the auditor's report a copy of the report and the statements shall be sent to all Locals upon approval of the Executive Council.

Section 3 - **Property**

(1) Excluding the property of Locals, any property held which is not registered in the name of UTE shall be held in trust by a board of three (3) trustees appointed by the Executive Council.

(2) The Executive Council of UTE may invest any funds of UTE in the custody of a Chartered Bank, Trust Company, Credit Union or Caisse Populaire, provided that such institution is regulated by a Federal or Provincial authority. Where possible, unionized institutions will be utilized and investments will be made in an ethical manner.

Section 4 - **Expenses**

(1) Any member incurring authorized expenses related to traveling, accommodation and any other necessary expenses while engaged on authorized union business by UTE shall be reimbursed in accordance with the Regulations.

(2) Any member, except the President, the 1st Vice-President, the 2nd Vice-President, required to take leave from their employer or use compressed days for the purpose of carrying out union business authorized by UTE be reimbursed an amount equal to one day's pay for each day of leave taken at the rate shown for their grade and level per the collective agreement then in effect.

(3) Notwithstanding any authorization stated or implied hereto, any claim by a member for reimbursement of expenditures shall be filed through the National Office within ninety (90) days of the occurrence of such expenditures. A claim filed after the stated period will not be considered as union business authorized by UTE unless the Executive Council reviews the situation and approves the claim.

BY-LAW 15

AMENDMENTS

Section 1

These By-Laws may be amended at any Convention by a two-thirds (2/3) majority of the votes cast.

Section 2

These By-Laws may be amended between Conventions by approval of a two-thirds (2/3) majority of those voting in a membership referendum ordered by a two-thirds (2/3) majority of the Executive Council. A notice of 30 days shall be given to each local of such amendment.

BY-LAW 16

DISSOLUTION

UTE may be dissolved by a two-thirds (2/3) majority of the UTE membership by way of a secret ballot supervised by the National Board of Directors of the PSAC.

BY-LAW 17

GENERAL PROVISIONS

Section 1

Nothing in these By-Laws shall be construed to conflict with the Constitution of the PSAC.

Section 2

(1) A quorum at all meetings of the Executive Council shall be one half (1/2) of the officers provided in By-Law 7, Section 1(1);

(2) A quorum at all meetings of the Executive Committee shall be three quarters (3/4) of the officers provided in By-Law 7, Section 2(1); and

(3) A quorum at a Convention shall be one half (1/2) of the registered delegates.

Section 3

Rules of Order

The rules of procedure at all meetings and Conventions of UTE, except as specifically provided by the Constitution and the present By-Laws, shall be according to the UTE Rules of Order adopted by the Executive Council on June 2002 with subsequentamendments.

Items that are not specifically covered by the UTE Rules of Order shall be according to Rules of Order for PSAC meetings adopted by the National Board of Directors of the PSAC on January 24, 1974, with subsequent amendments.

BY-LAW 18

DEFINITIONS

In these By-Laws:

"National Officers" means President, 1st Vice-President and 2nd Vice-President.

"By-Laws" means the By-Laws (Statuts) of the Union of Taxation Employees.

"Chairperson" (présidente ou président du comité) means a person who chairs a Committee of the Union of Taxation Employees.

"Constitution" (Statuts de l'AFPC) as used in the English version of these By-Laws means the Constitution of the Public Service Alliance of Canada.

"Convention" (Congrès) means a National Triennial Convention of the Union of Taxation Employees.

"CRA" (ARC) means Canada Revenue Agency.

Employer (Employeur) means Canada Revenue Agency and any labour organization.

"Executive Council" (Conseil exécutif) means the National Executive Council of the Union of Taxation Employees.

"Local" (Section locale) has the meaning conferred upon it by By-Law 6, Section 2.

"Membership", "Honorary Membership", "Life Membership" (Membre, Membre honoraire et Membre à vie) in these By-Laws have the meanings conferred upon them by By-Law 3.

"National Office" (Bureau national means the office of UTE located at 233 Gilmour Street, Suite 800, Ottawa ON K2P 0P2 and all persons employed therein.

"President" (Présidente ou president) means the President of the Union of Taxation Employees, unless specifically indicated otherwise.

"PSAC" (AFPC) means the Public Service Alliance of Canada.

"Shall" (doit) the expression "shall" is to be construed as imperative.

"May" (peut) the expression "may" as permissive.

"Special Convention" (Congrès extraordinaire) means a Special Convention of the Union of Taxation Employees.

"Union business authorized by UTE" (Affaires syndicales autorisées par le SEI) means union business provided for in the present By-Laws or any other union activities authorized by the President, or their designate or the Executive Council.

"UTE" (SEI) means Union of Taxation Employees, a Component of the Public Service Alliance of Canada.

"Vice-Presidents" (Vice-Présidentes et Vice-Présidents) means the National 1st and 2nd Vice-Presidents of the Union of Taxation Employees - Public Service Alliance of Canada.

In these By-Laws, wherever the context indicates "masculine" it shall be deemed to include "feminine".