

***UNION OF TAXATION EMPLOYEES  
TRIENNIAL CONVENTION***



***RESOLUTIONS - BY-LAWS***

## **BY-LAWS RESOLUTIONS COMMITTEE**

The By-Laws Resolutions Committee met on April 29-April 30, 2011 to deal with resolutions 401 to 457 and resolution 110 from the Finance Resolutions Committee.

Resolution 451 was referred to the Finance Resolutions Committee by direction of the President.

The Committee set the priority of the resolutions as follows:

### **Resolution 435**

**To be treated as a block; the following resolutions are housekeeping:**

401, 403, 406, 410, 417, 419, 420, 423, 426, 430, 432, 437, 439, 444, 445 and 448

### **Concurrence:**

404, 447, 453, 455, 456, 457, 446, 433, 436, 441, 405, 407, 408, 409, 411, 413, 414, 415, 421, 422, 424, 425, 427, 431, 434, 440, 450 (covering 452), 454 and 110

### **Non-concurrence:**

416, 402, 412, 429, 442, 449, 418, 428, 438 and 443

I would like to thank my co-chairpersons, the staff technical advisor and all the members of the Committee for all the work that was accomplished.

The members of the Committee are:

Collins, Linda	Toronto Center
Cook, Bruce	Regina
Drozd, John	Montréal
Gardiner, Madonna	St. John's T.C.
Hickey, Sharon	Penticton
Lahaie, Sylvie	Shawinigan-South
Marafon, Angela	Surrey

Martelock, Marshall  
Quist, David  
Roslinski, Lorne  
Smith, Les  
Tallon, Caren  
Vojnovic, Valérie

I.T.S.O.  
Peterborough  
Saskatoon  
Charlottetown  
St. Catharines  
Sudbury

Johnson, Robin	Co-Chairperson
Khayat, Sabri	Co-Chairperson
MacDonald, Kent	Technical Advisor
Aylward, Chris	President

In Solidarity,

Chris Aylward  
Chairperson  
By-Laws Resolutions Committee

## RESOLUTIONS COMMITTEE - BY-LAWS

- 401. BY-LAW 2, SECTION 5
- 402. BY-LAW 3, SECTION 1
- 403. BY-LAW 4, SECTION 3
- 404. BY-LAW 5, SECTION 1
- 405. BY-LAW 6, SECTION 1
- 406. BY-LAW 6, SECTION 2 (ENGLISH ONLY)
- 407. BY-LAW 6, SECTION 3
- 408. BY-LAW 6, SECTION 4 (1<sup>ST</sup> CHANGE IS FOR THE ENGLISH ONLY)
- 409. BY-LAW 6, SECTION 4 (FRENCH ONLY)
- 410. BY-LAW 6, SECTION 5 (ENGLISH ONLY)
- 411. BY-LAW 6, SECTION 5
- 412. BY-LAW 6, SECTION 5
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- 414. BY-LAW 6, SECTION 6
- 415. BY-LAW 6, SECTION 7
- 416. BY-LAW 6, SECTION 7
- 417. BY-LAW 7, SECTION 7 (2<sup>ND</sup> CHANGE IS FOR THE ENGLISH ONLY)
- 418. BY-LAW 7, SECTION 8
- 419. BY-LAW 8, SECTION 3 (ENGLISH ONLY)
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- 421. BY-LAW 9, SECTION 2
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- 423. BY-LAW 9, SECTION 5
- 424. BY-LAW 9, SECTION 6
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- 457. PSAC REGULATION 12
- 110. CONVENTION HOST COMMITTEE COSTS

**ORIGINAL**

**AMENDED**

**DECISION**

**401. BY-LAW 2**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 2 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 2**

**BY-LAW 2**

**PURPOSE, AIMS AND OBJECTIVES**

**PURPOSE, AIMS AND OBJECTIVES**

**RATIONALE**

Section 5

Section 5

**Housekeeping**

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

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

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**402. BY-LAW 3**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 3 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Non-Concurrence**

**BY-LAW 3**

**BY-LAW 3**

**Recorded as Opposed: David Quist**

**MEMBERSHIP**

**MEMBER IN GOOD STANDING**

**RATIONALE**

**Section 1**

**WHEREAS** the UTE By-Law 3 recognizes members in good standing as any employee of the Canada Revenue Agency who is a member in good standing with the PSAC; and

**Although the committee recognizes the intent, the proposed is change not properly worded.**

**We do not have “substantive Union of Taxation Employees job description”.**

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

**WHEREAS** such a recognition allows for inclusion of CRA employees who do not occupy a substantive UTE affiliated job description.

**BE IT RESOLVED THAT** By-Law 3, Section 1 be amended to read:

**Section 1** All members in good standing with the PSAC and employed by the Canada Revenue Agency (CRA) in a ***substantive Union of Taxation Employees job description***, shall be eligible for membership in UTE.

and

**BE IT FURTHER RESOLVED THAT** any member to which such a by-law change would immediately affect, be grandfathered under the current by-law provision.

**PETERBOROUGH, LOCAL 00008**



**ORIGINAL**

**AMENDED**

**DECISION**

**403. BY-LAW 4**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 4 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 4**

**BY-LAW 4**

**MEMBERSHIP RESPONSIBILITY**

**MEMBERSHIP RESPONSIBILITY**

**RATIONALE**

Section 3

**Section 3**

**Housekeeping**

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 law for collective bargaining in the Public Service of Canada. The PSAC shall have the power through its duly appointed agents, to ratify and sign agreements reached through collective bargaining, conciliation and arbitration procedures established by law for the Public Service of Canada.

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 **law legislation** for collective bargaining in the Public Service of Canada. ~~The PSAC shall have the power through its duly appointed agents, to ratify and sign agreements reached through collective bargaining, conciliation and arbitration procedures established by law for the Public Service of Canada~~

**Redundant**

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**404. BY-LAW 5**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 5 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 5**

**BY-LAW 5**

**Carried unanimously.**

**MEMBERSHIP DUES**

**‘EXCEPTIONAL CIRCUMSTANCES’  
REWORDED TO ‘WITH RATIONALE’**

**RATIONALE**

Section 1

**WHEREAS** the UTE convention passes a three (3) year financial budget recognizing a dues increase in each of the three (3) years; and

**No need for exceptional circumstances, we just need rationale.**

The monthly per capita dues for membership in UTE shall be set by the Convention.

**WHEREAS** UTE has on occasion (eg: December 2010 executive council) decided not to impose the approved dues increase citing the authority recognized in By-law 5, section 1; and

**To reflect current practice.**

The Executive Council may lower the monthly union dues payable to UTE when exceptional circumstances occur.

**WHEREAS** with the recognition of UTE’s sound financial status, not initiating such a dues increase is not ‘an exceptional circumstance’ per se, but rather, for the benefit of the membership, a sound financial business decision with the ‘rationale’ being, such a dues increase is not needed.

**BE IT RESOLVED THAT** By-Law 5, section (1) be amended to read:

404. BY-LAW 5 (cont'd)

**By-Law 5, Section (1)**

The monthly ~~per capita~~ 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. ~~when exceptional circumstances occur.~~

**PETERBOROUGH, LOCAL 00008**

**ORIGINAL**

**AMENDED**

**DECISION**

**405. BY-LAW 6**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 6**

**BY-LAW 6**

**ADMINISTRATIVE STRUCTURE**

**ADMINISTRATIVE STRUCTURE**

**RATIONALE**

Section 1 –**Executive Council**

Section 1 –**Executive Council**

**To reflect current practice and is more accurate.**

(2) Duties and Responsibilities

(2) Duties and Responsibilities

The Executive Council shall:

The Executive Council shall:

(g) approve separate amounts paid to each National Officer. Each approved amount shall be reported separately in the minutes of each meeting as well as the activity report of the said officers;

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

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**406. BY-LAW 6**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 6**

**BY-LAW 6**

**ADMINISTRATIVE STRUCTURE**

**ADMINISTRATIVE STRUCTURE**

**RATIONALE**

Section 2 - **Executive Committee**

Section 2 - **Executive Committee**

**Housekeeping**

(2) Duties and Responsibilities

(2) Duties and Responsibilities

The Executive Committee:

The Executive Committee **shall**:

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

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

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

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

**THESE CHANGES AFFECT ONLY THE ENGLISH VERSION.**

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**407. BY-LAW 6**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 6**

**BY-LAW 6**

**ADMINISTRATIVE STRUCTURE**

**ADMINISTRATIVE STRUCTURE**

**RATIONALE**

Section 3 - **Committees**

Section 3 - **Committees**

**To reflect what actually happens.**

(3) The President is empowered to appoint the Chairperson of all Committees subject to the approval of the Executive Council.

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

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

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

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**408. BY-LAW 6**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 6**

**BY-LAW 6**

**ADMINISTRATIVE STRUCTURE**

**ADMINISTRATIVE STRUCTURE**

**RATIONALE**

**Section 4 - Vacancies**

**Section 4 - Vacancies**

**To reflect current practice.**

(1) If the office of the President or 1<sup>st</sup> Vice-President or 2<sup>nd</sup> 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 9 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 are prepared to stand for office.

(1) If the office of the President ~~or~~, 1<sup>st</sup> Vice-President or 2<sup>nd</sup> 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 9 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.

**THE 1ST CHANGE IS ONLY BEING PROPOSED IN THE ENGLISH VERSION.**

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**409. BY-LAW 6**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 6**

**BY-LAW 6**

**ADMINISTRATIVE STRUCTURE**

**ADMINISTRATIVE STRUCTURE**

**RATIONALE**

**Section 4 - Vacancies**

**Section 4 - Vacancies**

**Housekeeping on the French Change.**

(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).

(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).

**REWORDED IN FRENCH TO BE CONSISTENT WITH THE ENGLISH VERSION (NO CHANGE IN ENGLISH VERSION).**

(7) (d) 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.

(7) (d) 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.



**ORIGINAL**

**AMENDED**

**DECISION**

**409. BY-LAW 6 (cont'd)**

That Local shall have the right to replace that delegate with their next available alternate.

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.**

**To allow locals to replace delegates when there are no alternates available.**

**Provides for the locals full voting entitlements.**

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**410. BY-LAW 6**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 6**

**BY-LAW 6**

**ADMINISTRATIVE STRUCTURE**

**ADMINISTRATIVE STRUCTURE**

**RATIONALE**

**Section 5 – Presidents’ Conference**

**Section 5 – Presidents’ Conference**

**Housekeeping**

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

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

**THESE CHANGES AFFECT ONLY THE ENGLISH VERSION.**

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

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

- (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; and

- (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; ~~and~~

**ORIGINAL**

**AMENDED**

**DECISION**

**410. BY-LAW 6 (cont'd)**

(iv) the election of the Presidents' representative(s) on UTE Standing Committees every two (2) years at the September Presidents' Conference, every even numbered year; and

(v) if a vacancy occurs on a UTE Standing Committee, the election of the President's representative(s) shall take place at the next Presidents' Conference to fill the remainder of that term.

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

(iv) the election of the Presidents' representative(s) on UTE Standing Committees every two years (2) at the September Presidents' Conference, every even numbered year; and

(v) if a vacancy occurs on a UTE Standing Committee, the election of the President's representative(s) shall take place at the next Presidents' Conference to fill the remainder of that term.

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

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**411. BY-LAW 6**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 6**

**BY-LAW 6**

**ADMINISTRATIVE STRUCTURE**

**ADMINISTRATIVE STRUCTURE**

**RATIONALE**

**Section 5 – Presidents’ Conference**

**Section 5 – Presidents’ Conference**

**To reflect current practice.**

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

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

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

(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;

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**412. BY-LAW 6**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Non-Concurrence**

**BY-LAW 6**

**BY-LAW 6**

**Recorded as opposed: David Quist, Sabri Khayat, Angela Marafon**

**ADMINISTRATIVE STRUCTURE**

**ADMINISTRATIVE STRUCTURE**

**RATIONALE**

**Section 5 – Presidents’ Conference**

**Section 5 – Presidents’ Conference**

**Cost is too high.**

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

**NEW – Section 5 (m)**

**Increase in dues not justified to members.**

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

**PRESIDENT’S REPRESENTATIVES ON STANDING COMMITTEES**

**Not part of the committee members’ mandate to attend Presidents’ Conference.**

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

**WHEREAS** the local Presidents and/or their Alternate elect a President’s representative on the standing committees identified in regulation 3 (1); and

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

**WHEREAS** the president’s representative is not required to be the president of a local; and

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

**WHEREAS** the president’s representatives who are not delegates to the presidents conference are not funded by National Office to attend such functions; and

412. BY-LAW 6 (cont'd)

(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; and
- (iv) the election of the Presidents' representative(s) on UTE Standing Committees every two (2) years at the September Presidents' Conference, every even numbered year; and

**WHEREAS** as the duly elected President's representatives on the standing committees, their attendance at the President's conference would be very prudent.

**BE IT RESOLVED THAT** UTE By-Law 6, section 5 be amended to include a new subsection (m) which reads:

(m) the president's representatives on the standing committees identified in regulation 3 shall attend as fully funded observers if not covered by By-law 6, Section 5, subsection 1.

**412. BY-LAW 6 (cont'd)**

(v) if a vacancy occurs on a UTE Standing Committee, the election of the President's representative(s) shall take place at the next Presidents' Conference to fill the remainder of that term.

(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 an expenditure of UTE;

(j) members of UTE in good standing may attend as observers at their own 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.

**ORIGINAL**

**AMENDED**

**DECISION**

**413. BY-LAW 6**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 6**

**BY-LAW 6**

**ADMINISTRATIVE STRUCTURE**

**ADMINISTRATIVE STRUCTURE**

**RATIONALE**

**Section 6 – Equal Opportunities Conferences**

**Section 6 – Equal Opportunities Conferences**

**To reflect current practice.**

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

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

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

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

**EXECUTIVE COUNCIL**



**ORIGINAL**

**AMENDED**

**DECISION**

**414. BY-LAW 6**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.**

**COMMITTEE RECOMMENDATION**

Resolution 414 as amended in the English version only.

**BY-LAW 6**

**BY-LAW 6**

**Concurrence**

**ADMINISTRATIVE STRUCTURE**

**ADMINISTRATIVE STRUCTURE**

**RATIONALE**

**Section 6 – Equal Opportunities Conferences**

**REGIONAL EQUAL OPPORTUNITIES CONFERENCE BYLAW 6,1(G)**

Extending this conference to two full days would allow for more education, as well more of an opportunity for networking.

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

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

(g) each Regional Conference shall normally be scheduled for one and a half (1½) days on a Saturday and Sunday;

**WHEREAS** currently each Regional EO Conference shall normally be scheduled for one and one half days on a Saturday and Sunday; and

**WHEREAS** this is too short of time to adequately address the needs, concerns and issues related to Regional Equal Opportunities.

**BE IT RESOLVED THAT** the Bylaw 6 be changed to read: Each Regional conference shall normally be scheduled for 2 days on a Friday, Saturday or Sunday.

**BARRIE, LOCAL 00052**

**ORIGINAL**

**AMENDED**

**DECISION**

**415. BY-LAW 6**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 6**

**BY-LAW 6**

**ADMINISTRATIVE STRUCTURE**

**ADMINISTRATIVE STRUCTURE**

**RATIONALE**

**Section 7 – National Health & Safety Conference**

**Section 7 – National Health & Safety Conference**

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

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

c) UTE shall fund one member per workplace Committee as defined in Regulation;

c) UTE shall fund one member per workplace Committee ~~as defined in Regulation;~~

**C) Better wording as Regulations do not define workplace committees.**

d) it is the responsibility of the National Health and Safety Committee to set the agenda and workshops for this 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 1<sup>st</sup> Vice-President responsible for Finance, or in their absence the National President;**

**D) & G) To reflect current practice.**

**ORIGINAL**

**AMENDED**

**DECISION**

**415. BY-LAW 6 (cont'd)**

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

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

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**416. BY-LAW 6**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Non-Concurrence**

**BY-LAW 6**

**BY-LAW 6**

**Recorded as opposed: Caren Tallon, Valérie Vojnovic, Robin Johnson**

**ADMINISTRATIVE STRUCTURE**

**ADMINISTRATIVE STRUCTURE**

**RATIONALE**

**Section 7 – National Health & Safety Conference**

**Section 7 – National Health & Safety Conference**

**Health and Safety is an important issue and the committee believes they want the debate held every three years.**

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

**CHANGE BY LAW 6 SECTION 7 NATIONAL HEALTH AND SAFETY CONFERENCE TO HEALTH AND SAFETY CONFERENCES AND CONSTITUTE REGIONAL HEALTH AND SAFETY CONFERENCES**

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

**WHEREAS** for the past (3) Conventions we have confirmed the need for Regional Health and Safety Conferences; and

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

**WHEREAS** Regional Health and Safety Conferences are equally important as the National Health and Safety Conference; and

c) UTE shall fund one member per workplace Committee as defined in Regulation;

**WHEREAS** if a resolution for Regional Conferences was not passed at a Convention the opportunity to have another Regional Conference may not arise for another (6) six years; and

**ORIGINAL**

**AMENDED**

**DECISION**

**416. BY-LAW 6 (cont'd)**

d) it is the responsibility of the National Health and Safety Committee to set the agenda and workshops for this conference;

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.

**WHEREAS** the Harper Government now has a red ribbon panel to attack and diminish Federal Health and Safety Law there is now a need to increase our Health and Safety activism.

**BE IT RESOLVED THAT** By Law 6 Section 7" National Health and Safety Conference" be changed to "Health and Safety Conferences" and further changed to constitute Regional Health and Safety Conferences. The Regional Health and Safety Conferences to be funded and delegates allowed, in the same format as the last Regional Health and Safety Conferences.

**WINDSOR, LOCAL 00018**

**ORIGINAL**

**AMENDED**

**DECISION**

**417. BY-LAW 7**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 7 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 7**

**BY-LAW 7**

**FORM OF ORGANIZATION**

**FORM OF ORGANIZATION**

Section 7

Section 7

**RATIONALE**

Each Local shall hold an annual membership 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 such other business as may be properly considered at that time.

Each Local shall hold an ~~annual membership meeting~~ **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 ~~such~~ other business as may be properly considered at that time.

**2<sup>ND</sup> CHANGE AFFECTS ONLY THE ENGLISH VERSION.**

**Housekeeping**

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**418. BY-LAW 7**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 7 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Non-Concurrence**

**BY-LAW 7**

**BY-LAW 7**

**FORM OF ORGANIZATION**

**FORM OF ORGANIZATION**

**RATIONALE**

Section 8

Section 8

**Can represent too much work and an additional cost to the local.**

**STANDARDIZED FINANCIAL STATEMENTS**

**No advantage to transferring data to another format.**

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.

**WHEREAS** the 'Local Annual Financial Statements/reports' do not follow a specific template format; and

**There is already a feedback process in place.**

**WHEREAS** there are a variety of 'Local Annual Financial Statements/reports' which are not necessarily clear to the local membership; and

**WHEREAS** a standardized Template: 'Local Annual Financial Statements/report' would assist the local membership. ~~and~~

418. BY-LAW 7 (cont'd)

~~WHEREAS the authority to function as a local is granted by the Executive Council~~

**BE IT RESOLVED THAT** By-law 7, section 8 be amended to read:

Each Local shall submit annually, a ***standardized*** 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.

**PETERBOROUGH, LOCAL 00008**



**ORIGINAL**

**AMENDED**

**DECISION**

**419. BY-LAW 8**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 8 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 8**

**BY-LAW 8**

**DUTIES OF OFFICERS**

**DUTIES OF OFFICERS**

**RATIONALE**

Section 3

Section 3

The 1<sup>st</sup> Vice-President responsible for Finance shall:

The 1<sup>st</sup> Vice-President responsible for Finance shall:

**THIS CHANGE AFFECTS ONLY THE ENGLISH VERSION.**

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

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

**Housekeeping**

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**420. BY-LAW 8**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 8 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 8**

**BY-LAW 8**

**DUTIES OF OFFICERS**

**DUTIES OF OFFICERS**

**Section 4**

**Section 4**

**RATIONALE**

The 2<sup>nd</sup> Vice-President responsible for Collective Bargaining shall:

**Housekeeping**

- (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 Strike Co-ordinating Committee; and
- (7) ensures that the bargaining process for UTE is handled in a sound manner in the best interests of the members.
- (8) attends and participates in discussions and meetings in preparation for bargaining between PSAC/UTE and the employer.

- (6) be a member of the PSAC National Strike Co-ordinating Committee; ~~and~~
- (7) ensures that the bargaining process for UTE is handled in a sound manner in the best interest of the members; **and**

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**421. BY-LAW 9**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 9 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 9**

**BY-LAW 9**

**ELECTION OF OFFICERS**

**ELECTION OF OFFICERS**

**RATIONALE**

Section 2

Section 2

**To reflect current practice.**

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:

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 all offices from delegates;
- (2) receive nominations for all offices 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 officers and to report to the Convention the name of any nominee considered to be ineligible.

- (1) call for nominations for ~~all offices~~ **the offices of the National Officers** from delegates;
- (2) receive nominations for ~~all offices~~ **the 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.

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**422. BY-LAW 9**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 9 BE MADE.**

**COMMITTEE RECOMMENDATION**

**BY-LAW 9**

**BY-LAW 9**

**Concurrence**

**ELECTION OF OFFICERS**

**ELECTION OF OFFICERS**

**RATIONALE**

Section 4

Section 4

**To reflect current practice.**

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.

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 **National Officers**.

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**423. BY-LAW 9**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 9 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 9**

**BY-LAW 9**

**ELECTION OF OFFICERS**

**ELECTION OF OFFICERS**

**RATIONALE**

Section 5

Section 5

**Housekeeping**

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 placed.

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 ~~placed~~ **accepted**.

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**424. BY-LAW 9**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 9 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 9**

**BY-LAW 9**

**ELECTION OF OFFICERS**

**ELECTION OF OFFICERS**

**RATIONALE**

Section 6

Section 6

**For reasons of clarity and to reflect current practice.**

Any member in good standing is permitted to speak on behalf of any member nominated for elected office.

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

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**425. BY-LAW 9**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 9 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 9**

**BY-LAW 9**

**ELECTION OF OFFICERS**

**ELECTION OF OFFICERS**

**RATIONALE**

Section 7

Section 7

**To reflect current practice.**

The Chairperson of the Nominations Committee shall:

The Chairperson of the Nominations Committee shall:

(1) preside at the election of the President and Vice-President;

(1) preside at the election of the ~~President and Vice-President~~ **National Officers**;

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

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

(3) receive the results of each ballot from the Chairperson of Scrutineers;

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

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

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

**ORIGINAL**

**AMENDED**

**DECISION**

**425. BY-LAW 9 (cont'd)**

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

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

**EXECUTIVE COUNCIL**



**ORIGINAL**

**AMENDED**

**DECISION**

**426. BY-LAW 9**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 9 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 9**

**BY-LAW 9**

**ELECTION OF OFFICERS**

**ELECTION OF OFFICERS**

**RATIONALE**

Section 8

Section 8

**Housekeeping**

Election to any office shall be by simple majority vote of the total votes cast. Where only two (2) nominees remain, or where only two (2) nominees are standing for election for the same office and a tie vote results, the Chairperson of the Nominations Committee will declare no ballot and request that a new vote be taken.

Election to any office shall be by simple majority vote of the total votes cast. Where only two (2) nominees remain, or where only two (2) nominees are standing for election for the same office and a tie vote results, the Chairperson of the Nominations Committee will declare no ballot and ~~request that~~ a new vote shall be taken immediately.

**EXECUTIVE COUNCIL**

ORIGINAL

AMENDED

DECISION

427. BY-LAW 9

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 9 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 9

BY-LAW 9

ELECTION OF OFFICERS

ELECTION OF OFFICERS

RATIONALE

Section 9

Section 9

To reflect current practice.

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

(1) Prior to the election of the ~~President and Vice-Presidents~~ **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) 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 President and Vice-Presidents. Each candidate or their designate shall have the right to address the Convention before the ballot is taken on the floor.

**(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.**

**ORIGINAL**

**AMENDED**

**DECISION**

**427. BY-LAW 9 (cont'd)**

- (3) Election shall be by simple majority vote. **(3)(2)** 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 ~~President and Vice-Presidents National~~ **Officers**. Each candidate or their designate shall have the right to address the Convention before the ballot is taken on the floor.
- (4)(3)** Elections shall be by simple majority vote.

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

428. BY-LAW 10

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 10 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Non-Concurrence**

BY-LAW 10

BY-LAW 10

**Carried unanimously.**

CONVENTIONS

CONVENTION

**RATIONALE**

Section 2

Section 2

**The committee's opinion is that the PSAC Convention should be changed first.**

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.

**WHEREAS** the cost of the conventions is astronomical; and

**This would require a substantive change to our current operation.**

**The current process works.**

**WHEREAS** several months are needed for preparing and following up on the conventions and requires union staff as a result; and

**WHEREAS** this limits the time for providing service to members.

**BE IT RESOLVED THAT** the UTE Convention be held every four years.

**JONQUIÈRE, LOCAL 10004**

**ORIGINAL**

**AMENDED**

**DECISION**

**429. BY-LAW 10**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 10 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Non-Concurrence**

**BY-LAW 10**

**BY-LAW 10**

**Recorded as opposed: Lorne Roslinski, Bruce Cook**

**CONVENTIONS**

**CONVENTIONS**

**RATIONALE**

Section 5

Section 5

**Less incentive to sign RAN DS.**

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

**DELEGATE COUNT**

**UTE takes into account the RAN DS as soon as the card is signed.**

(1) 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.

**WHEREAS** the PSAC has Rand member, and; the PSAC are responsible for the entry of the membership application information onto the system to update the member's information; and

**Delegates to our convention represents members. RAN DS are not members.**

(2) 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

**WHEREAS** Rand members still pay full dues; and

**429. BY-LAW 10 (cont'd)**

member in good standing of the Local.

**WHEREAS** Rand members need only to sign a membership application to request a local's assistance; and

**WHEREAS** the locals are negatively affected when determining the delegate allocation for conventions.

**BE IT RESOLVED THAT** the UTE include the Rand members in the count for all delegate quotas and make the necessary changes to the By-Laws and Regulations to accommodate.

**SASKATOON, LOCAL 40023**

**ORIGINAL**

**AMENDED**

**DECISION**

**430. BY-LAW 10**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 10 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 10**

**BY-LAW 10**

**CONVENTIONS**

**CONVENTIONS**

**RATIONALE**

Section 9

Section 9

**Housekeeping**

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 10, Section 5. Their expenses, including travelling 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 she/he resided immediately prior to her/his initial election to the national position.

Each member of the Executive Council shall be considered a delegate and entitled to attend Conventions with full voting rights as provided in By-Law 10, Section 5. Their expenses, including travelling 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 ~~she/he~~ **they** resided immediately prior to ~~her/his~~ **their** initial election to the national position.

**THESE CHANGES AFFECT ONLY THE ENGLISH VERSION.**

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**431. BY-LAW 10**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 10 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 10**

**BY-LAW 10**

**CONVENTIONS**

**CONVENTIONS**

**RATIONALE**

Section 14

Section 14

**To reflect current practice.**

(2) The election shall be chaired by the Regional Vice-President at a regional caucus.

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

**EXECUTIVE COUNCIL**



**ORIGINAL**

**AMENDED**

**DECISION**

432. BY-LAW 11

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 11 BE MADE.

**COMMITTEE RECOMMENDATION**

BY-LAW 11

BY-LAW 11

**Concurrence**

DISCIPLINE

DISCIPLINE

**RATIONALE**

Section 3

Section 3

**Housekeeping**

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

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

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

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

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**433. BY-LAW 15**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 15 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 15**

**BY-LAW 15**

**Recorded as opposed: Angela Marafon**

**AUDIT**

**AUDIT**

**RATIONALE**

Section 2

Section 2

**To reflect current practice.**

Upon receipt of the auditor's report a copy of the report and the statements shall be sent to all Locals.

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.**

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**434. BY-LAW 18**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 18 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAW 18**

**BY-LAW 18**

**EXPENSES**

**EXPENSES**

**RATIONALE**

Section 1

Section 1

**For clarity and grammar.**

Any member incurring authorized expenses related to traveling, accommodation and any other necessary expenses while engaged on authorized union business by UTE be reimbursed for such expenses. The expense shall be reimbursed in accordance with the Regulation.

Any member incurring authorized expenses related to traveling, accommodation and any other necessary expenses while engaged on authorized union business by UTE ~~be reimbursed for such expenses.~~ ~~The expense~~ shall be reimbursed in accordance with the Regulation.

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

435. BY-LAW 20

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 20 BE MADE.

**COMMITTEE RECOMMENDATION**

**Concurrence**

BY-LAW 20

BY-LAW 20

DEFINITIONS

DEFINITIONS

**RATIONALE**

In these By-Laws:

In these By-Laws:

**For clarity.**

**NEW DEFINITION**

National Officers (Dirigeantes et dirigeants nationaux) means President, 1<sup>st</sup> Vice-President and 2<sup>nd</sup> Vice-President.

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**436. INDEX - BY-LAWS**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO THE INDEX BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**BY-LAWS**

**PROPOSED CHANGES TO INDEX (RENUMBERING)**

**Recorded as opposed: Angela Marafon, David Quist**

**RATIONALE**

By-Law 1 Name

By-Law 1 Name

By-Law 2 Purpose, Aims and Objectives

By-Law 2 Purpose, Aims and Objectives

**This is a better presentation which will facilitate research.**

By-Law 3 Membership

By-Law 3 Membership

By-Law 4 Membership Responsibility

By-Law 4 Membership Responsibility

By-Law 5 Membership Dues

By-Law 5 Membership Dues

By-Law 6 Administrative Structure

By-Law 6 **Form of Organization**

By-Law 7 Form of Organization

By-Law 7 **Administrative Structure**

By-Law 8 Duties of Officers

By-Law 8 **Conferences**

By-Law 9 Election of Officers

By-Law 9 **Conventions**

By-Law 10 Conventions

By-Law 10 **Duties of Officers**

By-Law 11 Discipline

By-Law 11 **Election of Officers**

By-Law 12 Trusteeship

By-Law 12 **Discipline**

By-Law 13 Fiscal Period

By-Law 13 **Trusteeship**

**ORIGINAL**

**AMENDED**

**DECISION**

**436. INDEX – BY-LAWS (cont'd)**

By-Law 14 Property

By-Law 14 **Finances**  
**1- Fiscal Period**  
**2- Audit**  
**3- Property**  
**4- Expenses**

By-Law 15 Audit

By-Law 15 **Amendments**

By-Law 16 Amendments

By-Law 16 **Dissolution**

By-Law 17 Dissolution

By-Law 17 **General Provisions**

By-Law 18 Expenses

By-Law 18 **Definitions**

By-Law 19 General Provisions

By-Law 20 Definitions

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**437. REGULATION NO. 1**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO REGULATION 1 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**REGULATION NO. 1**

**REGULATION NO. 1**

**STRUCTURE**

**STRUCTURE**

**RATIONALE**

For the purpose of By-Law 7, the following localities are prescribed:

For the purpose of By-Law 7, the following localities are prescribed:

**Housekeeping**

(2) Québec Region; comprised of Québec, Trois-Rivières, Shawinigan-South, Chicoutimi and the Jonquière Taxation Centre Locals;

(2) Québec Region; comprised of Québec, Trois-Rivières, Shawinigan-South, Chicoutimi, and the Jonquière ~~Taxation Centre~~ Locals;

(4) National Capital Region; comprised of Ottawa Headquarters, Ottawa Taxation Centre, Ottawa TSO, International TSO and Policy and Planning Locals;

(4) National Capital Region; comprised of ~~Ottawa~~ Headquarters, Ottawa Taxation Centre, Ottawa TSO, International TSO, and Policy and Planning Locals;

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**438. REGULATION NO. 1**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO REGULATION 1 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Non-Concurrence**

**REGULATION NO. 1**

**REGULATION NO. 1**

**Carried unanimously.**

**STRUCTURE**

**STRUCTURE**

For the purpose of By-Law 7, the following localities are prescribed:

For the purpose of By-Law 7, the following localities are prescribed:

**RATIONALE**

**NEW**

**The creation of a new region would not necessarily be the right answer to solve the issues.**

**HEADQUARTERS REGION**

**WHEREAS** the size of Headquarters (Ottawa Headquarters and Policy and Planning) area has grown; and

**There are other mechanisms exist that should be tried in order to solve the problems that have been mentioned.**

**WHEREAS** the number of members within Headquarters outnumber every other Region in UTE; and

**WHEREAS** a greater effort needs to be made to service these members.

**BE IT RESOLVED THAT** an 11th Region, the Headquarters Region, be created and the newly created region be provided all the same rights and privileges under UTE Bylaws and Regulations as all other Regions in UTE.

**OTTAWA HEADQUARTERS,  
LOCAL 70000**



**ORIGINAL**

**AMENDED**

**DECISION**

**439. REGULATION NO. 2**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO REGULATION 2 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**REGULATION NO. 2**

**REGULATION NO. 2**

**CREATION OF NEW LOCALS**

**CREATION OF NEW LOCALS**

**RATIONALE**

**2.2 Voting Procedure**

**2.2 Voting Procedure**

**Housekeeping**

(6) The Executive Council shall approve the formation of a new Local by majority vote; and

(6) The Executive Council shall approve the formation of a new Local by **simple** majority vote; and

**THIS CHANGE AFFECTS ONLY THE ENGLISH VERSION.**

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**440. REGULATION NO. 3**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO REGULATION 3 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**REGULATION NO. 3**

**REGULATION NO. 3**

**COMMITTEES**

**COMMITTEES**

**RATIONALE**

(4) A minimum of one National Officer shall sit on each Committee.

(4) A minimum of one ~~National~~ **Executive Council** Officer shall sit on each Committee.

**To reflect current practice.**

**Paragraph 6 – The wording is redundant.**

(5) When a Committee Chairperson is unable to fulfil their duties for a temporary period of time the President shall:

(5) When a Committee Chairperson is unable to fulfil their duties for a temporary period of time the President shall:

(a) have the authority to appoint the other RVP sitting on the Committee as the Interim Chairperson; and

(a) have the authority to appoint the other ~~RVP~~ **Executive Council Officer** sitting on the Committee as the Interim Chairperson; and

(6) If the position of Local President’s representative on a Committee becomes vacant, that position shall be filled by election of the Local presidents at the next sitting of the President’s Conference.

(6) If the position of Local President’s representative on a Committee becomes vacant, that position shall be filled ~~by election of the Local president’s at the next sitting of the President’s Conference~~ **in accordance with By-Law 6, Section 5 (1) (g) (v).**

(11) The permanent Committees of UTE take heed to both official languages.

(11) The ~~permanent~~ Committees of UTE take heed to both official languages.

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

441. REGULATION NO. 4

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO REGULATION 4 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

REGULATION NO. 4

REGULATION NO. 4

Recorded as opposed: Lorne Roslinski

CONVENTION COMMITTEES

NEW

**RATIONALE**

**UTE CONVENTION TERMS OF REFERENCE**

**WHEREAS** prior to every UTE National Convention, terms of reference for the Convention Committees are established and passed by Executive Council.

**The committee supports adding the Convention Committee Terms of Reference to the Regulations.**

**BE IT RESOLVED THAT** the following Terms of Reference of Convention Committees be adopted:

1) The Committees will recommend concurrence or non-concurrence, to the delegates of all resolutions placed before them. **Unanimous recommendation shall be recorded when such is the case.**

**It is important for the convention body to know when the committee passes a resolution unanimously.**

2) The Committee shall not themselves originate or include in their report any new resolutions.

3) Each Committee shall produce a written report.

## 441. REGULATION NO. 4 (cont'd)

4) All decisions of the Committees shall be by majority vote, with the chairperson having a deciding vote in case of a tie.

5) The Committees may recommend the combination of two or more similar resolutions into one resolution, and shall themselves produce the recommended wording of the composite resolution.

6) The Committees may recommend that one or two or more similar resolutions, be concurred in, and the others voided on the grounds that their full intent is embodied in the recommended resolutions.

7) The Committees may recommend the separation of resolutions into two or more resolutions, and shall themselves produce such divided resolutions

8) The Committees shall not, in any combination, separation, rewording of resolutions, or production of composite or divided resolutions, in any way change, diminish or expand the full intent and thrust of the original resolutions so affected. **The Committee shall be permitted for clarity and translation**

**Providing clarity to the committees as to what they can do with a resolution.**

## 441. REGULATION NO. 4 (cont'd)

**purposes only (in consultation with the submitting local) to reword resolutions, provided that such rewording does not diminish or expand the full intent and thrust of the original resolution.**

9) The Committees shall clearly identify all original resolutions that have been combined, divided or embodied in resolutions.

10) The normal referral of any proposed changes to resolutions to the originating Local, for their views, can be affected through liaison with members on other Committees, since all Locals are represented.

11) When a resolution affects the work of another Committee, immediate liaison should be established with the other Committee to advise accordingly.

12) Committee chairperson will present to convention, resolutions in order of priority as concurred in by Committee members. **Such a priority should consider recognition of those resolutions which were 'dissent' recorded.**

**The committee feels this is appropriate to take this under consideration.**

**ORIGINAL**

**AMENDED**

**DECISION**

**441. REGULATION NO. 4 (cont'd)**

**BE IT FURTHER RESOLVED THAT** such terms of reference be recorded in UTE Regulation 4 by including a new section (6), Convention Committees 'Terms of Reference'.

**PETERBOROUGH, LOCAL 00008**

**ORIGINAL**

**AMENDED**

**DECISION**

442. REGULATION NO. 6

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO REGULATION 6 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Non-Concurrence**

REGULATION NO. 6

REGULATION NO. 6

Recorded as opposed: Sylvie Lahaie, Angela Marafon

**UTE DELEGATES TO PSAC CONVENTIONS**

**UTE REGULATION 6 AMENDMENT (UTE DELEGATES TO PSAC CONVENTIONS)**

**RATIONALE**

**WHEREAS** each member of UTE is unique and should have a voice that is heard everywhere; and

**Our convention is our supreme governing body; delegates to the PSAC Convention represent UTE and not a local or a region.**

**WHEREAS** we are part of a democratic society where freedom of speech is a given right; and

**WHEREAS** we should dismiss the perceptions of block voting.

**BE IT RESOLVED THAT** UTE regulation no. 6 subsection (3) be amended to read as follows:

(1) Delegates elected at a UTE Convention to represent our Union at a PSAC Convention must fully support all resolutions referred from our Convention.

(1) Delegates elected at a UTE Convention to represent our Union at a PSAC Convention must fully support all resolutions referred from our Convention.

**ORIGINAL**

**AMENDED**

**DECISION**

**442. REGULATION NO. 6 (cont'd)**

(2) Notwithstanding paragraph (1), UTE delegates who have grave personal difficulties may abstain or absent themselves during a vote on a UTE resolution.

(2) Notwithstanding paragraph (1), UTE delegates who have grave personal difficulties may abstain or absent themselves during a vote on a UTE resolution.

(3) UTE delegates to a PSAC Convention shall not vote or speak against a resolution adopted at a UTE Convention.

(3) UTE delegates to a PSAC Convention shall not vote or speak against a resolution adopted at a UTE Convention **unless they were recorded as against.**

**SURREY TC, LOCAL 20029**



**ORIGINAL**

**AMENDED**

**DECISION**

**443. REGULATION NO. 7**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO REGULATION 7 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Non-Concurrence**

**REGULATION NO. 7**

**REGULATION NO. 7**

**Carried unanimously.**

**7.1 REGIONAL OR INTER-REGIONAL CONFERENCES**

**REGIONAL OR INTER-REGIONAL CONFERENCES**

**RATIONALE**

(1) Regional Vice-Presidents shall arrange regional or inter-regional conferences as required or if requested by a simple majority of Local Presidents.

**WHEREAS** Regulation 7 currently does not provide that local's input into the location and topics related to Regional Conferences has to be considered by the Regional Vice-President.

**The existing regulation is sufficient to settle this situation.**

**Regional issues should be solved at the regional level.**

(2) At least thirty (30) days prior to the Conference, a Regional Vice-President shall submit, in writing to the President, a request for funding. The request shall include:

**BE IT RESOLVED THAT** a new 7.1. (2) be created to read as follows:

- (a) the date;
- (b) location;
- (c) proposed agenda;
- (d) proposed budget; and
- (e) names of guests that require the spending of UTE funds.

Where the majority of locals within a region request that a Regional Conference be held in a specific location or have a specific purpose or theme, the RVP shall support this request when submitting the request for funding to the National President. If the Regional Vice-President refuses such request, the locals may appeal the decision to the National President.

and

**443. REGULATION NO. 7 (cont'd)**

**BE IT FURTHER RESOLVED THAT** the remainder of the regulation be renumbered as required.

- (3) Upon receipt of the Regional Vice-President's request, the President shall review it and inform the Regional Vice-President of the decision. If the decision is non-concurrence, rationale must be given. Concurrence will not be withheld by the President if the conference is requested by a simple majority of Local Presidents provided such conferences do not exceed two (2) in any fiscal year.
- (4) Following approval by the President, an advance to cover expenses of the conference will be sent to the Regional Vice-President(s).
- (5) The Vice-Presidents shall be entitled to attend regional or inter-regional conferences in which their Local is entitled to participate, and to attend any other Regional or Inter-regional Conference if invited by a participating region.

**443. REGULATION NO. 7 (cont'd)**

- (6) Within ninety (90) days of each conference, a Regional Vice-President shall:
  - (a) provide written minutes of the conference to the National Office and to the delegates; and
  - (b) account for the advance obtained for the conference and any additional expenses incurred.
- (7) If the requirements of 7.1(6) are not met, the President shall not consider any additional advances under this Regulation.
- (8) Regional Vice-Presidents shall obtain and maintain a separate bank account for the purpose of depositing funds received for Educational Courses and Regional or inter-Regional Conferences and issuing the reimbursement of expenses.

**WINNIPEG C.C.S.C, LOCAL 50032**

**ORIGINAL**

**AMENDED**

**DECISION**

**444. REGULATION NO. 7**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO REGULATION 7 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**REGULATION NO. 7**

**REGULATION NO. 7**

**7.3 GUIDELINES FOR REGIONAL EDUCATION BUDGETS**

**7.3 GUIDELINES FOR REGIONAL EDUCATION BUDGETS**

**RATIONALE**

(5) Non-UTE educational courses shall need the approval of the Executive Council. Once Council has approved a course, it will be an approved UTE course, therefore only needing the approval of the President in the future:

(5) Non-UTE educational courses shall need the approval of the Executive Council. Once Council has approved a course, it will be an approved UTE course, therefore only needing the approval of the President ~~in the future~~.

**Housekeeping**

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**445. REGULATION NO. 24**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO REGULATION 24 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**REGULATION NO. 24**

**REGULATION NO. 24**

**HONOURS AND AWARDS**

**HONOURS AND AWARDS**

**RATIONALE**

**24.3 SERVICE PINS**

**24.3 SERVICE PINS**

**Housekeeping**

Service pins of three (3), five (5), ten (10), fifteen (15), twenty (20), twenty-five (25), thirty (30), thirty-five (35) years will be awarded annually by the Locals to those members who have served the membership within the union movement. Such pins shall be awarded based upon a Local member's recommendation or National Officers' recommendation.

Service pins of three (3), five (5), ten (10), fifteen (15), twenty (20), twenty-five (25), thirty (30), thirty-five (35) years will be awarded annually by the Locals to those members who have served the membership within the union movement. Such pins shall be awarded based upon a Local member's recommendation or ~~National~~ **Executive Council** Officers' recommendation.

**24.4 Award of Merit (Godfroy Côté Award)**

**24.4 Award of Merit (Godfroy Côté Award)**

**24.4.1 Presentation**

**24.4.1 Presentation**

The award shall be presented at a Local AGM, President Conference, or a National Conference by a Local President, National Officer or Chairperson of Honours and Awards Committee wherever feasible

The award shall be presented at a Local AGM, President Conference, or a National Conference by a Local President, ~~National~~ **Executive Council** Officer or Chairperson of Honours and Awards Committee wherever feasible

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

446. REGULATION NO. 24

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO REGULATION 24 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

REGULATION NO. 24

REGULATION NO. 24

Recorded as opposed: Sabri Khayat, Sylvie Lahaie

HONOURS AND AWARDS

HONOURS AND AWARDS

**RATIONALE**

24.8 UTE SCHOLARSHIP

24.8 UTE SCHOLARSHIP

The Union of Taxation Employees - PSAC Scholarship Guidelines

**SCHOLARSHIPS AND MEMBERS IN GOOD STANDING**

**We should be inclusive.**

**WHEREAS** the current scholarship eligibility criteria of Reg 24.8 stipulates that one must be a member in good standing as of the submission deadline date of June 15<sup>th</sup>; and

**WHEREAS** the current reading excludes those members in good standing who may wish to retire from CRA prior to the 15th of June submission deadline.

**BE IT RESOLVED THAT** Regulation 24.8 be amended to read:

The Union of Taxation Employees (UTE) each year offers two (2) two thousand five hundred dollars (\$2,500.00) National Scholarships, one of which has been named the Diana Gee Scholarship and ten (10) one thousand dollars (\$1,000.00) Regional

All scholarships are available for members in good standing of the UTE (*or who at the time of their departure from CRA in the same calendar year were members in good standing of the UTE*), their spouse, their common-law spouse (including same

**446. REGULATION NO. 24 (cont'd)**

Scholarships (Atlantic, Quebec, Montreal, National Capital, Greater Toronto, South Western Ontario, Northern and Eastern Ontario, Prairie, Rocky Mountains and Pacific Regions).

sex partners) and/or their children or grandchildren. However, no more than one scholarship will be awarded to the same family in a given year.

**PETERBOROUGH, LOCAL 00008**

**ORIGINAL**

**AMENDED**

**DECISION**

**447. REGULATION NO. 26**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO REGULATION 26 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**REGULATION NO. 26**

**REGULATION NO. 26**

**Carried unanimously.**

**DISCIPLINE PROCEDURES**

**MEMBERSHIP 'DISCIPLINE'**

**26.1 General**

**WHEREAS** the UTE regulation 26 - 'Discipline Procedures' as well as the PSAC Regulation 19 'REGULATION GOVERNING MEMBERSHIP DISCIPLINE' have been brought into question with regard to membership challenges.

**RATIONALE**

**The committee supports a review of UTE Regulation 26 and Regulation 19 of the PSAC Constitution based on previous decisions.**

(1) Notwithstanding the procedures contained in this Regulation, disciplinary procedures may be initiated in accordance with the By-Laws at a higher level than where the actions giving rise to disciplinary action occurred.

**WHEREAS** the Tripartite Board has recognized that there has been a lack of procedure and clarity with regard to the UTE and PSAC regulations concerning membership 'discipline'.

(2) Any accusation(s) which is found to be frivolous or intended to harass, embarrass, or discredit a member or members may result in a recommendation of disciplinary action to be included in the Committee report.

**BE IT RESOLVED THAT** UTE undertake a review of the UTE Regulation 26 concerning membership 'discipline' and make changes to the regulation as required; and



**447. REGULATION NO. 26 (cont'd)**

- (3) Any member against whom an accusation of misconduct is alleged shall not be a member of the Committee established to investigate the allegation(s), and shall not be given voice or vote in the decision to accept or reject the findings and recommendations of such a Committee.
- BE IT FURTHER RESOLVED THAT** UTE undertake a review of the PSAC Regulation 19 and recommend changes where needed to the PSAC National Board of Directors; and
- (4) Should the Committee in the process of their investigation receive information that leads to other provisions of the By-Laws, the Committee shall notify the member(s) concerned in writing and provide an opportunity for the member(s) concerned to respond. This information now becomes part of the investigation.
- BE IT FURTHER RESOLVED THAT** such a review be provided to Executive Council and the UTE locals by December 31, 2013.
- (5) The procedure for dealing with any disciplinary situation which may arise at the Local, PSAC Regional Area Council, PSAC National Board of Directors or Alliance Executive levels as found in the Constitution.

**447. REGULATION NO. 26 (cont'd)**

- (6) The procedure for dealing with any disciplinary situation, which may arise, which is not specifically outlined under this Regulation, shall be deemed to be covered and processed within the spirit and intent of this Regulation.

**26.2 INVESTIGATION PROCEDURES**

- (1) Any and all allegations against a member shall be in writing, signed by the member(s) putting forth the allegation(s), and submitted to the appropriate body for consideration:
- (2) (a) allegations at the Local level shall be submitted to the Local Executive;
- (b) allegations that involve member(s) from more than one Local in a region shall be submitted to the Regional Vice-President;
- (c) allegations that involve member(s) from more than one region shall be submitted to the President;

**447. REGULATION NO. 26 (cont'd)**

- (d) allegations against Regional Vice-Presidents or Vice-Presidents shall be submitted to the President;
  - (e) allegations against the President in the capacity of Component President shall be submitted to the 1<sup>st</sup> Vice-President; and
  - (f) allegations against the President in the capacity of a member of the National Board of Directors shall be submitted to the PSAC Executive Committee.
- (3) The appropriate executive body receiving the allegation(s) shall determine whether \*evidence warrants an investigation. If so, it shall establish an internal or external impartial investigation Committee consisting of three (3) people to investigate and assess the allegation(s), including the receipt of oral and written evidence. (\*evidence in that there must be some supporting documentation that the allegations are valid. It does not mean that conclusive evidence must be presented nor does it mean that the body concerned is accepting or rejecting the supporting documentation.)

**447. REGULATION NO. 26 (cont'd)**

- (4) The Committee shall provide the member against whom the allegation has been made with a copy of the written accusation(s). The member(s) submitting the allegation(s) and the member(s) against whom the allegation has been made shall be afforded the right to appear before the Committee. The Committee may interview witnesses.
- (5) The Committee shall submit a Committee report to the member against whom the allegation(s) has been made, the member(s) who submitted the allegation(s) and the appropriate body who established the Committee.
- (6) The Committee report shall consist of one (1) or two (2) parts, depending on whether the allegation(s) are upheld by the Committee:
  - (a) Part I shall include a finding of fact for each accusation(s) and a determination whether a contravention of the By-Laws occurred. This part of the report may also include a determination whether any accusation is found to be

**447. REGULATION NO. 26 (cont'd)**

frivolous or intended to harass, embarrass or discredit a member.

- (b) Part II shall indicate if corrective action is recommended including any specific disciplinary action such as, suspension from membership and/or removal from office.
  - (c) The Committee report shall be dated and signed by the three people on the Committee and shall not be amended. The appropriate body that established the Committee must be satisfied that the proper procedure has been followed by the Committee and shall vote whether to accept the Committee report in accordance with General Provisions 26.1.1(3).
- (7) If disciplinary action is not recommended, the appropriate body shall review and vote whether to accept the Committee report. A simple majority vote of those in attendance shall determine acceptance. All decisions shall be conveyed in writing to the persons involved.

**447. REGULATION NO. 26 (cont'd)**

- (8) If disciplinary action is recommended at the national level, the Committee report shall be subject to acceptance by a two-thirds (2/3) majority vote at a meeting of the Executive Council. Should the Committee report recommendations not receive two-thirds (2/3) acceptance, rationale for the rejection must be provided.
- (a) If the Executive Council accepts a recommendation of removal from office, the President shall provide the member(s) concerned with written notice that an appeal may be submitted to the PSAC National Board of Directors within sixty (60) calendar days of receipt of the disciplinary notification.
- (b) If the Executive Council accepts a recommendation to suspend or expel from membership the President shall submit such recommendation to the PSAC National Board of Directors together with all relevant documentation.

**447. REGULATION NO. 26 (cont'd)****26.3 GUIDELINES FOR  
INVESTIGATION PROCEDURES****26.3.1 Investigation Committee**

The role and responsibilities of the Committee include:

- (1) providing the member accused with a copy of the written accusation(s);
- (2) ensuring the investigation is impartial and is seen as such by all parties;
- (3) investigating the allegations with appropriate discretion and ensuring that the investigation is done in a timely fashion;
- (4) interviewing witnesses and reviewing all relevant documents identified by the parties; and
- (5) submitting a written report to the body which established the Committee, the member making the accusation and the member accused.

**447. REGULATION NO. 26 (cont'd)****26.3.2 Investigation Procedures**

- (1) The members of the Committee shall develop the appropriate methodology for the investigation based on the allegation(s) and the mandate of the Committee.
- (2) The member making the accusation and the member accused may provide the Committee with a list of witnesses to be interviewed by the Committee. A witness is an individual who witnessed the alleged misconduct or who has some other type of relevant information that will assist in determining whether a contravention occurred. The Committee shall determine which witnesses they believe may have relevant information related to the allegation. A process for interviewing witnesses shall be developed, for example, the Committee may determine whether witnesses shall be given the option of providing a narrative in their own words, respond to questions from the Committee, or a combination of both.



**447. REGULATION NO. 26 (cont'd)**

- (3) The Committee shall ensure that:
- (a) witnesses are advised of the mandate of the Committee;
  - (b) witnesses are aware that they may be accompanied by a person of their choice to the interview;
  - (c) interviews are conducted in an appropriate confidential area;
  - (d) the applicable portion of the draft report be sent to witnesses for review of their statements when such statements are used in the report;
  - (e) all Committee members take their own notes during the interview.

**26.3.3 Committee Report**

- (1) As required by this Regulation, the Committee report shall be written in one or two parts. Part I shall include a finding of fact for each allegation and a determination whether the contravention of the constitution, Local, and/or UTE, and/or PSAC By-Laws occurred.

**447. REGULATION NO. 26 (cont'd)**

This part of the report may also include a determination whether any allegation is found to be frivolous or intended to harass, embarrass or discredit a member.

- (a) Part I of the Committee report might also include:
  - (i) Committee composition;
  - (ii) description of the alleged misconduct;
  - (iii) mandate of Committee;
  - (iv) methodology (including reference materials, list of witnesses and dates of interviews.);
  - (v) findings.
  
- (b) Part II of the report shall indicate whether corrective action is recommended including any specific disciplinary action. When an allegation of misconduct involves harassment, the Committee report shall not include the actual names of those involved with the exception of the name of the individual who is recommended for discipline. This measure shall provide some confidentiality in the event that

**447. REGULATION NO. 26 (cont'd)**

the Committee report is submitted to the Executive Council and included in the minutes.

- (2) The Committee shall submit a draft copy of the final report to the body that authorized the establishment of the Committee for review and amendments if deemed necessary, prior to sending it to the Executive Council. Any amendments must be agreed to by the Committee; such amendments shall be for clarification or process purposes only.

**26.4 APPEAL PROCESS**

- (1) The appeal hearing shall be established within a three-month (3) period unless the time-frame is extended by a mutual agreement of the parties concerned or if the Executive Council determines that extenuating circumstances prohibit the establishment of the appeal hearing within the above-noted time-frame.
- (2) If disciplinary action is recommended at the Local level, the Local Executive shall submit the Committee report at a special or general meeting of the

**447. REGULATION NO. 26 (cont'd)**

Local and shall be subject to the acceptance of two-thirds (2/3) of those members in attendance in accordance to General Provisions 26.1.1. Should the Committee report recommendations not receive two-thirds (2/3) acceptance, rationale for the rejection must be provided.

- (3) If the Local meeting accepts a recommendation of removal from office, the Local Executive shall convey in writing that decision to the member or members concerned together with written notice that an appeal may be submitted to the President within sixty (60) calendar days of receipt of the disciplinary notification.
- (4) The appellant has the right to be heard and to be represented at the appeal hearing.
- (5) The appeal decision of the Executive Council shall be final and binding on all parties to the appeal.
- (6) The UTE shall be responsible for the cost of the hearing and the expenses as follows:

**447. REGULATION NO. 26 (cont'd)**

- (a) each party shall be responsible for their own expenses, except that if the appellant's appeal is successful, the appellant may be entitled to reasonable expenses as determined by the Executive Council;
- (b) the expenses of the representative of the appellant shall be borne by the appellant;
- (c) each party shall normally be responsible for any expenses incurred as a result of testimony from any witness they wish to call. However, where the appeal is upheld, the appellant may, in extenuating circumstances, request full or partial payment of reasonable expenses incurred by witnesses for the appellant. Such expenses whose reasonableness shall be determined solely by the Executive Council.

**26.5 GUIDELINES FOR APPEAL PROCESS**

- (1) The appeal process is an informal one so that it is accessible to all members

**447. REGULATION NO. 26 (cont'd)**

and shall allow the parties involved to be heard. The procedure shall be as follows:

- (a) The appellant or their representative shall make a presentation to the Executive Council outlining why he/she does not believe the removal from office, or other disciplinary action is justified;
- (b) Any witnesses for the appellant shall make a presentation to the Executive Council outlining any role they were involved with which impacted upon the removal from office, or other disciplinary decision;
- (c) The representative from the appropriate Local shall make a presentation to the Executive Council outlining why the action to remove from office, or other disciplinary action was taken;

**447. REGULATION NO. 26 (cont'd)**

- (d) Any witnesses for the Local shall make a presentation to the Executive Council outlining any role they were involved with which impacted upon the removal from office, or other disciplinary action decision;
- (e) The Executive Council members may ask questions of clarification, which arise from the presentations;
- (f) Both the appellant and representative from the Local shall be provided with an opportunity to make a closing summary; and
- (g) The Executive Council members shall render a written decision. The President shall forward the decision to the parties involved.

**26.6 REMOVAL FROM OFFICE**

- (1) Notwithstanding the above, the removal from office provisions of this Regulation shall be deemed to have been complied with by a Local under the following conditions:

**447. REGULATION NO. 26 (cont'd)**

- (a) When provision is made in the Local By-Laws for a referendum vote of the membership of the particular constituency represented by the officer proposed for removal from office;
  
- (b) When, in the case of an officer who was elected by representatives rather than by direct membership election, provision is made in the Local By-Laws for a vote by representatives of the particular constituency represented by the officer proposed for removal from office.

**PETERBOROUGH, LOCAL 00008**



**ORIGINAL**

**AMENDED**

**DECISION**

**448. REGULATION NO. 27**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO REGULATION 27 BE MADE.**

**COMMITTEE RECOMMENDATION**

**REGULATION NO. 27**

**REGULATION NO. 27**

**Concurrence**

**27.1 DESIGNATED EMPLOYEES**

**27.1 ~~DESIGNATED~~ ESSENTIAL SERVICES EMPLOYEES**

**RATIONALE**

(1) Designated employees who work at a work site where their bargaining group is considered as being on strike shall be required to contribute twenty-five per cent (25%) of their net take home pay earned during this time to the Local fund.

(1) ~~Designated~~ **Essential services** employees who work at a work site where their bargaining group is considered as being on strike shall be required to contribute twenty-five per cent (25%) of their net take home pay earned during this time to the Local fund.

**Housekeeping**

(2) Designated employees who do not comply with Regulations shall be considered to have contravened the By-Laws and shall be subject to disciplinary actions in accordance with By-Laws and Regulations.

(2) ~~Designated~~ **Essential services** employees who do not comply with Regulations shall be considered to have contravened the By-Laws and shall be subject to disciplinary actions in accordance with By-Laws and Regulations.

(3) Designated members who show proof of paying twenty-five percent (25%) of salary either to the PSAC National or Regional Hardship funds shall be exempt from Regulation.

(3) ~~Designated—members~~ **Essential services employees** who show proof of paying twenty-five percent (25%) of salary either to the PSAC National or Regional Hardship funds shall be exempt from Regulation.

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**449. PSAC CONSTITUTION**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO THE PSAC CONSTITUTION BE MADE.**

**COMMITTEE RECOMMENDATION**

**Non-Concurrence**

**PSAC CONSTITUTION**

**Recorded as opposed: Sylvie Lahaie**

**PSAC NATIONAL WOMEN'S COMMITTEE**

**RATIONALE**

**WHEREAS** they are experiencing increasingly more pressure from the federal and provincial governments through their repeated attacks, for example on pay equity; and

**This opposes the UTE's position on Equity issues.**

**WHEREAS** the governments are preventing women from achieving equality between men and women; and

**WHEREAS** as union activists and workers, we have to work towards advancing and achieving the objectives of equality and equity between men and women; and

**WHEREAS** women make up over 50% of PSAC staff; and

**WHEREAS** we need to be proactive with respect to the status of women; and

## 449. PSAC CONSTITUTION (cont'd)

**WHEREAS** those in charge of the RWCs are actually doing all these tasks already, but it is not officially recognized by the PSAC.

**BE IT RESOLVED THAT** the UTE ask the PSAC to establish a national women's committee entrenched in the ~~by-laws~~ Constitution. It will be made up of one representative per region in Canada and the political officer on the AEC or NBoD responsible for women's issues; and

**BE IT FURTHER RESOLVED THAT** the funding for this committee be taken from the existing budgets for women's activities by re-arranging the line items.

The mandate of this committee will be to:

- Ensure that the regional women's committees are active.
- Co-ordinate the regional and national women's conferences.
- Ensure that the regions report on their activities.
- Stay current on the issues affecting the women in the PSAC.

**449. PSAC CONSTITUTION (cont'd)**

- Take action for moving PSAC women's issues forward.
- Hold meetings or conference calls with committee members as per the PSAC ~~by-laws~~ Constitution or as needed.

**JONQUIÈRE, LOCAL 10004**

**ORIGINAL**

**AMENDED**

**DECISION**

**450. PSAC CONSTITUTION**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO THE PSAC CONSTITUTION BE MADE.**

**COMMITTEE RECOMMENDATION**

**Covers Resolution 452.**

**Concurrence**

**PSAC CONSTITUTION**

**FUNDING APPLICABLE TO PSAC REGIONAL CONVENTIONS**

**RATIONALE**

**WHEREAS** basic union principals are equality and democracy; and

**PSAC should fully fund its Regional Conventions. This has been the position of UTE for several years.**

**WHEREAS** these principle are being violated by the current funding methods for delegates to attend Regional PSAC Conventions.

**BE IT RESOVLED THAT** the Union of Taxation Employees submit to the next PSAC National Convention, a resolution requesting full funding based on population for PSAC delegates to attend Regional PSAC Conventions, to be paid by the PSAC; and

**BE IT FURTHER RESOLVED THAT** the funding formula is based on Component and Direct Chartered Local population as follows: 1 delegate for the first 200 members and 1 delegate for every 100 or part thereafter; and

**ORIGINAL**

**AMENDED**

**DECISION**

**450. PSAC CONSTITUTION (cont'd)**

**BE IT FUTHER RESOLVED THAT** the PSAC fully fund 1 delegate for each of the following recognized bodies: Regional Women's Committees, Human Rights Committees, Area Councils, and any other bodies approved and recognized by the PSAC.

**BATHURST, LOCAL 60006**

**ORIGINAL**

**AMENDED**

**DECISION**

**451. PSAC CONSTITUTION**

Referred to Finance

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO THE PSAC CONSTITUTION BE MADE.**

**PSAC CONSTITUTION**

**PSAC REGIONAL CONVENTIONS**

**WHEREAS** many components are fully funding delegates to PSAC regional conventions; and

**WHEREAS** it would be beneficial for UTE to have its full delegate status at these conventions; and

**WHEREAS** UTE will continue to strive for the PSAC to fully fund their own conventions.

**BE IT RESOLVED THAT** the UTE partially fund locals for their delegates to PSAC regional conventions until such time as the PSAC fully fund such conventions; and

**BE IT FURTHER RESOLVED THAT** this funding be based on paying for 2 (two) of the following costs: travel, hotel, per diems or loss of salary, if they are not reimbursed by any other organizations for the same costs. The cost for transportation will be the most economical means: eg. seat sales, mileage.

**SYDNEY, LOCAL 80004**

**COMMITTEE RECOMMENDATION**

Referred to Finance.

**RATIONALE**

**ORIGINAL**

**AMENDED**

**DECISION**

**452. PSAC CONSTITUTION**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO THE PSAC CONSTITUTION BE MADE.**

**COMMITTEE RECOMMENDATION**

**See Resolution 450.**

**PSAC CONSTITUTION**

**FUNDING PSAC REGIONAL CONVENTIONS**

**RATIONALE**

**WHEREAS** basic union principals are equality and democracy; and

**WHEREAS** these principle are being violated by the current funding methods for delegates to attend Regional PSAC Conventions.

**BE IT RESOVLED THAT** the Union of Taxation Employees submit to the next PSAC National Convention, a resolution requesting full funding based on population for PSAC delegates to attend Regional PSAC Conventions, to be paid by the PSAC; and

**BE IT FURTHER RESOLVED THAT** the funding formula is based on Component and Directly Chartered Local population as follows: 1 delegate for the first 200 members and 1 delegate for every 100 or part thereafter; and



**ORIGINAL**

**AMENDED**

**DECISION**

**452. PSAC CONSTITUTION (cont'd)**

**BE IT FUTHER RESOLVED THAT** the PSAC fully fund 1 delegate for each of the following recognized bodies: Regional Women's Committees, Human Rights Committees, Area Councils, and any other bodies approved and recognized by the PSAC.

**SYDNEY, LOCAL 80004**

**ORIGINAL**

**AMENDED**

**DECISION**

**453. PSAC CONSTITUTION**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO THE PSAC CONSTITUTION BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**PSAC CONSTITUTION**

**Carried unanimously.**

**TRANSFER OF SERVICE DELIVERY FUNCTIONS**

**RATIONALE**

**BE IT RESOLVED THAT** the Alliance transfer all service delivery functions to components upon request, save and except collective bargaining; organizing; the functions of the Legislative Office; and necessary administrative functions (e.g. Membership Services); and

**We have been submitting this for the last 18 years.**

**Funds should be given to us because we are already performing some of these services.**

**It will allow us to have services adapted to our reality.**

**BE IT FURTHER RESOLVED THAT** the PSAC dues structure be amended to return the monies associated with the cost of performing the aforementioned services to those components who intend to perform those functions and have made the applicable request.

**SAINT JOHN, LOCAL 60005**

**ORIGINAL**

**AMENDED**

**DECISION**

**454. PSAC CONSTITUTION**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO THE PSAC CONSTITUTION BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**PSAC CONSTITUTION**

**SECTION 23: NOMINATION AND ELECTION OF OFFICERS**

**RATIONALE**

**WHEREAS** the Public Service Alliance of Canada, REGULATION 12 (4): REGULATION ESTABLISHING RULES OF ORDER FOR PSAC MEETINGS, allows for up to 5 minutes for participant discussion and/or resolution debate; and

**For those individuals seeking leadership positions in the organization, they should be afforded an opportunity to speak for five (5) minutes.**

**WHEREAS** the Public Service Alliance of Canada, SECTION 23: NOMINATION AND ELECTION OF OFFICERS — NATIONAL TRIENNIAL CONVENTION, Sub-Section (6) limits speaking to the convention for only 3 minutes; and

**WHEREAS** the delegates to convention are expected to elect our union leadership for a minimum three year term of office, the opportunity to be presented with a candidate's knowledge, skills, abilities and vision should be maximized in accordance with our current maximum allowance.

**ORIGINAL**

**AMENDED**

**DECISION**

**454. PSAC CONSTITUTION (cont'd)**

**BE IT RESOLVED THAT** section 23 of the PSAC Constitution, Sub-Section (6) be amended to read: "for not more that five (5) minutes".

**PETERBOROUGH, LOCAL 00008**

**ORIGINAL**

**AMENDED**

**DECISION**

**455. PSAC CONSTITUTION**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO THE PSAC CONSTITUTION BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**PSAC CONSTITUTION**

**Carried unanimously.**

**DIRECTLY CHARTERED LOCALS**

**RATIONALE**

**WHEREAS** there has been an increase in the number of Directly Chartered Locals (DCLs) within the PSAC and over time, there has been discussion about crossing Component lines and the need to make sure all members are represented and fit within the PSAC structure in the best way.

**Better representation for all the members.**

**BE IT RESOLVED THAT** UTE forward the following resolutions to the next PSAC Convention; and

**BE IT RESOLVED THAT** the PSAC establish a new Component comprised solely of Directly Chartered Locals (DCLs); and

**BE IT FURTHER RESOLVED THAT** the new Component comprised of all Directly Charter Locals (DCLs) be set up before the next sitting of the 2015 PSAC Convention; and

**455. PSAC CONSTITUTION (cont'd)**

**BE IT FURTHER RESOLVED THAT** all necessary PSAC Constitutional and Regulation changes be prepared to ensure that the new Component comprised of all Directly Charter Locals (DCLs) takes on all the duties and responsibilities for the members in the Directly Charter Locals (DCLs) in the same manner as described in the PSAC Constitution for all other Components.

**EXECUTIVE COUNCIL**

**ORIGINAL**

**AMENDED**

**DECISION**

**456. PSAC CONSTITUTION**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO THE PSAC CONSTITUTION BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**PSAC CONSTITUTION**

**Carried unanimously.**

**DIRECTLY CHARTERED LOCALS**

**RATIONALE**

**WHEREAS** there has been an increase in the number of Directly Chartered Locals (DCLs) within the PSAC and over time, there has been discussion about crossing Component lines and the need to make sure all members are represented and fit within the PSAC structure in the best way.

**This would strengthen the Component structure within the PSAC.**

**BE IT RESOLVED THAT** UTE forward the following resolutions to the next PSAC Convention; and

**BE IT RESOLVED THAT** the AEC first take all reasonable measures to insure that newly organized members coming into the PSAC be assigned to an established Component; and

**BE IT FURTHER RESOLVED THAT** if there is a jurisdictional dispute between Components over any newly organized members, the PSAC Constitution is to be used to rectify the dispute in a timely manner; and

**456. PSAC CONSTITUTION (cont'd)**

**BE IT FURTHER RESOLVED THAT** if there is no established Component where newly organized members would logically fit, then and only then would a Direct Charter Local (DCL) be established for any newly organized members; and

**BE IT FURTHER RESOLVED THAT** all necessary PSAC Constitutional and Regulation changes be prepared to reflect the above changes.

**EXECUTIVE COUNCIL**



**ORIGINAL**

**AMENDED**

**DECISION**

**457. PSAC REGULATION 12**

**BE IT RESOLVED THAT THE FOLLOWING CHANGE TO THE PSAC REGULATION 12 BE MADE.**

**COMMITTEE RECOMMENDATION**

**Concurrence**

**REGULATION 12 PSAC – RULES OF ORDER**

**Carried unanimously.**

**WHEREAS** the Public Service Alliance of Canada, REGULATION 12 (4): REGULATION ESTABLISHING RULES OF ORDER FOR PSAC MEETINGS, allows for up to 5 minutes for participant discussion and/or resolution debate; and

**RATIONALE**

**Limiting debate to three (3) minutes would permit more members to participate and for more business to be conducted.**

**WHEREAS** a speaker should be able to make their point concerning a subject matter within 3 minutes; and

**WHEREAS** a limitation of 3 minutes from the current 5 minutes could potentially allow for more participant discussion and/or allow for more discussion on other subject matters.

**BE IT RESOLVED THAT** regulation 12 (4) of the PSAC be amended to read: “shall be limited to three (3) minutes”.

**PETERBOROUGH, LOCAL 00008**

**110. CONVENTION HOST COMMITTEE COSTS**

**COMMITTEE RECOMMENDATION**

**WHEREAS** Convention Host Committees have on occasion spent money beyond what is provided by National Office.

**Concurrence**

**RATIONALE**

**BE IT RESOLVED THAT** BY-LAW 10 be amended by adding a new subsection:

**To add current practice to the By-Laws.**

All costs encountered by the Convention Host Committee shall be covered by the UTE National Office with the approval of the Executive Council.

**LAVAL, LOCAL 10028**