



# Union of Northern Workers

## BY-LAWS

As Adopted by the Founding Convention: 1970

and

Amended: 1972, 1975, 1978, 1981, 1984, 1987, 1990,  
1993, 1996, 1999, 2002, 2005, 2008, 2011, and 2014

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## Table of Contents

PREAMBLE.....	1
BY-LAW 1 INTERPRETATION .....	2
BY-LAW 2 NAME, HEADQUARTERS AND SEAL.....	4
BY-LAW 3 OBJECTS.....	5
BY-LAW 4 POWERS .....	6
BY-LAW 5 MEMBERSHIP .....	7
BY-LAW 6 MEMBERSHIP RIGHTS AND RESPONSIBILITIES .....	9
BY-LAW 7 MEMBERSHIP DUES .....	11
BY-LAW 8 FORM OF ORGANIZATION.....	12
BY-LAW 9 EXECUTIVE.....	13
BY-LAW 10 REGIONS.....	16
BY-LAW 11 LOCALS .....	17
BY-LAW 12 DUTIES OF OFFICERS .....	21
BY-LAW 13 ELECTION OF OFFICERS .....	27
BY-LAW 14 CONVENTIONS .....	32
BY-LAW 15 FINANCES.....	37
BY-LAW 16 DISCIPLINE.....	39
BY-LAW 17 GENERAL .....	43

**PREAMBLE**

**WHEREAS** the Union of Northern Workers is constituted under an Act of the Legislature of the Northwest Territories, and;

**WHEREAS** that Act provides for the making of By-Laws,

These are hereby constituted By-Laws of the Union of Northern Workers until such time and in such manner as they may be amended from time to time in accordance with these By-Laws.

## **BY-LAW 1     INTERPRETATION**

### **Section 1**

In these By-Laws, unless the context otherwise requires,

- a) "PSAC" means the Public Service Alliance of Canada;
- b) "Component" means an affiliated member organization of the Public Service Alliance of Canada;
- c) "Convention" means the Triennial or Special Convention of the Union of Northern Workers; (Convention 2005)
- d) "Executive" means the Full Executive Committee as defined by By-Law 9 Section 3; (Convention 2005)
- e) "May" shall be regarded as permissive;
- f) "Shall" and "Will" shall be regarded as imperative; (Convention 2011)
- g) "Shop Steward" means the representative of the members of the Union in a given work place or geographic area; (Convention 2005)
- h) "Staff" means employees of the Union of Northern Workers who are excluded from membership in the bargaining unit; (Convention 2005) (Convention 2014)
- i) "Union" means the Union of Northern Workers;
- j) "UNW Employees" means employees of the UNW who are included in the bargaining unit. (Convention 2002) (Convention 2014)

### **Section 2**

Unless the By-Laws otherwise indicate, the rules of interpretation as set out in the Interpretation Act (Canada) shall apply, as far as may be, in the interpretation of the meaning of these By-Laws.

**Section 3**

In these By-Laws, unless the context otherwise indicates, the masculine shall include the feminine and the feminine shall include the masculine.

**Section 4**

Nothing in these By-Laws shall be construed to conflict with the Constitution of the PSAC.  
(Convention 2008)

## **BY-LAW 2      NAME, HEADQUARTERS AND SEAL**

### **Section 1**

This Union, a component of the Public Service Alliance of Canada, shall be known as the Union of Northern Workers.

### **Section 2**

The Union shall have its headquarters in the City of Yellowknife, Northwest Territories, Canada.

### **Section 3**

The Seal of the Union shall bear the words "Union of Northern Workers" and shall be in the custody of the President and Director of Finance and Administration.

### **Section 4**

All By-Laws of the Union shall be under the seal of the Union attested to by the President and Director of Finance and Administration.

## **BY-LAW 3      OBJECTS**

### **Section 1**

1. To unite all employees in a single union acting on their behalf.
2. To support the PSAC in the furtherance of its constitutional responsibility for the improvement and protection of compensation and other terms and conditions of employment of all employees.
3. To obtain through democratic means for all employees as referred to in Section 1 of this By-Law the best possible standards of compensation and other terms and conditions of employment and to protect their interests, rights and privileges.
4. To promote the objects outlined in the Constitution of the PSAC.
5. To engage in educational, political, economic and other activities to advance and protect the economic and social conditions of members and other working people.



## **BY-LAW 4      POWERS**

### **Section 1**

The Union shall have the power:

- a) to acquire and hold real property and to sell, lease, or otherwise dispose of it at pleasure;
- b) to borrow money for the purpose of the Union and to mortgage or charge property of the Union, but not its source of funds, as security for monies borrowed;
- c) to invest all monies of the Union in securities that trustees are permitted to invest in under the Trustees Act;
- d) to enter into association or affiliation with any other union, federation of unions, or association with similar objects and purposes and to pay dues to such organizations;
- e) to organise all employees in a single union; and
- f) to bargain collectively and to enter into collective agreements with employers.

### **Section 2**

1. In accordance with these powers, the Union has entered into an affiliation with the PSAC and the Union has been granted Component status within the PSAC.
2. As a Component of the PSAC, the Executive shall have the power to bind the Union to the objects, purposes and Constitution of the PSAC.

## **BY-LAW 5      MEMBERSHIP**

### **Section 1**

Membership is open to all employees who fall under the jurisdiction of and who are not excluded from membership in the Union.

### **Section 2      Regular Membership**

A member is an employee who:

- a) signifies a desire to become a member in good standing by signing an application; and
- b) who has been accepted for membership by the Union.

### **Section 3      Honorary Membership for Retired Members**

Through application by a Local to the Director of Finance and Administration and with the approval of the Executive, a member who has retired may be granted honorary membership for outstanding service to the Union or the PSAC. Honorary members shall not be required to pay dues and shall not be entitled to vote at meetings or to hold office in the Union or the PSAC, but shall be entitled to all other rights and privileges of membership. Honorary membership shall be suspended for any period of time that an honorary member is an employee in a bargaining unit represented by the Union or the PSAC.

### **Section 4      Life Membership**

A life membership may be awarded to any member who, through personal and devoted efforts in the affairs of the Union has performed exemplary services for the membership provided, however, that there shall not be more than ten (10) such life memberships at any one time. The awarding of life memberships shall be decided at the discretion of the Executive. Unless a life member is an employee in a bargaining unit represented by the Union or PSAC, a life member shall not be required to pay dues and shall not be entitled to vote at meetings or to hold office in the Union or the PSAC. (Convention 2005)

### **Section 5**

1. Members shall be required to pay dues as provided in these By-Laws.
2. To be considered a member in good standing for the purposes of these By-Laws, the dues of those eligible for membership must be kept current and paid no later than the month in which they become due.

## Section 6

All members shall be issued with an identification card as evidence of their membership status. (Convention 2005)

## Section 7

1. A Member Not In Good Standing is a worker in a UNW Bargaining Unit who has had their membership revoked for disciplinary reasons, has not ensured their dues are current as per By-Law 5 Section 5, or has an outstanding advance from the Union.(Convention 2005)
2. A Member Not In Good Standing may become a Member In Good Standing by having the disciplinary action overturned through allowable and appropriate appeals processes, serving out the disciplinary action and resigning a membership card, by ensuring their dues are current as per By-Law 5 Section 5, or by submitting the outstanding advance. (Convention 2005)
3. A Member Not In Good Standing shall remain eligible to be represented by the Union. (Convention 2014)
4. A Member Not In Good Standing shall not be eligible:
  - a) to hold office in the union; or
  - b) to attend any union functions (conferences, conventions, workshops, social justice projects, etc.); or
  - c) for special offers or discounts offered through the Union (hotel or car rental discounts, insurances, etc.); or
  - d) to apply for access to scholarship money, political action money, or special projects money. (Convention 2005) (Convention 2014)

## **BY-LAW 6      MEMBERSHIP RIGHTS AND RESPONSIBILITIES**

### **Section 1**

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

### **Section 2**

Upon being granted membership in the Union and in the PSAC, and for the term of such membership, each member is deemed to nominate, constitute, and appoint the Union and the PSAC as agents on behalf of the member to negotiate with the member's employer in the appropriate areas of responsibility of the Union and the PSAC respectively. (Convention 2005)

### **Section 3**

Upon being granted membership in the Union and in the PSAC, and for the term of such membership, each member is deemed to nominate, constitute, and appoint the Union and the PSAC as agents for the purpose of entering into collective bargaining with the employer. The Union and the PSAC shall have the power, through their duly appointed agents to ratify and sign agreements reached through collective bargaining, conciliation and arbitration.

### **Section 4**

It is the responsibility of members:

- a) to participate in the activities of the Union; and
- b) to consider and vote on the ratification of conciliation reports and formal agreements reached with their employer through collective bargaining.

### **Section 5**

Every member is entitled: (Convention 2002)

- a) to be represented by the Union;
- b) to be free from any act or omission on the part of the Union or other members that would discriminate against the member on the basis of age, sex, colour, national or ethnic origin, race,

religion, marital or family status, criminal record, physical or mental disability, sexual orientation, language, political belief, or other ground as determined by the Executive;

- c) to be free from harassment by another member, both within the Union and in the workplace, on the basis of any of the grounds referred to in paragraph (b);
- d) subject to any qualifications stipulated elsewhere in these By-Laws or the PSAC Constitution, to be nominated for and hold office in the Union; and
- e) to participate in the Union's business at any level, and to participate in the election of delegates to Conventions in accordance with the provisions of these By-Laws and the PSAC Constitution.
- f) Subsections (d) and (e) shall not apply to members not in good standing. (Convention 2002)

## **BY-LAW 7      MEMBERSHIP DUES**

### **Section 1**

The dues paid by each member and deductee of the Union shall be established by a two-thirds (2/3) majority vote of accredited delegates at Convention. Dues may be increased at any time in an amount equal to any increase or levy imposed by the organization of which the Union of Northern Workers is a Component. A portion of dues, determined by Convention shall be rebated to each Local.

### **Section 2**

The dues established in Section 1 of this By-Law shall include the dues established by the Constitution of the PSAC.

### **Section 3**

Each member and deductee of the Union shall be required to pay, in addition to the dues established under Section 1 of this By-Law, such Local dues as are established by a two-thirds (2/3) majority vote of the ballots cast by the members of his or her Local:

- a) at a general meeting of the members called for that purpose, such purpose and meeting having been publicly advertised for at least thirty (30) days; or
- b) by a secret mail ballot sent to each member.

## **BY-LAW 8      FORM OF ORGANIZATION**

### **Section 1**

The Union shall be composed of Locals situated in Regions as established by the Executive pursuant to these By-Laws.

### **Section 2**

Notwithstanding By-Law 8 Section 1 the Executive shall have the authority to allow special interest groups to form Locals across regional boundaries.

## **BY-LAW 9      EXECUTIVE**

### **Section 1**

The Executive is responsible for administering and carrying out the affairs and objects of the Union. Between Conventions, all Executive powers of the Union consistent with these By-Laws shall be vested in the Executive. All acts of the Executive on behalf of the Union may be subject to review by Convention.

### **Section 2**

All members of the Executive shall be members of the Union.

### **Section 3**

The Executive shall be composed of:

- a) a full-time paid President;
- b) a full time paid First Vice-President; (Convention 2005)
- c) Second Executive Vice-President; and
- d) one Regional Vice-President from each of the regions established under the authority of By-Law 10;
- e) one Equity Vice-President. (Convention 2005) (Convention 2011)

### **Section 4**

A quorum of the Executive shall be:

- a) the President, one (1) Executive Vice-President and two (2) Regional Vice-Presidents, or one (1) Regional Vice-President and the Equity Vice-President (Convention 2008); or
- b) the President, two (2) Executive Vice-Presidents and one (1) Regional Vice-President or the Equity Vice-President (Convention 2008); or
- c) if the President and Executive Vice-President positions are vacant, one half of the members of the Executive.



## Section 5

The Executive shall hold meetings at least three (3) times a year at the call of the President or at any other time if requested by a majority of the members of the Executive. (Amended Convention 2002)

The first Full Executive meeting following Convention shall be held within 90 days following Convention. This meeting will include an educational component that will concentrate on the roles and responsibilities of the Full Executive Members as a whole and also in their individual capacities. (Convention 2005) (Convention 2008)

## Section 6

The Executive shall have the power to make such regulations as are necessary for the proper conduct of the business of the Union, provided such regulations do not conflict with the provisions of these By-Laws. Such regulations shall be circulated within sixty (60) days of their adoption by the Executive. (Convention 2014)

## Section 7

Director of Finance and Administration shall be employed by the Executive and shall attend all meetings of the Executive with voice but no vote.

## Section 8

1. The Executive shall have authority to hire or dismiss employees of the Union. The Executive must ensure that they are in compliance with the applicable contracts, collective agreements, relevant legislation and common law. An employee may be dismissed by a simple majority vote at a meeting of the Executive at which at least two-thirds (2/3) of the members of the Executive are in attendance. (Convention 2002)
2. The Executive shall have authority to bargain with the agent certified to act on behalf of the employees.
3.
  - a) Terms and conditions of employment, (other than salaries) for full time elected or appointed officers and staff shall be similar to the terms and conditions of employment in the Government of the Northwest Territories. (Convention 2002)
  - b) The salaries of full-time elected officers of the Union shall be established through the evaluation process currently in place with the PSAC. Those results will be implemented immediately upon the completion of the evaluations, and will be reported to the UNW Triennial Convention. (Convention 2008)

c) The salaries of appointed staff shall be established at Convention or by the Executive.

### **Section 9**

The Executive shall have the authority to establish any committee necessary for the conduct of the affairs of the Union. The President shall be an ex-officio member of any committee so formed.

### **Section 10**

A Finance Committee composed of members of the Executive shall prepare for the approval of the Convention a projected budget for the period between Conventions. Revisions to this budget will be produced annually for the approval of the Executive and the review of the Locals.

### **Section 11**

The Executive shall assign the positions of Political Action Coordinator and Health and Safety Coordinator to members of the Executive. (Convention 2011)

### **Section 12**

Except as otherwise provided in these By-Laws, the Executive may determine any matter by a referendum of the Union's membership. (Convention 2002)

## **BY-LAW 10    REGIONS**

### **Section 1**

There shall be Regions as established from time to time at the discretion of the Executive, after consultation with the Locals. Regions shall be established on the basis of geography.

### **Section 2**

Notwithstanding any other provisions of these By-Laws, after consultation with the Locals, the Executive shall have the authority to re-define Regions where, in their opinion, the numbers of members in the Regions so warrant.

### **Section 3**

For each Region, there shall be a Regional Vice-President and an Alternate Regional Vice-President. (Convention 2002)

## **BY-LAW 11    LOCALS**

### **Section 1**

1. A Local shall be composed of all members of the Union within a geographic or interest area defined by the Executive.
2. Upon application and with the approval of the Executive, a Local may be formed by thirty (30) or more members. Where there are less than thirty (30) members, the Executive may, in their discretion, waive this requirement.
3. Notwithstanding any other provisions of these By-Laws, the Executive shall have the authority to re-define Locals.

### **Section 2**

1. A Local may, in the interest of its members, be divided into Sub-Locals. A Sub-Local may be formed where there are fifteen (15) or more members, upon application and with the approval of the Local Executive. However, a community or bargaining unit with less than fifteen (15) members shall be permitted, upon approval of their respective local, to form a sub-local. UNW Headquarters and Regional Vice Presidents shall be advised of any sub-local formation within fourteen (14) days. (Convention 2011)
2. Where a Local has approved the establishment of a Sub-Local in accordance with these By-Laws, such Sub-Local may then claim dues rebates for each signed member of that Sub-Local through the Parent Local. It shall be incumbent on the Parent Local to remit such dues rebates for each signed member of the Sub-Local upon application, which shall be in keeping with existing By-Laws and policies. It shall be the responsibility of the President of the Sub-Local to report all activities of the Sub-Local to the President of the Parent Local. (Convention 2002)

### **Section 3**

1. Locals shall elect, in accordance with the provisions of these By-Laws, a minimum of, but not limited to, three (3) officers, who shall be President, Vice-President and Secretary-Treasurer, to conduct its affairs.
2. Sub-Locals shall elect, in accordance with provisions of these By-Laws, not less than three officers, who shall be President, Vice-President and Secretary-Treasurer, to conduct its affairs.

## Section 4

A Local or Sub-Local shall hold no less than six (6) Executive meetings in a calendar year, and minutes or proceedings of all meetings shall be recorded. Copies of Local Executive meeting minutes shall be sent within fourteen (14) calendar days to the Regional Vice-President, and to the Union Headquarters Office, care of the Director of Finance and Administration. Sub-Local Executive meeting minutes shall be sent within fourteen (14) calendar days to the Parent Local. (Convention 2002) (Convention 2011)

A quorum of the Local or Sub-Local Executive shall be:(Convention 2002)

- a) The President and two (2) other Local Executive members; or
- b) A Vice-President and two (2) other Local Executive members; or
- c) The President, the Vice-President and one (1) other Local Executive member.

## Section 5

- a) Each Local or Sub-Local shall hold an Annual General Meeting in the months of October or November for the purpose of receiving annual reports from its Officers and considering such business and holding such elections as required by these and the Local or Sub-Local By-Laws. Where the Local or Sub-Local Executive deems it impractical to hold the Annual General Meeting in the months of October or November, the President of the Local or Sub-Local, upon written request and with the approval of the UNW President, may hold the Annual General Meeting at another indicated time. (Convention 2011)
- b) Each Local or Sub-Local shall hold at least two (2) meetings of the general membership in a calendar year, one (1) of which shall be the Annual General Meeting, and the minutes or proceedings of all membership meetings shall be recorded. Copies of all minutes of meetings, including reports, attachments and correspondence regarding the meeting, shall be sent, within fourteen (14) calendar days, to the Regional Vice-President and to the Headquarters Office, care of the Director of Finance and Administration. (Convention 2002) (Convention 2011)

## Section 6

Each Local and Sub-Local shall make available minutes of meetings, notices of election and other communication to its members. The minutes or proceedings of all meetings, including but not limited to membership meetings, executive meetings, strategic planning meetings, bargaining committee meetings, health and safety committee meetings, and joint consultation meetings, shall be forwarded to the Director of Finance and Administration within fourteen (14) calendar days. (Convention 2002) (Convention 2014)

## Section 7

A Local or Sub-Local may adopt By-Laws for the conduct of its affairs and such Local or Sub-Local By-Laws shall not conflict with the provisions of these By-Laws or the PSAC Constitution. A copy of all Local or Sub-Local By-Laws and amendments shall be forwarded to the Director of Finance and Administration immediately following their approval by the Local or Sub-Local.

## Section 8

A Local or Sub-Local may designate any one of its elected officers as a full-time paid officer of the Local or Sub-Local. Before assuming the full-time office, such person shall first obtain leave of absence without pay from the employer to perform such duties. The Local or Sub-Local shall be responsible for all costs associated with designating and maintaining a full-time paid officer of the Local or Sub-Local. (Convention 2002)

## Section 9

Each Local or Sub-Local shall have the power to deal with local representatives of employers concerning the interests of its own members subject to the ratification and confirmation of the Executive. A Local or Sub-Local shall also have the power to initiate action on matters having broader effect than the interests of its own members, by submission in writing to the Executive, or by resolution to the next Convention of the Union or of the PSAC, whichever is appropriate. Copies of all minutes of meetings shall be sent, within 14 calendar days, to the Regional Vice-President and to the Headquarters Office, care of the Director of Finance and Administration. (Convention 2002)

## Section 10

Where a Local or Sub-Local has not carried out the responsibilities required by these By-Laws, the Executive shall have the authority to dissolve or suspend the Local or Sub-Local or impose any other sanction approved by the Executive. (Convention 2002) (Convention 2011)

## Section 11

1. Where a Local or Sub-Local is dissolved or suspended, the Executive shall have the authority to remove Local or Sub-Local Officers and to appoint no less than two (2) trustees with responsibility to manage the Local or Sub-Local's affairs and to bring about the reinstatement of the Local or Sub-Local with minimum delay. The trustees shall have the right to demand and to seize all documents, properties, and funds of the Local or Sub-Local. The Local or Sub-Local officer(s) shall deliver to the trustees such document, funds and property which are to be placed in trust for the Local or Sub-

Local. These documents, funds and properties are to be used and expended by the trustees in the proper conduct of the affairs of the Local or Sub-Local. (Convention 2011)

2. Where a Sub-Local has not been reinstated within one (1) year after it has been dissolved or suspended, all documents, property and funds of the Sub-Local may be applied at the discretion of the Executive.

## **Section 12**

Unless a satisfactory reason is given, a Local or Sub-Local shall dismiss any officer who has missed three consecutive Local or Sub-Local meetings.

## **BY-LAW 12 DUTIES OF OFFICERS**

### **Section 1**

The President of the Union shall:

- a) represent the Union on the Board of Directors of the PSAC as required by the PSAC Constitution;
- b) preside at all meetings of the Executive; (Convention 2011)
- c) preside at all sessions of Convention;
- d) interpret these By-Laws for the administration and management of the Union, subject to the approval of the Executive;
- e) ensure that the Executive carries out the directives and policies established by the Conventions of the PSAC and the Union, in accordance with the authorities of each as provided by the PSAC Constitution and these By-Laws;
- f) ensure that the Director of Finance and Administration and Director of Membership Services carry out the day-to-day work of the Union as provided in these By-Laws and as instructed by the Executive; (Convention 2002)
- g) call a meeting of the Executive at least three times a year or upon request by a majority of the Executive; (Convention 2002)
- h) report on his or her activities in writing to meetings of the Executive;
- i) report in writing to the Convention on the activities of the Executive and such other committees over which the President may have presided;
- j) submit in writing to the Convention such recommendations as the Executive deems necessary to carry out the aims and objects of the Union and the PSAC;
- k) have the authority to attend any Local meeting and to examine the records and accounts of any Local or Sub-Local;
- l) perform such other duties as are within the authority of presiding officers of deliberative bodies;
- m) designate a replacement when he/she is unable to perform his/her duties; and (Convention 2002)



- n) ensure that the Assistant to the President carries out the day to day work of the Union as directed by the President of the Union or his/her designated representative. (Convention 2011)

## **Section 2**

The First Vice-President shall:

- a) upon delegation, perform the duties of the President in the absence or on the resignation of that officer;
- b) attend all meetings of the Executive;
- c) attend all sessions of Convention;
- d) have the authority to attend the membership and Executive meetings of Locals and Sub-Locals; (Convention 2002)
- e) file a report of their activities and recommendations to the Executive at all Executive meetings unless excused; (Convention 2011)
- f) perform such other duties as may be assigned to them by the President or the Executive;
- g) perform the duties as may be described in the job description;
- h) in the event of the vacancy of a Regional Vice President position, assume the duties for the period of the vacancy; and (Convention 2005) (Convention 2011)
- i) ensure that initial and follow up Local Development Strategic Planning sessions are completed annually for all Locals and Sub-Locals within the component. The Locals and Sub-Locals shall complete their strategic planning within six (6) months following their annual general meetings. The results of those meetings shall be reported at all Executive meetings as they occur. (Convention 2011) (Convention 2014)

## **Section 3**

The Second Vice-President shall: (Convention 2011)

- a) upon delegation, perform the duties of the President in the absence or on the resignation of that officer;
- b) attend all meetings of the Executive;

- c) attend all sessions of Convention;
- d) have the authority to attend the membership and Executive meetings of Locals and Sub-Locals; (Convention 2002)
- e) file a report of their activities and recommendations to the Executive at all Executive meetings unless excused; and (Convention 2011)
- f) perform such other duties as may be assigned to them by the President or the Executive. (Convention 2005)

#### **Section 4**

Regional Vice-Presidents shall:

- a) attend all meetings of the Executive;
- b) file a report of their activities and recommendations to the Executive at all Executive meetings unless excused; (Convention 2011)
- c) be responsible to the Executive for the administration of Union affairs in their Regions;
- d) have the authority to attend any Local or Sub Local membership and Executive meetings, or any Local meeting and to examine the records and accounts of any Local or Sub-Local of the Union within their respective Regions; (Convention 2002)
- e) upon request, assist any Local or Sub-Local of the Union, within their respective Regions;
- f) represent the interests of the Locals within their Regions at meetings of the Executive;
- g) report to the Locals within their Regions on the activities of the Executive; and
- h) following their election as such, be required to resign any Local or Sub-Local or PSAC office within one month of such election.

#### **Section 5**

The Equity Vice-President shall:

- a) attend all meetings of the Executive;

- b) file a report of their activities and recommendations to the Executive at all Executive meetings unless excused; (Convention 2011)
- c) be responsible to the Executive for the administration of Union affairs within the Equity group;
- d) have the authority to attend any Local or Sub Local Equity Committee meeting;
- e) upon request, assist any Local or Sub-Local Equity Committee;
- f) represent the interests of the Equity members at meetings of the Executive;
- g) report to the Equity Committees on the activities of the Executive;
- h) following their election as such, be required to resign any Local or Sub-Local or PSAC office within one month of such election; and
- i) chair the UNW Equity Committee. (Convention 2005) (Convention 2008)

The Alternate Equity Vice-President shall perform the duties of the Equity Vice-President in the event of the absence or incapacity of that officer or upon the delegation of such duties by the Equity Vice-President. (Convention 2008)

## **Section 6**

The Alternate Regional Vice-President shall perform the duties of the Regional Vice-President in the event of the absence or incapacity of that officer or upon the delegation of such duties by the Regional Vice-President.

## **Section 7**

Local and Sub-Local Presidents shall:

- a) preside at meetings and present a report of their activities; (Convention 2011)
- b) be responsible for the efficient and proper conduct of their respective Local or Sub-Local;
- c) inform their Regional Vice President of their respective Local's or Sub-Local's activities in a timely and appropriate manner; (Convention 2011)

- d) participate in Local Strategic Planning sessions and ensure that the sessions are completed. (Convention 2011)
- e) Local Presidents shall attend the Annual Local Presidents Advisory Committee (LPAC) or appoint a Local Executive Officer or designate to attend LPAC in their absence. (Convention 2011)

## **Section 8**

The Local and Sub-Local Vice-Presidents shall:

- a) perform the duties of the Local President in the event of the absence or incapacity of that officer or upon the delegation of such duties by the Local President; and
- b) co-ordinate, arrange, and advertise union education within their local or sub-local; and
- c) ensure that all new members of Union of Northern Workers bargaining units are provided the opportunity to access a union orientation presentation.

## **Section 9**

Local Chief Shop Stewards shall:

- a) ensure a steward network is established in their Local;
- b) co-ordinate the activities of the Local's shop stewards;
- c) when necessary hold monthly meetings with Local Stewards, but at least a minimum of five per year;
- d) report at Local meetings on all Local shop steward activities; and
- e) perform other tasks as assigned by the Local.

## **Section 10**

Local and Sub-Local Secretary-Treasurers shall keep accurate records of all meetings of their respective organization and shall be responsible for keeping proper files of documents, financial records, and all correspondence relating to their organization and the Union.

**Section 11**

All officers, staff and employees of the Union shall deal promptly and appropriately with matters submitted to them by the membership or by an officer of the Union. (Convention 2002)

**Section 12**

The Executive shall engage in strategic planning to ensure goals and objectives are set and reviewed on a regular basis. (Convention 2005)

**Section 13**

Immediately upon vacating office, all officers of the Union shall deliver to their successors or to the Union all documents, funds, or other property of the Union which is in their possession or control.

## **BY-LAW 13 ELECTION OF OFFICERS**

### **Section 1**

1. The following conditions shall apply to the election of Union Officers:
  - a) all elections shall be conducted by secret ballot and decided by a simple majority of the votes cast;
  - b) proxy voting shall not be permitted;
  - c) where there are more than two (2) candidates for office, the candidate receiving the fewest number of votes shall be dropped from the first ballot whenever a clear majority of the votes cast is not accorded any candidate. This procedure shall continue on each succeeding ballot for the position until a candidate receives the necessary majority; and
  - d) the principle of taking office upon election shall be maintained.
2. No full-time paid Union Officer shall suffer financially should there be a period of time between the vacating of said office and the recommencing of his/her original employment.

### **Section 2**

Members who seek the office of President, First or Second Executive Vice-President shall be nominated and elected at each Convention and must be accredited delegates to Convention. In order to be eligible for candidacy for the office of President, First or Second Vice-President, a member shall have demonstrated at least one year of active service to the Union of Northern Workers. This would normally have been achieved by virtue of being a steward, Local Officer or Executive Officer of the Union of Northern Workers. (Convention 2002)

### **Section 3**

1. In the event of a vacancy in the office of the President, the vacancy shall be filled by the First Executive Vice-President and the Second Executive Vice-President shall automatically become First Executive Vice-President.
2. In the event of the vacancy of the First Executive Vice-President, the Second Vice-President shall automatically become the First Executive Vice-President. (Convention 2002)

3. In the event of a vacancy of the Second Vice-President the successor shall be nominated from the accredited delegates to the previous Convention and further the successor shall be elected by the accredited delegates to the previous Convention.

## Section 4

1. The elections for Regional Vice-President and Alternate Regional Vice-President and the Equity Vice-President and the Alternate Equity Vice-President shall be run through UNW Yellowknife Headquarters. Headquarters Staff and Employees will send out ballots. Ballots shall be returned to and counted by Headquarters Staff and/or Employees as appointed by the President. (Convention 2005) (Convention 2008)
2. Such election shall be by secret mail ballot.
3. The Regional Vice-President and Alternate Regional Vice-President shall be elected by the members of their respective Region, and the Equity Vice-President and the Alternate Equity Vice-President shall be elected by the members who have self-identified as belonging to an equity group, within ninety (90) days of the closing date of Convention. (Convention 2002) (Convention 2005) (Convention 2008)
4. In order to be eligible for candidacy for such office, a member shall have demonstrated at least one year of active service to the Union of Northern Workers. This would normally have been achieved by virtue of being a steward, Local Executive Officer or Executive Officer of the Union of Northern Workers.(Convention 2002)
5. Notwithstanding any other provision of the By-Laws regarding the election of Regional Vice Presidents and the Equity Vice-President, should any region have a Regional Vice-President vacancy, or the Equity Vice-President position be vacant within six (6) months prior to Convention and should that region complete the election of a Regional Vice-President in that period, or should the Equity group members complete the election of the Equity Vice-President in that period, that Regional Vice-President or Equity Vice-President shall immediately assume office for that period prior to and subsequent to Convention. (Convention 2008)
6. All candidates for the position of Regional Vice-President and Alternate Regional Vice-President shall be entitled to receive a copy of their regional membership lists. (Convention 2002) Any candidate for the position of Equity Vice-President shall be entitled to receive a copy of the members who have self-identified as belonging to an equity group. (Convention 2008)

## Section 5

1. In the event of a vacancy in the office of Regional Vice-President, the vacancy shall be filled by the Alternate Regional Vice-President of the Region. In the event of a vacancy in the office of Equity Vice-President, the vacancy shall be filled by the Alternate Equity Vice-President. (Convention 2008)
2. In the event of a vacancy in the office of Alternate Regional Vice-President, the vacancy shall be filled in the manner prescribed in Section 4 of this By-Law. In the event of a vacancy in the office of Alternate Equity Vice-President, the vacancy shall be filled in the manner prescribed in Section 4 of this By-Law. (Convention 2008)
3. In the event of the vacancy in both the office of Regional and Alternate Regional Vice-President of a Region, the vacancies shall be filled in the manner prescribed in Section 4 of this By-Law. In the event of the vacancy in both the offices of Equity Vice-President and Alternate Equity Vice-President, the vacancies shall be filled in the manner prescribed in Section 4 of this By-Law. (Convention 2008)

## Section 6

Officers of Locals and Sub-Locals shall be elected by the members of their respective Local or Sub-Local (Convention 2005):

- a) at a membership meeting; or
- b) where the respective Local or Sub-Local Executive believe it is advisable to do so, by a secret mail ballot sent to the members. In order to be a candidate, a member must agree in writing to stand for office and be nominated by at least two (2) members in good standing of the respective Local or Sub-Local.
- c) The term of office for each position shall be determined by each individual Local or Sub-Local, through their Local or Sub-Local By-Laws. In no instance shall the term of office for Local Officer positions exceed three (3) years for each term. (Convention 2005)
- d) There shall be no restrictions on the number of terms an individual can hold office within a Local or Sub-Local unless otherwise determined by Local By-Laws. (Convention 2005)

## Section 7

Members of the Executive shall not be eligible for election to Local or Sub-Local office.



## Section 8

1. For Executive Officer, the elections shall proceed in the following order: President, First Executive Vice-President, Second Executive Vice-President.
2. For Regional offices, the election shall proceed in the following order: Regional Vice-President and Alternate Regional Vice-President.
3. For the Equity Office, the election shall proceed in the following order: Equity Vice-President and Alternate Equity Vice-President. (Convention 2008)
4. For Local Officers, elections shall proceed in the following order: President, Vice-President, Secretary-Treasurer and Chief Shop Steward.
5. For Sub-Local Officers, elections shall proceed in the following order: President, Vice-President and Secretary-Treasurer.

## Section 9

Members who are nominated for Local or Sub-Local office and who are absent from the general meeting shall be allowed to let their name stand for election to the said office provided they submit a letter to the Local or Sub-Local Executive indicating that they agree to stand for the office.

## Section 10

All officers of the Union, its Locals and Sub-Locals, shall take office immediately upon their election to office.

## Section 11

The following Oath of Office shall be administered to all officers as soon as possible following their election:

I, \_\_\_\_\_, having been elected an officer of the Union of Northern Workers, a Component of the Public Service Alliance of Canada, do solemnly declare that during my term of office, I shall faithfully carry out the duties of such office. I will uphold the dignity of the Union and respect all confidences pertaining to the affairs of the Union and the PSAC that are brought to my attention.

**Section 12**

In the event of a vacancy in the office of the President of a Local or Sub-Local, the vacancy shall be filled by the Vice-President. Other vacancies in offices may be filled by election in the manner prescribed in Section 6 of this By-Law or by appointment by the respective Local or Sub-Local Executive.

**Section 13**

Stewards may be elected by a simple majority of represented members or may be appointed by the Local or Sub-Local Executive. Stewards shall hold office for an indeterminate period. A simple majority of the members represented by the Steward may at any time revoke the mandate of the Steward and choose a replacement in accordance with these By-Laws.

**Section 14**

The names and addresses of Regional, Local, and Sub-Local officers shall be forwarded to the Director of Finance and Administration immediately upon assumption of office.

## **BY-LAW 14 CONVENTIONS**

### **Section 1**

The supreme governing body of the Union is Convention. Convention shall be composed of the Executive of the Union, Alternate Regional Vice-Presidents, the Alternate Equity Vice-President, and members from Locals duly elected in accordance with these By-Laws. Convention shall establish the general policies of the Union. (Convention 2002)

At least six (6) months prior to the opening date of the Convention, each Local may elect from among its members a total of: (Convention 2002)

- a) For Locals with 1-75 signed members - 1 delegate.
- b) For Locals with 76-175 signed members - 2 delegates.
- c) For Locals with 176-325 signed members - 3 delegates.
- d) For Locals with 326-475 signed members - 4 delegates.
- e) For Locals with 476-625 signed members - 5 delegates.
- f) For Locals with 626-775 signed members - 6 delegates.
- g) For Locals with 776-925 signed members - 7 delegates. (Convention 2008)

To be eligible to send delegates to Convention each Local must be active 12 months prior to Convention call. Any new Local established within 12 months of Convention call may be given approval by the Executive to send the number of delegates permitted according to the numbers of signed members. (Convention 2002)

### **Section 2**

At least nine (9) months before the date of the Convention, the official Convention Call shall be issued. (Convention 2011)

### **Section 3**

Each accredited delegate present at the Convention shall be entitled to one (1) vote on each question and proxy votes shall not be permitted.

### **Section 4**

Subject to available space, all members shall have the right to attend Conventions at their own expense as observers. Locals and Sub-Locals shall have the right to send observers to Convention at the expense of the respective Local or Sub-Local. Observers shall not have the right to vote or to participate in debate.

Locals shall provide to UNW Headquarters, no later than three (3) months prior to Convention, the names and contact information of any observers who will be attending Convention from their respective Local. (Convention 2005)

## Section 5

1. Each Local shall conduct a secret ballot among its members for election of delegates and alternates to Convention. In order to be a candidate, a member must be a member in good standing of the Local and must agree in writing to stand for election and be nominated by at least two (2) other members in good standing of the Local. The candidates receiving the highest number of votes shall be the delegates to Convention in descending order until the Local quota is filled. Alternate delegates will be selected from the remaining candidates in descending order; or (Convention 2005)
2. For elections of delegates and alternates to convention a Local may elect the delegates at a Local general membership meeting; (Convention 2002)

Such meeting must be publicly advertised for thirty (30) days and be called for the sole purpose of electing convention delegates and alternates; and

3. Members who are absent from the General Local Meeting as defined in By-Law 14, Section 6(2) shall be allowed to let their name stand for elections provided that: (Convention 2002)
  - a) they are nominated in writing by two members; and
  - b) in advance of the meeting, they submit a letter, along with their nomination form to their local executive, stating that they agree to stand for election as a convention delegate or alternate; and
  - c) convention delegates and alternates must be a member of the Union for at least thirty (30) days prior to election.

## Section 6

Immediately following election of delegates to Convention, the Local President shall submit to the Director of Finance and Administration the names of the Local's accredited delegates and alternates on a credential form supplied by headquarters. (Convention 2002)

## Section 7

In the event that any of the accredited delegates is unable to attend the Convention, the position shall be filled by an alternate delegate. A new alternate delegate may be elected by the Local not less than forty-eight (48) hours before the opening date of Convention. (Convention 2002)

## Section 8

1. All resolutions from the Locals shall be received by the Director of Finance and Administration no later than four (4) months preceding the opening date of Convention. (Convention 2002)
2. All resolutions from the Executive shall be received by the Director of Finance and Administration no later than three (3) months preceding the opening date of Convention.
3. Notwithstanding any other provisions in these By-Laws, the Executive may, on thirty (30) days' notice to all Locals and accredited Convention delegates, submit to the Director of Finance and Administration resolutions to amend these By-Laws at Convention. Attached to such notice shall be a copy of the proposed By-Law amendments.
4. Late resolutions to Convention shall be received by the Director of Finance and Administration no later than thirty (30) days prior to the opening of Convention. No late resolutions shall deal with amendments to these By-Laws. A two-thirds majority of accredited delegates must vote to accept the late resolution. If accepted, and unless a two-thirds (2/3) majority of accredited delegates voting at convention agree to place them elsewhere on the agenda, late resolutions shall be the last order of business. (Convention 2002)
5. A resolution may be introduced onto the floor of Convention as an emergency resolution, provided that it does not propose amendments to the By-Laws; that it deals with matters or events arising after the deadline for late resolutions; and that a two-third (2/3) majority of voting delegates vote to receive the resolution. (Convention 2002)

## Section 9

1. At least three (3) months prior to the opening date of Convention, the Executive shall appoint from among accredited delegates such committees as may be necessary for the conduct of the business of the Convention. Delegates shall be advised of their committee assignment by the Executive at least two (2) months prior to opening date of Convention and shall be supplied with an official copy of the agenda proposed by the Executive.
2. The Convention Agenda shall include a resolutions book containing copies of all resolutions and other matters to be brought before the Convention.

## Section 10

The Convention shall deal with all resolutions brought before it from the Executive and Local membership meetings. All resolutions that cannot be dealt with at Convention, other than those revising the By-Laws, shall be dealt with by the Full Executive at their next Full Executive Meeting. (Convention 2002)

## Section 11

1. A Special Convention shall be called at the request of a two-thirds (2/3) majority of the Executive or at the request of a majority of the Locals of the Union.
2. The time and place of the Special Convention shall be decided by the Executive, but the time shall be within four (4) months of the request referred to in Subsection (1) of this Section.
3. A Special Convention shall deal with only the matters for which it was called unless a two-thirds (2/3) majority of accredited delegates vote to consider other matters of an urgent or necessary nature.

## Section 12

After the election of the President and the two Executive Vice-Presidents, delegates of the Union to the Triennial National Convention of the PSAC shall be elected from accredited delegates in attendance at the Union Convention in accordance with the requirements of the Constitution of the PSAC.

## Section 13

The Executive shall be considered as being in business session throughout the period of the Convention, and its members shall have all rights and privileges due accredited delegates, including the right to vote.

## Section 14

These By-Laws may be enacted or amended by a two-thirds (2/3) majority of the accredited delegates voting at Convention or, between Conventions, by a two-thirds (2/3) majority of members in good standing voting in a referendum ordered by a two-thirds (2/3) majority of the Executive. No By-Law or amendment to these By-Laws shall become operative until it has been filed with the Registrar of Societies under the Societies Act.

**Section 15**

Convention shall adopt rules of order to govern its proceedings.

**Section 16**

The delegates at each Convention shall determine the date and location for the next Convention and the date selected should not be Labour Day. (Convention 2005)

## **BY-LAW 15 FINANCES**

### **Section 1**

The financial records of the Union shall be audited once annually by a certified accountant approved by the Executive. Immediately upon completion of the annual audit, a copy of the audited financial statements shall be forwarded to the PSAC and to each Local, Sub-Local, and member of the Executive.

### **Section 2**

All cheques payable by the Union shall be signed by two signing officers. The signing officers of the Union shall include the following: the President, the Executive Vice-Presidents, the Director of Finance and Administration, and any Regional Vice-President for a Region in Yellowknife. In case of emergency, the Executive shall have the authority to designate any other Union members as signing officers of the Union.

### **Section 3**

The signing officers of the Union shall be bonded in an amount not less than ten thousand (\$10,000.00) dollars.

### **Section 4**

The fiscal year of the Union and all Locals and Sub-Locals shall be the calendar year.

### **Section 5**

All financial records of the Union and its Locals and Sub-Locals shall be retained for the legal period prescribed by the Income Tax Act.

### **Section 6**

Locals and Sub-Locals shall approve at least three (3) signing officers, two (2) of whom shall sign all cheques. No disbursements shall be made without prior authorization of the Local or Sub-Local Executive, or as directed by their membership. Disbursements in excess of five thousand dollars (\$5000.00) may be made, provided the disbursement is authorized by the membership at a general meeting advertised publicly for 2 weeks. (Convention 2014)



## **Section 7**

The Secretary-Treasurer of the Local and Sub-Local shall submit a financial statement to all membership meetings.

## **Section 8**

- a) Locals shall submit to the Executive quarterly audited statements of Local finances. The Director of Finance and Administration shall make no remittance of dues rebates until such statements have been received. Rebates shall be due and payable quarterly.
- b) For the purposes of this section, the statements shall be audited by any three members of the Local not holding office in the Local.
- c) Any Local may apply for and, subject to the approval of the Executive, may be granted an advance against the future dues of the Local.

## **Section 9**

No Local or Sub-Local shall enter into any fiscal contractual understanding or agreement without prior approval by the Executive.

## **Section 10**

All financial records of the Union and its Locals and Sub-Locals shall be maintained in an approved manner, as advised by the Executive in case of each Local and Sub-Local, and otherwise by the auditors.

## **BY-LAW 16 DISCIPLINE**

### **Section 1**

The Locals and the Executive shall have the authority to discipline any member in accordance with the PSAC Constitution and the PSAC Regulation 19.

### **Section 2**

It is an offence for a member to:

- a) Violate any provision of the Local By-Laws, the By-Laws of the Union, or the Constitution of the PSAC;
- b) Obtain or solicit membership by misrepresentation;
- c) Institute, urge, or advocate that a member institute action in a court of law against a Local, the Union, or the PSAC or any of its officers without first exhausting all remedies within the organization;
- d) Other than through proper channels, advocate or attempt to bring about the withdrawal of any member or group of members from the Union or any Local;
- e) Publish or circulate among the members false reports or misrepresentations;
- f) Work in the interests of or accept membership in a rival organization;
- g) Slander or wilfully wrong an officer or member of the Union or the PSAC;
- h) Use abusive language or disturb the peace of any meeting in or around any office or meeting place of the Union or its Locals or Sub-Locals;
- i) Fraudulently receive or misappropriate any money due to the Union or any of its Locals;
- j) Use the name of the Union or its Locals or Sub-Locals for soliciting funds, advertising and the like, of any kind without the consent of the Local or Sub-Local concerned or the Executive;
- k) Furnish, without the written authorization of the Executive, any information on the membership of the Union or of any Local or Sub-Local to any person other than those whose official position would entitle them to have such information;

- l) Deliberately interfere with an official of the Union or the PSAC in the discharge of official duties;
- m) Cross a picket line set up by members of the bargaining unit to which the member belongs while the bargaining unit is on legal strike, provided that the member is not required by law to continue work;
- n) Engage in any conduct prejudicial to the good order and welfare of the Union or the PSAC;
- o) Sexually or personally harass another member while on Union business or during working hours at their workplace. (Convention 2002)

### **Section 3**

A member who has been found guilty of an offence enumerated in Section 2 of this By-Law may:

- a) be removed from office;
- b) be denied the right to be a candidate, delegate, or hold office in the Union and its Locals and Sub-Locals for a period not exceeding five (5) years;
- c) be liable to fine not exceeding five hundred (\$500.00) dollars payable to the Union;
- d) be suspended and expelled from membership by the PSAC National Board of Directors for a period not exceeding five (5) years; and/or (Convention 2002)
- e) receive other such lesser penalty as is deemed appropriate.

### **Section 4**

Any officer of the Union may be removed from office by the Executive or the officer's elective body in accordance with Section 5 of this By-Law when:

- a) the officer fails to perform their duties as required by these By-Laws or as assigned by the Executive of the Union, their Local or Sub-Local; or
- b) the officer has missed three consecutive meetings which, by virtue of their office, they should have attended.

## Section 5

An officer of the Union who has been found guilty of an offence enumerated in Section 4 of this By-Law may be removed from office under the following procedure:

- a) an officer can be removed from office by a majority vote of those in attendance at a meeting;
- b) a region, local or sub-local must advertise the meeting and the intent to remove from office to its membership and the officer, for a period of thirty days; or
- c) the executive of the union must advertise the meeting and the intent to remove from office to all Union of Northern Workers Executive Officers, Local Presidents, and the officer for a period of thirty days; and
- d) by registered mail the officer subject to removal shall be provided specifics of all charges against him/her as well as a copy of By-Law 16;
- e) a motion to censure will be moved; during the debate the evidence supporting removal from office will be presented; and
- f) the officer in question or his representative will be given the opportunity, to present a written or oral defence; and
- g) upon carrying a motion to censure, the officer, if in attendance, will be given the opportunity to resign; or
- h) when no resignation is presented a motion to remove from office is in order, such motion needs only a majority vote to succeed; and
- i) a decision to remove from office is subject to appeal under section 6 of this By-Law.

## Section 6

1. A member who has been found guilty by a Local of an offence enumerated in Section 2 of this By-Law shall have the right to appeal such a finding to the Executive.
2. A member shall have the right to appeal a decision of the Executive under this By-Law to Convention and the procedures for the disposition of such matters shall be in accordance with the Constitution of the PSAC.

## Section 7

1. No disciplinary action shall be commenced under this By-Law by a Local or the Executive unless the member has been given the opportunity to show cause why such action should not be taken and has been given prior notice in writing of the alleged offence. Such notice shall contain full particulars of all allegations.
2. A member against whom disciplinary action has been commenced under this By-Law may be represented by legal counsel or by agent at his or her own expense.
3. No action may be brought in any court of law against disciplinary action taken under this By-Law without taking reasonable efforts to exhaust all remedies available to the member within these By-Laws and the PSAC Constitution.

## Section 8

1. All UNW card signed members who participate in contract negotiations representing management across the table from the Union shall be subject to disciplinary action of:
  - a) A maximum of 5 (five) years Union membership suspension; and
  - b) A maximum \$5,000.00 (five thousand) fine in accordance with PSAC Constitution and PSAC Regulation 19.

## **BY-LAW 17    GENERAL**

### **Section 1**

In the event of a jurisdictional dispute between Locals of the Union, such disputes shall be referred to the Executive and its decision shall be binding on all Locals concerned. In such matters, the Locals concerned shall have the right to appeal to Convention.

### **Section 2**

Unless otherwise expressly provided by these By-Laws, all decisions requiring a vote shall be decided by a simple majority.

### **Section 3**

Unless otherwise expressly provided by these By-Laws, the PSAC Rules of Order shall apply at all meetings of the Union.

### **Section 4**

The Union shall issue such publications as are necessary to keep its members informed on matters of concern to them. The format of such publications shall be determined by the Executive.

### **Section 5**

The register of members kept by the Director of Finance and Administration may be inspected by any member of the Union provided that adequate notice of intention to inspect is given. No information on the membership of the Union or of any Local or Sub-Local shall be furnished to any person without the written authorization of the Executive other than to those whose official position would entitle them to have such information.

### **Section 6**

Copies of these By-Laws and the Constitution of the PSAC shall be available to all members upon request or by download from the Union of Northern Workers website. (Convention 2002)

### **Section 7**

Subject matter files shall be established and maintained by the Union and its Locals and Sub-Locals for periods established by the Executive.