

BY-LAWS AND REGULATIONS

OF LOCAL 00051 OF THE UNION OF TAXATION EMPLOYEES

OF THE PUBLIC SERVICE ALLIANCE OF CANADA

BY-LAW 1 - NAME

Section 1

The name of this Local shall be "Local 00051" Union of Taxation Employees of the Public Service Alliance of Canada.

Section 2

This Local is constituted under By-Law 7 of the Component By-Laws adopted at the Founding Convention of the Taxation Component, November 8th, 1966, held in Ottawa, Ontario.

BY-LAW 2 - PURPOSE AND OBJECTIVES

Section 1

To unite all UTE (Union of Taxation Employees) employees of the Canada Revenue Agency in a single organization capable of acting on their behalf by soliciting the membership of such employees in all classifications and locations of employment within Toronto West.

Section 2

To support fully the Public Service Alliance of Canada in the furtherance of its constitutional responsibility for the improvement and protection of wages, salaries and other conditions of employment of all employees of the Federal Government.

Section 3

To obtain through democratic means for all members the best possible standards of wages, salaries and other conditions of employment, and to protect the interests, rights and privileges of the members.

Section 4

To subscribe unconditionally to the purpose and objectives outlined in the Constitution of the Public Service Alliance of Canada.

BY-LAW 3 - MEMBERSHIP

Section 1

Regular Membership - All UTE employees of the Canada Revenue Agency in Toronto West shall be eligible for membership in the Public Service Alliance of Canada, the Union of Taxation Employees and this Local.

Section 2

Honourary Membership (Retired Members) - Through application by this Local, with the approval of the Union of Taxation Employees, a member who has retired on Superannuation or who has left the service, may be granted Honourary Membership for outstanding services to the Local. Honourary members shall not be required to pay dues and shall not be entitled to vote at any meeting or to hold office in the organization, but shall be entitled to all other rights and privileges of membership in this Local.

Section 3

Honourary Membership (Non-Members) - This Local may, by proposal concurred in by the National Executive of the Union of Taxation Employees, elect to Honourary Membership in the Local anyone who is deemed to merit such honour and is not eligible for regular membership.

Section 4

- (a) Life Membership: A Life Membership may be proposed by the Local, to the National Executive of the Union of Taxation Employees, in accordance with By-Law 3, Section 3, of the Union of Taxation Employee's By-Laws.
- (b) Life Members of the Local shall have the right to attend any Annual General Meeting or any Special General Meeting of the Local. With the exception of an Officer of the Local who is a Life Member, they shall have a voice but no vote. No Local dues shall be due on account of a Life Member.

BY-LAW 4 - MEMBERSHIP RESPONSIBILITY

Section 1

Upon being granted membership in this Local and for the term of such membership, each member of this Local is deemed to have agreed to abide by and be bound by the provisions of the By-Laws of the Local and the By-Laws of the Union of Taxation Employees and the Constitution of the Public Service Alliance of Canada.

Section 2

Each member of this Local is deemed to nominate, constitute and appoint the Union of Taxation Employees and the Public Service Alliance of Canada as his agents to negotiate with his employer on his behalf in accordance with By-Law 4, Section 3, of the Union of Taxation Employees By-Laws.

BY-LAW 5 - MEMBERSHIP DUES

Section 1

The monthly dues in Local 00051, Union of Taxation Employees shall be set at the Regular Annual General Meeting or any Special General meeting called for the purpose.

Section 2

Dues shall be paid by Payroll deduction.

BY-LAW 6 - EXECUTIVE COUNCIL

Section 1

The officers of the Local shall constitute the Executive Council. In addition, the immediate Past President shall sit on the Council for a period of six months after succession.

Section 2

The Executive Council shall have control of the business of the Local subject at all times to the direction of the membership at its general meeting.

Section 3

The Executive Council shall be vested with authority to deal with all matters affecting the policy, business and objectives of the Local; it shall discharge all duties and obligations imposed on it at its general meeting and shall carry on all necessary activities of the Local between general meetings.

Section 4

The Executive Council shall have the power to spend funds of and for the benefit of the Local in any matter in keeping with these By-Laws and Regulations and motions adopted at the Annual General meeting.

Section 5

The Executive Council shall recommend to the Annual General meeting or any Special General meeting called for that purpose, the amount of Local dues to be paid by the members.

Section 6

The Executive Council shall have the power to call into conference or consultation or invite to attend an Executive Council meeting, Annual General meeting or Special General meeting any person, who by reason of experience or general knowledge, may be able to assist the Local in carrying out its objectives.

Section 7

The Executive Council shall fill vacancies as provided in By-Law 9 and shall appoint delegates to represent the Local at any convention or meeting to which it may send such delegates.

Section 8

The Executive Council shall meet once a month at a time to be specified by the Council. If a simple majority of the Executive Council eligible to vote request a meeting of the Executive Council, the President will call a meeting of the Executive Council within seven days of receiving such written request

Section 9

The Executive Council shall appoint a Chief Steward whose duties shall include:

- (1) Giving direction to all Stewards on all matters relating to complaints, grievances and staffing recourses.
- (2) The signing of all members' grievances where the Union will be the representative. In case of absence, such grievances will be signed by a designate.
- (3) To hold and chair periodic meetings of the Council of Stewards.
- (4) To approve all Steward training courses.
- (5) To perform all other duties which the Executive Council deems appropriate.
- (6) The Chief Steward will give a written report at each Executive Council meeting.

Section 10

The President, the Treasurer and the Executive Secretary shall give a written monthly activity report at each regularly scheduled Executive Council meeting.

Section 11

Committees shall be appointed as required by the Executive Council.

Section 12

The Executive Council shall provide each member with a copy of the Local By-Laws and Regulations, Union of Taxation Employees By-Laws and Regulations and the Constitution of the Public Service Alliance of Canada upon request by the member.

BY-LAW 7 - DUTIES AND POWERS OF OFFICERS

Section 1

President

- (a) It shall be the duty of the President at all times to uphold the By-Laws and Regulations of the Local. The President shall preside at all meetings of the Local, shall be, ex officio, a member of all committees; chairman of the Executive Council; and, in general shall perform all such duties as are incidental to the office of the President and are properly required.
- (b) The President shall preside at all meetings of the Local unless:

- (i) The President appoints another Chairperson.
- (ii) There is a two thirds (2/3) vote of the Executive Council Members present, at a particular meeting, to elect an alternate Chairperson.
- (iii) The meeting is a committee meeting thus having its own chair.

Section 2

Vice-President

- (a) It shall be the duty of the Vice-President to preside in the absence of the President.
- (b) The Vice-President shall replace the President until the next Annual General Meeting of the Local in the event of death, retirement or resignation of the President, or his/her transfer to another office of the Canada Revenue Agency.

Section 3

Treasurer

- (a) The Treasurer shall keep the accounts of the Local and shall make a report of its financial condition to the Executive Council at its regular monthly meeting. The Treasurer shall also report to the Annual General Meeting; such report to include a Balance Sheet and Statement of Revenue and Expenditure.
- (b) All monies of the Local received by the Treasurer shall be deposited to the credit of the Local in a Chartered Bank or Trust Company or Credit Union provided that such institution is regulated by a federal or provincial authority.
- (c) The Treasurer is empowered to pay all accounts not exceeding two hundred dollars without prior approval of the Executive Council.
- (d) Employment of excess funds shall be recommended by the Treasurer and approved by the Executive Council.

- (e) All cheques drawn on the Local bank and trust or credit union accounts shall be signed by the Treasurer and the President. In the absence of the Treasurer or the President, such cheques shall be signed by any two of the President, Treasurer, or a person designated by the Executive Council.
- (f) The books and records of the Local shall, at all material times, be kept in the office of Local 00051 located at GR19, 25 Watline Ave in the City of Mississauga.
- (g) Any group which receives funds for a special or sporting event as a result of an adopted motion of the Executive Council or by an adopted motion at the Annual General Meeting, must provide an accounting of revenue and expenses, unless the full amount is repaid. This report and any excess, up to the amount received from the Local, must be submitted to the Treasurer within 3 months from the date of the event for which the funds have been advanced.

Section 4

Executive Secretary

- (a) The Executive Secretary shall be responsible for taking minutes at all meetings of the Executive Council, and the Steward's Council. .
- (b) Be responsible for the taking of a complete record of the proceedings of each Annual General Meeting or Special General Meeting.
- (c) Prepare and send notices of all meetings and assume secretarial duties as assigned by the President.
- (d) In case of absence from a meeting, a provisional secretary shall be appointed by the Chairperson.

BY-LAW 8 - NOMINATIONS AND ELECTIONS

Section 1

The officers of the Local as constituted by By-Law 10, shall be elected for a period of three years by secret ballot prior to the Annual General Meeting.

Section 2

The Executive Council shall appoint a nominations committee at its regular April meeting of at least three and not more than five members of the Local, who shall forfeit the right to be candidates for that election and the Executive Council shall nominate one of the personnel of the nominations committee as chairperson. The duties of the nominations committee shall be:

- 1) to post notice of the Executive Council offices to be filled;
- 2) to receive nominations for all offices from members of the Local entitled to vote;
- 3) to determine the eligibility of such nominees;
- 4) to request from the nominee a brief history;
- 5) to publish a list of nominees for each office, including a brief history of each nominee (where submitted) and to place such list in each section of the office;
- 6) to prepare ballots listing the Executive Offices to be filled;
- 7) to accept all ballots up to and including the last day for balloting but not thereafter;
- 8) to tabulate and summarize the ballots after the closing date for balloting and submit the summary, tabulation sheets, and ballots to the Chairperson of the nominations committee;
- 9) to determine from the summaries, the successful candidates, which shall be based upon the greatest number of votes cast for each candidate. The Chairperson shall announce the results of the election to the membership within one week of the tabulation.

Section 3

All nominations submitted to the committee shall be in writing, signed by the nominator, and signed by the nominee signifying that the nominee will accept the office and related duties if elected.

Section 4

Nominations shall open the first Monday of May and close the last Friday of June.

Section 5

Balloting shall take place the second and third weeks of September.

Section 6

Each member is entitled to vote for the office of President, Vice-President, Treasurer and Executive Secretary, and Directors as set out in By-Law 10.

Section 7

Ballots, tabulation sheets and summaries shall be retained until a formal motion for destruction is approved at the Annual General meeting.

Section 8

No member may run for more than one elected position in the Local.

Section 9

No person running for Executive Office shall hand out, collect, deliver or count any ballots.

Section 10

As the first order of business at the Annual General Meeting following their election, the officers shall assume their elected offices. In the event that there is no Annual General Meeting, they shall assume their offices on October 1st.

BY-LAW 9 - VACANCIES

Section 1

Between elections, an office within the Executive Council will become vacant if the incumbent dies, resigns or is removed from office for disciplinary reasons pursuant to By-Law 14.

Section 2

An office will also become vacant upon 2/3 majority vote of the Executive Council if the incumbent becomes ineligible to hold office, otherwise becomes unable to discharge the duties of their position, or fails to attend three regularly scheduled monthly meetings of the Executive Council within any twelve month period

during the term other than by reason of being absent to discharge duties authorized by the Executive Council.

Section 3

If a vacancy is determined pursuant to Section 1 or 2 above, notice of the vacancy will be posted among the membership at least 10 working days before the election calling for nominations. The notice will specify the date of the next regularly scheduled monthly meeting of the Executive Council by which meeting, any nominations must reach the Executive Council. At that meeting, the Executive Council will vote to fill the vacancy from among those nominated in due form.

Section 4

Notwithstanding the above sections, should there be a major reorganization of the Local, which reduces the total membership by at least 10%, and which also results in any vacancies of the positions of President, Treasurer, or Executive Secretary, these vacancies shall be filled by a Special Election of the general membership, conducted in the style of the General Election, as outlined in By-Law 9.

BY-LAW 10 - FORM OF ORGANIZATION

Section 1

The Local shall elect from its membership a slate of officers to conduct its affairs, namely:

- (a) A President
- (b) A Vice President
- (c) A Treasurer
- (d) An Executive Secretary
- (e) A Director for every one hundred and twenty five members or fraction thereof in the Toronto West Tax Service Office.

Section 2

At the time of nomination, a Director must be employed within Toronto West.

Section 3

The officers shall exercise all the powers and perform all the

duties vested in them by these By-Laws and Regulations.

Section 4

The Regional Vice-President (R.V.P.) shall be included as a member of the Executive Council having voice but no vote.

BY-LAW 11 - CONVENTIONS

Section 1

The President of the Local shall be a delegate unless the President chooses to pass on delegate status to the Vice-President.

Section 2

Other delegates and alternates shall be selected by the Executive Council.

Section 3

Delegates and alternates shall be appointed as soon as possible after the announcement of delegate entitlements for Conventions.

BY-LAW 12 - MEETINGS

Section 1

The Annual General Meeting of Local 00051 shall be held in the month of October each year.

Section 2

A Special General Meeting may be called to deal with any problem.

Section 3

The Annual General Meeting shall be the supreme policy making-body.

BY-LAW 13 - QUORUM

Section 1

A quorum at all meetings of the Executive Council shall be one half of the members entitled to attend.

Section 2

A quorum at any Special Meeting or Annual General Meeting shall be 25 members in good standing at the start of the meeting.

Section 3

No business may be legally transacted at a meeting unless the required quorum is present.

BY-LAW 14 - DISCIPLINE

Section 1

- (a) The Local, at a special meeting, shall have the authority, by resolution passed by a 2/3 majority vote, to suspend or expel from office any Local Officer if it is found through a hearing held at that meeting, at which the Officer has a right to represent themselves or to be represented, that they have contravened any provision of these By-Laws, the By-Laws of the Union of Taxation Employees or the Constitution or for cause listed in Section 2 of this By-Law.
- (b) The Local, at a special meeting, shall have the authority, by resolution passed by a 2/3 majority vote, to recommend to the Public Service Alliance of Canada suspension or expulsion of any member if it is found through a hearing held at that meeting, at which the member has a right to represent themselves or to be represented, that they have contravened any provision of these By-Laws, the By-Laws of the Union of Taxation Employees or the Constitution or for cause listed in Section 2 of this By-Law.

Section 2

A Local Officer or any member is guilty of an offence against these By-Laws who:

- (a) Violates any provision of the Constitution of the Public Service Alliance of Canada, the By-Laws of the Union of Taxation Employees or these By-Laws.
- (b) Obtains membership or soliciting members by misrepresentation;
- (c) Institutes, urges or advocates that a member institute action in a court of law against the Public Service Alliance of Canada, any of its constituent parts or any of its officers without first exhausting all remedies through appeal within the Public Service Alliance of Canada or the Union.
- (d) Other than through proper union channels advocates or attempts to bring about the withdrawal from the Public Service Alliance of Canada, the Union of Taxation Employees, or Locals of any member or group of members;
- (e) Willfully publishing or circulating among the members false reports or misrepresentation;
- (f) Works in the interests of a rival organization against the Public Service Alliance of Canada, the Union of Taxation Employees or Locals;
- (g) Slanders, libels or willfully wrongs an officer or member of the Public Service Alliance of Canada, the Union of Taxation Employees or Locals;
- (h) Uses abusive language or disturbs the peace of any meeting or around any office or meeting place of the Public Service Alliance of Canada, the Union of Taxation Employees or Locals;
- (i) Fraudulently receives or misappropriates any monies due to the Public Service Alliance of Canada, the Union of Taxation Employees or Locals;
- (j) Uses the name of the Local, the Union of Taxation Employees or the Public Service Alliance of Canada for the purpose of soliciting funds, advertising and the like of any kind without the consent of the Local or the National Executive of the Union of

Taxation Employees or Public Service Alliance of Canada respectively;

- (k) Furnishes without prior authority a list of any information on the membership of the Public Service Alliance of Canada, the Union of Taxation Employees or Locals, to any person or persons;
- (l) Deliberately interferes with an official of the Public Service Alliance of Canada, the Union of Taxation Employees or Locals, in the discharge of duties;
- (m) Engages in any other conduct prejudicial to the good order and discipline of the Public Service Alliance of Canada, the Union of Taxation Employees or Locals;
- (n) If a non designated employee crosses the picket line of his own bargaining group; or
- (o) Sexually or personally harasses another member.

BY-LAW 15 – DISSOLUTION

Section 1

The Local may be dissolved by a two-thirds majority of the membership by way of a secret ballot supervised by the National Executive Council.

Section 2

All assets of the dissolved local immediately became the property of Union of Taxation Employees.

Section 3

Members of the dissolved local will be re-allocated to another Union of Taxation Employees local by direction of the National President or the National Executive Council.

BY-LAW 16 - FISCAL PERIOD

The fiscal year of the Local shall be the calendar year.

BY-LAW 17 - PROPERTY

Section 1

Any property held, which is not registered in the name of the Local, shall be held in Trust by a Board of Three Trustees appointed by the Executive Council from its members.

Section 2

The Executive Council may invest any funds of the Local, not required for current expenses, in the custody of a Chartered Bank, Trust Company or Credit Union.

BY-LAW 18 - AUDIT

An auditor shall be appointed at least one month before the Annual General meeting. He/she shall audit the Local's accounts and report therein to the members at the Annual General meeting. He/she shall certify the Annual Financial Statements issued by the Treasurer in accordance with By-Law 7, Section 3 (a).

BY-LAW 19 - AMENDMENTS

Section 1

Subject to the Constitution of Public Service Alliance of Canada and subject to the By-Laws of the Union of Taxation Employees, these By-Laws and Regulations may be amended at any Annual General Meeting of Local 00051 by a two-thirds majority, or by a simple majority if notice of such change has been given to the Executive Council on or before the second Friday in September and such proposed changes have been published and circulated to the members at least seven days before the Annual General Meeting.

Section 2

The Local Executive shall issue written notice of a call for proposed amendments to the Local By-Laws and Regulations and shall post such notice in each work area not later than 60 days prior to the Annual General Meeting.

Section 3

Where the By-Laws and Regulations are amended, they shall be renumbered in an appropriate manner where required.

Section 4

The Executive Council may adopt, amend or delete such Regulations as it deems necessary and consistent with the By-Laws of the Local provided that such changes are submitted to the first succeeding Annual General Meeting for ratification.

Section 5

The Council shall notify the membership of all actions that have been taken as a result of By-Law 19 Section 4, within 30 days of such action.

BY-LAW 20 - REGULATIONS

Regulations shall cover:

- (1) Council of Stewards
- (2) Stewards
- (3) Nominations and Elections for Stewards
- (4) Committees
- (5) Annual General Meeting
- (6) Special General Meeting
- (7) Voting
- (8) Rules of Order

BY-LAW 21 – DEFINITIONS

Public Service Alliance of Canada may be referred to the following: PSAC, Alliance, The Alliance. Constitution means the Constitution of the Public Service Alliance of Canada.

Union of Taxation Employees may be referred to the following: UTE, union, The Union, a component of the Public Service Alliance of Canada. National Executive Council means the National Executive Council of the Union of Taxation Employees.

Local 00051 may be referred to the following: Local, The Local. Members are the members in Local 00051.

Stewards are the stewards in Local 00051.

Executive Council are the executive council in Local 00051.

Shall the expression “shall” is to be construed as imperative and the expression “may” as permissive.

REGULATIONS

REGULATION 1 - COUNCIL OF STEWARDS

Section 1

Stewards shall be appointed from each area within Toronto West.

Section 2

The Council of Stewards shall meet periodically to discuss problems in their areas of responsibility.

Section 3

A quorum at all meetings of the Council of Stewards shall be ½ of the members entitled to attend.

Section 4

Membership shall be composed of the Stewards and the Executive Council.

REGULATION 2 - STEWARDS

Section 1

Stewards shall, as directed by the President, advise and assist members in those matters relating to complaints, grievances and staffing recourses.

Section 2

Attend meetings of the Council of Stewards, and maintain the channels of communication as set up in the Local.

Section 3

Undertake any other duties assigned to them by the Executive Council.

Section 4

A Steward who, in the opinion of the Chief Steward, has failed to carry out the duties of their office shall be subject to a disciplinary review hearing. If, at that hearing held by the Executive Council at which the Steward has the right to represent themselves or to be represented, it is found that the Steward has failed to carry out their duties, they shall be subject to discipline which may include removal or suspension from office. If a Steward is removed or suspended from office, they shall have the right to appeal to the general membership at the next Annual Meeting or Special Meeting of the general membership called for that purpose.

Section 5

A Steward shall be removed from their position upon a 2/3 majority vote of the Executive Council if they fail to attend three regularly scheduled meetings of the Stewards' Council within any twelve month period during the term, other than by reason of being absent to discharge duties authorized by the Executive Council.

REGULATION 3 - NOMINATIONS AND ELECTIONS FOR STEWARDS

Section 1

Election of stewards will be held in the month of September and stewards shall be elected for a period of three years.

Section 2

The Executive Council shall appoint a nominations committee at its regular April meeting and the Executive Council shall name one of the personnel of the nominations committee as chairperson.

Section 3

The duties of the nominations committee shall be:

- 1) To post notice of the call for nominations from Keaton, Ontario Regional Office and 5800 Hurontario Street.
- 2) To receive nominations from members of the Local entitled to vote. Nominees must be nominated by personnel within Keaton, Ontario Regional Office and 5800 Hurontario Street.
- 3) To determine the eligibility of such nominees and nominators.

- 4) To request a brief history from each nominee and to publish and post any submissions received along with a list of the nominees.
- 5) To conduct an election in Keaton, Ontario Regional Office and 5800 Hurontario Street by preparing and distributing ballots listing the nominees.
- 6) To accept all ballots up to and including the last day for balloting but not thereafter.
- 7) Balloting shall take place during the second and third weeks of September.
- 8) The membership is entitled to elect one steward for every fifty members or fraction thereof.
- 9) If vacancies still exist after the election process, the Executive Council may appoint Stewards where needed.

REGULATION 4 - COMMITTEES

Section 1

Subject to the approval of the Executive Council, the President is empowered to appoint such committees as are deemed necessary.

Section 2

The President shall appoint, subject to the approval of the Executive Council, the Chairperson of each committee, and shall collaborate with the Committee Chairperson in selecting the members of the committee. The selected members shall be approved by the Executive Council.

Section 3

Committees shall meet at the call of their chairperson.

Section 4

Any committee chairperson, in consultation with the President, may appoint advisory members who may attend and have a voice at their committee meetings, but shall have no vote.

Section 5

Committees or sub-committees appointed for the purpose of studying any particular subject, shall be deemed to be dissolved upon presentation of their final report.

Section 6

All committees shall make a written report on all their activities at each meeting of the Executive Council.

REGULATION 5 - ANNUAL GENERAL MEETING

Section 1

The Executive Council shall determine the date, time and place of the Annual General Meeting.

Section 2

Motions presented at the Annual General Meeting which require or direct the expenditure of funds shall require a two-thirds majority unless notice of such motion was presented to Executive Council at, or prior to, the regularly scheduled Executive Council meeting immediately preceding the Annual General Meeting.

REGULATION 6 - SPECIAL GENERAL MEETING

Section 1

A Special General Meeting may be called by the Executive Council to deal with any special problem if such Special General Meeting is deemed to be in the best interests of the members.

Section 2

The Executive Council shall call a Special General Meeting on a written request of fifty members of the Local. Such request shall specify in writing the purpose for calling the meeting.

Section 3

A Special General Meeting shall have power to deal only with the matters specified in the notice of the meeting.

REGULATION 7 - VOTING

At any Executive Council meeting, Annual General meeting or Special General meeting, each member present shall have one vote only.

REGULATION 8 - RULES OF ORDER

The rules of procedure at all meetings of the Local except as specifically provided by these By-Laws and Regulations, shall be according to the Rules of Order for Public Service Alliance of Canada meetings published by the Public Service Alliance of Canada.

As at October 29, 2009