

**UNION OF VETERANS' AFFAIRS EMPLOYEES
OF THE
PUBLIC SERVICE ALLIANCE OF CANADA**

**BY-LAWS AS ADOPTED BY THE FOUNDING
CONVENTION AT OTTAWA, NOVEMBER 8, 1966
AND AMENDED BY THE TRIENNIAL CONVENTION
AT OTTAWA, JUNE 19-22, 1972
CALGARY, SEPTEMBER 10-13, 1978
VANCOUVER, SEPTEMBER 21-23, 1981
OTTAWA, AUGUST 20-22, 1984
SAINT JOHN, AUGUST 24-26, 1987
QUÉBEC CITY, OCTOBER 14-17, 1990
WINNIPEG, AUGUST 29-31, 1993
OTTAWA, AUGUST 18-21, 1996
OTTAWA, AUGUST 28-SEPTEMBER 1, 1999
WINNIPEG, AUGUST 24-28, 2002
GATINEAU, OCTOBER 1-4, 2005
OTTAWA, SEPTEMBER 27-29, 2008
QUEBEC CITY, OCTOBER 1-3, 2011
OTTAWA, OCTOBER 4-5, 2014**

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COMPONENT BY-LAWS

BY-LAW 1 - NAME AND HEADQUARTERS OF NATIONAL OFFICE

Section 1

This Component shall be known as the Union of Veterans' Affairs Employees of the Public Service Alliance of Canada.

Section 2

This Component shall have its headquarters in the City of Ottawa, Ontario, Canada.

BY-LAW 2 - AIMS AND OBJECTIVES

Section 1

To unite all employees over which this Component has jurisdiction, as determined by the Constitution of the Public Service Alliance of Canada, in a single union capable of acting on their behalf.

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 terms and conditions of employment, and to protect the interests, rights and privileges of all employees over which this Component has jurisdiction.

Section 3

To obtain through democratic means for all employees over which this Component has jurisdiction, the best possible standards of wages, salaries and other terms and conditions of employment, and to protect the interests, rights and privileges of these employees.

Section 4

To support the aims and objectives outlined in the Constitution of the Public Service Alliance of Canada.

BY-LAW 3 - MEMBERSHIP

Section 1 - Regular Membership

All employees over which this Component has jurisdiction shall be eligible for membership in this Component. Regular members are entitled to all rights and privileges outlined in these By-Laws.

Section 2 - Associate Membership (Employees)

Any employee of this Component or a Local thereof, who is not also a dues paying member, may be granted associate membership, in accordance with Section 4, Sub-section (8) of the Public Service Alliance of Canada Constitution and Public Service Alliance of Canada Regulations governing Associate Memberships, upon application for Associate membership through this Component for the Public Service Alliance of Canada.

Section 3

- (i) Associate Membership (For Benefits and Former Members)

A Local of this Component may, subject to Local By-Laws, retain as associate members former members whose employment is terminated by:

- (A) Retirement,
- (B) Lay-off, or
- (C) Separation from their continued employment in the Federal Public Service by reason of privatization.

- (ii) Associate Membership (General)

Associate members shall not be eligible for elective or other office and shall not have voice or vote in the affairs of a Local, this Component or the Public Service Alliance of Canada, but may be afforded such other rights and privileges of membership.

Section 4 - Honourary Membership (Former Members)

A former member may be granted honorary membership for outstanding service to this Component through application by a Local and with the approval of the National Executive. Such members may be also eligible for honorary membership in the Public Service Alliance of Canada, in accordance with Section 4, Sub-section (4) of the Constitution.

Section 5 - Honourary Membership for Non-Members

The Component may, by decision of the National Executive or by decision of the Component National Triennial Convention or by Local proposal concurred in by the National Executive, elect to honorary membership in the Component anyone who is deemed to merit such honour and is not eligible for regular membership.

Section 6 - Honourary Membership (General)

Honourary members shall not be eligible for elective or other office and shall not have voice or vote in the affairs of the Local, this Component or the Public Service Alliance of Canada, but may be afforded such other rights and privileges of membership.

Section 7 - Component Life Membership

A Life Membership may be awarded to any member who, through personal and devoted efforts in the affairs of this Component, has performed exemplary services for the membership, provided, however, there shall not be more than twenty such Life Memberships at any one time. The awarding of Life Memberships shall be controlled and decided by the National Executive.

The National Executive may award the title of Life Member to members that are no longer employed.

Life members shall not be eligible for elective or other office and shall not have voice or vote in the affairs of this union.

Section 8 - Local Life Membership

Life Membership or Honourary Life Membership in a Local may

be granted by a 2/3 majority vote of the membership in attendance at any annual or general meeting.

Section 9

With the exception of those memberships provided by Sections 2, 3, 4, 5, 7 and 8, all members shall be required to pay dues as provided in By-Law 5.

Section 10

With the exception of Associate, Honourary and Life Membership, all members shall be issued with an identification card approved by the Public Service Alliance of Canada as evidence of their membership in this Component and the Public Service Alliance of Canada.

BY-LAW 4 - MEMBERSHIP RIGHTS AND RESPONSIBILITIES

Section 1

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

Section 2

Upon being granted membership in the Public Service Alliance of Canada and this Component and for the term of such membership, each member of this Component is deemed to nominate, constitute and appoint this Component and the Public Service Alliance of Canada as the agents to negotiate with the

employer on the member's behalf in the spheres of competence of this Component and the Public Service Alliance of Canada respectively.

Section 3 - Members governed by Federal Public Service Staff Relations Act legislation or superseding Acts of Parliament

- (i) Upon being granted membership in the Public Service Alliance of Canada and this Component and for the term of such membership, each member of this Component is deemed to nominate, constitute and appoint the Public Service Alliance of Canada as the agent for the purpose of entering into collective bargaining with the employer under collective bargaining procedures established by law for collective bargaining in the Public Service of Canada, and the Public Service Alliance of Canada 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.

Section 3 - Separate Employer Members

- (ii) Upon being granted membership in the Public Service Alliance of Canada and this Component and for the term of such membership, each member of this Component is deemed to nominate, constitute and appoint the Public Service Alliance of Canada as the agent for the purpose of entering into collective bargaining with the employer under collective bargaining procedures established by law and the Public Service Alliance of Canada 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

and the Public Service Alliance of Canada Constitution
and the Public Service Alliance of Canada Regulation 15.

Section 4

Under the terms of membership of the Public Service Alliance of Canada and this Component, the member is ensured in the application of the grievance procedure of formal representation at grievance hearings.

BY-LAW 5 - MEMBERSHIP DUES

Section 1 - Component Dues

The amount of monthly dues of this Component shall be as determined by the Component National Triennial Convention.

Section 2 - Public Service Alliance of Canada Dues

Members and deductees of this Component shall also be required to pay dues as determined by the National Triennial Convention of the Public Service Alliance of Canada.

Section 3 - Local Dues

Locals may have an additional amount of dues deducted and collected by this Component, in the manner prescribed by this By-Law, provided such dues are authorized by a simple majority vote of the members present and voting at a regularly constituted general or special meeting. Such additional dues shall be rebated by the Component to the Local concerned.

Section 4

Collection of the total amount of monthly dues shall be by payroll

deduction, except where facilities are not available, in which case dues may be paid in cash.

Section 5

The authorized per capita Local rebate portion of each Union dues payroll deduction made shall be due and payable monthly to the Local concerned.

Section 6

Notwithstanding any of the above sections of this By-Law, an increase in the per capita rebate to any Local can only be effected once the change in dues has been made by the PSAC and implemented accordingly.

BY-LAW 6 - NATIONAL EXECUTIVE

Section 1

The National Executive shall be comprised of:

The National President;

One National Executive Vice-President;

One National Vice-President for the Atlantic Provinces (Nova Scotia, Newfoundland, New Brunswick and Prince Edward Island except for Charlottetown H.O.);

One National Vice-President for Québec;

One National Vice-President for Ontario;

One National Vice-President for the West (Manitoba, Saskatchewan, Alberta, and British Columbia except for Deer Lodge Centre);

One National Vice-President for Deer Lodge Centre;

One National Vice-President for Charlottetown Head Office.;

Section 2

The National President and the National Executive Vice-President shall be elected by the voting delegates attending the Component National Triennial Convention, and the National Vice-Presidents shall be elected by the delegates from their respective regions.

Section 3

A vacancy on the National Executive occurring between Component National Triennial Conventions shall be filled:

- (i) In the case of the National President the National Executive Vice-President shall assume the position on an interim basis and that the National Office would conduct an election from amongst the voting delegates to the last Component National Triennial Convention within 90 days of the vacancy.
- (ii) In the case of the National Executive Vice-President, vacancies will be filled by their alternate duly elected at the regular Component Triennial National Convention.
- (iii) In the case of National Vice-Presidents, vacancies will be immediately filled by their alternate duly elected at the regular Component National Triennial Convention. As

soon as a National Vice-President has been away for more than 1 month, the alternate National Vice-President will assume the National Vice-President's position with all the inherent authority and benefits associated to this office, until such time as the National Vice-President returns to the position.

- (iv) New Alternates will then be elected by the voting delegates to the last Component National Triennial Convention resident in the appropriate geographical area from amongst those voting delegates willing to stand for office.

If no voting delegate in a specific geographical area is willing to stand for office, as Alternate, the Locals within that geographical area shall submit candidates for election by the voting delegates to the last Component National Triennial Convention, resident in the appropriate geographical area.

Section 4

All members of the National Executive shall be members in good standing of this Component.

Section 5

The National President or National Executive Vice-President and three National Vice-Presidents shall constitute a quorum of the National Executive.

Section 6

The National Executive shall hold meetings at least annually at the call of the National President, or at any other time if

requested by a simple majority of the National Executive. A copy of minutes accurately reflecting the proceedings of National Executive meetings shall be sent to all Locals no more than 60 days following the meeting.

The Alternate National Vice-President may replace the National Vice-President at all meetings of the National Executive, and may vote and participate fully in these meetings whenever the National Vice-President is not able to attend.

Section 7

Between Component National Triennial Conventions, all Executive powers of this Component consistent with these By-Laws shall be vested in the National Executive.

Section 8

The National Executive shall have the power to make such regulations as are necessary for the proper conduct of the business of this Component, provided such regulations do not conflict with the provisions of these By-Laws. Such regulations shall be promulgated within 60 days of their adoption and shall be subsequently ratified by a Component National Triennial Convention.

Section 9

The National Executive shall have the authority to hire or dismiss employees of the Component. All such rights and privileges, work standards and remuneration shall be as negotiated with the Alliance Employees' Union, Unit XIII.

Section 10

All actions by the National Executive on behalf of this Component shall be subject to review at a Component National Triennial Convention.

Section 11

The National Executive shall be considered as being in business session throughout the period of the Component National Triennial Convention and its elected members shall have rights and privileges due Component National Triennial Convention delegates.

Section 12

The National Executive shall submit a year to year budget for the ensuing period for approval to each Component National Triennial Convention.

Section 13

The National Executive shall have the authority to establish any Committee necessary for the conduct of the affairs of this Component. The National President may be ex officio a member of any Committee so formed.

BY-LAW 7 - FORM OF ORGANIZATION - LOCALS, THEIR JURISDICTION, AUTHORITY, AND RIGHTS

Section 1

This Component of the Public Service Alliance of Canada shall be comprised of groups of members hereinafter referred to as Locals.

Section 2

A Local shall be comprised of all members assigned to the Union of Veterans' Affairs Employees and granted a charter by the National Executive.

Section 3

The National Executive shall have the authority to amalgamate Locals if, in their opinion, it is in the best interest of the Component to do so.

Section 4

Each Local shall elect, in accordance with the provisions of these By-Laws, not less than three officers, who shall be a President, a Vice-President and a Treasurer or a Secretary-Treasurer, to conduct its affairs. Such officers shall be elected every three years, in accordance with Local By-Laws and their duties shall be consistent with By-Law 8 of these By-Laws.

- (i) A vacancy on a Local Executive occurring between annual meetings shall be filled within 90 days or at the next annual meeting, whichever comes first.

Section 5

Each Local shall have the power to deal with management officials in the locality concerned on matters affecting the interests of its members. A 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 National Executive for their decision or by resolution to the Component National Triennial Convention.

Section 6

- (i) A Local may designate one of its officers as a full-time officer of the Local and may employ a member or members to assist in carrying out the work of the Local.
- (ii) Any person under expulsion or suspension by PSAC, UVAE and any Local of either shall not be employed or consulted by this Component or any Local thereof.

Section 7

A Local may acquire such space and facilities as may be necessary for the conduct of the affairs of the Local.

Section 8

Local Regulations and amendments are subject to National Executive approval or otherwise shall not be in force and effect.

Section 9

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

Section 10

A Local shall hold regular meetings and special meetings of its general membership.

Section 11

Each Local shall hold an annual general meeting for the purpose of receiving reports from its officers, and holding of elections or ratification of officers as required by these By-Laws.

Section 12

A copy of the minutes of all meetings referred to in Sections 9, 10 and 11 shall be forwarded to the National Office.

Section 13

Locals shall elect or appoint Shop Stewards, as necessary for the efficient operation of their Local.

Section 14

Should a Local dissolve or be suspended, all documents, property and funds shall be returned to the care and safekeeping of the National Executive to be placed in trust until such time as the Local may be reinstated or reorganized or, in the absence of the latter, used for membership purposes as the National Executive may direct.

Section 15

All financial commitments as set out in sections 6 and 7 above will be in accordance with By-Law 11, Section 12.

BY-LAW 8 - DUTIES OF OFFICERS

Section 1

The National President shall:

- (A) represent this Component on the National Board of Directors of the Public Service Alliance of Canada, as required by Sub-section 1 of Section 12 of the Constitution of the Public Service Alliance of Canada;
- (B) preside at all meetings of the National Executive;
- (C) preside at all sessions of the Component National Triennial Convention;
- (D) interpret the By-Laws of this Component for the administration and management of the Component;
- (E) ensure that the National Executive carries out the directives and policies established by the National Triennial Conventions of the Public Service Alliance of Canada and this Component, in accordance with the authorities of each, as provided by Constitution and By-Laws;
- (F) ensure that the National Office carries out the day to day work of this Component, as provided in these By-Laws and as instructed by the National Executive;

- (G) call a meeting of the National Executive at least once annually or upon request by a simple majority of the National Executive;
- (H) submit a written activity report to meetings of the National Executive;
- (I) report in writing to the Component National Triennial Convention on the activities of the National Executive and such other Committees over which the President may have presided;
- (J) submit, in writing, to the National Convention such recommendations as the National Executive deems necessary for the continuing prosecution of the aims and objects of this Component and the Public Service Alliance of Canada;
- (K) perform such other duties as are within the authority of presiding officers of deliberating bodies.

Section 2

The National Executive Vice-President shall:

- (A) perform the duties of the National President in the case of absence or on the resignation of that officer pending due process of election as provided in By-Law 6, Section 3 (ii);
- (B) perform such other duties as may be assigned by the National President;

- (C) finalize classification grievance files and send to the representation section of the PSAC and report to the NVP and the National Executive on the evolution of the file;
- (D) finalize National Joint Council grievance files and prepare the representation before the NJC Committee and if applicable, send that file to arbitration and report to the NVP and the National Executive on the evolution of the file;
- (E) finalize grievance files for referral to arbitration, register complaint(s) to the proper commission, and report to the NVP and the National Executive on the progress of the file;
- (F) find representative for appeals;
- (G) performs the duties of a Technical Advisor to the Locals;
- (H) assist the National President on all National Committees and the national UMCC;
- (I) perform any administration duties for the National Office.

Section 3

The National Vice-Presidents assist the membership by:

- providing advice and guidance to elected Local Officers on matters related to the Component;

- providing advice on grievances and appeals, including document review, fact-finding research and preparing briefs, reports and letters on behalf of the members in support of any complaints;
- providing information to members and Local Officers on terms and conditions of employment and interpretation of collective agreements;
- offering members and Local Officers an opinion and recommending routes for the resolution of issues;
- ensuring that all finance and administration policies and procedures are respected;
- providing advice to locals on issues regarding expense claims and UVAE financial regulations;
- acting as UVAE signing officer;
- analyzing and interpreting precedents related to grievances, appeals or complaints, recommending the referral of grievances to the PSAC for adjudication purposes;
- participating in the review of and recommending agreement or disagreement with the Department regarding essential services (designations);
- attending labour management consultation meetings with Senior Departmental Officials;

- communicating and consulting with management and Departmental Staff Relations personnel on matters relating to working conditions, benefits, discipline and other membership concerns;
- attending meetings of the National Executive as required;
- attending committee meetings of the National Executive, when appointed to do so;
- filing a report of activities and recommendations during tenure to the National Executive and to the Component National Triennial Convention six months prior to the Component National Triennial Convention;
- having the authority to attend any Local meeting within the region and to examine the records and accounts of any Local within his/her region;
- in general, being responsible to the National Executive for the affairs of the region and performing such regional duties as may be required by the National Executive;
- communicating regularly with the Locals.

The Alternate NVP duties include the following but not limited to:

- a) perform the duties of the NVP in the case of absence or on the resignation of that officer pending due process as provided in By-Law 6, Section 3 (iii);
- b) shall replace the NVP for that Region at meetings where it is not possible for the NVP to attend;

- c) shall replace the NVP with full voice and vote at National Executive meetings where it is not possible for the NVP to attend;
- d) shall attend one (1) National Executive meeting at least once in a 3 year term;
- e) perform such other duties as may be assigned by the NVP for that Region;
- f) work with newly elected Executive of Locals to provide guidance and advice related to the proper operation of the Local & to enhance participation.

Section 4

At the termination of the respective positions which they may hold, all officers of this Component shall deliver to their successors all documents, monies and other property of this Component and disclose any relevant information which may be of interest to the Component.

Section 5

Local Presidents shall preside at meetings of their respective Local and shall be responsible for the efficient and proper conduct of such meetings.

Section 6

Local Vice-Presidents, in the absence of their respective Presidents, shall carry out the duties of the office of President.

Section 7

Local Treasurers or Secretary-Treasurers shall keep accurate records of all meetings of their respective Locals and shall be responsible for keeping proper files of documents, financial records, and all correspondence relating to their Local and this Component.

Section 8

For the purposes of efficiency and ease of operation, a Local may divide the responsibilities of the office of Secretary-Treasurer among two or more of the following: Secretary, Recording Secretary, Corresponding Secretary and Treasurer, and the election procedure set forth in these By-Laws shall apply.

BY-LAW 9 - ELECTION OF OFFICERS

Section 1 - Component National Triennial Convention

- (i) All elections shall be by secret ballot and be decided by simple majority.
- (ii) In the event of more than two candidates for office, the candidate receiving the fewest number of votes shall be dropped from the 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.
- (iii) The nominator of a candidate for office or the seconder of the nominator and the nominee may each be permitted to speak for not more than five minutes on the

nominee's competence.

- (iv) All officers of this Component shall be in attendance at the Convention at which they are elected and shall take office at the end of that Convention.
- (v) The Oath of Office shall be administered to all officers immediately before taking office.
- (vi) Members of the National Executive shall not be eligible for election to Local office.

Section 2 - National Executive

- (i) All nominees for National Executive office must be voting delegates to the Component National Triennial Convention and in attendance at the time of election, except for the provisions of By-Law 6, Section 3 (iii).
- (ii) The order of election shall be:
 - The National President;
 - The National Executive Vice-President,
 - The Alternate to the National Executive Vice-President;
 - The National Vice-President for the Atlantic Provinces (Nova Scotia, Newfoundland, New Brunswick and Prince Edward Island) excluding Charlottetown Head Office;
 - The Alternate to the National Vice-President for the Atlantic Provinces excluding Charlottetown Head Office;

The National Vice-President for Québec;

The Alternate to the National Vice-President for Québec;

The National Vice-President for Ontario;

The Alternate to the National Vice-President for Ontario;

The National Vice-President for the West (Manitoba, Saskatchewan, Alberta and British Columbia) excluding Deer Lodge Centre;

The Alternate to the National Vice-President for the West(Manitoba, Saskatchewan, Alberta and British Columbia) excluding Deer Lodge Centre;

The National Vice-President for Deer Lodge Centre;

The Alternate to the National Vice-President for Deer Lodge Centre.

The National Vice-President for Charlottetown Head Office;

The Alternate to the National Vice-President for Charlottetown Head Office;

The Equal Opportunity Coordinator

Section 3 - Locals

- (i) Election of officers of Locals shall take place every three years, in accordance with the Local's procedures, during

the period November to March, inclusive.

- (ii) A nominating committee may be appointed in the Local concerned and the chairperson of such committee shall conduct the elections and appoint such assistants as necessary to ensure an orderly election.
- (iii) Unless satisfactory reason is given for absence, any officer of a Local may be recalled and a successor elected for the unexpired portion of the term.

BY-LAW 10 - NATIONAL TRIENNIAL CONVENTIONS

Section 1

The supreme governing body of this Component, consistent with its area of jurisdiction, as provided by the Constitution of the Public Service Alliance of Canada, shall be the Component National Triennial Convention.

Section 2

The By-Laws of this Component may be amended only by a two-thirds majority vote of the delegates of this Component assembled and voting in the National Triennial Convention.

Section 3

The National Triennial Convention of this Component shall be composed of accredited delegates from Locals and the National Executive Officers of this Component and the Equal Opportunities Coordinator.

Section 4

- (i) The National Triennial Convention shall deal with all resolutions and matters approved and brought before it by Locals.
- (ii) The "Resolve" of every Convention resolution submitted by locals shall be included in the minutes of the general meeting held for this purpose.
- (iii) The National Triennial Convention shall deal with recommendations placed before it by the National Executive.
- (iv) The National Executive shall establish the general policies of this Component for the period between Conventions.

Section 5

The place and date of each National Triennial Convention shall be decided by the National Executive and such decision transmitted to the Locals not later than six months prior to the opening date of such Convention. The National Triennial Convention shall be held at a date consistent with the provisions of Section 10, Sub-sections 4 and 15 of the Constitution of the Public Service Alliance of Canada.

Section 6

Each accredited delegate present at the National Triennial Convention shall be entitled to one vote on each subject and proxy votes shall not be permitted.

Section 7

At least three months prior to the opening date of the National Triennial Convention, the National Executive shall appoint from amongst accredited delegates such committees as may be necessary for the conduct of the business of the Convention. Delegates shall be advised of their committee assignments by the National Executive at least two months prior to the opening of the Convention and shall be supplied with an official copy of the agenda proposed by the National Executive. To the extent possible, the delegates of the same Local shall be distributed equally among the committees established for the purposes of the Convention. In addition, the list of accredited delegates to the National Triennial Convention shall be sent to all Locals at least three months prior to the opening date of the National Triennial Convention.

Section 8

All Locals shall have the right to send observers to the National Triennial Conventions, at the Local's expense. Observers shall not have the right to vote or to participate at the National Triennial Conventions, except to assist the Election Chairperson during elections.

Section 9

A special National Convention shall be held at the request of the National Executive, provided that two-thirds of the National

Executive vote in favour of such special convention or on the request of 51% of the existing Locals of this Component, and at a time and place to be decided by the National Executive.

Section 10

Special National Conventions shall be composed of delegates elected by their Locals in accordance with Section 12 of this By-Law and the numerical table specified.

Section 11

A Special National Convention of this Component shall deal with only the matter or matters for which it was called unless such Special Convention agrees, by a two-thirds majority vote of its assembled delegates, to consider other matters of an urgent or necessary nature within the time limits set for such Special National Convention.

Section 12

At least four months prior to the opening date of the National Triennial Convention, each Local shall elect from amongst its members at a general meeting of the Local, accredited delegates to the Convention. The Local President is the automatic delegate to Convention. The Locals must elect an alternate to the Local President.

Selection of additional delegates to Convention will be determined on the basis of the following table:

7 to 150 members - 1 delegate
151 to 250 members - 2 delegates
251 to 350 members - 3 delegates
351 to 450 members - 4 delegates

451 to 550 members - 5 delegates
551 to 650 members - 6 delegates
651 to 750 members - 7 delegates
751 to 850 members - 8 delegates
851 to 950 members - 9 delegates

and one additional delegate for each 250 members or major fraction thereof over 950 members.

For the purpose of determining the number of delegates to which each Local shall be entitled for any regular or Special Convention, the membership of each Local shall be the highest number for which the Component is entitled to receive dues, excluding RAND formula deductees, in the 12 months prior to the month in which the delegate names are to be submitted to the National Office, which is 4 months prior to the opening date of the National Convention.

Section 13

Each Local shall elect alternate delegates who shall attend National Triennial Conventions in place of any accredited delegates who unavoidably cannot attend Convention.

Section 14

Immediately following the election of Local delegates to the National Triennial Convention, the Local Secretary shall submit to the National Office the names of the Local's accredited delegates on a credential form supplied by the National Office of this Component.

Section 15

No delegate shall be nominated who has not attended at least 75% of the Local meetings during the prior twelve month period, unless a satisfactory reason is given for such absence.

Section 16

Delegates to the National Conventions of the Public Service Alliance of Canada shall be the elected National Executive. If the entitlement to Component delegates exceeds the National Executive, the remaining delegates shall be elected from amongst the delegates to the Component National Triennial Convention.

Section 17

Late resolutions to a Convention shall be submitted to the National Office 28 days prior to the opening date of Convention and such resolutions shall be the last order of business. Resolutions submitted after this date shall not be accepted, except for resolutions of an urgent or emergency nature involving a matter which transpired after the above-stated twenty-eight (28) days.

BY-LAW 11 - FINANCES

Section 1

The financial records of this Component shall be audited once annually by a firm of chartered or certified accountants approved by the National Executive. A copy of such statement shall be forwarded to each Local immediately upon completion of the annual audit.

Section 2

The signing officers of this Component shall be the National President, the National Executive Vice-President, one National Vice-President and the Executive Assistant. Signatories of official documents and cheques shall be one elected officer and the Executive Assistant or two elected officers.

Section 3

The signing officers of this Component shall be bonded in an amount not less than \$10,000.00 each.

Section 4

In case of emergency, the National Executive shall have the authority to designate one or more of its members as signing officers of this Component.

Section 5

The fiscal year of this Component shall be from 1 January to 31 December.

Section 6

All financial records of this Component and its Locals shall be retained for the legal period prescribed by the Income Tax Act, as interpreted by the Minister of National Revenue.

Section 7

Cheques and money orders shall be made payable to the "Union of Veterans' Affairs Employees."

Section 8

Three signing officers for withdrawals shall be approved by all Locals, two of whom sign all cheques. No disbursements shall be made without authorization of the Local's By-Laws.

Section 9

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

Section 10

Local Treasurers or Secretary-Treasurers shall submit to the National Office annual audited statements of Local finances and membership before 1 April of each year. In accordance with the foregoing, the National Office shall make no remittance of refundable portion of dues until such statement has been received. The annual audit may be conducted by a committee of members, elected at a general meeting.

Section 11

The fiscal year for all Locals shall be 1 January to 31 December.

Section 12

No Local shall enter into any financial or contractual understanding or agreement without prior approval of the National Executive. Notwithstanding the approval of the National Executive, the Local will be responsible for any financial contractual understanding or agreement.

Section 13

All financial records of this Component and its subordinate bodies shall be maintained in an approved manner as advised by the auditors, in the case of the National Office, and by the National Executive, in the case of each Local.

BY-LAW 12 - DISCIPLINE

Section 1

- (i) The National Executive of this Component shall have the authority, by resolution passed by a majority consisting of two-thirds of those eligible to vote, to (1) remove from office any National Executive Officer or Local Officer, and/or (2) recommend to the Public Service Alliance of Canada, for Board of Director decision, the suspension or expulsion from membership of any National Executive Officer, Local Officer or member, for contravening any provision of the By-Laws of this Component or the Constitution of the Public Service Alliance of Canada or for cause as listed in Section 5 of this By-Law.
- (ii) Any person or persons suspended or expelled shall turn over to the Component all records, documents, funds or property held in trust for the Alliance, the Component or the Local.

Section 2

A Local of this Component shall have the authority to (1) remove from office for cause any Local Officer, and/or (2) recommend to the UVAE National Executive the suspension or expulsion from membership any Local Officer or member for contravening a provision of the Local By-Laws, a provision of these By-Laws, the

Constitution of the Public Service Alliance of Canada, or for cause listed in Section 5 of this By-Law. Expulsion can be for a maximum lifetime period. The recommendation of the length of suspension is to be determined by the member's local on a case by case scenario as warranted.

Section 3

A Local Officer or member so dealt with as provided in Sections 1 or 2 of this By-Law shall have the right to appeal such decisions to the National Executive. Further appeal against the decision of the National Executive may be taken to the National Convention of this Component and the procedures for the disposition of such matters shall be in accordance with Section 25 of the Constitution of the Public Service Alliance of Canada.

- (i) A National Officer removed from office as per Section 1 shall have the right to appeal such decision to the National Board of Directors of the Public Service Alliance of Canada.

Section 4

A Local which has not carried out the responsibilities required by these By-Laws shall be considered inactive and the National Executive shall have the authority to appoint a Trustee with responsibility to manage the Local's affairs and to bring about its reactivation with minimum delay.

Section 5

A National Officer, a Local officer or a member proven to have committed any of the offenses listed in Sub-sections (A) to (O) shall be penalized as provided in Sections 1 and 2 of this By-Law.

- (A) Violating any provision of the Local By-Laws, the By-Laws of this Component or the Constitution of the Public Service Alliance of Canada;
- (B) Obtaining membership or soliciting members by misrepresentation;
- (C) Instituting, urging or advocating that a member of any Local institute action in court against this Component or the Public Service Alliance of Canada or any of its Officers or against a Local or any of its Officers without first exhausting all remedies through appeal within the organization;
- (D) Advocating or attempting to bring about the withdrawal from this Component or any Local of any member or group of members;
- (E) Publishing or circulating among the members false reports or misrepresentations;
- (F) Working in the interests of a rival organization;
- (G) Slandering, libelling or wilfully wronging an officer or member of this Component or the Public Service Alliance of Canada;
- (H) Using abusive language or disturbing the peace of any meeting, in or around any office or meeting place of this Component or its Locals;
- (I) Fraudulently receiving money due to this Component or any of its Locals or misappropriating the monies of this Component or any of its Locals;

- (J) Using the name of a Local for soliciting funds, advertising, etc., of any kind without the consent of that Local, or using the name of this Component for soliciting funds, advertising, etc., of any kind without the consent of the National Executive of this Component.
- (K) Furnishing a complete or partial list of the membership of this Component or of any Local to any person or persons other than those whose official position entitles them to such a list;
- (L) Deliberately interfering with an official of this Component, any of its Locals or the Public Service Alliance of Canada in the discharge of the official's duties;
- (M) Any other conduct prejudicial to the good order and welfare of this Component, any of its Locals or the Public Service Alliance of Canada.
- (N) A worker, who in a legal strike position, crosses the picket line, performs work for the employer, unless required to do so by law or, who voluntarily performs struck work.
- (O) Sexually or personally harassing another member;

BY-LAW 13 - AREA COUNCILS

Section 1

In accordance with Section 14 of the Constitution of the Public Service Alliance of Canada, this Component shall encourage and participate in the organization and operation of Area Councils.

Section 2

In areas where the condition set forth in Section 1 of this By-Law exists, this Component shall make application to the Public Service Alliance of Canada as required by Section 14, Sub-section 2, of the Constitution of the Public Service Alliance of Canada and, upon approval of the application as specified, Component Locals in such areas shall participate in the formation and operation of Area Councils within the terms and conditions of Section 14, Sub-sections (1) to (13), inclusive, of the Constitution of the Public Service Alliance of Canada.

BY-LAW 14 - GENERAL

Section 1

Subject matter files shall be maintained for periods established by the National Executive.

Section 2

In the event of a jurisdictional dispute between Locals of this Component concerning employees eligible for membership, such disputes shall be referred to the National Executive and their decision shall be binding on all Locals concerned.

Section 3

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

Section 4

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

conventions of this Component.

Section 5

Nothing in these By-Laws shall be construed to conflict with the Constitution of the Public Service Alliance of Canada.

Section 6

This Component 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 National Executive.

Section 7

The following interpretations shall apply in these By-Laws:

"Component," where used in these By-Laws, shall be construed to mean "Union of Veterans' Affairs Employees of the Public Service Alliance of Canada," unless specifically indicated otherwise.

"May" is to be construed as permissive.

"Shall" is to be construed as imperative.

"National Executive" shall be construed to refer to the "National Executive of the Union of Veterans' Affairs Employees of the Public Service Alliance of Canada."

Section 8

LOCAL BY-LAWS

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By-Law 1

Name

Section 1 The name of this Local shall be *Local _____^s of the Union of Veterans' Affairs 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 Department of Veterans' Affairs Component [now Union of Veterans' Affairs Employees], November 8, 1966, Ottawa, Ontario.

By-Law 2

Aims and Objectives

Section 1 To unite all public service employees over which this Component has jurisdiction as determined by the Constitution of the Public Service Alliance of Canada in a single union capable of acting on their behalf.

- Section 2 To support fully the PSAC in the furtherance of its constitutional responsibility for the improvement and protection of wages, salaries and other terms and conditions of employment and to protect the interests, rights and privileges of all employees over which this Component has jurisdiction.
- Section 3 To obtain, through democratic means, for all employees over which this Component has jurisdiction, the best possible standards of wages, salaries and other terms and conditions of employment, and to protect the interests, rights and privileges of these employees.
- Section 4 To support the aims and objects outlined in the Constitution of the PSAC and the By-Laws of the Union of Veterans' Affairs Employees.

By-Law 3 **Membership**

Section 1 ***Regular Membership*** - All employees over which the Local has been granted jurisdiction by the By-Laws of this Component.

Section 2 ***Associate Membership*** - Any former member of this Local whose employment has been terminated by:

- (a) Retirement,
- (b) Lay off, or
- (c) Separation from their continued employment in the Federal Public Service by reason of privatization.

Associate members shall not be eligible for elective or other office in the Local, and shall not have voice or vote in the affairs of the local, but may be afforded such other rights and privileges of membership.

Section 3 ***Honourary Membership*** - May be granted to former members who have retired and who, in the opinion of the Local and with the concurrence of the National Executive, merit such honour. Honourary members shall not be entitled to vote at meetings or hold office in the Local.

Section 4 ***Life Membership*** - In this Local may be bestowed upon any member whose service to the Local, in the opinion of the membership, merits such honour. Nominations for Life Membership should be recommended at a General or Executive Meeting, for consideration at a following General or Special Meeting. Life membership is approved by a 2/3 majority vote of the members present.

Section 5 ***Life Membership at National Level*** - May be awarded to members of this Local in accordance with UVAE By-Law 3, Section 7.

Section 6 All members shall be required to pay membership dues as provided in UVAE By-law 5, and By-Law 5 of these By-Laws, with the exception of those memberships provided by Sections 2, 3, 4 and 5.

Section 7 With the exception of those memberships provided by Sections 2, 3, 4 and 5, all members shall be issued with an identification card, approved by the PSAC.

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 and be bound by the provisions of these By-Laws and the By-Laws of UVAE and the Constitution of the PSAC.

By-Law 5 **Membership Dues**

Section 1 Members and deductees in this Local shall also be required to pay dues as determined by the National Conventions of the Public Service Alliance of Canada and the UVAE, respectively. [UVAE By-Law 5.]

Section 2 Locals may have an additional amount of dues deducted provided such dues are authorized by a simple majority vote of the members present and voting at a regularly constituted general or special meeting.

By-Law 6 **Form of Organization, Local Jurisdiction, Authority and Rights**

Section 1 This Local shall elect from its membership not less than three officers, a President, a Vice-President and a Treasurer or a Secretary-Treasurer, to conduct its affairs. Such Officers

shall be elected at a General Membership meeting of the Local and their duties shall be consistent with By-Law 7 of these By-Laws.

- Section 2 An Executive Council shall consist of elected officers. This Council may be augmented by the appointment of any other members deemed necessary.
- Section 3 Each Local shall have the power to deal with management officials in the locality concerned on matters affecting the interests of its members, as authorized by UVAE By-law 7.
- Section 4 The elected officers of this Local shall hold sufficient Executive Council meetings in order to ensure the proper conduct of its affairs. The time, place and number of these meetings shall be decided by the President.
- Section 5 This Local shall hold a regular Annual Membership Meeting for the purpose of receiving reports from its Officers, consideration of such business as may be required by its By-Laws, and the holding of Election or ratification of Officers, as required by these By-Laws.

Section 6 Locals shall elect or appoint Shop Stewards, as necessary for the efficient operation of their Local.

By-Law 7 Duties of Officers and Executive Council Members

Section 1 Local President

The Local President shall:

- (a) preside at all meetings of the Local and Executive Council,
- (b) ensure the Local Executive carries out the directives and policies established by National Conventions of the PSAC and UVAE, this in accordance with the authorities of each as provided by the Constitution and By-Laws,
- (c) submit a report of activities to all meetings of the Local and Executive Council,
- (d) have an additional vote in the case of a tie,
- (e) perform such other duties as are within the authority of presiding officers of deliberating bodies,
- (f) attend all UVAE Conferences, meetings and Conventions.

The Local President may be an *ex-officio* member of Local Committees.

Section 2 **Vice President**

The Vice-President shall perform the duties of the President in the case of absence or the resignation of that Officer. The Vice-President shall attend meetings of the Local and Executive Council and shall perform such other duties as may be assigned by the President.

Section 3 **Secretary**

The Secretary shall attend all meetings of the Local and Executive Council and maintain accurate records of all meetings of the Local and Executive Council, provide copy of approved minutes of all meetings to UVAE National Office and perform such secretarial duties as the President may direct.

Section 4 **Treasurer**

The Treasurer shall be accountable for all finances of the Local and all information pertaining to Group Life Insurance and carry on all correspondence pertaining to insurance and finances as the President may direct. The Treasurer shall attend all meetings of the Local and Executive Council and shall submit a financial statement to all regular meetings of the Local. The Treasurer's duties shall be consistent with UVAE By-Law 11.

Section 5 Committees may be formed for any purpose necessary to further the work of this Local. Committee members must be nominated by the Executive Council, if necessary.

By-Law 8 **Election of Officers**

Section 1 All elections shall be by secret ballot and be decided by a simple majority.

Section 2 The Executive Council may appoint a Nominating Committee, at least one (1) month preceding the election meeting. This Committee shall elect its chairperson, conduct the election and appoint such assistants as necessary to ensure an orderly election.

Section 3 All nominees for office in this Local shall be members in good standing, be present at the election and have attended at least seventy-five percent (75%) of the General Meetings held during the prior twelve (12) month period, unless a satisfactory reason is given for such absence.

Section 4 It shall be the responsibility of the Nominating Committee to ensure all names of candidates that have been submitted on a nomination form [See Appendix "A"] twelve (12) days prior to election shall appear on the agenda as nominated candidates.

Section 5 Election of officers shall take place during the period November to March at a General Meeting.

- Section 6 Before the close of the meeting, all elected officers of this Local shall take the OATH OF OFFICE as per UVAE By-Law 15 and assume their elected chairs.
- Section 7 The election of officers shall be in the order as set out in By-Law 6, Section 1 of these By-Laws.
- Section 8 Nominations will be accepted from the floor at the Election Meeting by the Elections Chairperson.
- Section 9 The Nominating Committee shall provide and distribute ballots.
- Section 10 Officers shall be elected for a period of three years, and shall be eligible for re-election.
- Section 11 A vacancy on a Local Executive occurring Between annual meetings shall be filled within 90 days or at the next annual meeting, whichever comes first.
- Section 12 Members of the National Executive shall not be eligible for election to Local office.

By-Law 9 **Finances**

- Section 1 The financial records of this Local shall be audited annually. A copy of such statement shall be forwarded to the National Office, UVAE, by April 1st.

- Section 2 The signing officers of this Local shall be any two (2) of the following: the President, the Vice-President and the Treasurer.
- Section 3 In case of emergency, the Executive Officers all have the authority to designate one (1) or more of their members as signatories of this Local.
- Section 4 The fiscal year of this Local shall be from January 1st to December 31st.
- Section 5 Cheques and money orders shall be made payable to the order of "Local _____⁹, UVAE."
- Section 6 This Local shall not enter into any financial or contractual understanding or agreement without prior authority of the National Executive.
- Section 7 All financial records of this Local shall be maintained in an approved manner, as instructed by the National Executive.
- Section 8 A Petty Cash Account, to the extent of \$_____¹⁰, may be kept by the Treasurer and vouchers must be kept to cover any expenditures.
- Section 9 Expenditures in excess of \$_____¹³ shall require the recommendation of the Executive Council and the approval of the General Meeting.

By-Law 10

General

- Section 1 Subject matter files shall be maintained for periods established by the National Executive.
- Section 2 This Local shall issue such publications as are necessary to keep its members informed on matters concerning them.
- Section 3 A General Meeting of the Local may be held at the call of the President when deemed necessary.
- Section 4 A General Meeting shall be called by the President upon receipt of a requisition signed by (10%) or more members of the Local, fifty percent (50%) of whom must be in attendance at the meeting.
- Section 5 The February meeting shall be the Annual Meeting of the Local. The business of this meeting shall be the reception of and consideration of reports from the Executive Council covering the work and finances of the Local, and any other business that may be brought before the meeting, which shall be of general interest.
- Section 6 Problems relative to the Local will be dealt with by the Executive Council only upon submission in writing to the appropriate Executive Council Officer.

- Section 7 The elected officers may be paid an allowance, not to exceed an amount set by the membership at the Annual Meeting, to cover out of pocket expenses during their term of office.
- Section 8 A quorum for an Executive Council Meeting shall consist of at least three (3) Officers of the Executive Council.
- Section 9 A quorum for a General Meeting shall be not less than _____ of the membership. Elected Officers shall be excluded in determining the quorum.
- Section 10 Agendas shall be posted at least ten (10) working days prior to all meetings.
- Section 11 The General Meeting has the power to produce Regulations which are necessary for the good order and welfare of the local. A simple majority vote of the members in attendance is required to approve an amendment to the Regulations.
- Section 12 The minimum Order of Business for Executive Council and General Meetings shall be:
- A) Roll Call of Executive Council
 - B) Adoption of Minutes of Last General Meeting
 - C) Treasurer's Report
 - D) Regular Business
 - E) New Business (Election of Officers, where applicable)

APPENDIX "A" - Form for Election of Local Officers

UVAE Local _____ By-Laws

Issued _____

ELECTION OF LOCAL OFFICERS

[By-Law 8, Section 4]

I wish to nominate _____

for the Office of _____

Dated: _____

Nominator: _____

Secunder: _____

I, _____, hereby agree to accept the nomination indicated above and, if elected, to serve to the best of my ability in that office.

Nominee: _____

[This form to be completed and turned in to the Nominations Committee.]

BY-LAW 15 - OATH OF OFFICE (Officers)

The following Oath of Office shall be administered to all Officers immediately upon acceptance of their respective offices:

"I _____, having been elected an Officer of the Union of Veterans' Affairs Employees of the Public Service Alliance of Canada, solemnly declare that for my term of office I shall abide and uphold these By-Laws, fulfil the duties of such office, will maintain and uphold the dignity of the Union and will always keep confidential all matters concerning the affairs of the Union that are brought to my attention."