

**By-Laws Committee Report
December 2007**

RECOMMENDATION NO. 1

RÈGLEMENT NO. 1

1.1 STRUCTURE

- (1) Aux fins du statut 7, les localités suivantes sont établies :
- (a) La région de l'Atlantique, comprenant les sections locales de St-John's, Charlottetown, Sydney, Saint John, Halifax, Bathurst, Moncton, le Centre des données fiscales de St-John's et Summerside.

CHANGEMENT PROPOSÉ AU RÈGLEMENT NO. 1

1.1 STRUCTURE

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- (a) La région de l'Atlantique, comprenant les sections locales de St-John's, Charlottetown, Sydney, Saint John, Halifax, Bathurst, Moncton, le Centre des données fiscales de St-John's et Summerside.

NOTE: THIS CHANGE ONLY AFFECTS THE FRENCH VERSION

RATIONALE

RECOMMENDATION NO. 2

RÈGLEMENT NO. 3

3.1 COMITÉS

- (1) Sont établis treize (13) comités permanents: comité de la négociation, comité des statuts, comité de la dotation, comité sur les changements technologiques, comité de santé et de sécurité, comité des chances égales, comité du programme d'aide aux employées et employés, comité des finances, comité des récompenses et des titres honorifiques, comité sur le réaménagement des effectifs, comité sur le harcèlement, comité des communications et comité d'action politique.

CHANGEMENT PROPOSÉ AU RÈGLEMENT NO. 3

3.1 COMITÉS

- (1) Sont établis treize (13) comités permanents: comité de la négociation, comité des ~~statuts~~ **Statuts**, comité de la dotation, comité sur les changements technologiques, comité de santé et de sécurité, comité des chances égales, comité du programme d'aide aux employées et employés, comité des finances, comité des récompenses et des titres honorifiques, comité sur le réaménagement des effectifs, comité sur le harcèlement, comité des communications et comité d'action politique.

NOTE: THIS CHANGE ONLY AFFECTS THE FRENCH VERSION

RATIONALE

RECOMMENDATION NO. 3

CURRENT REGULATION NO. 3

3.1 COMMITTEES

- (10) No meetings with the Agency's Officials shall be held without the authorization of the Executive Council, Executive Committee or the President.

PROPOSED CHANGES TO REGULATION NO. 3

3.1 COMMITTEES

- (10) No meetings with the ~~Agency's~~ **CRA** Officials shall be held without the authorization of the Executive Council, Executive Committee or the President.

RATIONALE

RECOMMENDATION NO. 4

CURRENT REGULATION NO. 6

6.1 UTE DELEGATES TO PSAC CONVENTIONS

- (1) Delegates elected at a UTE Convention to represent our Union at a PSAC Convention must fully support all resolutions referred from our convention.
- (2) Notwithstanding paragraph (1), UTE delegates who have grave personal difficulties may abstain or absent themselves during a vote on a UTE resolution.
- (3) UTE delegates to a PSAC Convention shall not speak against a resolution adopted at a UTE Convention.

PROPOSED CHANGES TO REGULATION NO. 6

6.1 UTE DELEGATES TO PSAC CONVENTIONS

- (1) Delegates elected at a UTE Convention to represent our Union at a PSAC Convention must fully support all resolutions referred from our convention.
- (2) Notwithstanding paragraph (1), UTE delegates who have grave personal difficulties may abstain or absent themselves during a vote on a UTE resolution.
- (3) UTE delegates to a PSAC Convention shall not **vote or** speak against a resolution adopted at a UTE Convention.

RATIONALE

RECOMMENDATION NO. 5

CURRENT REGULATION NO. 8

8.1 DUTIES OF VICE-PRESIDENTS

- (1) The 2nd Vice-President:
 - (a) may attend as an observer one meeting of the PSAC National Board of Directors each year without taking into account the possibility of having to replace the 1st Vice-President.
- (2) The Regional Vice-President:
 - (a) is to visit, at least once in each year, the Locals in their region;
 - (b) attends all Executive Council, Regional and National Union Management Meetings. If no minutes are being prepared, reports in writing to the respective Locals within thirty (30) days;
 - (c) arranges regional and inter-regional meetings as required;
 - (d) serves on committees;
 - (e) provides guidance and counselling to Locals when requested by the Local or the Executive Council;
 - (f) acts as a representative or assists in the presentation of complaints, grievances or appeals;
 - (g) assists in Local consultation when requested;
 - (h) when necessary, assists in the training of Local officers through courses or seminars;
 - (i) ensures effective communication is maintained to all levels of UTE;
 - (j) reviews and suggests changes to Local By-Laws;
 - (k) performs other related duties as required;
 - (l) submits to the National Office at least two weeks prior to an Executive Council meeting, written report of their activities, agenda items including motions, rationale and where applicable, supporting documentation;

- (m) (i) The two (2) Québec regions are authorized by the delegates of the seventh (7th) Convention to hire on a full-time basis one (1) of the two (2) Regional Vice-Presidents from Québec;
- (ii) The expenses normally incurred by the two (2) Québec Regional Vice-Presidents for union business authorized by UTE shall be reimbursed by the National Office as provided for in the By-Laws and Regulations of UTE;
- (iii) the expenses for non-authorized union activities of the said Regional Vice-Presidents of UTE are the responsibility of the Québec Locals;
- (iv) this principle shall be applied to other regions who make the request.
- (n) may attend a PSAC National Board of Director's meeting once during his/her current term of office regardless of the location of the National Board of Directors meeting. This is a meeting of the Regional Vice-President's choice with prior approval of the National President.

PROPOSED CHANGES TO REGULATION NO. 8

8.1 DUTIES OF VICE-PRESIDENTS

(1) The 1st Vice-President:

- (a) shall attend all meetings of the PSAC National Board of Directors**
- (b) shall serve on committees**

(2) The 2nd Vice-President:

- (a) may attend as an observer one meeting of the PSAC National Board of Directors each year without taking into account the possibility of having to replace the 1st Vice-President.
- (b) shall serve on committees**

(3) The Regional Vice-President:

- (a) is to visit, at least once in each year, the Locals in their region;
- (b) attends all Executive Council, Regional and National Union Management Meetings. If no minutes are being prepared, reports in writing to the respective Locals within thirty (30) days;
- (c) arranges regional and inter-regional meetings as required;

- (d) serves on committees;
- (e) provides guidance and counselling to Locals when requested by the Local or the Executive Council;
- (f) acts as a representative or assists in the presentation of complaints, grievances or appeals;
- (g) assists in Local consultation when requested;
- (h) when necessary, assists in the training of Local officers through courses or seminars;
- (i) ensures effective communication is maintained to all levels of UTE;
- (j) reviews and suggests changes to Local By-Laws;
- (k) performs other related duties as required;
- (l) submits to the National Office at least two weeks prior to an Executive Council meeting, written report of their activities, agenda items including motions, rationale and where applicable, supporting documentation;
- ~~(m) (i) The two (2) Québec regions are authorized by the delegates of the seventh (7th) Convention to hire on a full time basis one (1) of the two (2) Regional Vice-Presidents from Québec;~~
- ~~(ii) The expenses normally incurred by the two (2) Québec Regional Vice-Presidents for union business authorized by UTE shall be reimbursed by the National Office as provided for in the By-Laws and Regulations of UTE;~~
- ~~(iii) the expenses for non-authorized union activities of the said Regional Vice-Presidents of UTE are the responsibility of the Québec Locals;~~
- ~~(iv) this principle shall be applied to other regions who make the request.~~
- (m) may attend a PSAC National Board of Director's meeting once during his/her **their** current term of office regardless of the location of the National Board of Directors meeting. This is a meeting of the Regional Vice-President's choice with prior approval of the National President.

RATIONALE

RECOMMENDATION NO. 6

CURRENT REGULATION NO. 10

10.1 COLLECTIVE BARGAINING PROCEDURES

10.1.1 General

- (1) Any member participating in collective bargaining shall abide by the process of Collective Bargaining.
- (2) Bargaining proposals shall include changes to the existing Collective Agreement in the form of amendments, additions or deletions.
- (3) The President be an ex-officio member of the National Bargaining Committee and the Bargaining Team.
- (4) The 2nd Vice-President is also a member of the PSAC National Co-ordinating Strike Committee.

PROPOSED CHANGES TO REGULATION NO. 10

10.1 COLLECTIVE BARGAINING PROCEDURES

10.1.1 General

- (1) Any member participating in collective bargaining shall abide by the process of Collective Bargaining.
- (2) Bargaining proposals shall include changes to the existing Collective Agreement in the form of amendments, additions or deletions.
- (3) The President be an ex-officio member of the National Bargaining Committee and the ~~Bargaining Team~~ **PSAC/CRA Negotiating Team**.
- (4) The 2nd Vice-President is also a member of the PSAC National Co-ordinating Strike Committee.

RATIONALE : According to PSAC, this is the official title.

RECOMMENDATION NO. 7

CURRENT REGULATION NO. 10

10.4 NATIONAL BARGAINING TEAM

10.4.1 Composition

- (1)
 - (a) the first seat is allocated to the 2nd Vice-President;
 - (b) the second seat is allocated to the Regional Vice-President appointed by the Executive Council who is the Co-chair of the Standing Bargaining Committee;
 - (c) all other available seats will be selected from the members of the National Bargaining Committee.
- (2) The selection of the National Bargaining Team members in (c) is done by the President; the 2nd Vice-President and the Regional Vice-President appointed by the Executive Council who is the Co-chair of the Standing Bargaining Committee.

PROPOSED CHANGES TO REGULATION NO. 10

10.4 ~~NATIONAL BARGAINING TEAM~~ PSAC/CRA NEGOTIATING TEAM

10.4.1 Composition

- (1)
 - (a) the first seat is allocated to the 2nd Vice-President;
 - (b) the second seat is allocated to the Regional Vice-President appointed by the Executive Council who is the Co-chair of the Standing Bargaining Committee;
 - (c) all other available seats will be selected from the members of the National Bargaining Committee.
- (2) The selection of the ~~National Bargaining Team~~ **PSAC/CRA Negotiating Team** members in (c) is done by the President; the 2nd Vice-President and the Regional Vice-President appointed by the Executive Council who is the Co-chair of the Standing Bargaining Committee.

RATIONALE : According to PSAC, this is the official title.

RECOMMENDATION NO. 8

RÈGLEMENT NO. 13

13.2 PER DIEMS

13.2.1 Dirigeantes/Dirigeants

- (1) Les dirigeantes ou dirigeants du Conseil exécutif qui travaillent pour le compte du SEI à l'extérieur de leur région métropolitaine reçoivent un per diem de quatre-vingt cinq dollars (85 \$) pour couvrir les frais de repas et les faux frais. Ce montant est payé à partir du jour de leur départ de leur résidence jusqu'à et y compris le jour du retour. Cependant, le versement d'un per diem de cent dix dollars (110 \$) par jour est payé pour le samedi et le dimanche aux personnes qui s'occupent d'affaires autorisées du SEI et ne sont pas autrement indemnisées par le SEI.
- (2)
 - (a) Les dirigeantes et les dirigeants du conseil exécutif qui assistent à une réunion du Conseil exécutif, à une conférence des présidentes et des présidents, à une réunion des comités nationaux, à une conférence régionale, à une conférence inter-régionale, à un congrès, au congrès d'une fédération de travail, à un congrès du Congrès du travail du Canada ou à toute autre conférence du SEI dans leur région métropolitaine reçoivent le per diem mentionné au règlement. La dirigeante ou le dirigeant qui assiste à une réunion d'un comité national et loge à l'hôtel sans l'approbation préalable de la présidente ou du président ou, en son absence, de la 1^{re} vice-présidente ou du 1^{er} vice-président touche le per diem mentionné au règlement.
 - (b) Les dirigeantes et les dirigeants du Conseil exécutif qui assistent à une réunion d'un comité national tenue au Bureau national du SEI et qui ne reçoivent pas de per diem selon la clause (a) ont droit au per diem de déjeuner mentionné au règlement. Le per diem de dîner prévu au règlement peut être versé avec l'approbation de la présidente ou du président ou, en son absence, de la 1^{re} vice-présidente ou du 1^{er} vice-président.

RÈGLEMENT NO. 13

13.2 PER DIEMS

13.2.1 Dirigeantes/Dirigeants

- (1) Les dirigeantes ou dirigeants du Conseil exécutif qui travaillent pour le compte du SEI à l'extérieur de leur région métropolitaine reçoivent un per diem de quatre-vingt cinq dollars (85 \$) pour couvrir les frais de repas et les faux frais. Ce montant est payé à partir du jour de leur départ de leur résidence jusqu'à et y compris le jour du retour. Cependant, le versement d'un per diem de cent dix dollars (110 \$) par jour est payé pour le samedi et le dimanche aux personnes qui s'occupent d'affaires autorisées du SEI et ne sont pas autrement indemnisées par le SEI.
- (2)
 - (a) Les dirigeantes et les dirigeants du **Conseil** exécutif qui assistent à une réunion du Conseil exécutif, à une conférence des présidentes et des présidents, à une réunion des comités nationaux, à une conférence régionale, à une conférence inter-régionale, à un congrès, au congrès d'une fédération de travail, à un congrès du Congrès du travail du Canada ou à toute autre conférence du SEI dans leur région métropolitaine reçoivent le per diem mentionné au règlement. La dirigeante ou le dirigeant qui assiste à une réunion d'un comité national et loge à l'hôtel sans l'approbation préalable de la présidente ou du président ou, en son absence, de la 1^{re} vice-présidente ou du 1^{er} vice-président touche le per diem mentionné au règlement.
 - (b) Les dirigeantes et les dirigeants du Conseil exécutif qui assistent à une réunion d'un comité national tenue au Bureau national du SEI et qui ne reçoivent pas de per diem selon la clause (a) ont droit au per diem de déjeuner mentionné au règlement. Le per diem de dîner prévu au règlement peut être versé avec l'approbation de la présidente ou du président ou, en son absence, de la 1^{re} vice-présidente ou du 1^{er} vice-président.

NOTE: THIS CHANGE ONLY AFFECTS THE FRENCH VERSION

RATIONALE

RECOMMENDATION NO. 9

RÈGLEMENT NO. 13

13.9 LIGNES DIRECTRICES SUR LES DÉPENSES

- (8) Divers – Généralités : Toutes les dépenses diverses, sauf les pourboires, doivent être justifiées d'un reçu.
- (a) Appels téléphoniques : Un montant raisonnable est remboursé pour les appels téléphoniques.
 - (b) Maladie/vacances : Pendant que vous vous occupez des affaires syndicales autorisées, si vous travaillez moins de 75 heures pour l'ADRC dans un mois donné, ce qui vous fait perdre des vacances et des crédits de congés de maladie, le SEI vous rembourse cette perte sur présentation d'une demande de salaire pour la période, avec indication de la perte de crédits.
 - (c) Pourboires : Un montant raisonnable de pourboires est remboursé (les exemples comprennent les chasseurs d'hôtel; sont exclus les pourboires dans les restaurants).

CHANGEMENT PROPOSÉ AU RÈGLEMENT NO. 13

13.9 LIGNES DIRECTRICES SUR LES DÉPENSES

- (8) Divers – Généralités : Toutes les dépenses diverses, sauf les pourboires, doivent être justifiées d'un reçu.
- (a) Appels téléphoniques : Un montant raisonnable est remboursé pour les appels téléphoniques.
 - (b) Maladie/vacances : Pendant que vous vous occupez des affaires syndicales autorisées, si vous travaillez moins de 75 heures pour ~~l'ADRC~~ **l'ARC** dans un mois donné, ce qui vous fait perdre des vacances et des crédits de congés de maladie, le SEI vous rembourse cette perte sur présentation d'une demande de salaire pour la période, avec indication de la perte de crédits.
 - (c) Pourboires : Un montant raisonnable de pourboires est remboursé (les exemples comprennent les chasseurs d'hôtel; sont exclus les pourboires dans les restaurants).

NOTE : THIS CHANGE ONLY AFFECTS THE FRENCH VERSION

RATIONALE

RECOMMENDATION NO. 10

CURRENT REGULATION NO. 21

21.2 UTE GUIDELINES

21.2.1 Normal Family Care Arrangements

- (4) Family care expenses shall not be reimbursed if the member is on leave (with or without pay) from the CCRA but would normally incur family care expenses if they were at work.

PROPOSED CHANGES TO REGULATION NO. 21

21.2 UTE GUIDELINES

21.2.1 Normal Family Care Arrangements

- (4) Family care expenses shall not be reimbursed if the member is on leave (with or without pay) from the CCRA but would normally incur family care expenses if they were at work.

RATIONALE

RECOMMENDATION NO. 11

CURRENT REGULATION NO. 22

22.1.4 Sick Leave

- (6) If the an Officer dies or otherwise ceases to be employed, for reasons other than disciplinary, the Officer or the estate shall, in lieu of earned sick leave with pay, be paid an amount equal to the product obtained by multiplying the number of days of earned but unused sick leave by the applicable daily rate of pay as a CCRA employee immediately prior to the Officer being elected. All pay out of sick leave must be completed at the end of each three (3) year term of office.

PROPOSED CHANGES TO REGULATION NO. 22

22.1.4 Sick Leave

- (6) If an Officer dies or otherwise ceases to be employed, for reasons other than disciplinary, the Officer or the estate shall, in lieu of earned sick leave with pay, be paid an amount equal to the product obtained by multiplying the number of days of earned but unused sick leave by the applicable daily rate of pay as a ~~C~~CRA employee immediately prior to the Officer being elected. All pay out of sick leave must be completed at the end of each three (3) year term of office.
- (7) **The officers shall report the balance of their sick leave credits available at each Executive Council meeting verbally.**

RATIONALE

RECOMMENDATION NO. 12

CURRENT REGULATION NO. 22

22.1.5 Vacation Leave with Pay

- (1) For each calendar month in which an Officer earns at least ten (10) days' pay, vacation credits with pay shall be earned at the rate:
 - (a) one and one-quarter (1 1/4) days until the month in which the anniversary of her/his sixth (6) year of continuous employment occurs;
 - (b) one and two-thirds (1 2/3) days commencing with the month in which her/his sixth (6) anniversary of continuous employment occurs;
 - (c) two and one-twelfth (2 1/12) days commencing with the month in which her/his fourteen (14th) anniversary of continuous employment occurs effective April 1, 1999.
 - (d) two and one-half (2 1/2) days commencing with the month in which her/his twenty-third (23rd) anniversary of continuous employment occurs.
 - (e) employment with CRA shall be used in the calculation of continuous employment for purposes of Section 1.
- (2) In order to utilize this leave provision:
 - (i) the President shall notify the 1st Vice-President; and
 - (ii) the 1st Vice-President shall notify the President.
- (3) An Officer may carry over any vacation leave credits but not in excess of one year's entitlement.
- (4) If an Officer dies or ceases to be employed, the Officer or the estate shall, in lieu of earned vacation leave with pay, be paid an amount equal to the product obtained by multiplying the number of days earned but unused vacation leave by the daily rate of pay applicable immediately prior to the termination of employment.

PROPOSED CHANGES TO REGULATION NO. 22

22.1.5 Vacation Leave with Pay

- (1) For each calendar month in which an Officer earns at least ten (10) days' pay, vacation credits with pay shall be earned at the rate:
 - (a) one and one-quarter (1 1/4) days until the month in which the anniversary of

her/his sixth (6) year of continuous employment occurs;

- (b) one and two-thirds ($1 \frac{2}{3}$) days commencing with the month in which her/his sixth (6) anniversary of continuous employment occurs;
 - (c) two and one-twelfth ($2 \frac{1}{12}$) days commencing with the month in which her/his fourteen (14^{th}) anniversary of continuous employment occurs effective April 1, 1999.
 - (d) two and one-half ($2 \frac{1}{2}$) days commencing with the month in which her/his twenty-third (23^{rd}) anniversary of continuous employment occurs.
 - (e) employment with CRA shall be used in the calculation of continuous employment for purposes of Section 1.
- (2) In order to utilize this leave provision:
- (i) the President shall notify the 1st Vice-President; and
 - (ii) the 1st Vice-President shall notify the President.
- (3) An Officer may carry over any vacation leave credits but not in excess of one year's entitlement.
- (4) If an Officer dies or ceases to be employed, the Officer or the estate shall, in lieu of earned vacation leave with pay, be paid an amount equal to the product obtained by multiplying the number of days earned but unused vacation leave by the daily rate of pay applicable immediately prior to the termination of employment.
- (5) **The officers shall report the balance of their vacation leave credits available at each Executive Council meeting verbally.**

RATIONALE

RECOMMENDATION NO. 13

CURRENT REGULATION NO. 22

22.1.9 Relocation Expenses

- (1) The Officers are required to reside in the Greater Ottawa area.
- (2) The purpose of this Regulation is to authorize UTE to reimburse those actual and reasonable expenses within the limits of the CCRA Relocation Directive save for any provisions in that directive which may provide for housing cost differential payments or mortgage interest cost differential payments incurred by the Officers, spouse and dependent members of the family in relocating from one place of residence to another, either at the time of election or at the time of termination of employment as a full-time Officer.

PROPOSED CHANGES TO REGULATION NO. 22

22.1.9 Relocation Expenses

- (1) The Officers are required to reside in the Greater Ottawa area.
- (2) The purpose of this Regulation is to authorize UTE to reimburse those actual and reasonable expenses within the limits of the CCRA Relocation Directive save for any provisions in that directive which may provide for housing cost differential payments or mortgage interest cost differential payments incurred by the Officers, spouse and dependent members of the family in relocating from one place of residence to another, either at the time of election or at the time of termination of employment as a full-time Officer.

RATIONALE

RECOMMENDATION NO. 14

CURRENT REGULATION NO. 25

25.1 TRUSTEESHIP

25.1.1 General Provisions

- (1) The Executive Council appoints by Power of Attorney a trustee to administer the local.
- (2) The President shall notify the local by registered mail or by hand of the decision to place the local under trusteeship and to appoint a trustee.
- (3) The trustee shall report to each Executive Council Meeting the status of the Trusteeship.

PROPOSED CHANGES TO REGULATION NO. 25

25.1 TRUSTEESHIP

25.1.1 General Provisions

- (1) The Executive Council appoints by Power of Attorney a trustee to administer the local.
- (2) The President shall notify the local by registered mail or by hand of the decision to place the local under trusteeship and to appoint a trustee.
- (3) The trustee shall **provide a written** report to each Executive Council meeting **on their activities and** the status of the Trusteeship.

RATIONALE

RECOMMENDATION NO. 15

RÈGLEMENT NO. 25

25.2 TUTELLE INTÉRIMAIRE

- (1) Nonobstant le Statut 12, la présidente ou le président entre les réunions du conseil exécutif en consultation avec la vice-présidente ou le vice-président régional concerné, peut mettre en tutelle une section locale, nommer une tutrice ou un tuteur intérimaire et saisir les biens avant d'aviser officiellement la section locale.
- (2) La présidente ou le président fait rapport sur la tutelle intérimaire lors de la prochaine réunion du Conseil exécutif.

CHANGEMENT PROPOSÉ AU RÈGLEMENT NO. 25

25.2 TUTELLE INTÉRIMAIRE

- (1) Nonobstant le Statut 12, la présidente ou le président entre les réunions du ~~conseil~~ **Conseil** exécutif en consultation avec la vice-présidente ou le vice-président régional concerné, peut mettre en tutelle une section locale, nommer une tutrice ou un tuteur intérimaire et saisir les biens avant d'aviser officiellement la section locale.
- (2) La présidente ou le président fait rapport sur la tutelle intérimaire lors de la prochaine réunion du Conseil exécutif.

NOTE: THIS CHANGE ONLY AFFECTS THE FRENCH VERSION

RATIONALE

RECOMMENDATION NO. 16

RÈGLEMENT NO. 26

26.3.3 Rapport du comité

- (1) Comme l'exige le présent règlement, le rapport du comité doit être écrit en une ou deux parties. La première partie comprend une constatation de fait pour chaque accusation, et une décision à savoir s'il y a eu infraction aux statuts ou aux règlements de la section locale, et/ou du SEI et/ou de l'AFPC. Cette partie du rapport peut également inclure une décision à savoir si une accusation est jugée superficielle ou a pour objet de harceler, d'embarrasser ou de discréditer un membre.

CHANGEMENT PROPOSÉ AU RÈGLEMENT NO. 26

26.3.3 Rapport du comité

- (1) Comme l'exige le présent règlement, le rapport du comité doit être écrit en une ou deux parties. La première partie comprend une constatation de fait pour chaque accusation, et une décision à savoir s'il y a eu infraction aux ~~statuts~~ **Statuts** ou ~~aux~~ règlements de la section locale, et/ou du SEI et/ou de l'AFPC. Cette partie du rapport peut également inclure une décision à savoir si une accusation est jugée superficielle ou a pour objet de harceler, d'embarrasser ou de discréditer un membre.

NOTE: THIS CHANGE ONLY AFFECTS THE FRENCH VERSION

RATIONALE

RECOMMENDATION NO. 17

RÈGLEMENT NO. 26

26.6 DESTITUTION

- (1) Nonobstant ce qui précède, les dispositions de destitution seront considérées comme ayant été respectées par une section locale, dans les conditions suivantes:
- (a) Lorsqu'il y a disposition contenue aux statuts de la section locale pour un référendum auprès des membres de la circonscription particulière que représente la dirigeante ou le dirigeant que l'on se propose de démettre de sa charge.
- ou
- (b) Lorsque, dans le cas d'une dirigeante ou d'un dirigeant qui a été élu par des représentantes ou des représentants plutôt que d'avoir été directement élu par les membres, il y a disposition contenue dans les règlements de la section locale pour un vote auprès des représentantes ou des représentants de la circonscription particulière que représente la dirigeante ou le dirigeant que l'on se propose de démettre de sa charge.

CHANGEMENT PROPOSÉ AU RÈGLEMENT NO. 26

26.6 DESTITUTION

- (1) Nonobstant ce qui précède, les dispositions de destitution seront considérées comme ayant été respectées par une section locale, dans les conditions suivantes:
- (a) Lorsqu'il y a disposition contenue aux ~~statuts~~ **Statuts** de la section locale pour un référendum auprès des membres de la circonscription particulière que représente la dirigeante ou le dirigeant que l'on se propose de démettre de sa charge.
- ou
- (b) Lorsque, dans le cas d'une dirigeante ou d'un dirigeant qui a été élu par des représentantes ou des représentants plutôt que d'avoir été directement élu par les membres, il y a disposition contenue dans les règlements de la section locale pour un vote auprès des représentantes ou des représentants de la circonscription particulière que représente la dirigeante ou le dirigeant que l'on se propose de démettre de sa charge.

NOTE: THIS CHANGE ONLY AFFECTS THE FRENCH VERSION

RATIONALE

RECOMMENDATION NO. 18

CURRENT REGULATION NO. 28

28.1 PROTOCOL ON MOURNING

28.1.1 General

The Union of Taxation Employees is a large family that is occasionally touched by death. The death could be that of a family member of an employee, an elected leader, an employee etc. In all cases there is a need and a desire to show some form of recognition and express condolences in some manner. The following outlines what actions shall be taken in the event of a death within the UTE family.

For the purpose of this Protocol, Immediate Family is defined as: father, mother (or alternatively stepfather, stepmother, or foster parent), brother, sister, spouse (including common-law spouse resident with the employee), child (including child of common-law spouse), stepchild or ward of the employee, grandchild, father-in-law, mother-in-law, and relative permanently residing in the employee's household or with whom the employee permanently resides.

PROPOSED CHANGES TO REGULATION NO. 28

28.1 PROTOCOL ON MOURNING

28.1.1 General

The Union of Taxation Employees is a large family that is occasionally touched by death. The death could be that of a family member of an employee, an elected leader, an employee etc. In all cases there is a need and a desire to show some form of recognition and express condolences in some manner. The following outlines what actions shall be taken in the event of a death within the UTE family.

For the purpose of this Protocol, Immediate Family is defined as: father, mother (or alternatively stepfather, stepmother, or foster parent), brother, sister, spouse (including common-law spouse resident with the employee), child (including child of common-law spouse), stepchild or ward of the employee, grandchild, **grandparent, grandparent-in-law**, father-in-law, mother-in-law, and relative permanently residing in the employee's household or with whom the employee permanently resides.

RATIONALE

Life Members**Honorary Members**

June Atkinson

Ray Bailey

Betty Bannon

Jean Bergeron

Louis Cadieux

Madeleine Caldwell

Allan Robert (Bob) Campbell

Camille Carrier

Mike Chiasson

Godfroy Côté

François Coulonval

Arthur Dickinson

Donald Ells

Cathy Figueira

Dave Flinn

Cecil Foley

Gil Folkedahl

Gérard Genest

Gord Hawkins

Gwen Jackson

Frank Lancaster

E.C.H. Leslie

Al Lough

Lorne Menzies

Harold Neun

Peter Otterdahl

Fred Perrott

Clare Scott

Hélène Gagné

Bob Wallace

Donna Nitz

PROPOSED CHANGES

Life Members

June Atkinson
Ray Bailey
Betty Bannon
Jean Bergeron
Louis Cadieux
Madeleine Caldwell
Allan Robert (Bob) Campbell
Camille Carrier
Linda Cassidy
Mike Chiasson
Godfroy Côté
François Coulonval
Arthur Dickinson
Donald Ells
Cathy Figueira
Dave Flinn
Cecil Foley
Gil Folkedahl
Gérard Genest
Gord Hawkins
Gwen Jackson
Frank Lancaster
E.C.H. Leslie
Al Lough
Lorne Menzies
Harold Neun
Peter Otterdahl
Fred Perrott
Clare Scott

Honorary Members

Ghislaine Audet
Hélène Gagné
Donna Nitz
Bob Wallace

RECOMMENDATION NO. 19

CURRENT BY-LAW 3 - MEMBERSHIP

Section 1

All members in good standing with the PSAC shall be eligible for membership in UTE.

Section 3

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

Life members shall not be required to pay dues but shall be entitled to all rights and privileges of membership in UTE.

Life members who are not members in accordance with By-Law 3, Section 1, shall not be entitled to vote at meetings or to hold office in UTE.

PROPOSED CHANGES TO BY-LAW 3 - MEMBERSHIP

Section 1

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

Section 2

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

Section 3

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

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

RATIONALE

RECOMMENDATION NO. 20

CURRENT BY-LAW 4 - MEMBERSHIP RESPONSIBILITY

Section 2

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

PROPOSED CHANGES TO BY-LAW 4 – MEMBERSHIP RESPONSIBILITY

Section 2

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

RATIONALE : No change in the French version. Use same order as in French.

RECOMMENDATION NO. 21

STATUT 5

COTISATIONS SYNDICALES

Article 1

La cotisation mensuelle payable au SEI est fixée par le Congrès.

Le Conseil exécutif peut modifier à la baisse les cotisations syndicales mensuelles payables au SEI lorsque des circonstances exceptionnelles surviennent.

STATUT 5

COTISATIONS SYNDICALES

Article 1

La cotisation mensuelle **per capita** payable au SEI est fixée par le Congrès.

Le Conseil exécutif peut modifier à la baisse les cotisations syndicales mensuelles payables au SEI lorsque des circonstances exceptionnelles surviennent.

NOTE: THIS CHANGE ONLY AFFECTS THE FRENCH VERSION

RECOMMENDATION NO. 22

CURRENT BY-LAW 5 – MEMBERSHIP DUES

Section 1

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

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

Section 2

Any Local may set dues for its operation, as authorised by the Local's By-Laws or Regulations or by its membership in attendance at a general meeting.

PROPOSED CHANGES TO BY-LAW 5 – MEMBERSHIP DUES

Section 1

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

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

Section 2

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

RATIONALE

RECOMMENDATION NO. 23

CURRENT BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 1 -Executive Council

(1) Composition of the Executive Council

The Executive Council shall consist of:

- (d) Ten regional vice-presidents permanently employed in and representing regions as provided by Regulation.

PROPOSED BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 1 -Executive Council

(1) Composition of the Executive Council

The Executive Council shall consist of:

- (d) Ten **(10) Regional Vice-Presidents** permanently employed in and representing regions as provided by Regulation.

NOTE:

RATIONALE

RECOMMENDATION NO. 24

CURRENT BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 1 -Executive Council

(2) Duties and Responsibilities

The Executive Council shall:

- (a) exercise all the powers and perform all the duties vested in it by these By-Laws;
- (b) be vested with the authority to deal with all matters affecting the business and objects of UTE between conventions;
- (c) discharge all duties and obligations imposed upon it by Convention;

PROPOSED BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 1 -Executive Council

(2) Duties and Responsibilities

The Executive Council shall:

- (a) exercise all the powers and perform all the duties vested in it by these By-Laws;
- (b) discharge all duties and obligations imposed upon it by Convention;
- (c) be vested with the authority to deal with all matters affecting the business, **purpose, aims and objectives** of UTE between conventions;

RATIONALE: Reverse (b) and (c) for easier reading.

RECOMMENDATION NO. 25

CURRENT BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 1 -Executive Council

(2) Duties and Responsibilities

The Executive Council shall:

- (d) have the power to spend UTE funds for the benefit of the members, in keeping with these By-laws and Regulations adopted by the Convention;

PROPOSED BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 1 -Executive Council

(2) Duties and Responsibilities

The Executive Council shall:

- (d) have the ~~power~~ **authority** to spend UTE funds for the benefit of the members, in keeping with these By-laws and Regulations. ~~adopted by the Convention;~~

RATIONALE

RECOMMENDATION NO. 26

CURRENT BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 1 -Executive Council

(2) Duties and Responsibilities

The Executive Council shall:

- (e) approve all expenditures of UTE. Notwithstanding any other By-Law and Regulations when any expenditure in excess of the adopted budgeted amounts is to be funded from the surplus, a two-third's (2/3) majority vote of the Executive Council is required;
- (f) approve separate amounts paid to each National Officer. Each approved amount shall be reported separately in the minutes of each meeting as well as the activity report of the said officers;
- (g) approve the reallocation of budgeted amounts between Conventions as required;

PROPOSED BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 1 -Executive Council

(2) Duties and Responsibilities

The Executive Council shall:

- (e) approve all expenditures of UTE. Notwithstanding any other By-Law and Regulations when any expenditure in excess of the adopted budgeted amounts is to be funded from the surplus, a two-third's (2/3) majority vote of the Executive Council is required;
- (f) approve the reallocation of budgeted amounts between Conventions as required;
- (g) approve separate amounts paid to each National Officer. Each approved amount shall be reported separately in the minutes of each meeting as well as the activity report of the said officers;

RATIONALE: Reverse (g) and (f) for easier reading.

RECOMMENDATION NO. 27

STATUT 6

Article 3 - Comités

- (1) Les comités sont établis par des règlements.
- (2) La présidence nationale a le pouvoir d'établir tous autres comités qu'elle juge nécessaires, sous réserve de l'approbation du Conseil exécutif.

STATUT 6

Article 3 - Comités

- (1) Les comités sont établis par des règlements.
- (2) La présidence nationale a le pouvoir d'établir ~~tous autres comités~~ **tout autre comité** qu'elle juge nécessaires, sous réserve de l'approbation du Conseil exécutif.

NOTE: THIS CHANGE ONLY AFFECTS THE FRENCH VERSION

RECOMMENDATION NO. 28

CURRENT BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 1 -Executive Council

(2) Duties and Responsibilities

The Executive Council shall:

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

PROPOSED BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 1 -Executive Council

(2) Duties and Responsibilities

The Executive Council shall:

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

NOTE:

RATIONALE

RECOMMENDATION NO. 29

CURRENT BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 4 - Vacancies

- (1) (a) If the office of the President or 1st Vice-President or 2nd Vice-President becomes vacant or if the incumbent becomes unable to perform the duties of the position, six months or more prior to the Convention, an election shall be held to fill the vacancy. Subject to the limitations in By-Law 9 Section 1 (4) nominations shall be called by the Executive Committee. A period of not more than thirty (30) days shall elapse from the date of notice of vacancy to the date of the nomination call and the Executive Committee shall ensure that the nominees are members in good standing and are prepared to stand for office. If an election is necessary, it shall be conducted by mail by the Executive Committee.
- (b) Only those delegates from the last Convention still in good standing shall be eligible to vote.
- (2) If the position of Regional Vice- President becomes vacant, the Alternate Regional Vice-President for that region shall assume the position.
- (3) (a) If the position of Alternate Regional Vice-President becomes vacant or if the incumbent becomes unable to perform the duties of the position an election shall be held to fill the vacancy. Subject to the limitations in By-Law 9 Section 9 nominations shall be called by the Regional Vice-President. A period of not more than thirty (30) days shall elapse from the date of notice of vacancy to the date of the nomination call and the Regional Vice-President shall ensure that the nominees are members in good standing and have indicated in writing that they are prepared to stand for office. The election shall be conducted by mail by the Regional Vice-President.
- (b) Delegates from the region still in good standing from the last Convention shall be eligible to vote.
- (c) Locals shall have the authority to replace delegates who are no longer in their region or who are no longer in good standing.
- (4) In the event that both the position of Regional Vice-President and Alternate Regional Vice-President are vacant at the same time the Executive Committee shall proceed with the election of a Regional Vice-President for that region.

- (5) Positions filled under sub-sections (1), (2) or (3) of this Section shall have the same force and effect as an election at a Convention.
- (6) An Alternate Regional Vice-President who temporarily replaces a Regional Vice-President shall have full voting rights.

PROPOSED BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 4 - Vacancies

- (1) If the office of the President or 1st Vice-President or 2nd Vice-President becomes vacant or if the incumbent becomes unable to perform the duties of the position, six months or more prior to the Convention, an election shall be held to fill the vacancy. Subject to the limitations in By-Law 9 Section 1 (4) nominations shall be called by the **National Office**. A period of not more than thirty (30) days shall elapse from the date of notice of vacancy to the date of the nomination call and the **National Office** shall ensure that the nominees are members in good standing and are prepared to stand for office.
- (2) If the position of Regional Vice- President becomes vacant, the Alternate Regional Vice-President for that region shall assume the position.
- (3) If the position of Alternate Regional Vice-President becomes vacant or if the incumbent becomes unable to perform the duties of the position an election shall be held to fill the vacancy. Subject to the limitations in By-Law 9 Section 9 nominations shall be called by the **National Office**. A period of not more than thirty (30) days shall elapse from the date of notice of vacancy to the date of the nomination call and the **National Office** shall ensure that the nominees are members in good standing and have indicated in writing that they are prepared to stand for office.
- (4) In the event that both the position of Regional Vice-President and Alternate Regional Vice-President are vacant at the same time the **National Office** shall proceed with the election of a Regional Vice-President for that region and upon completion of that election process, proceed with the election of Alternate RVP as per Section 4 (3).
- (5) An Alternate Regional Vice-President who temporarily replaces a Regional Vice-President shall have full voting rights.
- (6) **The elections to fill vacancies shall be by mail and shall be conducted by the National Office.**

- (7) (a) When elections are required to fill vacancies, only those delegates from the last convention who are still members in good standing shall be eligible to vote.
- (b) Notwithstanding (a) above, if the position of President, 1st National Vice- President or 2nd National Vice-President become vacant, the previous incumbent relinquishes their delegate status from the last convention.
- (c) If the position of the RVP becomes vacant and the Alternate RVP assumes the position, the previous incumbent relinquishes their delegate status and is replaced by the Alternate.
- (d) A Local delegate relinquishes their delegate status if;
- (i) they assume a position at the Executive Council,
 - (ii) leave to become a member of another Local or
 - (iii) cease to be a member in good standing.

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

- ~~(5)~~ (8) Positions filled under sub-sections (1), (2) ~~or~~ (3) or (4) of this Section shall have the same force and effect as an election at a Convention.

RATIONALE

RECOMMENDATION NO. 30

CURRENT BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 5 - Presidents Conference

- (1) There shall be a Presidents' Conference constituted in the following manner:
 - (a) the President or their alternate shall be the Chairperson;
 - (b) the delegates shall be the President or alternate of all Locals as defined in Regulation;
 - (c) the Presidents' Conference shall meet at the call of the Executive Council, not less than two (2) times in a year;
 - (d) the Presidents' Conference shall be vested with the authority to discuss all the business transacted by the Executive Council between Conventions;
 - (e) the Presidents' Conference by a simple majority vote of those in attendance may make recommendations by means of motions to Executive Council;
 - (f) it will be the responsibility of the chairperson to prepare an agenda dealing with the following items:
 - (i) business conducted by the Executive Council,
 - (ii) those items Executive Council wishes to have discussed;
 - (iii) items submitted in writing by the Local Presidents; and
 - (iv) the election of the Presidents representative(s) on UTE standing committees every two years (2) at the September Presidents' Conference.
 - (g) each sitting of a Presidents' Conference will normally be for a maximum of two and one-half (2 1/2) days;
 - (h) all expenditures for a sitting of a Presidents' Conference will be an expenditure of UTE;
 - (i) the discussion of the business transacted by the Executive Council may not normally extend past one-half (1/2) day sitting;
 - (j) members of UTE in good standing may attend as observers at their own expense or by the approval of the Executive Council at UTE's expense;

- (k) observers shall have no vote but with the approval of the chairperson and a simple majority vote may have voice once during the full sitting; and
- (l) Executive Council shall attend as fully funded observers.

PROPOSED BY-LAW 6 – ADMINISTRATIVE STRUCTURE

Section 5 - Presidents Conference

- (1) There shall be a Presidents' Conference constituted in the following manner:
 - (a) the President or their alternate shall be the Chairperson;
 - (b) the delegates shall be the President or alternate of all Locals as defined in Regulation;
 - (c) the Presidents' Conference shall meet at the call of the Executive Council, not less than two (2) times in a year;
 - (d) each sitting of a Presidents' Conference will normally be for a maximum of two and one-half (2 1/2) days;
 - (e) the Presidents' Conference shall be vested with the authority to discuss all the business transacted by the Executive Council between Conventions;
 - (f) the discussion of the business transacted by the Executive Council may not normally extend past one-half (1/2) day sitting;
 - (g) it will be the responsibility of the chairperson to prepare an agenda dealing with the following items:
 - (i) business conducted by the Executive Council;
 - (ii) those items Executive Council wishes to have discussed;
 - (iii) items submitted in writing by the Local Presidents;
 - (iv) the election of the Presidents representative(s) on UTE standing committees every two years (2) at the September Presidents' Conference, **every even numbered year; and**
 - (v) **if a vacancy occurs on a UTE Standing Committee, the election of the President's representative(s) shall take place at the next Presidents Conference to fill the remainder of that term.**
 - (h) the Presidents' Conference by a simple majority vote of those **delegates** in attendance may make recommendations by means of motions to Executive Council;

- (i) all expenditures for a sitting of a Presidents' Conference will be an expenditure of UTE;
- (j) members of UTE in good standing may attend as observers at their own expense or by the approval of the Executive Council at UTE's expense;
- (k) observers shall have no vote but with the approval of the chairperson and a simple majority vote may have voice once during the full sitting; and
- (l) Executive Council shall attend as fully funded observers.

RATIONALE: **Changed the order of the paragraphs for easier reading. Adding (v) as per current practice.**

RECOMMENDATION NO. 31

CURRENT BY-LAW 6 – ADMINISTRATIVE STRUCTURE

- (1) There shall be Equal Opportunities Conferences constituted in the following manner:
 - (a) a National Conference shall normally be held in Ottawa the calendar year prior to the Convention;
 - (b) Regional Conferences held prior to the National Equal Opportunities Conference with the locations to be decided by the Equal Opportunities Committee;
 - (c) the Chairperson of the Equal Opportunities Committee or their alternate shall be the Chairperson of the National and Regional Conferences;
 - (d) UTE shall fund two (2) members per Local as defined in Regulation;
 - (e) members of the Equal Opportunities Committee shall be funded to attend the National Conference and the one Regional Conference in which their home local has been assigned to attend;
 - (f) it will be the responsibility of the Equal Opportunities Committee to set the agenda and workshops for the conferences;
 - (g) each Regional Conference shall normally be scheduled for one and a half (1½) days on a Saturday and Sunday;
 - (h) the National Conference shall normally be scheduled for two and a half (2 ½) days on a Thursday, Friday and Saturday;
 - (i) members of the Executive Council shall be funded to attend the National Conference and the Regional Conferences in which their home local has been assigned or to which locals in their region have been assigned to attend; and
 - (j) notwithstanding (d), members of UTE in good standing may attend at their own expense.

PROPOSED BY-LAW 6 – ADMINISTRATIVE STRUCTURE

- (1) There shall be Equal Opportunities Conferences constituted in the following manner:
- (a) a National Conference shall normally be held in Ottawa the calendar year prior to the Convention;
 - (b) **the dates, location and regions attending the Regional Conferences held prior to the National Equal Opportunities Conference shall be recommended by the Equal Opportunities Committee and approved by the Executive Council;**
 - (c) the Chairperson of the Equal Opportunities Committee or their alternate shall be the Chairperson of the National and Regional Conferences;
 - (d) UTE shall fund two (2) members per Local as defined in Regulation;
 - (e) members of the Equal Opportunities Committee shall be funded to attend the National Conference and the one Regional Conference in which their home local has been assigned to attend;
 - (f) it will be the responsibility of the Equal Opportunities Committee to set the agenda and workshops for the conferences;. **Expenses related to the agenda, the workshops, and/or items for the conferences require prior approval of the 1st Vice-President responsible for Finance, or in their absence the National President.**
 - (g) each Regional Conference shall normally be scheduled for one and a half (1½) days on a Saturday and Sunday;
 - (h) the National Conference shall normally be scheduled for two and a half (2 ½) days on a Thursday, Friday and Saturday;
 - (i) members of the Executive Council shall be funded to attend the National Conference and the Regional Conferences in which their home local has been assigned or to which locals in their region have been assigned to attend; and
 - (j) notwithstanding (d), members of UTE in good standing may attend at their own expense, **subject to space availability.**

RATIONALE: For a better control of the expenses.

RECOMMENDATION NO. 32

CURRENT BY-LAW 7 – FORM OF ORGANIZATION

Section 1

UTE, a Component of the PSAC shall be composed of all locals as provided in Regulation.

Section 2

A Local shall be composed of all members of UTE in a locality prescribed by regulation. A Local may, in the interests of its members and more efficient operations, divide itself into groups on the basis of common interest. The membership in each Local shall elect, in accordance with the provisions of these By-Laws, not less than three (3) officers to conduct their affairs. Their term of office shall not exceed three (3) years without re-election.

Section 3

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

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

Section 4

Each Local shall adopt By-laws for the conduct of its affairs consistent with the provisions of these By-laws and the Constitution of the PSAC.

Section 5

The By-laws of each Local shall provide for the orderly disposition of its assets and liabilities upon dissolution.

Section 6

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

Section 7

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

Section 8

Each Local shall submit annually, a copy of their local annual financial statement/reports to the Vice-President responsible for Finance. They shall be submitted no later than 90 days from when they were presented to the Locals Annual General Meeting.

PROPOSED BY-LAW 7 – FORM OF ORGANIZATION

Section 1

~~UTE, a Component of the PSAC~~ shall be composed of all locals as provided in Regulation.

Section 2

A Local shall be composed of all members of UTE in a locality prescribed by regulation. ~~A Local may, in the interests of its members and more efficient operations, divide itself into groups on the basis of common interest.~~ The membership in each Local shall elect, in accordance with the provisions of these By-Laws, not less than three (3) officers to conduct their affairs. Their term of office shall not exceed three (3) years without re-election.

Section 3

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

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

Section 4

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

Section 5

The By-laws of each Local shall provide for the orderly disposition of its assets and liabilities upon dissolution.

Section 6

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

Section 7

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

Section 8

Each Local shall submit annually, a copy of their local annual financial statement/reports to the Vice-President responsible for Finance. They shall be submitted no later than 90 days from when they were presented to the Locals Annual General Meeting.

RATIONALE: UTE is already define as a PSAC Component. Redundant

RECOMMENDATION NO. 33

CURRENT BY-LAW 8 – DUTIES OF OFFICERS

Section 1- President

The President shall:

-
-
-

- (13) discharge all duties and obligations imposed upon them by Convention and/or the Executive Council.

PROPOSED BY-LAW 8 – DUTIES OF OFFICERS

Section 1- President

The President shall:

- -
- (13) discharge all duties and obligations imposed upon them by Convention, ~~and/or~~ the Executive Council **and/or Executive Committee**.

RATIONALE: As per current practice.

RECOMMENDATION NO. 34

CURRENT BY-LAW 8 – DUTIES OF OFFICERS

Section 2 - Vice-Presidents

- (1) The Vice-Presidents shall submit written reports on their assigned responsibilities at each regular meeting of the Executive Council and to the Convention.
- (2) If the office of President becomes vacant between conventions or the incumbent becomes unable to perform the duties of the position, the 1st Vice-President shall assume the office temporarily.
- (3) In the temporary absence of the President and with the concurrence of the President, the 1st Vice-President shall exercise all the functions and shall be vested with all the powers of the President.
- (4) In the temporary absence of the President and the 1st Vice-President and with the concurrence of the President, the 2nd Vice-President shall exercise the functions and shall be vested with all the powers of the President.
- (5) At the meetings of the National Board of Directors of the PSAC the alternate to the President shall be the 1st Vice-President or in the absence of the 1st Vice-President, the 2nd Vice-President shall be the alternate.

PROPOSED BY-LAW 8 – DUTIES OF OFFICERS

Section 2 - Vice-Presidents

- (1) The Vice-Presidents shall submit written reports on their assigned responsibilities at each regular meeting of the Executive Council and to the Convention.
- (2) If the office of President becomes vacant between conventions or the incumbent becomes unable to perform the duties of the position, the 1st Vice-President shall assume the office temporarily.
- (3) In the temporary absence of the President and with the concurrence of the President, the 1st Vice-President shall exercise all the functions and shall be vested with all the powers of the President.
- (4) In the temporary absence of the President and the 1st Vice-President and with the concurrence of the President, the 2nd Vice-President shall exercise the functions and shall be vested with all the powers of the President.

- (5) **In circumstances not covered by these By-Laws, the Executive Council shall have the authority to appoint persons to these positions temporarily.**
- (6) At the meetings of the National Board of Directors of the PSAC the alternate to the President shall be the 1st Vice-President or in the absence of the 1st Vice-President, the 2nd Vice-President shall be the alternate.

RATIONALE

RECOMMENDATION NO. 35

CURRENT BY-LAW 8 – DUTIES OF OFFICERS

Section 3

The 1st Vice-President responsible for Finance shall:

- (1) ensure that the funds of UTE are handled in a sound financial manner and in the best interest of the members;
- (2) ensure that proper books, records and vouchers are kept in connection with the operations of UTE;
- (3) supply to each Executive Council meeting such statements and supportive material which will enable the Executive Council to properly evaluate and control the financial affairs of UTE; and
- (4) include in the written reports to the Executive Council and the Convention the dollar amount expended by each member of the Council and the alternate for the Regional vice-Presidents for the current period as well as the cumulative amount since the last Convention.

PROPOSED BY-LAW 8 – DUTIES OF OFFICERS

Section 3

The 1st Vice-President responsible for Finance shall:

- (1) ensure that the funds of UTE are handled in a sound financial manner and in the best interest of the members;
- (2) ensure that proper books, records and vouchers are kept in connection with the operations of UTE;
- (3) supply to each Executive Council meeting such statements and supportive material which will enable the Executive Council to properly evaluate and control the financial affairs of UTE; and
- (4) include in the written reports to the Executive Council and the Convention the dollar amount expended by each member of the Council and the alternate for the Regional vice-Presidents for the current period as well as the cumulative amount since the last Convention.
- (5) **chair the Standing Finance Committee.**

RATIONALE

RECOMMENDATION NO. 36

CURRENT BY-LAW 8 – DUTIES OF OFFICERS

Section 4

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

- (1) oversee the implementation of the Regulation governing Collective Bargaining procedures;
- (2) issue frequent bulletins on the state of negotiations during the bargaining process;
- (3) chairperson of the Standing Bargaining Committee;
- (4) participate on the Negotiating Team;
- (5) be the Chairperson of the National Collective Bargaining Committee;
- (6) member of the PSAC National Strike Co-ordinating Committee; and
- (7) ensures that the bargaining process for UTE is handled in a sound manner in the best interests of the members.

PROPOSED BY-LAW 8 – DUTIES OF OFFICERS

Section 4

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

- (1) oversee the implementation of the Regulation governing Collective Bargaining procedures;
- (2) issue frequent bulletins on the state of negotiations during the bargaining process;
- (3) **be the** Chairperson of the Standing Bargaining Committee;
- (4) participate on the **PSAC/CRA** Negotiating Team;
- (5) be the Chairperson of the National ~~Collective~~ Bargaining Committee;
- (6) **be a** member of the PSAC National Strike Co-ordinating Committee; and
- (7) ensures that the bargaining process for UTE is handled in a sound manner in the best interests of the members.

RATIONALE

RECOMMENDATION NO. 37

CURRENT BY-LAW 8 – DUTIES OF OFFICERS

Section 5

The Regional Vice-Presidents shall:

- (1) perform the duties in accordance with the guidelines established by the Executive Council by way of a Regulation;
- (2) perform such services within their region as the Executive Council may direct;
- (3) account for all expenses that are paid by UTE with respect to the position; and
- (4) submit a basic report showing their activities, the expenses they incurred and other pertinent information, according to a standard format. A Regional Vice-President shall be entitled to submit a supplementary report to cover items not included in the basic report. Such supplementary reports will be considered by the Executive Council separate and apart from the basic reports.

PROPOSED BY-LAW 8 – DUTIES OF OFFICERS

Section 5

The Regional Vice-Presidents shall:

- (1) perform the duties in accordance with the guidelines established by the Executive Council by way of a Regulation;
- (2) perform such services within their region as the Executive Council **or the President** may direct;
- (3) account for all expenses that are paid by UTE with respect to the position; and
- (4) submit a ~~basic~~ report showing their activities, the expenses they incurred and other pertinent information, according to a standard format. A Regional Vice-President shall be entitled to submit a supplementary report to cover items not included in ~~the basic~~ **their** report. Such supplementary reports will be considered by the Executive Council separate and apart from the ~~basic~~ reports.

RATIONALE

RECOMMENDATION NO. 38

CURRENT BY-LAW 9 – ELECTION OF OFFICERS

Section 1

- (1) The President and the Vice-Presidents shall be elected by ballot during Convention.
- (2) The Regional Vice-Presidents shall be elected at a regional caucus during Convention as set out in By-Law 9, Section 9.
- (3) Only delegates, as defined by By-Law 10, Sections 5 and 9 shall be entitled to vote for the election of officers.
- (4) A delegate may nominate a member in good standing, who is not a delegate, for an office, provided the member so nominated, has indicated in writing their acceptance of the nomination.

PROPOSED BY-LAW 9 – ELECTION OF OFFICERS

Section 1

- (1) The President and the Vice-Presidents shall be elected by ballot during Convention.
- (2) The Regional Vice-Presidents shall be elected at a regional caucus during Convention as set out in By-Law 9, Section 9.
- (3) Only delegates, as defined by By-Law 10, Sections 5 and 9 shall be entitled to vote for the election of officers.
- (4) A delegate may nominate a member in good standing, who is not a delegate, for an office, provided the member so nominated, has indicated in writing their acceptance of the nomination.
- (5) **All nominations must be seconded by a delegate.**

RATIONALE

RECOMMENDATION NO. 39

CURRENT BY-LAW 9 – ELECTION OF OFFICERS

Section 2

The Executive Council shall appoint a nomination committee of at least three and not more than five persons and shall name one as chairperson. The Nominations Committee shall:

- (1) receive nominations for all offices from delegates;
- (2) ensure that there is at least one nomination for each office;
- (3) determine the eligibility of such nominees; and
- (4) place the names of all eligible nominees in nomination at the time set forth for the election of officers and to report to the Convention the name of any nominee considered to be ineligible.

PROPOSED BY-LAW 9 – ELECTION OF OFFICERS

Section 2

The Executive Council shall appoint a **Nomination Committee** of at least three and not more than five persons and shall name one as chairperson. The Nominations Committee shall:

- (1) call for nominations for all offices from delegates**
- (2) receive nominations for all offices from delegates;
- ~~(2) ensure that there is at least one nomination for each office;~~
- (3) determine the eligibility of such nominees; and
- (4) place the names of all eligible nominees in nomination at the time set forth for the election of officers and to report to the Convention the name of any nominee considered to be ineligible.

RATIONALE

RECOMMENDATION NO. 40

CURRENT BY-LAW 9 – ELECTION OF OFFICERS

Section 3

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

PROPOSED BY-LAW 9 – ELECTION OF OFFICERS

Section 3

All Nominations in writing shall be submitted to the **Nomination Committee** ~~shall be in writing~~, signed by the **nominators, including their delegate number** and by the nominees signifying that they will accept office if elected.

RATIONALE: Defeated by the Executive Council.

RECOMMENDATION NO. 41

CURRENT BY-LAW 10 - CONVENTION

Section 16

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

Section 17

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

PROPOSED BY-LAW 10 - CONVENTION

Section 16

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

Section 17

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

RATIONALE

RECOMMENDATION NO. 42

CURRENT BY-LAW 12 - TRUSTEESHIP

A Local which has, in the opinion of the Executive Council, not carried out the responsibilities required by By-Law 7 and By-Law 11 or any other of these By-Laws shall be considered to be in violation of them. The Executive Council shall have the authority, by resolution passed by a majority consisting of two-thirds (2/3) of those eligible to vote, to appoint a trustee with the responsibility to manage the Local's affairs for a period not exceeding one hundred eighty (180) days. The trusteeship may be renewed from time to time by resolution passed by a majority consisting of two-thirds (2/3) of those eligible to vote for a period not exceeding one hundred eighty (180) days. Locals shall have the right to appeal as provided by the regulation regarding Trusteeship.

PROPOSED BY-LAW 12 - TRUSTEESHIP

A Local which has, in the opinion of the Executive Council, not carried out the responsibilities required by By-Law 7 and By-Law 11 or any other of these By-Laws shall be considered to be in violation of them. The Executive Council shall have the authority, by resolution passed by a majority consisting of two-thirds (2/3) of those eligible to vote, to appoint a trustee with the responsibility to manage the Local's affairs for a period not exceeding one hundred eighty (180) days. The trusteeship may be renewed from time to time by resolution passed by a majority consisting of two-thirds (2/3) of those eligible to vote for a period not exceeding one hundred eighty (180) days. ~~Locals shall have the right to appeal as provided by the regulation regarding Trusteeship.~~

RATIONALE

RECOMMENDATION NO. 43

CURRENT BY-LAW 16 - AMENDMENTS

Section 1

These By-Laws may be amended at any Convention by a two-thirds (2/3) majority of the votes cast, or by a simple majority if sixty (60) days' notice of such change has been given to each Local.

PROPOSED BY-LAW 16 - AMENDMENTS

Section 1

These By-Laws may be amended at any Convention by a two-thirds (2/3) majority of the votes cast., ~~or by a simple majority if sixty (60) days' notice of such change has been given to each Local.~~

RATIONALE: According to the PSAC Constitution it must be two-third (2/3).

RECOMMENDATION NO. 44

CURRENT BY-LAW 18 – EXPENSES

Section 2

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

PROPOSED BY-LAW 18 - EXPENSES

Section 2

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

RATIONALE

RECOMMENDATION NO. 45

CURRENT BY-LAW 19 – GENERAL PROVISIONS

Section 1

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

Section 2

A quorum at all meetings of the Executive Council, and the Executive Committee be one half (1/2) of the officers as provided in By-Law 6, Section 1 and 2.

Section 3

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

Section 4

Rules of Order

The rules of procedure at all meetings and Conventions of UTE, except as specifically provided by the Constitution of the PSAC and the present By-Laws, shall be according to the UTE Rules of Order adopted by the Executive Council on June 2002 with subsequent amendments. Items that are not specifically covered by the UTE Rules of Order shall be according to rules of Order for PSAC meetings adopted by the National Board of Directors of the PSAC on January 24, 1974, with subsequent amendments.

PROPOSED BY-LAW 19 – GENERAL PROVISIONS

Section 1

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

Section 2

~~A quorum at all meetings of the Executive Council, and the Executive Committee be one half (1/2) of the officers as provided in By-Law 6, Section 1 and 2.~~

- (a) A quorum at all meetings of the Executive Council shall be one half (1/2) of the officers provided in By-Law 6, Section 1.**

- (b) A quorum at all meetings of the Executive Committee shall be three quarters (3/4) of the officers provided in By-Law 6, Section 2.

~~Section 3~~

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

Section 3

Rules of Order

The rules of procedure at all meetings and Conventions of UTE, except as specifically provided by the Constitution of the PSAC and the present By-Laws, shall be according to the UTE Rules of Order adopted by the Executive Council on June 2002 with subsequent amendments. Items that are not specifically covered by the UTE Rules of Order shall be according to rules of Order for PSAC meetings adopted by the National Board of Directors of the PSAC on January 24, 1974, with subsequent amendments.

RATIONALE

RECOMMENDATION NO. 46

CURRENT BY-LAW 20 - DEFINITIONS

In these By-Laws:

PROPOSED BY-LAW 20 - DEFINITIONS

In these By-Laws:

“CRA” (ARC) means Canada Revenue Agency. (NEW)

RATIONALE

RECOMMENDATION NO. 47

CURRENT BY-LAW 20 - DEFINITIONS

In these By-Laws:

Employer (Employeur) means Canada Customs and Revenue Agency, other federal Public Service Employer specified in Schedule 1, part 1 and 2 of the *Public Service Staff Relations Act* (PSSRA) and any labour organization.

PROPOSED BY-LAW 20 - DEFINITIONS

In these By-Laws:

Employer (Employeur) means ~~Canada Customs and Revenue Agency, other federal Public Service Employer specified in Schedule 1, part 1 and 2 of the *Public Service Staff Relations Act* (PSSRA)~~ and any labour organization.

RATIONALE

RECOMMENDATION NO. 48

CURRENT BY-LAW 20 - DEFINITIONS

In these By-Laws:

PROPOSED BY-LAW 20 - DEFINITIONS

In these By-Laws:

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

RATIONALE