

**BY-LAWS  
OF THE  
DEFENCE RESEARCH & DEVELOPMENT CANADA -ATLANTIC  
LOCAL 80411  
UNION OF NATIONAL DEFENCE EMPLOYEES**

**BY-LAW 1**

**NAME**

This organization shall be known as The Defence Research & Development Canada - Atlantic Local 80411, Union of National Defence Employees, which is a Component of the Public Service Alliance of Canada and shall be referred to in these by-laws as the Local.

**BY-LAW 2**

**AIM AND OBJECTIVES**

The aim and objectives of this Local shall be to support and further the aims and objectives of the Union of National Defence Employees as set forth in the By-Law sections below:

**Section 1:** To encourage all employees of all classifications coming within the jurisdiction of the Minister, Department of National Defence, Without regard to sex, race, creed, colour or national origin to share in the full benefits, obtainable through membership in a organization capable of acting on their behalf by becoming members of the Union of National Defence Employees.

**Section 2:** To obtain through free collective bargaining, for all employees under the jurisdiction of the Minister of National Defence , the best possible standard of wages, salaries and other conditions of employment.

**Section 3:** To protect the rights and interests of any member in matters touching upon their relationships as employees with the employer.

**Section 4:** To ensure every member has a right to freedom from sexual/personal harassment in the workplace and in their union activities.

**Section 5:** To give full support to the Public Service Alliance in the promotion of its responsibilities to federal government employees for the improvement and protection of wages, salaries, and conditions of employment, except when such promotion is detrimental to the members of this component.

**BY-LAW 3**

## **MEMBERSHIP**

**Section 1:** All UNDE members of Defence Research & Development Canada - Atlantic shall be eligible for membership in the local.

### **Section 2: ASSOCIATE MEMBERSHIP (FOR BENEFIT)**

Any local of the component may, subject to local by-laws, retain as associate members of the local, former employees of the department whose employment with the department is terminated by: a) reaching retirement age; b) ill health, when such is certified by the department as the reason for retirement; or c) who, by reason of abolition of position, are separated from their continued employment in the Federal Public Service. Associate members shall not be required to pay dues and shall not be eligible for executive office in the component or local, shall have voice but no vote in meetings of the component or local, but may be accorded such other privileged of the membership for such length of time as may be provided by Regulations of these by-laws.

### **Section 3: HONORARY MEMBERSHIP**

Honorary Membership for Retired Members through application by a local to the National Executive Committee on Honours and Awards in care of the National President, and with the approval of the National Executive, a member who has retired on superannuation or who has left the service may be granted honorary membership for outstanding service to the Union and/or the Public Service Alliance of Canada. Honorary members shall not be required to pay dues and shall not be entitled to voice or vote at meetings or to hold office in the Union or local, but shall be entitled to all other rights and privileges of membership in this Union.

### **Section 4: LIFE MEMBERSHIP**

A life membership may be awarded by the Union, through the National Executive, to any member who has preformed exemplary services for the membership through his/her personal and devoted efforts in the affairs of the Union.

### **Section 5: SOCIAL MEMBERSHIP**

(a) Subject to local by-laws the local may sign a person employed by Defence Research & Development Canada - Atlantic who, by the terms and conditions of his/her employment, has a bargaining agent other than the Public Service Alliance of Canada; or is a person employed in a managerial or confidential position as defined by the Public Service Labour Relations Act.

(b) This membership is for social purposes only and such membership shall not entitle the holder to attend meetings or to take part of any business of the Union.

(c) Membership under this section may be granted and /or revoked by the serving executive of the local and shall be applied for annually within one month following the Local's Annual General Meeting.

(d) Dues for members under this section shall be five dollars (\$5.00) per year plus an appropriate fee for each social function attended.

## **BY-LAW 4**

### **MEMBERSHIP RESPONSIBILITY**

Upon being granted membership in this Local and for the term of such membership each member is deemed to have agreed to abide by and be bound by these By-Laws.

**Section 1:** Upon being granted membership in the Local, Component and the Public Service Alliance of Canada, and for the term of such membership, each member of this Local is deemed to have agreed to abide by and be bound by the provisions of these By-Laws, the Component By-Laws and Constitution of the Public Service Alliance of Canada.

**Section 2:** Upon being granted membership in the Local, Component and where applicable the Public Service Alliance of Canada, and for the term of such membership, each member of the Local is deemed to nominate, constitute and appoint the Local, Component and where applicable, the Public Service Alliance of Canada as the agent(s) to negotiate with his/her employer on his/her behalf.

**Section 3:** (a) Upon being granted membership in the Local, Union and the Alliance, and for the term of such membership, each such member of the Union 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. The Public Service Alliance of Canada shall have the power through its duly appointed agent to ratify and sign agreements reached through collective bargaining, conciliation and arbitration procedures, on approval of such agreements by a vote of members in the applicable occupational group.

(b) Upon being granted membership in the Union, and for the term of such membership, each such member of the Union is deemed to nominate, constitute and appoint the Union as the agent for the purpose of entering into collective bargaining with his/her employer.

The Union shall have the power through its duly appointed agent to ratify and sign agreements reached through collective bargaining, conciliation and arbitration procedures, on approval of such agreements by a vote of its members in the applicable bargaining unit(s).

## **BY-LAW 5**

### **MEMBERSHIP DUES**

The membership dues which shall be levied upon each and every member of this local shall be established in accordance with By-Law 5 and with the applicable articles of the component By-Laws as shown below:

**Section 1:** The membership dues which shall be levied by the Union upon each and every member and retained by the Union out of the dues collected each month shall be:

- (a) the monthly equivalent of the amount set by the Triennial National Convention to be paid to the Union; plus
- (b) where applicable, the monthly equivalent of the amount set by the Constitution of the Public Service Alliance of Canada.
- (c) any Local may provide for a Local dues rebate and subsequently increase such Local rebate on the authority of a two-thirds (2/3) majority vote of the membership attending a duly-called meeting of the Local; plus
- (d) the monthly equivalent of the amount for affiliation to any other group.

**Section 2:** Any Local may have an additional amount of dues, as authorized by a two thirds majority vote of the membership attending a duly called meeting of the Local deducted and collected by the Component. Such additional dues shall be rebated by the Component to the Local concerned.

## **BY-LAW 6**

### **EXECUTIVE COMMITTEE**

There shall be an Executive Committee composed of the following:

Immediate Past President; (for a 1 year term)  
President  
1<sup>st</sup> Vice-President  
2<sup>nd</sup> Vice-President  
~~Secretary; (or Secretary-Treasurer)~~ Historian  
Treasurer  
Chief Shop Steward  
Shop Stewards as appointed by the Executive.

## **BY-LAW 7**

### **DUTIES OF OFFICES**

#### **Section 1: The President**

- a) Shall preside at all meetings of the local and its Executive.
- b) Shall be ex-officio, a member of all committees.
- c) Shall sign all official documents and other instruments as instructed by the membership of the Local.
- d) Shall have the power to call special meetings of the Local if and when, in the opinion of the Executive, circumstances warrant same.
- e) Shall be bound by, and act in accordance with, the provisions of the Local's By-Laws.
- e)f) Shall maintain an offsite back up of all documents to operate the Local

#### **Section 2: The 1<sup>st</sup> Vice-President**

- a) Shall assist the President in the performance of his/her duties in whatever way may be required.
- b) Shall preside at meetings of the Local in the absence of the President or when requested by the president.
- c) The 1<sup>st</sup> Vice-President shall become President upon the resignation or death of that official until a new election is held.

#### **Section 3: The 2<sup>nd</sup> Vice-President**

- a) Shall assist the President in the performance of his/her duties in whatever way may be required.
- b) Shall assist the 1<sup>st</sup> Vice-President in the absence of the President.
- c) Shall preside at meetings in the absence of the president and the 1<sup>st</sup> Vice-President.
- d) Shall become the 1<sup>st</sup> Vice-President upon that officer assuming the office of - President in accordance with Section 2, By-Law 7, or on the resignation or death of the 1<sup>st</sup> Vice-President.

#### **Section 4: The ~~Secretary~~Historian**

- a) Shall attend all meetings of the Local and of its Executive and shall keep a true and accurate record of same.

#### **Section 5: The Treasurer**

- a) Shall be responsible for all monies of the Local.
- b) Shall deposit all monies received in a chartered bank.

- c) Shall pay all accounts on approval of the Executive Committee by cheque, said cheque to be signed by two of the following officers-Treasurer, President and 1<sup>st</sup> Vice-President.
- d) Shall keep a true and accurate record of all receipts and disbursements of the Local and shall present a financial report of the Local's funds at each regular bi-monthly meeting, said report to contain the receipts and disbursements of the previous month.
- e) Shall present a complete financial report of the Local at the end of the fiscal year which shall be November 30<sup>th</sup>.
- f) The Executive may spend up to (\$200.00) two hundred dollars without approval of a general meeting.
- g) Treasurer shall have a petty cash fund of (\$50.00) fifty dollars.

## **Section 6: The Chief Shop Steward**

This officer shall assume the duties of the Chairman of the Grievance Committee. He shall ensure that Shop Stewards carry out their functions in a responsible manner and in accordance with instructions contained in manuals issued by the Union of National Defence Employees and Public Service Alliance of Canada. This shall include the responsibility of maintaining the membership in the Local at the highest level possible. He shall be responsible to the Executive and report to them.

## **Section 7: Shop Stewards**

These officers shall assume the duties and responsibilities assigned to them by the Chief Shop Steward or the Executive of the Local, in the absence of the Chief shop Steward. The shop stewards shall have voice and vote at the executive meetings, the same as an elected official of the Local.

## **BY-LAW 8**

### **DUTIES OF THE EXECUTIVE**

The Executive shall be responsible for:

- a) The carrying out of the mandate of the membership as voted on at a general meeting.
- b) The initiation of policy to further the purposes of the Local.

## **BY-LAW 9**

### **ELECTION OF OFFICERS**

The election of officers shall be conducted in accordance with By-Law 10 of the Union of National Defence Employees.

**Section 1:** No member of the Local shall run for, or be appointed to, an executive position if his term of employment with Defence Research & Development Canada - Atlantic is twelve (12) months or less.

**Section 2:** All elections shall be by secret ballot, and decided by a 50% plus 1 of the members in attendance.

**Section 3:** All nominees for Local Office must be paid-up members of the Local and be in attendance at the time of election or have written consent to stand for election to the Nominating Committee. Such written consent must be acceptable to the meeting.

**Section 4:** In the event of more than two candidates for any office, the candidate receiving the lowest number of votes shall be dropped from the ballot whenever a clear majority of 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 (50% plus 1).

**Section 5:** Election of officers of the Local shall take place annually during the month of November, where practical, at the Annual General Meeting of the Local. Where it is deemed impractical to hold elections in November, they may be advanced or delayed for period no greater than one month in each case.

**Section 6:** A nominating committee shall be appointed by the Local and the chairman of such committee shall conduct the elections and appoint such assistants as necessary to ensure an orderly election.

**Section 7:** All officers of the Local shall take office after being sworn in at the Annual General Meeting.

## **BY-LAW 10**

### **MEETINGS**

#### **Section 1: ANNUAL METING**

This Local shall hold a regular annual membership meeting for the purpose of receiving annual reports from its officers, consideration of such business as may be required by its By-Laws and the holding of annual election of officers as required by these By-Laws.

#### **Section 2: GENERAL MEETINGS**

General meetings of this Local shall be called by the Executive Committee whenever such meetings are deemed to be in the best interests of the membership ~~—in any case at least every two (2) months.~~

### **Section 3: EXECUTIVE MEETINGS**

Executive meetings of the Local shall be held at least once a month.

### **BY-LAW 11**

#### **Quorum**

**Section 1:** Fifteen % (15%) of the members shall constitute a quorum at any annual or general meeting of this Local.

**Section 2:** A majority of the Executive Committee shall constitute a quorum at any meeting of the Executive Committee.

### **BY-LAW 12**

#### **INTERPRETATION**

In the event of a dispute from the interpretation of the By-Laws, the decision of the executive shall be considered ruling, subject to vote at the next meeting of the Local.

### **BY-LAW 13**

#### **ORDER OF MEETINGS**

- a) Call to order
- b) Roll call of Officers
- c) Adoption of Agenda
- d) Reading of Minutes
- e) Financial Report
- f) Correspondence
- g) Committee Reports
- h) Unfinished Business
- i) Election of Officers
- j) New Business
- k) Adjournment

### **BY-LAW 14**

## **PRESS AND PUBLIC STATEMENTS**

No statement relating to policy, or to matters or disputes which are under discussion, shall be given to the Press, Radio, TV or any other means of Public dissemination of information by any officer or member as coming from this Local without the prior approval of the National president of the Union of National Defence Employees.

## **BY-LAW 15**

### **INFORMATION ON LOCAL AFFAIRS**

Members of the Executive and representatives of Committees shall provide such information as may be required by the Executive Committee.

## **BY-LAW 16**

### **VACANT POSITIONS ON EXECUTIVE**

- a) Any position on the Executive of the Local, other than the President and 1<sup>st</sup> Vice President which becomes vacant due to death, resignation or removal with cause, etc. shall be filled by the Executive which is empowered to elect any member to this vacant position to serve for the remainder of the year.
- b) If the position of President or 1<sup>st</sup> Vice President becomes vacant and an election is to be held to fill one of these positions, notice of such a meeting and its purpose shall be posted two (2) weeks in advance of the meeting.

## **BY-LAW 17**

### **COMMITTEES**

- a) ~~Nominating Committee~~
- b) Membership Committee, which shall be the Executive of the Local
- c) Scholarship Committee
- d) Such other committees as may be formed on instruction of the Executive or General Meetings.

## **BY-LAW 18**

### **DUTIES OF COMMITTEES**

~~The Nominating Committee~~

- ~~a) Shall consist of five members, governed by a Chairman selected from among them.~~
- ~~b) Shall be elected at the regular meeting held previous to the annual meeting.~~
- ~~c) Shall bring before the Annual Meeting a proposed slate of officers for the ensuing year. However, the membership present shall be called upon for further nominations from the floor before the voting for any office is conducted.~~

#### The Executive Committee

- ~~b)a)~~ ~~The Executive shall meet one week prior to the regular bi-monthly meeting or at the call of the President as he deems necessary.~~ Members of the Executive may request a meeting in writing to the President who shall call a meeting within five days of the request.
- ~~e)b)~~ The Executive shall examine and approve all expenditures other than petty cash prior to payment and act as financial advisor to the Local. It shall arrange for an annual audit and shall appoint an accredited auditor.
- ~~d)c)~~ The Executive may recommend the suspension from Membership of any individual or group of members for acts detrimental to the Local.
- ~~e)d)~~ The Executive shall examine the activities of each of the appointed committees and shall see that maximum results are being obtained from these committees.
- ~~f)e)~~ All cheques shall be signed by any two of the following officers: Treasurer, President and 1<sup>st</sup> Vice President. No blank cheques shall be signed in advance.

#### BY-LAW 19

##### REMUNERATION

Any member of the Local who attends Union educational courses as a participant, or attends meetings or conferences as an official representative of the Local, shall be reimbursed twenty dollars (\$20.00) per day for such attendance. Furthermore, mileage shall be paid at the lower rate to one representative from the Local to attend meetings or conferences outside of the Halifax/Dartmouth area and within the province of Nova Scotia. Such mileage expense shall only be paid by the Local when the representative has not already received mileage reimbursement from another source.

#### BY-LAW 20

##### DELEGATES TO CONVENTIONS

The elected President of the Local shall automatically be elected as a delegate. The remainder of delegates are to be nominated from the floor of a general meeting and elected by secret ballot.

#### BY-LAW 21

## **AFFILIATION**

This Local shall not affiliate with any group or groups without the approval by ballot of two thirds of the membership.

## **BY-LAW 22**

It shall be within the power of the Executive to appoint or nominate representatives to other committees operating outside the scope of this Local, such as Joint Labour-Management Committee, etc. provided their operation has a direct connection or effect with or upon the Local's members.

## **BY-LAW 23**

### **AMENDMENTS TO THE BY-LAWS**

- a) All proposed amendments to the By-Laws of this Local shall be presented as a Notice of Motion, in writing and at a regular meeting, one meeting prior to their being voted on.
- b) A two-thirds (2/3) majority vote of those members attending, a quorum being present, is required for the approval of an amendment to the By-laws.
- c) All amendments must be forwarded to the UNDE National President for final approval.

## **BY-LAW 24**

The Constitution of the Public Service Alliance of Canada and the By-laws of the Union of National Defence Employees shall take precedence over these By-laws.