



STSE Syndicat des travailleurs de la
santé et de l'environnement
UHEW Union of Health and
Environment Workers

UNION OF HEALTH AND ENVIRONMENT WORKERS PUBLIC SERVICE ALLIANCE OF CANADA LOCAL 70742 BY-LAWS

AS ADOPTED FEBRUARY 13, 1984
AMENDED MARCH 1, 1989
AND AMENDED JANUARY 29, 2002
AMENDED FEBRUARY 21, 2005
AMENDED MAY 31, 2007
AMENDED FEBRUARY 22, 2012
AMENDED FEBRUARY 21, 2013
AMENDED FEBRUARY 11, 2016
AMENDED JANUARY 10, 2017
AMENDED FEBRUARY 27, 2019
AMENDED MARCH 10, 2020
AMENDED APRIL 14, 2021
AMENDED MARCH 22, 2023

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BY-LAW 1 - INTERPRETATION

The following interpretation shall apply in these By-laws:

- a) “may” is to be construed as permissive;
- b) “shall” is to be construed as imperative; and
- c) “the Local” shall be construed to refer to Local 70742 of the Union of Health and Environment Workers;
- d) Union of Health and Environment Workers: UHEW
- e) Public Service Alliance of Canada: PSAC

BY-LAW 2 - NAME

This organization shall be known as **Local 70742**, UHEW, and shall be comprised of members of Environment and Climate Change Canada whose workplace is located in the Quebec portion of the National Capital Region (NCR). The organization hereafter shall be referred to as the “Local”.

BY-LAW 3 - BY-LAWS

The By-laws adopted by Local 70742 shall be consistent with the By-laws of the UHEW and the Constitution of the PSAC.

BY-LAW 4 - AIMS AND OBJECTIVES

It shall be the object of this Local to protect, maintain and advance the interests of the employees of the Local and to accept as its governing documents the Constitution of the Public Service Alliance of Canada and the By-laws of the Union of Health and Environment Workers. Further it shall be the objective of this local to provide services and information in the member’s official language of choice. The Local Officer(s) shall agree to subscribe, adhere to and abide by these Local By-Laws, budget and the assets of the Local.

BY-LAW 5 - MEMBERSHIP

Section 1 - Eligibility

Those eligible for membership shall be employees of Environment and Climate Change Canada within the jurisdiction of the Local, who are eligible for membership in the UHEW. The UHEW shall assign the jurisdiction of the Local.

Section 2 - Agreement

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

The receipt by the PSAC of the official form authorizing payroll deduction of dues shall constitute evidence of membership for the issuance of identification cards and for granting of all rights and privileges as outlined in the By-Laws of the UHEW and the Constitution of the PSAC.

Section 3 - Change of Address

It is the responsibility of each member to change their address through the PSAC website or by filling out a new membership card.

Section 4 - Rights of members

Members in good standing:

- a) have the right to representation by the Local for complaints and grievances;
- b) have the right to vote at Local (non-executive) meetings, the right to nominate members for election to run for an elected position or be appointed to a position; and
- c) have the right to vote on proposed amendments to Local By-laws in accordance with By-Law 12.

BY-LAW 6 - MEMBERSHIP DUES

Section 1 - Guidelines

The membership dues of the Local shall not be less than the per capita dues required by the Constitution of the PSAC and the By-laws of the UHEW as determined by the National Convention.

Section 2 - Established

The Local dues shall be established at the Annual General Meeting or General Meeting.

Section 3 - Monthly Dues

The monthly dues payable by each member to the Local shall be determined by two-thirds (2/3) majority vote at the annual membership meeting or at a special meeting, provided that notice of such a meeting is given to the membership one thirty (30) days in advance.

The dues of Local 70742 are to be three dollars and fifty cents (**\$3.50**) per member per month. This amount is to be used for building a strike fund and the local operations.

Section 4 - Strike Fund

A strike fund has been established for the purpose of relief in the event of a strike. The strike fund will be used to pay members in good standing who actively participate in legal strike

activities at the PSAC rate per member per day of picketing, until such time as the Fund has been exhausted.

BY-LAW 7 - THE EXECUTIVE COMMITTEE

Section 1 - Officers

There shall be an Executive Committee composed of the following officers who shall be the governing and Administrative body of Local 70742:

- President;
- Vice-President;
- Secretary
- Treasurer
- Communications Officer and
- Directors

Section 2 - Quorum

A majority of the Executive Committee shall constitute a quorum.

Section 3 - Committees

The Executive Committee shall establish any committee necessary to conduct the affairs of the Local. The President shall be an ex-officio member of any committee so formed.

Section 4 - Relieving of Duties

Any member of the Executive Committee may be relieved of their duties as per the conditions set out in By-law 12.

Section 5 - Filling of a Vacancy

An Executive position may be filled by a majority vote of the Executive committee in the event it is not filled at the AGM or when a position becomes vacant; that Executive position will then be up for election at the next scheduled AGM and would be considered a temporary Acting Position.

Upon vacating any Executive, appointed position, or any officers of the Local shall deliver to the Secretary all funds, documents or other properties of the Local within five (5) days.

Section 6 - Authorization of expenses

The Executive Committee by a majority approval shall authorize the incurring of all just debts of the Local.

BY-LAW 8 - ELECTION OF OFFICERS

Section 1 - Term of Office

The offices of President, Secretary, Communications officer and Directors (odd numbers) shall be filled by election on even years, and their term of office shall be for two (2) years.

The offices of Vice-President, Treasurer and Directors (even numbers) shall be filled by election on odd years and their term of office shall be for two (2) years.

Section 2 - Oath of Office

The Oath of office shall be administered by a UHEW or PSAC representative to all officers before taking office.

Section 3 - Eligible Members

Only members in good standing are eligible to hold office or to vote for candidates seeking office in Local 70742.

Section 4 - Balloting

All elections conducted by the Local shall be done either by secret ballot or by a show of hands. The choice of selection shall be decided by the membership, by a simple majority, during the Annual General Meeting

Section 5 - Voting Majority

In the event of more than two candidates standing for office, the candidate receiving the fewest votes shall be dropped from the ballot whenever a clear majority of votes is not accorded to any candidate. This procedure shall continue on each succeeding ballot for that office until a candidate receives the required majority.

Section 6 - Nominating Committee

The Executive Committee may appoint a Nominating Committee from the Local of not less than two (2) members.

Section 7 - Election of Officers

The election of officers shall proceed in the following order:

- President
- Vice-President
- Secretary
- Treasurer
- Communications Officer
- Directors

Section 8 - Addressing the Meeting

The nominator of a candidate for office or in his/her stead the seconder of the nomination shall have the right to address the meeting for a period not to exceed three (3) minutes.

Section 9 - Scrutineers

Candidates nominated for office shall have the right to appoint a scrutineer.

Section 10 - Counting of Ballots

The Elections Chairperson shall call for two (2) volunteers to count the ballots.

BY-LAW 9 - DUTIES OF OFFICERS

Section 1 - The President shall:

- preside at all meetings;
- be responsible for the efficient and proper conduct of the Local;
- convene all meetings of the Local or of the Executive Committee;
- report to the Executive Committee and keep its members fully informed;
- prepare an annual report of the activities of the Local to be presented at the Annual General Meeting;
- assign duties to members of the executive as needed;
- vote only in case of a tie.

Section 2 - The Vice-President shall:

- in the absence of the President, perform all of the duties pertaining to the Office of the President;
- perform duties that may be assigned to him/her by the President.

Section 3 - The Secretary shall:

- be responsible for maintaining an accurate account of proceedings for all meetings;
- forward promptly to the President and/or Executive Committee, all applicable correspondence and documents received;
- forward AGM documents to the UHEW;
- be responsible for the proper maintenance of documents, records and correspondence related thereto;
- perform other such duties that may be assigned to him/her by the President.

Section 4 - The Treasurer shall:

- be responsible for the funds of the Local;
- deposit funds in a chartered financial institution;
- disburse payment of all just debts of the Local;
- prepare a statement for the General Annual Meeting;
- prepare and present an audited financial statement signed by the auditors for the Annual General Meeting;

Section 5 - Communications Officer shall:

- attend meetings of the Executive Committee;
- maintain the Local's online presence (website, Facebook) as well as to prepare and distribute information materials to members.
- Perform such duties as assigned by the President.

Section 6 – Director shall:

- attend meetings of the Executive Committee;
- perform other such duties that may be assigned to him/her by the President
- actively work to grow the number of stewards for the Local
- Provide training and assistance to stewards
- Track and evaluate performance of each stewards

Section 6 - Vacating Officers

When a local officer will be vacant from their position for 4 months or greater, he/she must resign their position.

On vacating the respective positions held, officers of the Local shall deliver to the Secretary all funds, documents or other properties of the Local within five (5) days.

Section 7 - General Duties

All Executive members will be expected to handle grievances and complaints as required: it will therefore be imperative that they take the Talking Union Basics (TUB) training and the Grievance Handling training provided by PSAC.

BY-LAW 10 - MEETINGS

Section 1 - Executive Committee Meetings

- a) Meetings shall be no less than quarterly, or at such frequencies as requested by the President;
- b) Shall meet upon the call of the President;
- c) Shall meet upon the written request of at least two (2) members of the Executive Committee.

Section 2 - Special Meetings

Special meetings of the Local shall be called, upon receipt of a written request from at least eight (8) members of the Local and where possible, the membership shall receive at least thirty (30) days' notice of the meeting in writing.

Section 3 - Annual General Meeting and General Meeting

An Annual General Meeting or General Meeting shall be held for the purpose of receiving annual reports from the Executive Officers and Committee Chairpersons, for the consideration of business required under the By-laws and the election of Officers. The AGM will be held within the first 3 months of each calendar year. A General Meeting could be conveyed should the executives deem it necessary.

The membership shall receive at least thirty (30) days' notice of these meetings in writing.

Section 4 - Quorum

Special Meetings and the Annual General Meeting shall have a quorum if there are at least eight (8) members present, of which at least three (3) are Executive Committee members.

BY-LAW 11 - FINANCES

Section 1 - Contract Agreement

No Officer or Officers of this Local shall enter into any financial contractual understanding or agreement without prior approval by the National Executive of the UHEW.

Section 2 - Auditing

The financial records of the Local shall be audited annually by two (2) members of Local 70742 and an audited statement of the Locals' finances shall be submitted to the UHEW after the AGM.

Section 3 - Fiscal Year

The fiscal year shall be January 1st to December 31st.

Section 4 - Signing Officers

The signing Officers shall be the Treasurer, the President and the Vice-President of the Local. So long as the number of executives in the local supports, there should be three (3) signing officers on the file at the bank however only two (2) are required for withdraws.

Section 5 - Bonded Officers

All Officers with signing authority may be bonded for an amount of not less than five thousand dollars (\$5,000.00).

Section 6 - Financial Records

All financial records shall be maintained in a manner approved by the UHEW.

Section 7 - Income Tax Act

All financial records shall be retained for the legal period prescribed by the Income Tax Act.

Section 8 - Debt Reimbursement

Officers or appointees of the Executive Committee shall be reimbursed for just debts incurred while performing duties on behalf of the Local. Any transactions involving any monetary funds must be motioned and approved by the Local Executive. All monetary motions are to be documented.

Section 9 - Honorariums

Each member of the Executive Committee shall be paid a monthly honorarium. The amount of the honorarium is to be established at the Annual General Meeting. The honorarium should be as per the table below.

HONORARIUMS	
Years (up to the anniversary)	Amount/month
1 to 4	\$200
4+ to 8	\$300
8+	\$400

New elected executive members must complete the Talking Union Basics (TUB) and Grievance Handling training.

The new executive must register to the first available training session.

Stewards (not part of the executive) will receive a bonus at the end of the calendar year no more than \$1,000.00 which will be evaluated and voted by the executive committee with the Director's recommendations

Section 10 - Receipts

No monies shall be paid by the treasurer without a signed paper receipt or a signed declaration in lieu of receipt.

Section 11 - Conference/Convention

Whenever possible and necessary, Local President and Vice-President are automatic delegates and observers to Conventions and Conferences based on the number of delegates.

The Executive members of the Local shall also attend as delegates or observers if possible. Proposed delegates and observers are to be presented at AGM or special meeting along with the financial commitment.

The Executive members of the Local shall determine Alternates for the UHEW Conventions in place of any delegates or observers who cannot attend.

The succession order of delegate replacement will be observers and thus alternates moving up to observers.

Section 12 - Training

Where the PSAC or the UHEW do not already have provisions for attending training and/or event, the Local shall pay a member in good standing when attending an educational training course, an event held by the Public Service Alliance of Canada or the Union of Health and Environment Workers upon approval from the Executive Committee.

- Upon proof of attendance, a maximum rate of compensation of thirty dollars (\$30.00) may be paid for an evening (after work) meeting, workshop, course or any training;
- Upon proof of attendance, a maximum rate of compensation of fifty dollars (\$50.00) may be paid per day (min. 6 hours) for a weekend meeting, workshop, course, or any training. Also, a compensation for lunch may be covered based on the PSAC rate.

Section 13 - Donations

The Executive Committee, by majority vote, shall have the authority to donate to charities, or give assistance to unions on strike.

Section 14 - Assets

All members of the Local shall be responsible for any assets of the local that they may have in their possession. All assets not in the possession of a member shall be kept in the designated Local storage room which must be secure. All assets must be tracked.

Section 15 - Hospitality

The local executive is entitled to a hospitality budget equivalent to the Treasury Board rate at time of event, per executives and stewards, for a social event, once per calendar year.

Section 16 - Hardship fund

The local will set aside \$3,000.00 from the operations budget to use as a hardship fund.

What is the hardship fund?

- \$3000 in total funds available to any Local 70742 members in good standing that are experiencing hardship, up to no more than \$1,000.00.
- A hardship fund request is a loan administered by the Local for future repayment in the full amount. There will be no accumulated interest charges or finance charges.
- No additional loans can be provided to members that exceed the allotted \$3000.

What qualifies as hardship?

- Any hardship that the employer cannot accommodate in a short period of time that may leave any member in good standing without the necessities of life for both he/she and their immediate family.
- Claims for expenses and financial losses due to Phoenix including out of pocket expenses. Requests for an advance for government benefits must be made prior to obtaining a loan.
 - Should the employer not be able to provide immediate assistance, the hardship fund will then be considered.
- Overpayments and options to repay them as a direct result of the pay system may constitute hardship. Requests for an advance for government benefits must be made prior to obtaining a loan
 - Should the employer not be able to provide immediate assistance, the hardship fund will then be considered.

How do members request access to hardship funds?

- Members are to make a formal request through the Local executive.
- The executive must evaluate each case with decisions being rendered on the hardship request itself; the member being in good standing and both parties formally in agreement on the reimbursement plan.
- Members must define in their formal request what the funds are required for i.e. pay issues; medical; unplanned short-term leave without pay.
- The Local may contact the employer and/or labour relations to validate the information on the request for funds.

How do members reimburse the hardship funds?

- Reimbursement plans are managed by the Local and approved formally by the Local
- Terms and conditions of the reimbursement plan are unique to the individual and their situation.
- All loans are to be fully reimbursed in accordance with the terms and conditions of the reimbursement plan.

There are NO personal deductions of any kind to be covered under the reimbursement plan (i.e. travel to and from a location to obtain the loan).

BY-LAW 12 - DISCIPLINE

Section 1 - Suspension of Officers

Discipline of a member of the Local may be initiated by a two-thirds majority vote on a motion to discipline either at a Local Executive Meeting or a General Meeting.

The Local shall have the authority to discipline or remove from office; or recommend to the UHEW National Council suspension or expulsion from membership any member (within their respective jurisdiction) who is found to be in contravention of the Constitution of the PSAC, the By-Laws of the UHEW or the By-Laws of the Local.

Other circumstances that warrant a Local discipline include, but are not limited to:

- fraud against the Local;
- misrepresenting the Union;
- harassment;
- neglect of Officer duties as per Local By-Laws and Local Procedures;
- in contravention of the PSAC Constitution and the UHEW By-Laws.

Once a motion for Local discipline is approved:

- UHEW will be informed;
- a letter will be sent to the accused informing them of the charges;
- investigation process led by UHEW;
- the severity of the discipline will be determined; (e.g., removal from Local Executive, recommending to UHEW for investigation)
- and a response mechanism (may include either corrective actions or a hearing before a Disciplinary Committee, designated by UHEW and the Local Executive).

The motion shall be amended and/or carried upon a two-thirds majority vote by the Suspension Disciplinary Committee.

The Local and UHEW will comply with the process dictated by PSAC Regulation 19, under the broad direction of the PSAC Constitution Section 25 – Discipline.

Section 2 - Appeal of Suspension or removal

The person so dealt with as provided in section 1 of this By-law shall have the right to appeal such decision to the UHEW. Such an appeal must be submitted within 5 days of notice of suspension or removal.

BY-LAW 13 - AMENDMENT OF BY-LAWS

These By-laws may be amended at the Annual General Meeting or at a Special Meeting of the Local provided that:

- a) Thirty days (30) notice has been given;
- b) There is approval by a two-thirds (2/3) majority vote of the members in attendance;
- c) There is a quorum as described in By-law 9, Section 4 of these By-laws, when such amendments are voted on. If no quorum is present, the presiding officer of the meeting shall adjourn the meeting to a date not less than one (1) month thereafter and decisions made at the subsequent meeting shall be binding regardless of the number of members that are present. Notice of the subsequent meeting shall be posted.

BY-LAW 14 - GENERAL

Section 1 - Voting

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

Section 2 - Conflict of By-laws

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

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