

**BY-LAWS OF
THE UNION OF TAXATION EMPLOYEES**



LOCAL 20028 - VICTORIA

**OF THE
PUBLIC SERVICE ALLIANCE OF CANADA**



**Public Service Alliance of Canada
Alliance de la Fonction publique du Canada**

ADOPTED: February, 1967

**INCORPORATES AMENDMENTS TO: February 1996
February 2000
February 2003
February 2007**

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◆ **BY-LAW 1**

NAME

This Local shall be called the “UNION OF TAXATION EMPLOYEES OF THE PUBLIC SERVICE ALLIANCE OF CANADA” Victoria Local No. 20028.

◆ **BY-LAW 2**

PURPOSE

The Local is formed for the following purposes and objectives:

Section 1

To unite all employees of the Vancouver Island Tax Services Office of the Canada Revenue Agency, as members of one organization, capable of acting on their behalf.

Section 2

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

Section 3

To support fully the Union of Taxation Employees of the Public Service Alliance of Canada.

Section 4

To represent any member or group of members in appeals, or under an established Grievance Procedure, or in any other manner, or any matters within the jurisdiction of the Local.

Section 5

To maintain the “esprit de corps” of the office staff.

◆ **BY-LAW 3**

MEMBERSHIP

Section 1

On adoption of these By-Laws, all members of the Union of Taxation Employees of the

PSAC, Local 20028, shall be deemed to be members of the Public Service Alliance of Canada and of this Local.

Section 2

Subject to Section 4 of this By-Law, all employees of the Vancouver Island Tax Services Office, Canada Revenue Agency, are eligible for active membership in the Public Service Alliance of Canada, the Union of Taxation Employees, and this Local.

Section 3 - Associate Membership (Employees)

Any employee of this Local may, upon application to the Management Committee of the Component, be granted an Associate Membership.

Section 4 - Associate Membership (for Benefit)

The following employees or former employees of the Vancouver Island Tax Services Office shall be eligible for the Associate Membership in this Local:

- Persons described in the Public Service Staff Relations Act as persons employed in a managerial capacity or as designated employees.
- Former employees of the Department whose employment with the Department is terminated by:
 1. reaching the minimum statutory retirement age.
 2. ill health when such is certified by the Department as the reason for retirement.
 3. abolition of their positions.

NOTE: Associate members shall not be eligible to hold office in the Local and shall not have voice in meetings of the Local.

Section 5 - Honourary Membership for Non-Members

This Local may, at the decision of the Executive thereof, recommend to the Component the granting of honourary membership in the Local to anyone who is deemed to merit such an honour but is not eligible for membership as defined in this By-Law.

Section 6 - Life Membership

This Local may, at the decision of the Executive thereof, recommend to the Component the granting of Life Membership in the Local to anyone who has rendered exceptional service to the Local.

Section 7

All members as described by Sections 1 & 2 of this By-Laws shall be required to pay dues as

provided by By-Law 5.

Section 8

Associate Members as described by Section 4 of this By-Law shall pay monthly dues equal to the amount allocated to the Social and Benevolent Funds from monthly dues paid by the general membership. Associate members shall have voice and vote in the determination of such allocation.

Associate members shall be required to pay the same monthly dues as the general membership only if they wish to subscribe to any of the insurance plans available to the general membership.

◆ BY-LAW 4

MEMBERSHIP RESPONSIBILITY

Section 1

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

Section 2

Upon being granted membership in this Local and for the term of such membership, each member of this Local is deemed to nominate, constitute and appoint this Local, its Component and the Public Service Alliance of Canada as his agents to negotiate with his employer on his behalf in the spheres of Competence of this Local, its Component and the Public Service Alliance of Canada respectively, unless such member is debarred from such representation by the terms of his employment or status.

Section 3

Upon being granted membership in this Local and for the term of such membership, each member of this Local is deemed to nominate, constitute and appoint the Public Service Alliance of Canada as his agent for the purpose of entering into collective bargaining with his employer under collective bargaining procedures established by law for collective bargaining in the Public Service Alliance of Canada unless such member is debarred from such representation by the terms of his employment or status, and the Public Service Alliance of Canada shall have the power through its duly appointed agents to ratify and sign agreements reached through collective bargaining, conciliation, and arbitration procedures established by law for the Public Service of Canada.

◆ BY-LAW 5

MEMBERSHIP DUES

Section 1

The monthly per capita dues for membership including Associate Membership in this Local shall be set from time to time by this Local at General Membership meetings by a majority vote of its membership present and voting.

Section 2

Members of this Local excluding Associate Members shall also be required to pay the membership dues established by its Component and by the Public Service Alliance of Canada.

Section 3

Where payroll deduction of dues has been authorized by any member, deductions shall be made by the payroll authorization method employed by the Canada Revenue Agency.

◆ BY-LAW 6

EXECUTIVE COMMITTEE

Section 1

(a) There shall be an Executive Committee of this Local, which shall exercise all the powers and perform all the duties vested in it by these By-Laws.

(b) The Executive Committee shall consist of the following officers:

- President
- Vice President
- Secretary
- Treasurer
- Chief Shop Steward
- A Maximum of Ten (10) Local Stewards
- Benevolent Chairperson

(c) The Executive Committee shall have control of the business of the Local, subject at all times to the direction of the General Membership Meetings.

(d) The Executive Committee shall be vested with the authority to deal with all matters affecting the business and objects of the Local; it shall discharge all duties and obligations imposed upon it by General Membership Meetings.

(e) The Executive Committee may make, amend or delete such regulations as it deems necessary and consistent with the Constitution and these By-Laws, provided they are

submitted to the first succeeding General Membership Meeting for ratification.

- (f) The Executive Committee shall have the power to spend Local funds for the benefit of the Local in any manner in keeping with these By-Laws and resolutions adopted by General Membership Meetings. It shall approve all expenditures of the Local.
- (g) The Executive Committee shall have the power to call into conference or consultation, or to invite to attend a meeting of the General Membership or of the Executive Committee, any person who, by reason of experience or special knowledge may be able to assist the Local in carrying out its objectives. Any reasonable expenses incurred thereby shall be paid by the Local.
- (h) The Executive Committee shall appoint the representative of the Local to any organization, to which the Local may send representatives.
- (i) The Executive Committee shall appoint non-elected, paid Executive Officials as required and shall determine their duties and terms of their appointments.

Section 2 - Vacancies

- (a) If the office of any members of the Executive Committee becomes vacant, or the incumbent is rendered permanently unable to perform their duties, the Executive shall fill the office by election at its next regular or special meeting.
- (b) Appointments or replacements made under subsection (a) of this section, shall have the same force and effect as an election at a General Membership Meeting.

Section 3 - Committees

- (a) The President is empowered to appoint such committees as he/she deems necessary subject to approval of the Executive Committee.
- (b) The President is empowered to appoint the Chairperson of each committee; and shall collaborate with the Committee Chairperson in selecting the members of the committee.
- (c) Members of the Executive Committee may serve on committees, or as committee Chairpersons.
- (d) Each Committee shall meet at the call of its Chairperson.
- (e) Any committee Chairperson, in consultation with the President, may appoint advisory members who may attend and have a voice at meetings, but shall have no vote.
- (f) Committees or sub-committees appointed for the purpose of studying any particular subject, shall be deemed to be dissolved upon presentation of their final report.
- (g) All committees shall report as directed by the President.

BY-LAW 7

DUTIES OF OFFICERS

Section 1

- (a) **President:** The President shall preside at all meetings and shall enforce due observance of the rules of order and of these bylaws. It shall be the duty of the President at all times to uphold the Constitution of the Public Service Alliance of Canada, and the By-Laws of the Union of Taxation Employees and of this Local. The President shall preside at all meetings, shall be ex-officio a member of all committees, chairperson of the Executive Committee, chairperson of delegations to any Conventions or other assemblies to which this Local may send delegates and, in general, shall perform all such duties as are incidental to the office of the President, and are properly required of him/her.
- (b) **Vice - President:** In the temporary absence of the President, the Vice-President shall exercise all of the functions of the President and shall be vested with all of his/her powers.
- (c) **Secretary:** The Secretary shall prepare the minutes of all General Membership and Executive Committee Meetings and shall otherwise carry out the normal duties of a secretary.
- (d) **Treasurer:** The Treasurer shall collect and keep all monies of the Local and disburse them under the direction of the Executive Committee. The Treasurer shall keep the accounts of the Local, and shall make a report of its financial condition at each annual meeting. If and as the Executive may determine by resolution, the Treasurer shall be required to furnish a bond in a guarantee company selected by the Executive Committee and to an amount determined by the Executive, the cost to be borne by the Local.
- (e) **Chief Shop Steward:** The Chief Shop Steward shall be responsible to the Executive Committee for the handling of grievances, complaints or other staff problems and shall report to the Executive Committee as circumstances warrant. In particular, the Chief Shop Steward shall report all contract, safety and health violations. The Executive Committee as they see fit and shall have power to remove them for cause, subject to a right of appeal to the next General Membership Meeting.
- (f) **Local Stewards:** Local Stewards shall be responsible for providing union representation to all members in good standing of UTE Local 20028. In conjunction with the Chief Shop Steward, the Local Stewards are responsible for filing first level grievances as well as providing representation in any other situation, which may arise within the workplace. In addition, the Local Stewards shall be responsible for obtaining the bargaining demands of the local membership.

- (g) **Benevolent Chairperson:** The Benevolent Chairperson shall be responsible for the administration of the Fund, in co-operation with the Treasurer, and shall be governed by such rules and instructions, which have been approved by the Executive Committee.

◆ **BY-LAW 8**

ELECTION OF OFFICERS

Section 1

The officers of the Local shall be elected by ballot in accordance with the following schedule:

1. The President, Treasurer, and the Chief Shop Steward to serve three year terms.
2. The Vice-President and Secretary to serve three year terms.
3. Each other Representative to serve a two year term.
4. All officers shall be elected by a vote held within the worksite at least two weeks prior to the Local's Annual General Meeting. Voting to be by secret ballot, voting by proxy will not be allowed.

See Appendix B for time frames

Section 2

The Executive Committee shall appoint a nomination committee of at least three persons and shall name on as a Chairperson. The duties of the nominations committee shall be:

- (a) To receive nominations for all offices.
- (b) To determine the eligibility of such nominees.
- (c) To place the names of all eligible nominees in nomination at the time set forth for the election of officers and to report to the Executive meeting the name of any nominee considered to be ineligible.

Section 3

In the event that no nominations are received before the annual election of officers for any elective position, the Executive Committee shall may fill the position by election at its next regular or special meeting.

- (a) Appointments or replacements made under Section 3 of By-Law 8 shall have the same force and effect as an election at a General Membership meeting.

Section 4

The Chairperson of the nominations committee shall preside at the election of officers and

he/she shall appoint the necessary scrutineers to distribute, collect and count the ballots. A Chairperson of Scrutineers shall report the results of each ballot taken to the Chairperson of the nominations committee.

Section 5

Election to any office, other than the Local Stewards, shall be by majority vote only; i.e. 50% plus one, of the total votes cast. Where more than two nominees stand for election to any office, and no one received a majority vote on the first ballot, the nominee receiving the lowest number of votes shall be dropped and balloting shall continue until one nominee receives a clear majority.

Section 6

Election to the position of Local Steward shall be by majority vote of the total votes cast by members of the Local.

◆ BY-LAW 9

MEETINGS

Section 1

- (a) The Local will hold a General Membership meeting once per fiscal year.*
- (b) The Local will hold Executive meetings at least six times in each fiscal year at the call of the President or a 2/3 majority of the Executive Committee.*

◆ BY-LAW 10

DISCIPLINE

Section 1

Any officer or any member of this Local may be suspended or expelled from membership by a majority vote at a General Membership meeting for contravening any provision of the Local By-Laws, or the By-Laws of the Component or of the Constitution of the Public Service Alliance of Canada.

Section 2

A member so dealt with as provided in Section 1 of this By-Law, shall have the right to appeal such decision to the National Executive. Failing settlement, a further appeal against the decision of the National Executive may be taken to the Triennial National Convention.

Section 3

Any member found guilty of so conducting themselves as to discredit the Local may be expelled by a two thirds majority vote at a General Meeting, or on the recommendation of the Executive, by a majority vote at a General Meeting.

Section 4

Any member of the Executive or other committee, who on two successive occasions, is absent from a Committee meeting without sufficient reason, may at the next meeting of that Committee be dismissed and replaced.

◆ BY-LAW 11

FISCAL PERIOD

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

◆ BY-LAW 12

PROPERTY

Section 1

Any property held, which is not registered in the name of the Local, shall be held in trust by a Board of three Trustees appointed by the Executive Committee.

Section 2

The Executive Committee may invest any funds of the Local not required for current expenses, in securities approved for investment by Trust Companies. Such securities shall be kept in the custody of a Bank or Trust Company in a safety deposit box rented in the name of the Local.

◆ BY-LAW 13

AUDIT

Two auditors shall be appointed from the membership at the annual general meeting for the ensuing year to audit the accounts of the Local and report their findings to the following Annual General Meeting. They shall have full access to the books and records at all times.

◆ **BY-LAW 14**

AMENDMENTS

Section 1

No alteration of these By-Laws shall be made except upon Notice of Motion in writing, stating in detail the nature of the proposed amendments, such Notice to be submitted to the Secretary at least seven clear working days prior to the next General Meeting.

Section 2

A two-thirds majority vote of the members present at the meeting or election of officers at which the proposed amendments are voted upon shall be required to pass the amendment.

◆ **BY-LAW 15**

DISSOLUTION

The Local may be dissolved and its assets and liabilities disposed of by a two-thirds majority of all votes cast at a General Membership Meeting provided a Notice of Motion in writing proposing such a dissolution, and disposition, has been submitted to the Secretary at least seven days prior to the date of that meeting.

◆ **BY-LAW 16**

EXPENSES OF THE EXECUTIVE

Section 1

Any member of the Executive Committee incurring travelling and living expenses while engaged on approved business of the Local shall be reimbursed for such expense.

Section 2

Any member of the Executive Committee required to take leave without pay for the purposes of carrying out approved business of the Local shall be reimbursed for such loss of pay. Such loss, where travel time is involved, shall be based on the fastest means of transportation.

◆ BY-LAW 17

GENERAL PROVISION

Section 1

Nothing in these By-laws shall be construed to conflict with the Constitution of the Public Service Alliance of Canada or the By-laws of the Union of Taxation Employees.

Section 2

A quorum at all meetings of the Executive Committee shall be a minimum of 50% plus one of the current executive committee members.

Section 3

A quorum at any General Meeting shall be twenty-five (25) members.

Section 4

Rules of Order:

The Rules of Procedure at all meetings of the Local, except as specifically provided by these By-laws, shall be according to the Rules of Order of the PSAC adopted in 1974.

Section 5

On a question of the interpretation of any provisions of these By-laws, reference may be made to the By-laws of the Union of Taxation Employees or, if necessary, to the Constitution of the Public Service Alliance of Canada.

◆ BY-LAW 18

Section 1

All benefits of membership, contracts of employment, legal agreements, matters in progress or any matters requiring continuity with the Union of Taxation Employees of the PSAC Victoria Local 20028, shall be deemed to be included in the Local. Any moral or legal obligations assumed by the Union of Taxation Employees of the PSAC, Victoria Local 20028 shall be continued.

◆ BY-LAW 19

Section 1

Notwithstanding the provisions of By-laws 8 and 14, an advance poll will be held for members who will be out of town on Departmental business at the time of the general election of officers, at which poll they may vote on proposed By-law changes and on those candidates

for office who have been nominated to that time.

Section 2

Members who are unable by reason of employment to attend a general election of officers held during working hours may vote at an advance poll described in Section 1.

◆ BY-LAW 20

Section 1

The rules and instructions to be given to the Benevolent Chairperson as dictated by By-law 7 section 1(g) be established by the Executive Committee at its first meeting following the Annual General Meeting as outline in Appendix A.

APPENDIX A

UTE LOCAL 20028 BENEVOLENT POLICY

The following will constitute the policy for use by UTE Local 20028 Victoria when dealing with the Benevolent requests:

1. Only UTE members listed on the latest The Public Service Alliance of Canada Membership Listing will be eligible. The treasurer for UTE Local 20028 will Provide the Benevolent Chairperson with a copy of the monthly membership Listing when received from the Alliance.
2. The member will received wither a flower arrangement or fruit basket up to a maximum value of \$40.00 plus applicable taxes and delivery charges.
3. The member will be eligible for a contribution from the Benevolent Fund when:
 - a. has been absent from work due to illness or surgery for over 14 calendar days or
 - b. in hospital for surgery and recovery will keep the member absent from work for five working days.
 - c. absent from work for any other reason (ie stress, family related)
The amount of the contribution from the fund will be in portion to the length of absence from the office. 3A would receive the full amount and 3B or 3C could receive a reduced amount from the fund.
 - d. if a member is away during the calendar year and has received something under a, b & c above then a card will be sent to the member.
4. The member will only be eligible to receive contribution from the Benevolent Fund once every calendar year for 3A and 3B.
5. A list of the recipients from the Benevolent Fund will be maintained by the chairperson of the fund and a written report be presented at the annual general meeting.
6. It will be incumbent upon all union members to advise the Benevolent Chairperson when someone is absent from work.
7. The Benevolent Fund can contribute \$5.00 per year upon their retirement from this office. This will happen only when:
 - a) a written request is made on behalf of the member;
 - b) a contribution will be made only for the years the member paid union dues;
 - c) only for the time worked while with Local 20028;
 - d) the above being verified with Human Resources for TSO 20028;
 - e) all funds distributed will be acknowledged as being received (Exhibit A);
 - f) that the contribution is mentioned or shown on the card as being received from UTE Local 20028.

Appendix B

Appendix to BY-LAW 8 (Election of Officers), Section 1

President, Treasurer and Chief Shop Stewart terms:

February 1996 to February 1999
February 1999 to February 2002
February 2002 to February 2005
February 2005 to February 2008
February 2008 to February 2011
February 2011 to February 2014
February 2014 to February 2017
February 2017 to February 2020

Vice-President and Secretary terms:

February 1997 to February 2000
February 2000 to February 2003
February 2003 to February 2006
February 2006 to February 2009
February 2009 to February 2012
February 2012 to February 2015
February 2015 to February 2018
February 2018 to February 2021

Other Representative terms:

February 1996 to February 1998
February 1998 to February 2000
February 2000 to February 2002
February 2002 to February 2004
February 2004 to February 2006
February 2006 to February 2008
February 2008 to February 2010
February 2010 to February 2012
February 2012 to February 2014
February 2014 to February 2016
February 2016 to February 2018
February 2018 to February 2020