

# CONSTITUTION



**MAY 2019**

**Constitution of the Union of Canadian Correctional Officers—Syndicat des  
agents correctionnels du Canada—CSN  
(UCCO-SACC-CSN)**

**Including the amendments made by the May 2019 National General Assembly,  
with changes for the sake of internal consistency.**

\*The masculine gender is used to alleviate the text.

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# **CHAPTER 1**

## **UCCO-SACC-CSN**

### **1.01 NAME OF THE UNION**

The “Union of Canadian Correctional Officers—Syndicat des agents correctionnels du Canada—CSN” (UCCO-SACC-CSN), founded in Montréal, Québec, on January 19, 1999, is a democratic non-profit employee organization affiliated with the CSN, in accordance with the provisions of the Public Service Staff Relations Act.

### **1.02 HEAD OFFICE**

- a) The Union’s head office is located in Canada.
- b) Upon recommendation of the national executive, the National General Assembly will decide the location of the head office.
- c) The UCCO-SACC-CSN head office is situated in Montréal, Québec.

### **1.03 JURISDICTION**

The Union’s jurisdiction applies to correctional officers who are employees of the Government of Canada as stipulated in the bargaining certificate.

### **1.04 UNION OBJECTIVES**

The objectives of the Union are to study and advance its members’ social, professional, economic and political interests through collective action, which includes negotiating and concluding a collective agreement, all without distinction based on race, sex, language, political or religious conviction, disabilities or sexual orientations. The objectives of the Union include developing unity of action with other unions.

### **1.05 ROLE**

To achieve its goals, the Union must assume the following roles:

- a) Deciding the direction to take and the priorities for action at the national, regional and local level.
- b) Ensuring the necessary representation within all bodies that are part of the Confédération des syndicats nationaux (CSN) organization.
- c) Ensuring members’ representation at the various levels of government.
- d) Ensuring and sustaining members’ mobilization and awareness.
- e) Sustaining union life.

### **1.06 MEANS OF ACTION**

The Union intends to achieve its goals by the following means:

- a) Negotiating, concluding and enforcing the collective agreement.
- b) Organizing or helping new locals and fostering their development and autonomy.
- c) Setting social and lobbying strategies to enable the Union to influence political decisions that can improve the quality of life of its members.
- d) Co-ordinating relations between locals to have a better identity.

- e) Administrating union funds in an open and efficient manner.
- f) Furthering inter-union ties.
- g) Ensuring all forms of union training for officers and members.
- h) Establishing an effective communication structure to ensure that members are informed of their rights in general and union practices.

#### **1.07 AFFILIATION**

- a) The Union is affiliated with the Confédération des syndicats nationaux (CSN) and its affiliated organizations, if applicable.
- b) The Union shall respect the constitutions of the above organizations, and conduct itself accordingly.
- c) The Union shall pay the per capita dues set at conventions held by the various organizations to which it is affiliated on a monthly basis.
- d) Any officer or delegate from the above organizations shall have the right to attend any of the Union's meetings and take part in deliberations, but without the right to vote.

#### **1.08 DISAFFILIATION**

A proposal to dissolve the Union or disaffiliate from the CSN or from any other CSN organization to which the union is affiliated may only be discussed after notice of motion has been given at least 90 days in advance. Notice of motion and the motion must be given and discussed at a duly convened regular or special national assembly.

Notice for convening the general national assembly must indicate the reasons substantiating the motion to dissolve the Union or disaffiliate from the CSN. As soon as notice of a motion is given to discuss the said dissolution or disaffiliation from the CSN, it must be given to the CSN's general secretariat and to any other CSN organization to which the Union is affiliated. Said notice of motion must be given at least 90 days before the meeting is held.

Authorized representatives of the CSN and of any other CSN organization to which the Union is affiliated may rightfully attend the meeting where the motion is discussed and give their point of view if they so wish. To be adopted, a motion to dissolve the Union or to disaffiliate from the CSN must receive the support of the majority of dues-paying members of the Union.

If the Union disaffiliates from the CSN and any other CSN organization to which it is affiliated, or is suspended or expelled, it must pay the CSN the dues for the three months immediately following the disaffiliation, suspension or expulsion.

#### **1.09 APPLICATION FOR CERTIFICATION**

Withdrawal of an application for certification may not be decided without the consent of the representative duly mandated by the CSN or any other CSN organization to which the Union is affiliated.



## **CHAPTER 2 STATEMENT OF PRINCIPLES**

### **2.01 STATEMENT OF PRINCIPLES**

The “Union of Canadian Correctional Officers—Syndicat des agents correctionnels du Canada—CSN” (UCCO-SACC-CSN) is a democratic organization which adheres to the CSN Statement of Principles. It is run by its members and their delegates, the five regional executives, and the national executive. The five regional executives are duly identified as the Atlantic, Québec, Ontario, Prairies and Pacific regions. Through its objectives and methods of action, the Union must defend its members’ interests, pride, solidarity, dignity and promote its members’ economic and social well-being.

The Union endorses the principle of solidarity and ensures that common positions and actions are identical for all the regions.

The Union aims to provide members with a workplace free from violence and harassment in accordance with the UCCO-SACC-CSN Policy on Violence and Harassment Prevention, which can be amended from time to time.

## **CHAPTER 3 MEMBERS**

### **3.01 DEFINITION**

Members are those who exercise the rights conferred by the constitution. Just because a person pays union dues to UCCO-SACC-CSN does not grant that person membership to UCCO-SACC-CSN until that person fulfills the requirements of both articles 3.02 and 3.03. Every member is entitled to have the collective agreement and the UCCO-SACC-CSN constitution made available to them.

### **3.02 ELIGIBILITY**

To belong to the Union, a person must:

- a) Be covered by the Union’s jurisdiction or be laid-off and maintain the right to be recalled to work, be dismissed and have a grievance that is supported by the Union, be on leave of absence with or without pay, or be on strike or lock-out.
- b) Adhere to the constitution.
- c) Pay the initiation fee and union dues set at the Union’s national assembly.
- d) Not belong to any other association whose social principles run counter to those of the Union.
- e) Must not be in conflict of interest with the Union’s principles by acting in a supervisory position or any other work group where, after seven days, the person is no longer under the bargaining authority of UCCO-SACC-CSN.

### **3.03 INITIATION FEE**

Any person who aspires to become a member of the Union must pay his initiation fee, sign a membership form that contains a commitment to abide by the Union's constitution.

Members' initiation fee is set at \$2.00.

### **3.04 BENEFITS AND PRIVILEGES**

Members shall have the privileges and benefits conferred by the Union's constitution. They shall have access to the financial statements and minutes and may examine them on meeting days during meeting hours and during the Union's office hours, when a request to this effect is made seven days in advance. A member may obtain a copy of the financial statements and minutes for the current year by writing to the secretary or treasurer from the appropriate body, which will forward a copy within 30 days.

### **3.05 MEMBER POWERS AND RIGHTS**

Members of the Union have the right to speak and vote at any of the local's assemblies. A member is also eligible for any local, regional or national union duties.

Given that the members of the Union are the highest authority, it is the members' responsibility to decide the following issues by voting with a show of hands, by secret ballot, by mail, or by holding a local general assembly. The method used from the list in the previous sentence will be determined by the executive body initially requesting the vote.

- a) Adoption or rejection of a collective agreement, by secret ballot.
- b) Voting of a motion submitted by members, the national executive, the regional executive or the local executive.
- c) Suspension of a Union member from his local.
- d) Election of local representatives.

A member may file a written complaint at the local, regional or national level about the way the Union is managing union funds. In the complaint, the member must convey his concerns and evidence, where applicable.

### **3.06 MEMBERS' DUTIES**

Members of the Union have the duty to respect democracy. It is their duty to respect decisions taken in the interests of the group. They have the duty to ensure that their Union is run properly at the local, regional and national level. It is their duty to:

- a) respect other members.
- b) not discriminate against other members, in accordance with Article 1.04.
- c) support the Union's aim and objectives.
- d) be up-to-date on union information.
- e) take part in meetings and actions organized by the Union.
- f) inform the local secretary of any change in members' address and/or telephone number.

## **CHAPTER 4 RESIGNATION, SUSPENSION, EXPULSION, REINSTATEMENT**

### **4.01 RESIGNATION**

Any resigning member shall lose his entitlement to the Union's benefits and privileges. His resignation must be in writing.

### **4.02 SUSPENSION OR EXPULSION**

Any member may be subject to suspension or expulsion by the national executive if he:

- a) Refuses to abide by the commitments he made to the Union.
- b) Causes serious prejudice to the Union.
- c) Promotes an organization opposed to the interests of the Union or its members, or distributes propaganda on its behalf.

An elected union officer may be subject to suspension or expulsion from office by the National Executive if they are implicated in a situation of violence or harassment of a member or other executive member.

Any member who is suspended or expelled shall lose all entitlement to Union benefits and privileges until he is no longer suspended or expelled.

### **4.03 SUSPENSION OR EXPULSION PROCEDURES**

- a) The recommendation whether or not to suspend or expel a member is made by the regional executive when brought forward by the members' local. The final decision is rendered by the national executive.
- b) The regional executive's recommendation shall only take effect when ratified by the national executive.
- c) Before making its recommendation whether or not to suspend or expel a member, the regional executive must give at least eight days' notice in writing to the member in question, inviting the member to present his version before the regional executive. This notice must give the reasons for his suspension or expulsion, in writing, and indicate the time and place where the meeting is to be held.
- d) Under exceptional circumstances the national executive may suspend or expel a member, following the same procedure as c).

### **4.04 MEMBERS' RECOURSES**

A suspended or expelled member has the following recourse:

- a) If a member has been suspended or expelled wishes to appeal a recommendation made by the regional executive and ratified by the national executive, he must file an appeal in writing with the second national vice president within 30 calendar days of the decision being ratified by the national executive.
- b) In the event of an appeal, the member shall appoint a representative within ten days and the regional executive shall do the same. The two sides shall then try to agree on the choice of a chairperson. If they fail to agree, the national executive shall be called upon to choose a chairperson.
- c) The deadline for appointing a representative is ten calendar days from the date of the appeal. To appoint a chairperson, the national executive shall have ten calendar days as of the date it was presented with the request.

- d) The arbitration board thus appointed shall decide the procedure it intends to follow. It must hear both parties' presentations before rendering its decision, unless one of the parties waives its right to be heard.
- e) A majority decision is final and obligatory for the parties involved, and must be rendered as promptly as possible.
- f) If the member wins the appeal, the Union shall pay the expenses of the arbitration board and reimburse the salary and expenses of the member who filed the appeal, where applicable. If the member loses the appeal, he must absorb the costs of his representative and his expenses and salary that ensued from presenting the case before the board. All expenses will be paid in accordance with the Union's Reimbursement Policy for Expenses and Salary.
- g) The Union is responsible for expenses incurred by the chairperson of the arbitration board.
- h) The two parties may agree to proceed before a single arbitrator.
- i) A Union member's suspension or expulsion shall not take effect until the appeal is completed, if applicable.

#### **4.05 REINSTATEMENT**

- a) To be reinstated, a resigned member, suspended or expelled member must apply for reinstatement in writing and be accepted by all of the following: local general assembly from which he was originally suspended or expelled, regional executive from the region he was originally suspended or expelled and then by the national executive.
- b) A member that was suspended or expelled directly by the national executive must apply for reinstatement in writing and be accepted by the national executive.

## **CHAPTER 5 UNION STRUCTURES**

#### **5.01 UNION STRUCTURES**

The Union has the following governing structures:

- a) The national general assembly.
- b) The national executive.
- c) The regional executives.
- d) The local general assembly.
- e) The local executives.

## **CHAPTER 6 NATIONAL GENERAL ASSEMBLY**

#### **6.01 COMPOSITION**

The national general assembly is made up of the presidents and the delegates from the locals, presidents, vice presidents and Second Vice Presidents of all the regions, the national president, two national vice presidents and observers.

**6.02 POWERS OF THE NATIONAL GENERAL ASSEMBLY**

The national general assembly is the highest authority in the Union. It is the responsibility of the national general assembly to:

- a) Set objectives for the duration of the term.
- b) Amend the constitution.
- c) Elect the national president and the two national vice presidents.
- d) Set union dues.
- e) Approve the national budget.
- f) Approve the audited financial statements.
- g) Adopt the report from the financial audit committee.
- h) Approve the minutes from the last national general assembly.
- i) Receive, adopt, amend or reject reports from the various committees and the national executive.
- j) Make any timely decisions to ensure that the Union runs smoothly.

**6.03 PLACE AND TIME OF THE NATIONAL GENERAL ASSEMBLY**

The national general assembly is held every three years. Taking into account the budget, date and place must be decided at the preceding national general assembly.

**6.04 NATIONAL GENERAL ASSEMBLY COMMITTEES**

At least one year before the date of the national general assembly, each local must provide a list of delegates' names and their alternates to the national general assembly. These lists will be used to assign delegates to the committees needed to ensure that the assembly runs smoothly. These lists shall be forwarded to the national executive, and the latter will choose the members of those committees.

**6.05 DELEGATION FOR THE NATIONAL GENERAL ASSEMBLY**

- a) Each local shall send the local president or his alternate to the national general assembly as a delegate.
- b) In addition, each local shall elect delegates among its members at the local general assembly. The number of delegates, in addition to the local president, shall be calculated as follows:
 

0 to 150 members .....	1 delegate
151 to 300 members .....	2 delegates
301 to 399 members .....	3 delegates
400 members and over .....	4 delegates
- c) The local membership numbers will be determined by regularly updated membership lists that will be provided by each local at least twice per year. The second national vice president will provide the local with the official membership list that will be used to determine the local's number of delegates, at least 14 months before the national general assembly.
- d) If quorum is not obtained at the local general assembly, the local executive can appoint delegates to the national general assembly.

#### **6.06 OBSERVERS AT THE NATIONAL GENERAL ASSEMBLY**

Regions and locals may send members as observers, at their expense or that of the observer. A registration fee shall be charged. Observers shall register at least a year before the date of the national general assembly. Observers have neither speaking nor voting rights.

#### **6.07 EMERGENCY NATIONAL GENERAL ASSEMBLY**

This type of assembly may be convened either by:

- a) At least three regional executives if the majority of members from their respective regions support such a request at local general assembly.
- b) By the national executive, for reasons of major importance.

#### **6.08 DELEGATES AT EMERGENCY NATIONAL GENERAL ASSEMBLY**

Articles 6.01, 6.05 and 6.06 shall apply.

#### **6.09 NOTICE OF ASSEMBLY**

As soon as it can, the national executive shall inform the regional executives of the reason(s) for holding this emergency assembly. These reasons must be indicated on the notice of assembly.

#### **6.10 AGENDA FOR AN EMERGENCY NATIONAL GENERAL ASSEMBLY**

The agenda shall only contain the item(s) for which this assembly was convened, unless the general national assembly consents to examine other urgent or necessary items at the end of the agenda. This emergency assembly cannot change the date set for the next national general assembly as decided by the last national general assembly.

#### **6.11 QUORUM**

Quorum for a national general assembly is 50% plus one of the delegates.

#### **6.12 DECISION**

Any vote taken at the national general assembly shall require a simple majority of the delegates present in the national general assembly, except in regard to decisions stipulated in Articles 1.08 and 13.10, which shall follow the procedure stipulated in these articles.

## **CHAPTER 7 NATIONAL OFFICE AND NATIONAL EXECUTIVE**

#### **7.01 POWERS AND RESPONSIBILITIES OF THE NATIONAL EXECUTIVE**

The national executive's responsibilities include the following:

- a) Representing all members of the Union.
- b) Co-ordinating regional executives.
- c) Administrating the Union's affairs.

- d) Ensuring that members are properly represented during the appeal and arbitration procedures.
- e) Negotiating the collective agreement.
- f) Ensuring communications at the national level.
- g) Ensuring that the national general assembly runs smoothly.
- h) Authorizing expenses provided in the budget.
- i) Authorizing all legal actions and procedures needed in defending the interests of the Union.
- j) Preparing the three-year budget.
- k) Receiving, examining, and resolving complaints from members, in accordance with the provisions of article 3.05.
- l) Resolving the suspension and expulsion of the members in accordance with the provisions in the article 4.
- m) Hiring staff.
- n) Whether or not a grievance should be pursued further. The national executive notifies the local president and the grievor of the reasons for the decision.
- o) Updating cases involving worker's compensation.
- p) A member of the national executive may act as the national president if he dies, resigns, is suspended or is unable to act as national president.

## **7.02 COMPOSITION OF THE NATIONAL EXECUTIVE**

The national executive is made up of a full-time president, two full-time vice presidents, and five full-time regional presidents. In addition, a member of the national executive must be responsible for each of the following duties:

- a) Status of women.
- b) Grievances and appeal.
- c) Occupational health and safety.
- d) The national secretariat.
- e) Union training.

## **7.03 DUTIES AND POWERS OF THE NATIONAL PRESIDENT**

The national president's responsibilities include the following:

- a) Ensuring the coordination of the regions.
- b) Representing the Union in dealings with the national employer.
- c) Signing the minutes.
- d) Informing the regional presidents of any important decision taken by the national employer.
- e) Providing updated reports to the regional presidents.
- f) Delegate to the CSN convention.

- g) Chairing the national general assembly and meetings of the national executive.
- h) Acting as national spokesperson and transmitting information to all the regions.
- i) Being responsible for the national office and its operations.
- j) Keeping abreast of activities in the regions.
- k) Being a member of the bargaining committee.
- l) Representing the Union in dealings with the CSN.
- m) Ex-officio on all national committees.
- n) Voting to break a tie vote.

#### **7.04 DUTIES AND POWERS OF THE NATIONAL VICE PRESIDENT**

The national vice president's responsibilities include the following:

- a) Delegate to the CSN convention.
- b) In collaboration with the national president, informing the regional presidents of any important decision taken by the national employer.
- c) In collaboration with the national president, providing updated reports to the regional presidents.
- d) In collaboration the national president, acting as national spokesperson and transmitting information to all the regions.
- e) Co-ordinating national committees.
- f) Being in charge of communications.
- g) Being a member of the bargaining committee.
- h) Keeping abreast of the regional files.
- i) Performing any other duties that may be conferred upon him by the national executive.

#### **7.05 DUTIES AND POWERS OF THE SECOND NATIONAL VICE PRESIDENT**

The second national vice president's responsibilities include the following:

- a) Setting up a documentation centre on the various issues that concern the national office and the regions.
- b) Being responsible for correspondence.
- c) Delegate to the CSN convention.
- d) Convening national executive meetings and preparing the logistics for these meetings.
- e) Preparing the national general assembly and attending to the various committees for this assembly.
- f) Preparing the budget.
- g) Present an audited financial report to the national executive within three months of the fiscal year end.



- h) Giving the financial statements to the national executive upon request, and at least every four months.
- i) Paying the monthly dues by direct deposit, and making all other payments by cheque or direct deposit. Two national executive members must approve the direct deposit transaction.
- j) Ensuring the payment of per capita.
- k) Ensuring the Union's ledger books are up to date.
- l) Managing financial transactions to ensure that the national union operations run smoothly.
- m) Performing any other duties that may be conferred upon him by the national executive.
- n) Overseeing all financial matters related to properly running the regional and local funds.

#### **7.06 MEETINGS OF THE NATIONAL EXECUTIVE**

The national executive shall sit at least eight times a year, including once when it is mandatory that the financial statements be presented.

#### **7.07 CONFERENCE CALLS/VIDEO CONFERENCING**

The national executive may hold a conference call or video conference under the approval of the quorum of the national executive to replace a meeting stipulated in Article 7.05, or for any additional meeting except the one stipulated for presenting and approving the financial statements.

#### **7.08 SUBMITTING A BUDGET**

The national executive shall submit a three-year budget at the national general assembly for approval.

The regional executives receive a copy of the proposed national budget one month before the National General Assembly.

#### **7.09 QUORUM**

Quorum for the national executive is two thirds of the Union officers' positions that are in fact filled.

#### **7.10 DECISION**

Any vote taken by the national executive requires a simple majority of the members present by recorded vote with the exception of decisions stipulated in Article 13.10 of the constitution, which follow the procedure stipulated in this article.

## **CHAPTER 8 THE REGIONAL EXECUTIVE**

#### **8.01 POWERS AND RESPONSIBILITIES OF THE REGIONAL EXECUTIVE**

The regional executive's responsibilities include the following:

- a) Representing all members of the locals in its regions.
- b) Co-ordinating the locals.

- c) Administrating the region's affairs.
- d) Administrating the bank of regional training days.
- e) Being in charge of the complaint file.
- f) Being in charge of communications at the regional level.
- g) Ensuring that the regional executive runs smoothly.
- h) Hiring staff.
- i) Taking decisions as required to ensure the region runs smoothly.

#### **8.02 REGIONAL TRAINING**

It is stipulated that each region has a bank of training funds that must be shared by each local in the region as follows:

- a) Each local shall be entitled to regional training as determined and administered by the regional executive.
- b) The remaining funds in the regional bank shall be available for the entire region and administrated by the regional executive.
- c) Training funds shall be calculated by the national by determining 0.10% of the regions' membership salaries for that month.

#### **8.03 COMPOSITION OF THE REGIONAL EXECUTIVE**

The Union comprises five regions: the Atlantic, Québec, Ontario, the Prairies and the Pacific. Each region has an executive that comprises a president, a vice president, a Second Vice President; each local president in the region shall sit on this executive.

#### **8.04 HEAD OFFICE**

Each region must set up its head office in the aim of serving its members' best interests.

#### **8.05 DUTIES AND POWERS OF THE REGIONAL PRESIDENT**

The regional president's responsibilities shall include the following:

- a) Chairing regional executive meetings.
- b) Acting as official representative for his region.
- c) The regional president or his representative are the only people authorized to make public declarations.
- d) Ensuring that the Union in his region runs smoothly.
- e) Whenever possible, attending annual general assembly of the locals on request.
- f) Developing and reviewing local executives' reports.
- g) Ex-officio on all regional committees.
- h) Being a member of the bargaining committee.
- i) Maintaining ties with other unions affiliated with the CSN or other organizations that could help the Union cause.
- j) Attending all national executive meetings.
- k) Delegate to the CSN convention.

- l) Voting to break a tie vote.

#### **8.06 DUTIES AND POWERS OF THE REGIONAL VICE PRESIDENT**

The regional vice president's responsibilities include the following:

- a) Acting for the regional president if he dies, resigns, is suspended or is unable to act as president.
- b) Being responsible for the union training and the communications structure.
- c) Carrying out any duties conferred by the regional executive.
- d) Co-ordinating the complaints committee.
- e) Delegate to the CSN convention.
- f) Act as regional president when the regional president is on leave for two weeks or more at any one time.

#### **8.07 DUTIES OF THE SECOND REGIONAL VICE PRESIDENT**

- a) Writing up the minutes of regional executive meetings and sending them to the local union presidents.
- b) Handling all the correspondence for which he is responsible.
- c) Keeping a register of the activities of the regional executive.
- d) Keeping and updating the Union's books, papers, effects and documents at the regional level.
- e) Carrying out the duties conferred on him by the executive.
- f) Making all payments by cheque or direct deposit. Two regional executive members with signing authority under Article 11.06 b) of the constitution must approve the direct deposit transaction.
- g) Preparing an annual budget with the region's per capita payments, to ensure that the regional executive runs smoothly.
- h) Keeping the regional Union's books up to date.
- i) Having its financial statements and annual budget approved.
- j) Handling any financial aspects that enable the regional union funds to run smoothly.
- k) Providing the regional executive and second national vice president with the regional financial statements on request, but at least once yearly.

#### **8.08 THE DUTIES OF A LOCAL PRESIDENT SITTING ON THE REGIONAL EXECUTIVE**

- a) Sitting on regional committees.
- b) Attending all meetings of the regional executive.
- c) Reporting on activities that have taken place in the local since the last meeting.
- d) Any other duties that may be conferred upon them by the regional executive.

#### **8.09 REGIONAL EXECUTIVE MEETINGS**

The regional executive meets as required taking into consideration the regional budget. However, at least two regional meetings must take place over the year. The regional executive may decide not to hold a meeting in July and August.

#### **8.10 EMERGENCY MEETING OF THE REGIONAL EXECUTIVE**

This type of meeting may be convened by:

- a) By two thirds of members of the regional executive.
- b) By the regional president, for reasons of major importance.

#### **8.11 QUORUM**

Quorum for the regional executive is two thirds of the positions that are in fact filled.

#### **8.12 DECISION**

Any vote taken by the regional executive requires a simple majority of the members present by recorded vote with the exception of decisions stipulated in Article 13.10 of the constitution, which follow the procedure stipulated in this article.

#### **8.13 SUBMITTING A BUDGET**

Within three months of the end of the fiscal year, the second regional vice president shall submit for approval the financial statements for the year ending and the budget forecasts for the upcoming year. This budget is presented to the regional executive. All members who wish to consult the budget and financial statements may do so by sending a written request to the second regional vice president. A copy shall be provided to them within 30 days.

#### **8.14 REGIONAL STATUS OF WOMEN COMMITTEE**

This committee is comprised of status of women delegates from the locals. The committee elects its official representative who sits with the regional executive as required. This representative has the right to speak but has no right to vote.

#### **8.15 REGIONAL COMPLAINTS COMMITTEE**

This committee is comprised of local grievance coordinators. The committee elects its official representative who sits with the regional executive as required. This representative has the right to speak but has no right to vote.

#### **8.16 DUTIES OF THE REGIONAL COMPLAINTS COMMITTEE**

- a) Setting up an effective communication system with the local concerning grievances.
- b) Compiling relevant data for grievance officers from the locals.
- c) Giving a report on the status of grievances to the regional executive.
- d) Will meet once a year, or as required.
- e) Making recommendations on improvements to the grievance procedure.

#### **8.17 REGIONAL OCCUPATIONAL HEALTH AND SAFETY COMMITTEE**

This committee is comprised of occupational health and safety delegates from the locals. The committee elects its official representative who sits with the regional executive as required. This representative has the right to speak but has no right to vote.

## **CHAPTER 9 LOCALS AND THE LOCAL EXECUTIVE**

### **9.01 POWERS AND RESPONSIBILITIES OF THE LOCAL EXECUTIVE**

The local executive's responsibilities include the following:

- a) Representing all members of the local.
- b) Signing new members.
- c) Administrating the local's funds.
- d) Overseeing cases involving occupational health and safety and worker's compensation.
- e) Being in charge of communications at the local level.
- f) Ensuring that the local's executive is running smoothly.
- g) Ensuring that members are properly represented during the local's grievance and complaints procedures.
- h) Ensuring that assemblies run smoothly.
- i) Hiring staff.
- j) Appointing committees.

### **9.02 LOCALS**

- a) A local is made up of 20 or more members.
- b) The national general assembly determines the composition and geographic location of locals.
- c) The regional executive, with the national executive's approval, has power to recommend locals with less than 20 members in exceptional circumstances. The national general assembly must ratify this decision.

### **9.03 SUB-LOCALS**

Where there are five or more members in a workplace but less than 20, this group of members is designated as a sub-local that is affiliated with a local of the sub-local's choice in agreement with the local being joined. The regional executive shall have the final decision. The sub-local is represented by at least one delegate on the local executive.

### **9.04 TAKING A POSITION**

A local may not take a position for the Union as a whole.

### **9.05 CESSATION OF ACTIVITIES**

If the local executive is dissolved or suspended, all documents, funds or property shall be placed in the care of the regional executive's Second Vice President for safekeeping, and shall be placed in trust until the local is functioning properly again or is reorganized. Failing that, they will be earmarked for organizational purposes following a decision by the regional executive.

### **9.06 COALITIONS**

A local may set up coalitions with other unions but the regional executive must be notified.

### **9.07 PARTICIPATION**

A local may set up a union coalition but the regional executive must be notified.

### **9.08 COMPOSITION OF THE LOCAL EXECUTIVE**

The executive is composed of:

- a) The president
- b) The vice president
  - i. The second vice president, if necessary.
- c) A grievance coordinator
- d) The treasurer
- e) The secretary
- f) Shop stewards
- g) Communications delegate
- h) Occupational safety and health delegate
- i) Status of women delegate

### **9.09 COMBINING POSITIONS**

A local may combine certain positions if necessary.

### **9.10 POSITION OF SHOP STEWARD**

A local is entitled to elect one shop steward and an additional shop steward for every 25 members and can be appointed by the local executive, as required.

### **9.11 LOCAL EXECUTIVE MEETINGS**

The local executive shall meet at least quarterly to ensure that the local's union business is conducted properly taking into consideration the local budget. The local executive must meet as needed, when convened by the president or his replacement or when requested by two thirds of the local executive.

### **9.12 QUORUM FOR THE LOCAL EXECUTIVE**

Quorum for the executive is 50% plus one of the positions that are in fact filled.

### **9.13 DECISION**

Any vote taken by the local executive requires a simple majority of the members present by recorded vote with the exception of decisions stipulated in Article 13.10 of the constitution, which follow the procedure stipulated in this article.

### **9.14 NOTICE OF MEETING**

When calling a local executive meeting, notice should usually be given ten days before the meeting is held but not less than one day before. Notice must include the date, time and location of the meeting, and must be accompanied by the proposed agenda.

### **9.15 LOCAL GENERAL ASSEMBLY**

- a) Each local must hold at least one general annual assembly with its members. At this assembly the local treasurer will provide the financial statements for the past fiscal year and the budget for the upcoming year. This assembly must take place no later than April.

- b) Local general assemblies may be held in one of the following manners:
  - i) a single meeting in one location;
  - ii) several meetings on different shifts.
- c) i) When the format for a local general assembly is to have more than one meeting on different shifts, every motion must be presented at the first meeting to ensure all those present have the opportunity to debate and vote on the motion. If the proposer cannot be present at the first session of the meeting, he can have another member present the motion(s) or amendment(s) and if not, transmit it to the secretary a minimum of three days before the date of the assembly. All amendments and new motions require a seconder at the first session of the local general assembly or at the time of submission to the secretary.
  - ii) To be considered valid, all motions must be adopted by a majority of the members participating in the local general meeting. At the last session of the local general meeting, the secretary counts the number of people participating in the assembly and indicates whether the motions and amendments put to a vote are accepted or rejected.
  - iii) The proposer must attend at least one meeting.
- d) The local executive determines which form (9.15 b) i) or ii)) of local general assembly will be held.

#### **9.16 POWERS OF THE LOCAL GENERAL ASSEMBLY**

The local is required to post the date, time and location of the local general assembly at least ten days before the scheduled date.

The responsibilities of the local general assembly include the following:

- a) Appointing or electing various committees.
- b) Increasing or decreasing the local portion of the union dues, other than the local union dues set by the national general assembly.
- c) Approving the local budget.
- d) Approving the audited financial statements.
- e) Adopting the financial audit committee report.
- f) Adopting the minutes from the preceding local general assembly.
- g) Setting objectives for the duration of the term.
- h) Receiving reports from the various committees.
- i) The local executive must present its reports at an annual assembly of the members.
- j) Proposing the suspension or expulsion of members.
- k) Proposing amendments to the constitution for the national general assembly.

### **9.17 SPECIAL LOCAL ASSEMBLY OF THE MEMBERS**

- a) A special assembly may be convened by the president of the local and/or at the request of the majority of members of the local executive, or following a petition presented by at least 25% of the members in good standing. At least two thirds of the petition-signers must be present at the assembly in order for it to be held.
- b) A request for a special assembly must specify the reason(s) for holding such assembly.
- c) Before such assembly is held, the president must post a notice of assembly as quickly as possible.
- d) The reasons for holding the special assembly must be indicated on the notice of assembly, and no topic other than the one(s) mentioned may be discussed at that assembly.
- e) The special assembly must be held within 14 calendar days of the request.

### **9.18 QUORUM FOR THE LOCAL GENERAL ASSEMBLY**

Quorum for general assembly is 10% of the members of the local.

### **9.19 DECISION**

Any vote taken at the general assembly requires a simple majority of the members present.

### **9.20 FORMING COMMITTEES**

The local executive may set up committees as needed. Any such committee must be chaired or co-ordinated by a member of the local executive, who shall then give reports to the local executive.

### **9.21 FORMING STANDING COMMITTEES**

- a) Committees shall be set up for the duration of the local executive's term of office.
- b) The local executive reserves the right to create ad hoc committees, define their aims, timetables, objectives and term.
- c) Committee members promise to take union courses on the issues dealt within each committee.

### **9.22 STANDING COMMITTEES**

- a) Grievance and appeal
- b) Occupational health and safety
- c) Status of women
- d) Financial audit
- e) Return to work

### **9.23 DUTIES AND POWERS OF THE LOCAL PRESIDENT**

The responsibilities of the local executive's president include the following:

- a) Chairing executive meetings and local general assembly.
- b) Acting as official representative for the local.
- c) Ensuring that the local runs smoothly.



- d) Attending all the regional executive meetings.
- e) Attending meetings with the local employer.
- f) Transmitting information obtained in regional executive meetings to members of the local.
- g) Periodically transmitting information to members when meeting them in the workplace.
- h) Staying abreast of the local union's internal affairs.
- i) Ex-officio on all local committees.
- j) Being responsible for representing the local in all meetings.
- k) Convening assemblies of the local.
- l) Being a delegate at the general national assembly.
- m) Voting in the event of a tie vote.

#### **9.24 DUTIES AND POWERS OF THE LOCAL VICE PRESIDENT**

The responsibilities of the local executive's vice president include the following:

- a) Acting for the local president if the latter dies, resigns, is suspended, or is unable to act as local president.
- b) Assisting the secretary in handling the correspondence.
- c) Assisting the communications delegate in setting up an effective communications system in the local.
- d) Giving information to members when meeting them in the workplace.
- e) Assisting the grievance officer if necessary.
- f) Attending to training.
- g) Carrying out any other duties that may be conferred on him by the executive.

#### **9.25 DUTIES OF THE LOCAL GRIEVANCE COORDINATOR**

The duties of the local grievance coordinator include the following:

- a) Responsibility for the file on complaints and grievances.
- b) Responsibility for grievance and complaint hearings at the local level.
- c) Sitting on the regional complaints committee.
- d) Informing the local's executive about the latest developments in grievances and complaints, at their meetings.

#### **9.26 DUTIES OF THE LOCAL SECRETARY**

The duties of the local secretary include the following:

- a) Preparing the minutes of the local's meeting.
- b) Handling all correspondence for which she or he is responsible.
- c) Drafting letters and documents at the request of the executive.
- d) Setting up a functional filing system for correspondence.
- e) Keeping the membership list up-to-date and having the membership form signed by new members.

- f) Keeping all the books, papers, effects and documents of the local, and making sure they are up-to-date.
- g) Carrying out any other duties that may be conferred on her or him by the executive.
- h) Planning office supply purchases such as stationery and office equipment, in accordance with the budgets.
- i) Keeping up-to-date inventory of the local's assets.

#### **9.27 DUTIES OF THE LOCAL TREASURER**

The duties of the local treasurer include the following:

- a) Preparing the annual budget, having it audited by the second regional vice president, and presenting a financial report to the executive and to members at the local annual assembly.
- b) Making all payments by cheque.
- c) If the local so authorizes, keeping the petty cash up to date, which may not exceed \$200.
- d) Keeping the ledger books for the local up to date.
- e) Presenting a financial report to the executive at all monthly meetings.
- f) Providing the second regional vice president and the second national vice president with the local financial statements on request, but at least once a year.
- g) Within seven days of receiving a written request by a member, the treasurer must open the ledger books and all financial files in the member's presence, to let the member become acquainted with the local's financial status.
- h) After verifying with the local president, checking and approving payments and expense claims.
- i) Keeping copies of financial documents, in accordance with the law.

#### **9.28 DUTY OF THE COMMUNICATIONS DELEGATE**

The duty of the communications delegate is to keep the local membership informed about union news, events and activities.

#### **9.29 DUTY OF THE OCCUPATIONAL HEALTH AND SAFETY DELEGATE**

The duties of the occupational health and safety delegate include:

- a) Being a member of the institutional joint occupational health and safety committee.
- b) Participating in all local executive meetings.
- c) Reporting members' concerns to the local executive.
- d) Researching various documents and issues as requested by the local executive.
- e) Carrying out any duties that may be conferred by the local executive.
- f) Staying current of union affairs.
- g) Assisting members in Workers Compensation Appeals and completing the relevant documentation.

- h) Participating as a member of the UCCO-SACC-CSN to the regional occupational health and safety committee.
- i) Ensuring that the Canada Labour Code Part II is adhered to by local management.
- j) Assisting members in the application of the Canada Labour Code Part II.

### **9.30 DUTY OF THE STATUS OF WOMEN DELEGATE**

The status of women delegate is responsible for representing female members by reporting their specific issues to the local executive.

The duties of the status of women delegate include:

- a) The representation and/or the assistance of members during the reassignment of pregnant officers as well as all associated leaves.
- b) The integration of new female correctional officers within CSC.
- c) Fair and equitable intervention in confliction and discriminatory situations.
- d) Work and family reconciliation.
- e) International Women's Day.
- f) Increasing awareness and educating members on various situations concerning female staff.
- g) The representative sits on the regional status of women committee.
- h) The representative must address all other tasks entrusted by the local executive and also by the regional status of women coordinator.

### **9.31 DUTIES OF THE LOCAL SHOP STEWARDS**

The duties of the local shop stewards include the following:

- a) Advising members and directing them toward the appropriate resources.
- b) Participating in all local executive meetings.
- c) Reporting members' concerns to the local executive.
- d) Researching various documents as requested by the local executive.
- e) Carrying out any duties that may be conferred by the local executive.
- f) Staying abreast of union affairs.
- g) Representing members at local grievance hearings.
- h) Assisting members preparing grievances and filling out the grievance investigation form.
- i) Resolving issues that arise in the workplace at the lowest possible level.

## **CHAPTER 10 ELECTION PROCEDURES**

### **Part A General Provisions**

#### **10.01 ABSOLUTE MAJORITY**

Elections are conducted by secret ballot. To be elected, a candidate must obtain an absolute majority of the votes cast (that is, 50% plus one).

#### **10.02 MORE THAN TWO CANDIDATES**

If there are more than two candidates running for the same position and none of them obtained an absolute majority on the first round of voting, the candidate with the fewest votes shall be eliminated and a second round of voting shall be held at a time chosen by the elections committee. This procedure shall be repeated until one candidate obtains an absolute majority.

#### **10.03 ELECTIONS BY ACCLAMATION**

If there is only one candidate running for a position, that member shall be declared elected by acclamation.

#### **10.04 ELECTIONS**

Elections for all positions, at each level, are held at the same time.

#### **10.05 ELECTIONS COMMITTEE**

- a) The election committee is comprised of a chairperson, a secretary and three scrutinizers (when necessary).
- b) The election chairperson and secretary may not be candidates under any condition.
- c) The election chairperson may only exercise his right to vote in the case of a tie vote. He may refuse to exercise this right and may order a new vote to be held.
- d) The election chairperson and secretary do not have the right to second a candidate.
- e) Elections shall be conducted by using a sealed box. The integrity of the ballot box shall be ensured by the elections committee.

#### **10.06 RESULTS OF THE POLLS**

- a) When the poll is closed and the ballots have been counted, the election chairperson shall inform the candidates and members of the name of the person elected to each position.
- b) When the results of the poll are announced, only a defeated candidate may ask how many votes each candidate obtained for the position sought by the defeated candidate. From then on, these results are public.
- c) A defeated candidate in an election may ask for a recount on the same day that the results of the polls are announced.

#### **10.07 NOMINATIONS**

- a) A member may not run for more than one position in an election.
- b) A candidate must have his nomination form signed by three members.
- c) The nomination of candidates shall be done three months prior to the national general assembly.

#### **10.08 TRANSFER OF POWERS**

- a) For full-time positions that open up on the national executive, a transition period of up to 30 calendar days shall be provided, to allow for training, the transfer of powers, documents and other items needed for such a transition.
- b) At the end of their term of office, all elected officers must turn over any union property, useful information or relevant documents to their successors.

#### **10.09 TERM OF OFFICE**

An elected or appointed union representative shall serve a three-year term of office. An elected or appointed union representative will be deemed to have resigned immediately when voluntarily acting outside the bargaining authority of UCCO-SACC-CSN, notwithstanding clause 3.02 e). This vacant position will be filled as per clauses 10.13, 10.14 and 10.15.

Any elected or appointed union representative who applies to any managerial position shall be considered to have resigned from their union position.

#### **10.10 INSTALLATION OF ELECTED OFFICERS**

Each of the officers shall officially take his position as soon as he is sworn into office.

When proceeding with the swearing into office of the elected officers, as much as possible, a representative from one of the bodies to which the Union is affiliated should be invited to participate.

The swearing in of the Union's executive officers should be performed by the election chairperson, immediately after the elections are held or the next day, according to the following procedure.

The election chairperson shall ask the members attending to stand, as well as the elected officers and he proceeds to the swearing in.

The election chairperson shall ask:

*"Do you solemnly swear to fulfill the duties of your office, to honour the constitution, to further the interests of the Union and its members, to remain in office until the nomination of your successors; do you so solemnly swear?"*

Each of the officers shall reply: *"I do solemnly swear."*

The members shall answer: *"We bear witness."*

#### **10.11 CHALLENGING AN ELECTION**

- a) If an election is to be challenged, this must be done within 30 days of the election.

- b) Only a defeated candidate may challenge the election results for the position he sought.
- c) This challenge is referred to the elections committee, and it is up to the committee to decide whether or not the challenge is well founded.
- d) If the challenge is deemed to be well-founded, the election committee and the national, regional or local executive, as the case may be, shall decide how to proceed with a new election.

#### **10.12 SAFEGUARDING THE BALLOTS**

- a) The election committee shall safeguard the ballots and the voters' list for a period of 40 days following the elections.
- b) At the end of this period, the election chairperson shall ensure that the ballots and voters' list are destroyed.

#### **10.13 FILLING A NATIONAL POSITION**

When a position becomes vacant, an election shall be held within 60 days to fill the position.

- a) If the position of president is vacant, a member of the national executive shall take over the president's duties for the remaining term of office.
- b) If the position of either vice president is vacant, the national executive shall appoint an election committee that shall hold an election to fill the position.
- c) Only members of the regional executives may be elected to the position of vice president.

#### **10.14 FILLING A REGIONAL POSITION**

When a position becomes vacant, an election shall be held within 60 days to fill the position.

- a) If the position of regional president is vacant, the regional vice president shall take over the president's duties for the remaining term of office.
- b) If the position of regional vice president or second regional vice president is vacant and cannot be filled by a local president, the regional executive appoints an election committee, which holds an election to fill the position. Candidates will first be solicited from all the local executive members, if no candidate can be found, the position will then be open to any member in the region. Only the regional executive members will vote in this election.

#### **10.15 FILLING A LOCAL POSITION**

When an elected position becomes vacant, an election to fill the position may be held within 60 days if the executive cannot fill this position.

If the position of local president is vacant, the local vice president shall take over the president's duties for the remaining term of office. If there is no local vice president then the election procedure in Chapter 10 must be undertaken.

#### **10.16 BY-ELECTIONS**

When filling a vacant position during a current term of office for a specific level (national, regional or local) an active executive member does not have to vacate his position to be a candidate for the vacant position in the by-election.

## **Part B National Elections**

### **10.17 ELECTIONS OF THE NATIONAL PRESIDENT AND VICE PRESIDENTS**

The elections for the national president and the two national vice presidents shall be held at the national general assembly.

### **10.18 CANDIDATES**

To run for these positions, a candidate must:

- a) Be a member.
- b) Be an official delegate to the national general assembly.
- c) Be present at the election or give the election secretary authorization to accept his candidacy.
- d) Members must declare their candidacy for these positions at least three months prior to the national general assembly.
- e) Members running for a national position cannot run for a regional position.

### **10.19 ELECTIONS COMMITTEE FOR THE NATIONAL EXECUTIVE AND REGIONAL EXECUTIVES**

- a) The election committee shall be appointed six months before the national general assembly.
- b) The national executive appoints an election president, an election secretary, and three scrutinizers. The election committee shall normally consist of CSN regional union advisors.
- c) The election secretary sends to each local section a list of candidates as soon as possible.
- d) Elections take place on the last day of the national general assembly, at the time stipulated on the agenda for the meeting.
- e) Members must file their nomination papers for these positions including a list of relevant experience at least three months prior to the national general assembly. That information shall be available to delegates two (2) months prior to the national general assembly. In the event that no one has filed nomination papers for a position, nominations for that position shall close at 5:00 p.m. the second-last day of the national general assembly.
- f) Nominations forms are handed in to the elections secretary.
- g) The election secretary is responsible for having the ballots printed.
- h) The list of official delegates entitled to vote is closed at 5:00 p.m. on the second-last day of the national general assembly.

## **Part C Regional Elections**

### **10.20 ELECTIONS OF THE REGIONAL PRESIDENT, VICE PRESIDENT AND SECOND VICE PRESIDENT**

The election for the regional president, the vice president and the second vice president shall be held at the national general assembly by the delegates of the region concerned.

### **10.21 CANDIDATES**

To run for these positions, a candidate must:

- a) Be a member.
- b) Be an official delegate to the national general assembly.
- c) Be a member of the region concerned.
- d) Be present at the election or give the election secretary her/his proxy to accept his candidacy.
- e) Members must file their nomination papers for these positions at least three months prior to the national general assembly. In the event that no one has filed nomination papers for a position, nominations for that position shall close at 5:00 p.m. the second last day of the national general assembly.
- f) Members running for a regional position cannot run for a national position.

## **Part D Local Elections**

### **10.22 ELECTIONS**

- a) Elections are held 13 months before the national general assembly.
- b) The local general assembly preceding the date set for elections shall choose the elections committee and set the positions up for elections, according to 9.08, 9.09 and 9.10.
- c) The electoral list of members from each local or sub-local is given to the elections committee by the national executive.
- d) Once the list is complete, a copy is sent to the secretary who must have it approved by the local's executive. From then on, the list cannot be changed.
- e) Once the list is approved, the electoral process for positions on the local executive and the audit committee shall begin 28 days before the elections date chosen by the local executive.
- f) In the first 14 days, any member who wishes to run for a position on the executive may do so by asking the local secretary or his replacement for a nomination form (one form per candidate).
- g) The candidate must have this form signed by three members from the local.
- h) During the 14-day period, duly completed forms must be handed in to the local's secretary or his replacement.



- i) Any form handed in after the 14-day period shall not be considered.
- j) On the 15<sup>th</sup> day, the local's secretary or his replacement posts the list of candidates who have handed in their nomination form duly completed, and the positions for which they are running, on the union bulletin board for each local. This list is posted until the elections are over.
- k) Advance polls may be organized by individual locals, if required, but must run for two consecutive days.
- l) The local's executive provides time off for two members chosen by the elections committee to serve as scrutinizers. At the end of the second voting day, the election committee counts the votes. The election secretary posts the results.
- m) To be eligible for a position on the local executive, one has to be a member.

## **Part E**

### **Procedure for Removal from Office**

#### **10.23 PRINCIPLE**

When members of the Union believe that an elected officer is not fulfilling his mandate, in accordance with the decisions of the Union's decision-making bodies, the following procedure for removing him from office may be initiated.

A petition must include all of the following required criteria:

1. Executive member's name and Union title that is being petitioned for removal.
2. Date that the petition began.
3. Must have the following three columns:
  - Member's name (member's name must be printed legibly)
  - Member's signature
  - Date that the member signed the petition
4. All signatories must be Union members at the time of the petition's deposit.

The petition must be deposited to the appropriate body within 60 days from the start of the petition to be valid.

If a deposited petition has been deemed invalid because it does not meet any of the above required criteria, the petition shall be sent to the national executive for verification and then destroyed if confirmed to be invalid.

The membership numbers for each local shall be determined by the second national vice president and that number shall be provided to a member, requesting the membership number, to determine the minimum number of signatures (50% plus one) for the petition."

#### **10.24 AT THE NATIONAL LEVEL**

A procedure for removal from office may be initiated against the national president or the national vice presidents in the following way:

- a) A petition from at least three regions that represent at least 50% of the members in each of those regions is needed to begin the procedure for removal from office.
- b) This petition is formally submitted at a meeting of the national executive.
- c) Once this petition is submitted, an emergency national general assembly must be convened by the national executive within 60 days of the petition being submitted.
- d) The only item on the agenda for this assembly is the removal of the officer named in the petition and the election of his replacement, if necessary, notwithstanding article 10.07.
- e) This emergency national general assembly is chaired by a member of the CSN's executive committee.
- f) At this emergency national general assembly, a debate is organized to allow the officer in question to present his point of view and to allow the delegates to express their views about this officer being removed from office.
- g) Following this debate, the delegates at the emergency national general assembly are asked to vote for or against the officer's removal from office, by recorded vote.
- h) If the officer named in the petition is removed from office, the election procedure stipulated in this constitution shall apply.

#### **10.25 AT THE REGIONAL LEVEL**

A procedure for removal from office may be initiated against the regional president, regional vice president or the second regional vice president in the following way:

- a) A petition is signed by at least 50% of the members in the region, from at least two thirds of the locals, is needed to begin the procedure.
- b) This petition is formally submitted to the national president.
- c) Once this petition is submitted, a special meeting of the regional executive is convened within 30 days of the petition being submitted.
- d) The only item on the agenda for this meeting is the removal of the officer named in the petition and the election of his replacement, if necessary, notwithstanding Article 10.07. This meeting may not be held by conference call.
- e) This special meeting of the regional executive is chaired by the national president or National Vice President.
- f) At this special meeting of the regional executive, a debate is organized to allow the officer in question to present his point of view and to allow the members of the regional executive to express their views about this officer's removal from office.
- g) Following this debate, the members of the regional executive who are present are asked to vote for or against the officer's removal, by recorded vote.
- h) If the officer named in the petition is removed from office and is the regional president, the regional vice president shall complete the term of office. Otherwise, the election procedure provided for in this constitution shall apply.

#### **10.26 AT THE LOCAL LEVEL**

A procedure for removal from office may be initiated against a member of the local's executive in the following way:

- a) A petition signed by 50% plus one of the local section members is necessary to begin the procedure. A separate petition must be completed for each local executive member to be removed.
- b) This petition is formally submitted to the regional president.
- c) Once this petition is submitted, a removal meeting of the local is convened within 30 days of the petition being submitted, taking into account the scheduled shifts of the majority of the petitioners to attend. At least 50% plus 1 of the petition-signers must be present at the assembly in order for it to be held.
- d) The only item on the agenda for this meeting is the removal of the officer named in the petition.
- e) This removal meeting of the local is chaired by the regional president or regional vice president.
- f) At this removal meeting, a debate is organized to allow the officer in question to present his point of view and to allow the members to express their views about this officer being removed from office.
- g) Following this debate, members of the local who are present are asked to vote for or against the officer's removal, by secret ballot.
- h) If the officer named in the petition is removed from office and is the local president, the local vice president shall complete the term of office. Otherwise, the election procedure provided for in this constitution shall apply.

## **CHAPTER 11 FINANCES AND DUES**

### **Part A General Provisions**

#### **11.01 FISCAL YEAR**

The Union's fiscal year corresponds to the calendar year.

#### **11.02 BANK ACCOUNT**

All the Union's funds must be kept in a chartered financial institution. The local treasurer will report the name and address of the financial institution and the name and number of the union account(s) to the second regional vice president. The second regional vice president will provide the above information, as well as the same information about the regional account(s), to the second national vice president.

#### **11.03 LEGAL NAME FOR THE ACCOUNT**

Each account must bear the name of UCCO-SACC-CSN and the name of the region or the local.

#### **11.04 LEGAL REQUIREMENTS**

All the Union's financial statements and receipts shall be kept for the legal period prescribed by law.

#### **11.05 PAYMENT BY CHEQUE**

Cheques and money orders shall be made payable to UCCO-SACC-CSN. Payment of union dues can be processed by direct deposit from UCCO-SACC-CSN National.

#### **11.06 SIGNING OFFICER**

- a) At the local level, the president and the secretary-treasurer shall co-sign the cheques. The vice president may be a co-signer.
- b) At the regional level, the regional president and the second regional vice president shall co-sign the cheques. The regional vice president and up to two local presidents may be a co-signer; however, the regional president or the second regional vice president must be one of the co-signers on the cheque.
- c) At the national level, the national president and the second national vice president are the co-signers. All regional presidents and the National Vice President may be a co-signer; however, the national president or Second national Vice President must be one of the co-signers on the cheque.
- d) At the national level, the second national vice president has authority over the regional and local unions bank accounts and may require them to change signing officers with the financial institution concerned, if deemed necessary.

#### **11.07 BUDGET**

No budget forecasts may show a deficit. The approved local budgetary provisions will be presented to the region by March 31 each year at the latest.

The region must provide their approved budget to the second national vice president by March 31 each year, at the latest.

#### **11.08 UNION DUES**

Dues must be used to pay the expenses provided for in the budget.

#### **11.09 EXPENSES**

- a) Members of the Union should not have to incur travel costs or loss of salary because of their involvement in union activities.
- b) Elected members who hold position in the Union shall not be entitled to any remuneration or fees.
- c) However, members who are on leave for union duties are entitled to reimbursement of travel, lodging, meal and childcare expenses incurred in carrying out union mandates, in accordance with the assessed needs and in compliance with the guidelines in force at UCCO-SACC-CSN.
- d) In the event that these mandates require time off from work, the agreed compensation must not exceed the regular salary of the member on union leave.
- e) In the event that these mandates require time off from work on a statutory holiday, the agreed compensation must not exceed the applicable rate of overtime pay of the member on union leave.

- f) Notwithstanding subparagraphs a) to e), members of the national executive or of a national committee are entitled to be compensated for any other loss as a result of union work. Such compensation has to be determined by the national general assembly and be voted in the budget.

#### **11.10 OPEN BOOKS FOR MEMBERS**

All Union members may request, in writing, the financial balance sheet from the national executive, the regional executive or the local, which shall be provided in accordance with Article 3.04.

### **Part B Finances and National Dues**

#### **11.11 AUDITED FINANCIAL STATEMENTS**

- a) The national executive's financial statements shall be audited once a year by the national audit committee with the assistance of the CSN's auditing department.
- b) A copy of the financial statements shall be sent to the regional executive's Second Vice Presidents and the presidents of the locals.
- c) The national audit committee shall be comprised of three of the second regional vice presidents.

#### **11.12 LOANS**

Only the national executive shall be authorized to take out a loan on behalf of the UCCO-SACC-CSN.

### **Part C Finances and Regional Dues**

#### **11.13 AUDITED FINANCIAL STATEMENTS**

- a) The regional executive's financial statements shall be audited once a year by the regional auditing committee.
- b) If no audit committee is available, an audit committee appointed by the national executive will be used. All expenses for the appointed audit committee will be paid by the region being audited.
- c) A copy of the audited financial statements shall be sent to the national executive and the treasurers of locals.
- d) The audited financial statement (audit committee's report, the treasurer's report ending December 31 and the bank statement ending December 31, all for the year being audited) must be sent to the national executive no later than March 31 of each year.

### **Part D Finances and Local Dues**

#### **11.14 AUDITED FINANCIAL STATEMENTS**

- a) The local's financial statements shall be audited once a year by the local auditing committee.

- b) A copy of the audited financial statements shall be sent to the national executive and the regional executive's Second Vice President.
- c) Where no local audit committee exists, the audit shall be completed by an auditing committee appointed by the regional executive. All expenses of the audit committee will be paid by the local being audited.
- d) The audited financial statement (audit committee's report, the treasurer's report ending December 31 and the bank statement ending December 31, all for the year being audited) must be sent to the national executive no later than March 31 of each year.

#### **11.15 LOCAL DUES**

The local's funds are made up of dues authorized by the national assembly, and special local dues ratified at the meeting of the local's members.

#### **11.16 TRAINING FUNDS**

The local contributes to the training funds for its region, in accordance with the guidelines set by the national general assembly and in accordance with 8.02.

## **Part E Audits and the Auditing Committee**

#### **11.17 AUDITS**

At any time, the second national vice president, an authorized person representing the CSN or an organization to which the Union is affiliated may audit the Union's books. The second national vice president or the second regional vice president or the local treasurer must provide all the books and documents requested by this person authorized to conduct the audit.

#### **11.18 ELECTING MEMBERS OF THE LOCAL AUDIT COMMITTEE**

- a) Two members of the local are elected to the audit committee at a general assembly.
- b) No member of the executive may act as a member of the audit committee that is auditing a year that member was an executive member of the local.
- c) If no local audit committee exists, then the regional executive will appoint an audit committee to conduct the local audit. All expenses of the appointed audit committee will be paid by the local being audited.

#### **11.19 REGIONAL AUDITING COMMITTEE**

The regional executive may appoint a regional audit committee or utilize an existing local audit committee from a local. All expenses related to the regional audit committee will be paid by the region.

#### **11.20 MEETINGS AND QUORUM**

- a) The audit committee meets once per year to conduct the audit.
- b) The second national vice president or the second regional vice president or the local treasurer must attend meetings of the audit committee unless members of the committee ask to meet without him.

- c) Quorum for the committee is two members.

#### **11.21 DUTIES AND POWERS OF THE AUDIT COMMITTEE**

The responsibilities of the audit committee include the following:

- a) Examining all revenues and expenses.
- b) Examining and validating the Union's bank conciliation, the second national vice president or the second regional vice president or the local treasurer's report, and all other bank accounts.
- c) Checking the application of resolution from the national general assembly, the regional executive, and the local executive.
- d) If the decision is unanimous, the audit committee may convene a special meeting for the members in accordance with Article 9.17.

#### **11.22 ANNUAL REPORT**

- a) Once a year at the annual assembly for the adoption of the reports, the audit committee must submit a written report of their work and the recommendations they deem useful.
- b) The report and recommendations are submitted beforehand to the executive concerned.
- c) At the local level, a copy of the annual report is given to the second regional vice president and to the Second National Vice-President.
- d) At the regional level, a copy of the annual report is given to the second national vice president.
- e) By March 31 of each year the audit committee will have to submit their report from the previous fiscal year.

## **CHAPTER 12 NEGOTIATING THE COLLECTIVE AGREEMENT**

#### **12.01 COLLECTIVE AGREEMENT**

The national executive is responsible for negotiating the collective agreement.

#### **12.02 NEGOTIATORS**

- a) The national president is responsible for co-ordinating negotiations; each regional president represents his region on the bargaining committee. The National Vice President also sits on the bargaining committee.
- b) The bargaining committee may call in any other person whom it deems necessary.

#### **12.03 MEMBERS' VOTE**

The Union members must vote by secret ballot to ratify or reject a collective agreement.

#### **12.04 TENTATIVE AGREEMENT**

Following a tentative agreement, the five (5) regional executives are convened to a Special National General Assembly to simultaneously receive all the information pertaining to the tentative agreement;

The notice of assembly is sent, as far as possible, in the ten (10) days following the tentative agreement;

A paper copy of the tentative agreement watermarked "Do not distribute" is given to all the elected representatives present at this assembly.

## **CHAPTER 13 RULES AND PROCEDURES**

This chapter applies to all decision-making bodies in the Union. The term "meeting" refers to the national general assembly and/or the regional or local meeting.

#### **13.01 OPENING THE MEETING AND AGENDA**

The president opens the meeting at the prescribed time. He must not depart from the agenda unless the majority of members present consent to do so.

#### **13.02 DECISION**

Except under specific instances stipulated in this constitution, decisions taken at the meeting must be passed by a majority of the members present. Only in the event of a tie vote is the chairperson for the meeting entitled to vote.

#### **13.03 VOTE**

When a member puts the question to a vote, all discussion ceases. The vote is taken by a show of hands unless someone requests that it be done by secret ballot or by roll call.

A member may request that a vote be taken by secret ballot, or nominally, as long as he has so requested before the president has called the vote.

However, concerning the regulations regarding the secret ballot votes in Article 12.03, they shall apply notwithstanding the above.

#### **13.04 NOTICE OF MOTION**

To rescind a motion that has already been passed in a meeting, the following procedure shall apply:

- a) Notice of motion must be given at a meeting. Such notice cannot be discussed at the meeting.
- b) At the next meeting, the member who gave the notice of motion must be present. He first explains the reasons for filing the motion. The chairperson then calls a vote to see whether the said notice of motion receives the support of a simple majority of the members present. If the said notice of motion is passed, the motion to which it referred is then discussed and a new vote is taken. This vote also requires the support of a simple majority of the members present.



- c) Under exceptional circumstances, when notice of motion is given in a session at the national general assembly, it is dealt with in the following session, according to the same rules as those described in b).

### **13.05 ADJOURNING OR CLOSING THE MEETING**

A motion to adjourn the meeting may be made at any time, but it may be rejected if the majority of the members present are opposed. The chairperson declares the meeting closed when all items on the agenda have been exhausted.

### **13.06 MOTION**

A motion must be seconded, written down by the secretary, and read at the meeting before being discussed. Such a motion then becomes a part of the meeting and cannot be withdrawn without unanimous consent.

### **13.07 PRIORITY OF A MOTION**

Until the meeting has dealt with a motion, no other motions shall be received except those that amend or defer the original motion or refer it to a committee, or those that call for an end to the discussion or for a vote.

### **13.08 AMENDMENTS**

An amendment must relate to the question dealt with in the main motion. An amendment must not introduce a new question, but is in order even if it entirely changes the nature of the main motion, provided the subject matter is the same. On the other hand, without changing the nature of the main motion, an amendment, may consist in deleting, inserting or deleting to insert certain words.

### **13.09 SUB-AMENDMENTS**

A sub-amendment must only refer to the terms of the amendment. It must consist in deleting, inserting or deleting to insert certain words to the amendment. It must not attempt to restate the terms of the main motion that were changed by the amendment.

### **13.10 THE PREVIOUS QUESTION**

The previous question is designed to end the discussion after at least five members have spoken on a motion, an amendment, or a sub-amendment to the main motion, and to require an immediate vote on the question under discussion at the meeting. The member who puts the previous question must not have spoken on the motion. To be adopted, the previous question must receive the support of two thirds of the members present. If the previous question is refused, it can only be put again after five more members have spoken.

The member who puts the previous question must mention whether the question applies to the sub-amendment, the amendment, or the main motion. The member must also indicate whether he would allow the members on the waiting list to speak.

### **13.11 QUESTION OF PRIVILEGE**

The aim of a question of privilege is to let a member speak out at any time in a meeting on any urgent matter or on a particular issue or an issue of general interest to the Union.

### **13.12 PROPER CONDUCT**

During a meeting, members are seated and silence is strictly observed so as not to disturb deliberations.

When a member speaks, he stands up and addresses the chairperson. The member confines his comments to the question under discussion and avoids insults, challenges, threats, sexist or racist remarks, personal comments or rude language. When a number of members stand up at the same time to speak, the chairperson shall decide who has priority.

### **13.13 RIGHT TO SPEAK**

The chairperson for the meeting gives members the right to speak in turn, but a member cannot have a second turn to speak as long as other members are indicating their intention to speak for the first time. The same applies for subsequent turns. The chairperson may require members to limit their comments to five minutes the first time and to three minutes the following times.

### **13.14 CALL TO ORDER**

Any member who goes off the subject or uses hurtful expressions may be immediately called to order by the chairperson. In the case of repeat offenders, the chairperson must refuse to let the person speak for the entire session.

### **13.15 POINT OF ORDER**

When a point of order is raised, all discussion on the motion ceases. The chairperson settles the question, unless the person challenges the chairperson's decision at the meeting.

### **13.16 CHALLENGING THE PROCEDURE**

If a procedure that is not indicated in this constitution is challenged, the CSN'S Code of Rules of Order shall apply.

## **CHAPTER 14 AMENDMENTS TO THE CONSTITUTION**

### **14.01 AMENDMENTS**

The national general assembly has the power to amend this constitution, in keeping with the CSN's Constitution and By-Laws.

Any motion that amends the UCCO-SACC-CSN constitution in part or in its entirety or that changes the Union's name must be submitted in writing to the national office at least six months before the national general assembly.

Any change in the constitution shall only enter into effect after being approved by 50% plus one of the delegates present in the national general assembly.

In addition, any amendment to the constitution must be sent to the secretary general of the CSN and to the secretary general of affiliated organizations, if applicable.

#### **14.02 RESTRICTIONS TO AMENDMENTS**

Articles 1.07, 1.08, 1.09 and Chapter 13 of the constitution may not be repealed without the written consent of the CSN, unless the Union has disaffiliated in accordance with the procedure stipulated in Article 1.08.

## **CHAPTER 15 MISCELLANEOUS PROVISIONS**

#### **15.01 OFFICIAL VERSIONS**

This UCCO-SACC-CSN constitution shall be published in English and French, and both texts shall be considered official.

#### **15.02 INTERPRETATION**

In the event of conflicting interpretations of the two official versions, the national executive shall render an official decision in writing on the disputed clause(s).

#### **15.03 LANGUAGES USED IN MEETING**

It is agreed that members have the right to communicate in the official language of their choice, English or French, at national assemblies, regional or local meetings or in any other activities requiring verbal exchanges.

#### **15.04 SIMULTANEOUS TRANSLATION**

A system of translation shall be made available to members at national general assemblies.

#### **15.05 HONORARY MEMBERS**

For a person to be nominated as an honorary member, he must first be recommended to the national executive by a regional executive upon recommendation from a local as an honorary member or proposed as an honorary member by the national executive. This recommendation must be sent to the national executive at least three months before the national general assembly. If the national executive approves, the request from the regional executive, in accordance with the policy on honorary members, a recommendation is then submitted for adoption at the national general assembly by the national executive.

Honorary members may attend national general assemblies and general assemblies of their local. They only have the status of observers; they have no right to speak or to vote.

#### **15.06 COMMEMORATION OF A MEMBER**

All members who have died in the service shall be commemorated at every national general assembly. At that time, a minute of silence shall be observed in remembrance.