

ORIGINAL	AMENDED	DECISION
401. BY-LAW 3	BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 3 BE MADE.	COMMITTEE RECOMMENDATION
BY-LAW 3	BY-LAW 3	Concurrence
MEMBERSHIP	MEMBERSHIP	RATIONALE
Section 1	Section 1	Changing concurred to approved, is reinforcing the decisional accept.
All members in good standing with the PSAC shall be eligible for membership in UTE.	All members in good standing with the PSAC and employed by the Canada Revenue Agency (CRA) shall be eligible for membership in UTE.	
Section 2	Section 2	
UTE may, by decision of the Executive Council, the Convention or by Local proposal concurred in by Executive Council, award honorary membership in UTE to anyone who is deemed to merit such honour and is not eligible for membership as defined in By-Law 3, Section 1.	UTE may, by decision of the Executive Council, the Convention or by Local proposal concurred in approved by Executive Council, award honorary membership in UTE to anyone who is deemed to merit such honour and is not eligible for membership as defined in By-Law 3, Section 1.	
Honorary members shall not be required to pay dues and shall not be entitled to vote at meetings or to hold office in UTE, but shall be entitled to all other rights and privileges of membership in UTE.		

ORIGINAL

AMENDED

DECISION

401. BY-LAW 3 (cont'd)

Section 3

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

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

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

Section 3

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

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

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

402. BY-LAW 4

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 4 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 4 – SECTION 2

BY-LAW 4 – SECTION 2

MEMBERSHIP RESPONSIBILITY

MEMBERSHIP RESPONSIBILITY

Section 1

Upon being granted membership in the PSAC and UTE and for the term of such membership, each member of UTE is deemed to have agreed to abide by and to be bound by the provisions of these By-Laws and the Constitution of the PSAC.

RATIONALE

Housekeeping

Section 2

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

Section 2

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

ORIGINAL

AMENDED

DECISION

402. BY-LAW 4 - SECTION 2 (cont'd)

Section 3

Upon being granted membership in UTE and for the term of such membership, each member is deemed to constitute, appoint and nominate the PSAC as their agent for the purpose of entering into collective bargaining with their employer under the procedures established by law for collective bargaining in the Public Service of Canada. The PSAC 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.

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

403. BY-LAW 5

**BE IT RESOLVED THAT THE FOLLOWING
CHANGE TO BY-LAW 5 BE MADE.**

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 5 – SECTION 1

BY-LAW 5 – SECTION 1

MEMBERSHIP DUES

MEMBERSHIP DUES

Section 1

Section 1

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

**The change is only being proposed in
the French version.**

RATIONALE

Housekeeping

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

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

404. BY-LAW 5

**BE IT RESOLVED THAT THE FOLLOWING
CHANGE TO BY-LAW 5 BE MADE.**

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 5 – SECTION 2

BY-LAW 5 – SECTION 2

MEMBERSHIP DUES

MEMBERSHIP DUES

Section 2

Section 2

RATIONALE

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

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

Housekeeping

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

405. BY-LAW 6

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 6 – SECTION 1 (1)(D)

BY-LAW 6 – SECTION 1 (1)(D)

ADMINISTRATIVE STRUCTURE

ADMINISTRATIVE STRUCTURE

Section 1 –Executive Council

Section 1 –Executive Council

(1) Composition of the Executive Council

(1) Composition of the Executive Council

RATIONALE

Housekeeping

The Executive Council shall consist of:

The Executive Council shall consist of:

- (a) President;
- (b) 1st Vice-President;
- (c) 2nd Vice-President; and
- (d) Ten regional vice-presidents permanently employed in and representing regions as provided by Regulation.

- (a) President;
- (b) 1st Vice-President;
- (c) 2nd Vice-President; and
- (d) Ten **(10)** Regional Vice-Presidents permanently employed in and representing regions as provided by Regulation.

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

406. BY-LAW 6

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 6 – SECTION 1 (2)

BY-LAW 6 – SECTION 1 (2)

ADMINISTRATIVE STRUCTURE

ADMINISTRATIVE STRUCTURE

Section 1 –Executive Council

Section 1 –Executive Council

RATIONALE

(2) Duties and Responsibilities

(2) Duties and Responsibilities

Housekeeping

The Executive Council shall:

The Executive Council shall:

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

(a) exercise all the powers and perform all the duties vested in it by these By-Laws;

(a) exercise all the powers and perform all the duties vested in it by these By-Laws;

(b) be vested with the authority to deal with all matters affecting the business and objects of UTE between conventions;

~~(c)~~ **(b)** discharge all duties and obligations imposed upon it by Convention;

(c) discharge all duties and obligations imposed upon it by Convention;

~~(b)~~ **(c)** be vested with the authority to deal with all matters affecting the business ~~and objects~~, **purpose, aims and objectives** of UTE between conventions;

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

407. BY-LAW 6

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 6 – SECTION 1 (2) (D)

BY-LAW 6 – SECTION 1 (2) (D)

ADMINISTRATIVE STRUCTURE

ADMINISTRATIVE STRUCTURE

Section 1 –Executive Council

Section 1 –Executive Council

RATIONALE

(2) Duties and Responsibilities

(2) Duties and Responsibilities

Clarify that the council has authority not power.

The Executive Council shall:

The Executive Council shall:

Make the text conform to current practice (spend according to By-Laws and Regulation).

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

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

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

408. BY-LAW 6

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 6 – SECTION 1 (2)(G) AND (F)

BY-LAW 6 – SECTION 1 (2)(G) AND (F)

ADMINISTRATIVE STRUCTURE

ADMINISTRATIVE STRUCTURE

Section 1 –Executive Council

Section 1 –Executive Council

RATIONALE

(2) Duties and Responsibilities

(2) Duties and Responsibilities

Housekeeping

The Executive Council shall:

The Executive Council shall:

(e) approve all expenditures of UTE. Notwithstanding any other By-Law and Regulations when any expenditure in excess of the adopted budgeted amounts is to be funded from the surplus, a two-third's (2/3) majority vote of the Executive Council is required;

(e) approve all expenditures of UTE. Notwithstanding any other By-Law and Regulations when any expenditure in excess of the adopted budgeted amounts is to be funded from the surplus, a two-third's (2/3) majority vote of the Executive Council is required;

(f) approve separate amounts paid to each National Officer. Each approved amount shall be reported separately in the minutes of each meeting as well as the activity report of the said officers;

~~(g)~~ (f) approve the reallocation of budgeted amounts between Conventions as required;

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

ORIGINAL

AMENDED

DECISION

408. BY-LAW 6 – SECTION 1 (2)(G) AND (F) (cont'd)

(g) approve the reallocation of budgeted amounts between Conventions as required;

~~(f)~~ (g) approve separate amounts paid to each National Officer. Each approved amount shall be reported separately in the minutes of each meeting as well as the activity report of the said officers;

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

409. BY-LAW 6

**BE IT RESOLVED THAT THE FOLLOWING
CHANGE TO BY-LAW 6 BE MADE.**

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 6 – SECTION 1 (2)(J)

BY-LAW 6 – SECTION 1 (2)(J)

ADMINISTRATIVE STRUCTURE

ADMINISTRATIVE STRUCTURE

(2) Duties and Responsibilities

(2) Duties and Responsibilities

RATIONALE

The Executive Council shall:

The Executive Council shall:

Housekeeping

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

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

EXECUTIVE COUNCIL

ORIGINAL	AMENDED	DECISION
410. BY-LAW 6	BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.	COMMITTEE RECOMMENDATION
BY-LAW 6 – SECTION 3 (2)	BY-LAW 6 – SECTION 3 (2)	Concurrence
ADMINISTRATIVE STRUCTURE	ADMINISTRATIVE STRUCTURE	
Section 3 – Committees	Section 3 – Committees	
(1) There shall be committees as established by regulation.		RATIONALE
(2) The President is empowered to appoint any other committees as are necessary subject to the approval of the Executive Council.	This change is only being proposed in the French version.	Housekeeping
EXECUTIVE COUNCIL		

ORIGINAL

AMENDED

DECISION

411. BY-LAW 6

COMMITTEE RECOMMENDATION

BY-LAW 6 – SECTION 3 (5)

Non-Concurrence

NEW

BY-LAW 6 – SECTION 3 (5) (NEW)

**NATIONAL STANDING COMMITTEES –
CONVENTION RESOLUTIONS**

RATIONALE

WHEREAS Convention resolutions are submitted by the Executive Council and/or the UTE locals; and

The process already exists to send resolutions to convention.

WHEREAS National Standing Committees have the insight and understanding of the need for changes to the By-Laws and/or Regulations.

All committees have Presidents representatives who can submit resolutions through there Locals.

BE IT RESOLVED THAT By-Law 6, Section 3 shall include a subsection (5) which shall state: *“National Standing Committees shall have the right to submit resolutions directly to Convention.”*; and

It will change the nature of the committee responsibility.

BE IT FURTHER RESOLVED THAT Regulation No 3 (Committees) include a new subsection (12) which shall read as follows:

“All National Standing Committees shall have the right to submit resolutions directly to Convention.”

PETERBOROUGH, LOCAL 00008

ORIGINAL

AMENDED

DECISION

412. BY-LAW 6

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 6 – SECTION 4

BY-LAW 6 – SECTION 4

ADMINISTRATIVE STRUCTURE

ADMINISTRATIVE STRUCTURE

Section 4 – Vacancies

Section 4 – Vacancies

RATIONALE

(1) (a) If the office of the President or 1st Vice-President or 2nd Vice-President becomes vacant or if the incumbent becomes unable to perform the duties of the position, six months or more prior to the Convention, an election shall be held to fill the vacancy. Subject to the limitations in By-Law 9 Section 1 (4) nominations shall be called by the Executive Committee. A period of not more than thirty (30) days shall elapse from the date of notice of vacancy to the date of the nomination call and the Executive Committee shall ensure that the nominees are members in good standing and are prepared to stand for office. If an election is necessary, it shall be conducted by mail by the Executive Committee.

~~(1)(a)~~ If the office of the President or 1st Vice-President or 2nd Vice-President becomes vacant or if the incumbent becomes unable to perform the duties of the position, six months or more prior to the Convention, an election shall be held to fill the vacancy. Subject to the limitations in By-Law 9 Section 1 (4) nominations shall be called by the ~~Executive Committee~~ **National Office**. A period of not more than thirty (30) days shall elapse from the date of notice of vacancy to the date of the nomination call and the ~~Executive Committee~~ **National Office** shall ensure that the nominees are members in good standing and are prepared to stand for office. ~~If an election is necessary, it shall be conducted by mail by the Executive Committee.~~

For clarification of current practice.

ORIGINAL

AMENDED

DECISION

412. BY-LAW 6 – SECTION 4 (cont'd)

- | | |
|--|---|
| (b) Only those delegates from the last Convention still in good standing shall be eligible to vote. | (b) Only those delegates from the last Convention still in good standing shall be eligible to vote. |
| (2) If the position of Regional Vice-President becomes vacant, the Alternate Regional Vice-President for that region shall assume the position. | (2) If the position of Regional Vice-President becomes vacant, the Alternate Regional Vice-President for that region shall assume the position. |
| (3) (a) If the position of Alternate Regional Vice-President becomes vacant or if the incumbent becomes unable to perform the duties of the position an election shall be held to fill the vacancy. Subject to the limitations in By-Law 9 Section 9 nominations shall be called by the Regional Vice-President. A period of not more than thirty (30) days shall elapse from the date of notice of vacancy to the date of the nomination call and the Regional Vice-President shall ensure that the nominees are members in good standing and have indicated in writing that they are prepared to stand for office. The election shall be conducted by mail by the Regional Vice-President. | (3) (a) If the position of Alternate Regional Vice-President becomes vacant or if the incumbent becomes unable to perform the duties of the position an election shall be held to fill the vacancy. Subject to the limitations in By-Law 9 Section 9 nominations shall be called by the Regional Vice-President Regional Vice-President National Office . A period of not more than thirty (30) days shall elapse from the date of notice of vacancy to the date of the nomination call and the Regional Vice-President Regional Vice-President National Office shall ensure that the nominees are members in good standing and have indicated in writing that they are prepared to stand for office. The election shall be conducted by mail by the Regional Vice-President. |

ORIGINAL

AMENDED

DECISION

412. BY-LAW 6 – SECTION 4 (cont'd)

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|--|---|
| (b) Delegates from the region still in good standing from the last Convention shall be eligible to vote. | (b) Delegates from the region still in good standing from the last Convention shall be eligible to vote. |
| (c) Locals shall have the authority to replace delegates who are no longer in their region or who are no longer in good standing. | (c) Locals shall have the authority to replace delegates who are no longer in their region or who are no longer in good standing. |
| (4) In the event that both the position of Regional Vice-President and Alternate Regional Vice-President are vacant at the same time the Executive Committee shall proceed with the election of a Regional Vice-President for that region. | (4) In the event that both the position of Regional Vice-President and Alternate Regional Vice-President are vacant at the same time the Executive Committee National Office shall proceed with the election of a Regional Vice-President for that region and upon completion of that election process, proceed with the election of Alternate RVP as per Section 4 (3). |
| (5) Positions filled under sub-sections (1), (2) or (3) of this Section shall have the same force and effect as an election at a Convention. | (5) (5) An Alternate Regional Vice-President who temporarily replaces a Regional Vice-President shall have full voting rights. |
| (6) An Alternate Regional Vice-President who temporarily replaces a Regional Vice-President shall have full voting rights. | (6) (6) The elections to fill vacancies shall be by mail and shall be conducted by the National Office. |

ORIGINAL

AMENDED

DECISION

412. BY-LAW 6 – SECTION 4 (cont'd)

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

ORIGINAL

AMENDED

DECISION

412. BY-LAW 6 – SECTION 4 (cont'd)

(ii) leave to become a member of another Local or

(iii) cease to be a member in good standing.

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

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

EXECUTIVE COUNCIL

ORIGINAL	AMENDED	DECISION
413. BY-LAW 6	BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.	COMMITTEE RECOMMENDATION
BY-LAW 6 – SECTION 5	BY-LAW – SECTION 5	Concurrence
ADMINISTRATIVE STRUCTURE	ADMINISTRATIVE STRUCTURE	
Section 5 - Presidents Conference	Section 5 - Presidents Conference	RATIONALE
(1) There shall be a Presidents' Conference constituted in the following manner:	(1) There shall be a Presidents' Conference constituted in the following manner:	Changed the order of the paragraphs for easier reading.
(a) the President or their alternate shall be the Chairperson;	(a) the President or their alternate shall be the Chairperson;	Add g(iv), g(v) and (h) as per current practice.
(b) the delegates shall be the President or alternate of all Locals as defined in Regulation;	(b) the delegates shall be the President or alternate of all Locals as defined in Regulation;	
(c) the Presidents' Conference shall meet at the call of the Executive Council, not less than two (2) times in a year;	(c) the Presidents' Conference shall meet at the call of the Executive Council, not less than two (2) times in a year;	
(d) the Presidents' Conference shall be vested with the authority to discuss all the business transacted by the Executive Council between Conventions;	(g) (d) each sitting of a Presidents' Conference will normally be for a maximum of two and one-half (2 1/2) days;	

ORIGINAL

AMENDED

DECISION

413. BY-LAW 6 – SECTION 5 (cont'd)

(e) the Presidents' Conference by a simple majority vote of those in attendance may make recommendations by means of motions to Executive Council;

~~(e)~~ (e) the Presidents' Conference shall be vested with the authority to discuss all the business transacted by the Executive Council between Conventions;

~~(f)~~ (f) the discussion of the business transacted by the Executive Council may not normally extend past one-half (1/2) day sitting;

(f) it will be the responsibility of the chairperson to prepare an agenda dealing with the following items:

~~(f)~~ (g) it will be the responsibility of the chairperson to prepare an agenda dealing with the following items:

(i) business conducted by the Executive Council,

(i) business conducted by the Executive Council;

(ii) those items Executive Council wishes to have discussed;

(ii) those items Executive Council wishes to have discussed;

(iii) items submitted in writing by the Local Presidents; and

(iii) items submitted in writing by the Local Presidents;

ORIGINAL

AMENDED

DECISION

413. BY-LAW 6 – SECTION 5 (cont'd)

(iv) the election of the Presidents representative(s) on UTE standing committees every two years (2) at the September Presidents' Conference.

(iv) the election of the Presidents representative(s) on UTE standing committees every two years (2) at the September Presidents' Conference, **every even numbered year; and**

(v) if a vacancy occurs on a UTE Standing Committee, the election of the President's representative(s) shall take place at the next Presidents Conference to fill the remainder of that term.

(g) each sitting of a Presidents' Conference will normally be for a maximum of two and one-half (2 1/2) days;

~~(e)~~ **(h)** the Presidents' Conference by a simple majority vote of those **delegates** in attendance may make recommendations by means of motions to Executive Council;

ORIGINAL

AMENDED

DECISION

413. BY-LAW 6 – SECTION 5 (cont'd)

- (h) all expenditures for a sitting of a Presidents' Conference will be an expenditure of UTE;
- (i) the discussion of the business transacted by the Executive Council may not normally extend past one-half (1/2) day sitting;
- (j) members of UTE in good standing may attend as observers at their own expense or by the approval of the Executive Council at UTE's expense;
- (k) observers shall have no vote but with the approval of the chairperson and a simple majority vote may have voice once during the full sitting; and
- (l) Executive Council shall attend as fully funded observers.

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

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

414. BY-LAW 6

COMMITTEE RECOMMENDATION

Non-Concurrence

BY-LAW 6, SECTION 5(1)(j)

BY-LAW 6, SECTION 5(1)(j)

Section 5 – Presidents Conference

Section 5 – Presidents Conference

RATIONALE

(1) There shall be a Presidents' Conference constituted in the following manner:

FULLY FUNDED OBSERVERS TO PRESIDENT'S CONFERENCES

Excessive cost.

Current travel grant already assists locals.

(j) members of UTE in good standing may attend as observers at their own expense or by the approval of the Executive Council at UTE's expense;

WHEREAS President's Conferences are excellent learning opportunities.

Recorded as opposed: David Quist

BE IT RESOVED THAT By-Law 6, Section 5, Subsection (1) (j) be amended to read:

"members of UTE in good standing may attend as observers. One observer per local in attendance shall be funded as per regulation 13. Additional observers may attend at their own expense."

PETERBOROUGH, LOCAL 00008

ORIGINAL

AMENDED

DECISION

415. BY-LAW 6

COMMITTEE RECOMMENDATION

BY-LAW 6, SECTION 5(1)(j)

**BY-LAW 6, SECTION 5 – PRESIDENTS
CONFERENCES**

Non-Concurrence

Section 5 – Presidents Conference

Section 5 – Presidents Conference

RATIONALE

(1) There shall be a Presidents' Conference constituted in the following manner:

WHEREAS members of UTE in good standing may attend as observers at their own expense or by the approval of the Executive Council at UTE's expense.

It's difficult to determine the cost and the needs of participants.

Budget line for Presidents Conference is not unlimited.

Guidelines are not known.

(j) members of UTE in good standing may attend as observers at their own expense or by the approval of the Executive Council at UTE's expense;

BE IT RESOLVED THAT, in the case of observers with disability, any charges for accommodations to allow members to attend the Presidents' Conference should be fully covered by UTE.

LAVAL, LOCAL 10028

ORIGINAL	AMENDED	DECISION
416. BY-LAW 6	BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 6 BE MADE.	COMMITTEE RECOMMENDATION
BY-LAW 6 – SECTION 6	BY-LAW 6 – SECTION 6	Concurrence
ADMINISTRATIVE STRUCTURE	ADMINISTRATIVE STRUCTURE	
Section 6 – Equal Opportunities Conferences	Section 6 – Equal Opportunities Conferences	RATIONALE
1. There shall be Equal Opportunities Conferences constituted in the following manner:	1. There shall be Equal Opportunities Conferences constituted in the following manner:	For a better control of the expenses.
(a) a National Conference shall normally be held in Ottawa the calendar year prior to the Convention;	(a) a National Conference shall normally be held in Ottawa the calendar year prior to the Convention;	
(b) Regional Conferences held prior to the National Equal Opportunities Conference with the locations to be decided by the Equal Opportunities Committee;	(b) the dates, location and regions attending the Regional Conferences held prior to the National Equal Opportunities Conference shall be recommended by the Equal Opportunities Committee and approved by the Executive Council;	

ORIGINAL

AMENDED

DECISION

416. BY-LAW 6 – SECTION 6 (cont'd)

- (c) the Chairperson of the Equal Opportunities Committee or their alternate shall be the Chairperson of the National and Regional Conferences;
- (d) UTE shall fund two (2) members per Local as defined in Regulation;
- (e) members of the Equal Opportunities Committee shall be funded to attend the National Conference and the one Regional Conference in which their home local has been assigned to attend;
- (f) it will be the responsibility of the Equal Opportunities Committee to set the agenda and workshops for the conferences;

- (c) the Chairperson of the Equal Opportunities Committee or their alternate shall be the Chairperson of the National and Regional Conferences;
- (d) UTE shall fund two (2) members per Local as defined in Regulation;
- (e) members of the Equal Opportunities Committee shall be funded to attend the National Conference and the one Regional Conference in which their home local has been assigned to attend;
- (f) it will be the responsibility of the Equal Opportunities Committee to set the agenda and workshops for the conferences. **Expenses related to the agenda, the workshops, and/or items for the conferences require prior approval of the 1st Vice-President responsible for Finance, or in their absence the National President.**

ORIGINAL

AMENDED

DECISION

416. BY-LAW 6 – SECTION 6 (cont'd)

- (g) each Regional Conference shall normally be scheduled for one and a half (1½) days on a Saturday and Sunday;
- (h) the National Conference shall normally be scheduled for two and a half (2 ½) days on a Thursday, Friday and Saturday;
- (i) members of the Executive Council shall be funded to attend the National Conference and the Regional Conferences in which their home local has been assigned or to which locals in their region have been assigned to attend; and
- (j) notwithstanding (d), members of UTE in good standing may attend at their own expense.

- (g) each Regional Conference shall normally be scheduled for one and a half (1½) days on a Saturday and Sunday;
- (h) the National Conference shall normally be scheduled for two and a half (2 ½) days on a Thursday, Friday and Saturday;
- (i) members of the Executive Council shall be funded to attend the National Conference and the Regional Conferences in which their home local has been assigned or to which locals in their region have been assigned to attend; and
- (j) notwithstanding (d), members of UTE in good standing may attend at their own expense, **subject to space availability.**

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

417. BY-LAW 6

COMMITTEE RECOMMENDATION

Non-Concurrence

BY-LAW 6, SECTION 6(1)(d)

BY-LAW 6, SECTION 6(1)(d)

Section 6 – Equal Opportunities Conferences

Section 6 – Equal Opportunities Conferences

RATIONALE

Too costly.

(1) There shall be Equal Opportunities Conferences constituted in the following manner:

UTE EQUAL OPPORTUNITIES CONFERENCES BY-LAW 6.6(1)(d)

Current quota of 2 members is not always met by the locals.

(d) UTE shall fund two (2) members per Local as defined in Regulation;

WHEREAS there are 5 equity groups recognized by UTE and the current bylaw says that 2 members per local will be funded by UTE to attend the regional and national Equal Opportunities Conferences; and

WHEREAS we are trying to further educate our members in the various equity groups on the issues facing them and this can create a hardship for a local to send additional participants.

BE IT RESOLVED THAT By-Law 6.6(1)(d) be amended to increase the funding to three members per local to attend the regional and national Equal Opportunities Conferences.

OTTAWA TAX SERVICES, LOCAL 70010

ORIGINAL

AMENDED

DECISION

418. BY-LAW 6

COMMITTEE RECOMMENDATION

BY-LAW-6 - SECTION 7 (NEW)

Concurrence

BY-LAW-6, SECTION 7 (NEW)

NATIONAL HEALTH AND SAFETY

RATIONALE

WHEREAS Health and Safety is a priority to our members and UTE should provide some venue for our H&S activists to gather for discussion/debate; and

It is important to have a National Health and Safety Conference enshrined in the By-laws.

Leave to the National committee the opportunity to recommend the required number on regional conferences

WHEREAS conferences are expensive to hold and in the case of H&S it is ultimately the employer's responsibility to ensure members of H&S committees are provided appropriate training; and

The committee supports the formula of one member per worksite committee.

The committee does not support the number of regional conferences (5) in Resolution 419.

WHEREAS this should be a budgeted item.

BE IT RESOLVED THAT By-Law 6 be amended to add a new section 7 as follows:

Section 7 – "National Health and Safety Conference constituted in the following manner:

ORIGINAL

AMENDED

DECISION

**418. BY-LAW 6 – SECTION 7 (NEW)
(cont'd)**

- a) a National Conference shall normally be held in Ottawa the calendar year prior to convention
- b) the Chairperson of the Health and Safety Committee or their alternate shall be the chairperson of the conference
- c) UTE shall fund one member per workplace committee as defined in Regulation.
- d) it is the responsibility of the National Health and Safety Committee to set the agenda and workshops for this conference.
- e) the conference shall normally be scheduled for 2 ½ days.
- f) members of the Executive Council shall be funded to attend the conference,
- g) notwithstanding (c), members of UTE in good standing may attend at their own or local's expense.

ST. JOHN'S TC, LOCAL 90000

ORIGINAL

AMENDED

DECISION

419. BY-LAW 6

COMMITTEE RECOMMENDATION

BY-LAW 6, SECTION 7 (NEW)

BY-LAW 6, SECTION 7 (NEW)

Non-Concurrence

HEALTH AND SAFETY CONFERENCE

RATIONALE

Committee supports Resolution 418.

WHEREAS the Health and Safety of their membership is a fundamental responsibility of a labour organization; and

WHEREAS the education and dissemination of information to the membership related to Health & Safety issues is an important function of the union; and

WHEREAS Health and Safety Conferences have proven to be a primary means of educating and dissemination information.

BE IT RESOLVED THAT the UTE By-laws be amended to include provision for Health & Safety conferences to be held on a National and Regional basis constituted in the following manner:

- a)** a National Conference shall normally be held in Ottawa the calendar year prior to the Convention;

ORIGINAL

AMENDED

DECISION

**419. BY-LAW 6 – SECTION 7 (NEW)
(cont'd)**

- b) Five Regional Conferences be held prior to the National Health & Safety Conference;
- c) UTE shall fund 1 member per local worksite Health & Safety Committee;
- d) Each National and Regional Conference shall normally be scheduled for two and a half (2½) days duration.

CALGARY, LOCAL 30024

ORIGINAL

AMENDED

DECISION

420. BY-LAW 6

COMMITTEE RECOMMENDATION

BY-LAW 6, SECTION 7 (NEW)

Non-Concurrence

BY-LAW 6, SECTION 7 (NEW)

RATIONALE

NEW BY-LAW 6.7 HEALTH AND SAFETY CONFERENCES

Committee supports Resolution 418.

WHEREAS Health and Safety is an integral part of our responsibility as a union to ensure that the employer is fulfilling their obligations; and

WHEREAS we have held regional and national Health and Safety Conferences for several convention cycles now.

BE IT RESOLVED THAT we amend By-Law 6 to include regional and national Health and Safety Conferences with guidelines similar to the Equal Opportunities Conferences in By-Law 6.6; and

BE IT FURTHER RESOLVED THAT the number of participants funded by UTE be the same as for the Equal Opportunities Conferences; and

ORIGINAL

AMENDED

DECISION

420. BY-LAW 6, SECTION 7 (NEW)

BE IT FURTHER RESOLVED THAT preference will be given to members of the workplace health and safety committees, who are UTE members in good standing.

OTTAWA TAX SERVICES, LOCAL 70010

ORIGINAL

AMENDED

DECISION

421. BY-LAW 7

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 7 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 7

BY-LAW 7

FORM OF ORGANIZATION

FORM OF ORGANIZATION

Section 1

Section 1

RATIONALE

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

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

UTE is already define as a PSAC Component. Redundant.

Section 2

Section 2

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

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

The Constitution is defined as the constitution of the PSAC. Redundant.

It is a duty of the RVP to review Local By-Laws.

ORIGINAL

AMENDED

DECISION

421. BY-LAW 7 (cont'd)

Section 3

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

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

Section 4

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

Section 3

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

Section 4

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

ORIGINAL

AMENDED

DECISION

421. BY-LAW 7 (cont'd)

Section 5

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

Section 6

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

Section 7

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

Section 8

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

Section 5

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Section 8

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

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

422. BY-LAW 8

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 8 BE MADE.

COMMITTEE RECOMMENDATION

Non-Concurrence

BY-LAW 8 – SECTION 1 (13)

BY-LAW 8 – SECTION 1 (13)

DUTIES OF OFFICERS

DUTIES OF OFFICERS

Section 1- President

Section 1- President

The President shall:

The President shall:

RATIONALE

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

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

The addition of Executive Committee is not required.

EXECUTIVE COUNCIL

ORIGINAL	AMENDED	DECISION
423. BY-LAW 8	BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 8 BE MADE.	COMMITTEE RECOMMENDATION
BY-LAW 8 – SECTION 2	BY-LAW 8 – SECTION 2	Concurrence
DUTIES OF OFFICERS	DUTIES OF OFFICERS	
Section 2 – Vice-Presidents	Section 2 – Vice-Presidents	RATIONALE
(1) The Vice-Presidents shall submit written reports on their assigned responsibilities at each regular meeting of the Executive Council and to the Convention.	(1) The Vice-Presidents shall submit written reports on their assigned responsibilities at each regular meeting of the Executive Council and to the Convention.	In the absence of the top 3 position this allows for the continued operation on a temporary basis.
(2) If the office of President becomes vacant between conventions or the incumbent becomes unable to perform the duties of the position, the 1 st Vice-President shall assume the office temporarily.	(2) If the office of President becomes vacant between conventions or the incumbent becomes unable to perform the duties of the position, the 1 st Vice-President shall assume the office temporarily.	See By-Law 6 - Section 4
(3) In the temporary absence of the President and with the concurrence of the President, the 1 st Vice-President shall exercise all the functions and shall be vested with all the powers of the President.	(3) In the temporary absence of the President and with the concurrence of the President, the 1 st Vice-President shall exercise all the functions and shall be vested with all the powers of the President.	

ORIGINAL

AMENDED

DECISION

423. BY-LAW 8 – SECTION 2 (cont'd)

- (4) In the temporary absence of the President and the 1st Vice-President and with the concurrence of the President, the 2nd Vice-President shall exercise the functions and shall be vested with all the powers of the President.

- (5) At the meetings of the National Board of Directors of the PSAC the alternate to the President shall be the 1st Vice-President or in the absence of the 1st Vice-President, the 2nd Vice-President shall be the alternate.

(4) In the temporary absence of the President and the 1st Vice-President and with the concurrence of the President, the 2nd Vice-President shall exercise the functions and shall be vested with all the powers of the President.

(5) In circumstances not covered by these By-Laws, the Executive Council shall have the authority to appoint persons to these positions temporarily.

~~(5)~~ **(6)** At the meetings of the National Board of Directors of the PSAC the alternate to the President shall be the 1st Vice-President or in the absence of the 1st Vice-President, the 2nd Vice-President shall be the alternate.

EXECUTIVE COUNCIL

ORIGINAL	AMENDED	DECISION
424. BY-LAW 8	BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 8 BE MADE.	COMMITTEE RECOMMENDATION
BY-LAW 8 – SECTION 3	BY-LAW 8 – SECTION 3	Concurrence
DUTIES OF OFFICERS	DUTIES OF OFFICERS	
Section 3	Section 3	RATIONALE
The 1 st Vice-President responsible for Finance shall:	The 1 st Vice-President responsible for Finance shall:	Housekeeping
(1) ensure that the funds of UTE are handled in a sound financial manner and in the best interest of the members;	(1) ensure that the funds of UTE are handled in a sound financial manner and in the best interest of the members;	
(2) ensure that proper books, records and vouchers are kept in connection with the operations of UTE;	(2) ensure that proper books, records and vouchers are kept in connection with the operations of UTE;	
(3) supply to each Executive Council meeting such statements and supportive material which will enable the Executive Council to properly evaluate and control the financial affairs of UTE; and	(3) supply to each Executive Council meeting such statements and supportive material which will enable the Executive Council to properly evaluate and control the financial affairs of UTE; and	

ORIGINAL

AMENDED

DECISION

424. BY-LAW 8 – SECTION 3 (cont'd)

(4) include in the written reports to the Executive Council and the Convention the dollar amount expended by each member of the Council and the alternate for the Regional vice-Presidents for the current period as well as the cumulative amount since the last Convention.

(4) include in the written reports to the Executive Council and the Convention the dollar amount expended by each member of the Council and the alternate for the Regional vice-Presidents for the current period as well as the cumulative amount since the last Convention.

(5) **chair the Standing Finance Committee.**

EXECUTIVE COUNCIL

ORIGINAL	AMENDED	DECISION
425. BY-LAW 8	BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 8 BE MADE.	COMMITTEE RECOMMENDATION
BY-LAW 8 – SECTION 4	BY-LAW 8 – SECTION 4	Concurrence
DUTIES OF OFFICERS	DUTIES OF OFFICERS	
Section 4	Section 4	RATIONALE
The 2 nd Vice-President responsible for Collective Bargaining shall:	The 2 nd Vice-President responsible for Collective Bargaining shall:	Housekeeping
(1) oversee the implementation of the Regulation governing Collective Bargaining procedures;	(1) oversee the implementation of the Regulation governing Collective Bargaining procedures;	
(2) issue frequent bulletins on the state of negotiations during the bargaining process;	(2) issue frequent bulletins on the state of negotiations during the bargaining process;	
(3) chairperson of the Standing Bargaining Committee;	(3) be the Chairperson of the Standing Bargaining Committee;	
(4) participate on the Negotiating Team;	(4) participate on the PSAC/CRA Negotiating Team;	
(5) be the Chairperson of the National Collective Bargaining Committee;	(5) be the Chairperson of the National Collective Bargaining Committee;	
(6) member of the PSAC National Strike Co-ordinating Committee; and	(6) be a member of the PSAC National Strike Co-ordinating Committee; and	

ORIGINAL

AMENDED

DECISION

425. BY-LAW 8 – SECTION 4 (cont'd)

(7) ensures that the bargaining process for UTE is handled in a sound manner in the best interests of the members.

(7) ensures that the bargaining process for UTE is handled in a sound manner in the best interests of the members.

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

426. BY-LAW 8

COMMITTEE RECOMMENDATION

Non-Concurrence

BY-LAW 8, SECTION 5(5) (NEW)

BY-LAW 8, SECTION 5(5) (NEW)

DUTIES OF OFFICERS

DUTIES OF OFFICERS

RATIONALE

Section 5

Section 5

See Resolution 427.

WHEREAS the UTE National Office provides financial statements to all locals on a monthly basis; and

WHEREAS Locals are required to submit a copy of their local financial statements/reports to the Vice-President responsible for Finance annually.

BE IT RESOLVED THAT Bylaw 8 Section 5 be amended to add:

THE REGIONAL VICE-PRESIDENTS SHALL:

(5) provide an accounting of all monies allocated to them for regional activities, to all of the locals in their region and to the National Office annually.

VICTORIA, LOCAL 20028

ORIGINAL

AMENDED

DECISION

427. BY-LAW 8

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 8, SECTION 5(5) (NEW)

BY-LAW 8, SECTION 5(5) (NEW)

DUTIES OF OFFICERS

DUTIES OF OFFICERS

Section 5

Section 5

RATIONALE

WHEREAS the UTE National Office provides financial statements to all locals on a monthly basis; and

The Resolution is more explicit and broader in scope than Resolution 426.

WHEREAS Locals are required to submit a copy of their local financial statements/reports to the Vice-President responsible for Finance annually.

This provides an accounting of monies to the Locals.

Transparency

BE IT RESOLVED THAT Bylaw 8 Section 5 be amended to add:

THE REGIONAL VICE-PRESIDENTS SHALL:

(5) submit annually a detailed accounting of all monies allocated to them for regional activities, including all expenses incurred. This information is to be provided to all of the locals in their region and to the Vice-President responsible for Finance within 90 days of the end of the calendar year.

VICTORIA, LOCAL 20028

ORIGINAL	AMENDED	DECISION
428. BY-LAW 8	BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 8 BE MADE.	COMMITTEE RECOMMENDATION
BY-LAW 8 – SECTION 5	BY-LAW 8 – SECTION 5	Concurrence
DUTIES OF OFFICERS	DUTIES OF OFFICERS	RATIONALE
Section 5	Section 5	As per current practice and the committee supports the changes.
The Regional Vice-Presidents shall:	The Regional Vice-Presidents shall:	
(1) perform the duties in accordance with the guidelines established by the Executive Council by way of a Regulation;	(1) perform the duties in accordance with the guidelines established by the Executive Council by way of a Regulation;	
(2) perform such services within their region as the Executive Council may direct;	(2) perform such services within their region as the Executive Council or the President may direct;	
(3) account for all expenses that are paid by UTE with respect to the position; and	(3) account for all expenses that are paid by UTE with respect to the position; and	
(4) submit a basic report showing their activities, the expenses they incurred and other pertinent information, according to a standard format. A Regional Vice-President shall be entitled to submit a supplementary report to cover items not included in	(4) submit a basic report showing their activities, the expenses they incurred and other pertinent information, according to a standard format. A Regional Vice-President shall be entitled to submit a supplementary report to cover items not included in	

ORIGINAL

AMENDED

DECISION

428. BY-LAW 8 – SECTION 5 (cont'd)

the basic report. Such supplementary reports will be considered by the Executive Council separate and apart from the basic reports.

~~the basic~~ **their** report. Such supplementary reports will be considered by the Executive Council separate and apart from the ~~basic~~ reports.

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

429. BY-LAW 9

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 9 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 9 – SECTION 1

BY-LAW 9 – SECTION 1

ELECTION OF OFFICERS

ELECTION OF OFFICERS

Section 1

Section 1

RATIONALE

(1) The President and the Vice-Presidents shall be elected by ballot during Convention.

(1) The President and the Vice-Presidents shall be elected by ballot during Convention.

Housekeeping

(2) The Regional Vice-Presidents shall be elected at a regional caucus during Convention as set out in By-Law 9, Section 9.

(2) The Regional Vice-Presidents shall be elected at a regional caucus during Convention as set out in By-Law 9, Section 9.

(3) Only delegates, as defined by By-Law 10, Sections 5 and 9 shall be entitled to vote for the election of officers.

(3) Only delegates, as defined by By-Law 10, Sections 5 and 9 shall be entitled to vote for the election of officers.

(4) A delegate may nominate a member in good standing, who is not a delegate, for an office, provided the member so nominated, has indicated in writing their acceptance of the nomination.

(4) A delegate may nominate a member in good standing, who is not a delegate, for an office, provided the member so nominated, has indicated in writing their acceptance of the nomination.

(5) All nominations must be seconded by a delegate.

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

430. BY-LAW 9

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 9 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 9 – SECTION 2

BY-LAW 9 – SECTION 2

ELECTION OF OFFICERS

ELECTION OF OFFICERS

Section 2

Section 2

RATIONALE

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

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

Housekeeping

(1) receive nominations for all offices from delegates;

(1) call for nominations for all offices from delegates

(2) ensure that there is at least one nomination for each office;

~~(4)~~ **(2) receive nominations for all offices from delegates;**

~~(3) ensure that there is at least one nomination for each office;~~

(3) determine the eligibility of such nominees; and

(3) determine the eligibility of such nominees; and

430. BY-LAW 9 – SECTION 2 (cont'd)

ORIGINAL

AMENDED

DECISION

(4) place the names of all eligible nominees in nomination at the time set forth for the election of officers and to report to the Convention the name of any nominee considered to be ineligible.

(4) place the names of all eligible nominees in nomination at the time set forth for the election of officers and to report to the Convention the name of any nominee considered to be ineligible.

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

431. BY-LAW 9

COMMITTEE RECOMMENDATION

BY-LAW 9, SECTION 10 (NEW)

Non-Concurrence

BY-LAW 9, SECTION 10 (NEW)

LIMITATION OF YEARS IN OFFICE
CHANGE TO BYLAW 9

RATIONALE

WHEREAS U.T.E. is a democratic organization and relies on transparency and reasonableness; and

Is not democratic and could limit access to good candidates.

WHEREAS U.T.E. National officers are the leaders of our organization and are paid politicians and; and

WHEREAS U.T.E. uses a delegate system of voting for the positions of National Officers rather than a whole membership system of voting.

BE IT RESOLVED THAT BYLAW 9 SECTION 10 be added to read:

Persons holding positions of the National President, National 1st Vice President and National 2nd vice President will be limited to a tenure of not more than 12 years in office or (4 consecutive terms).

KELOWNA, LOCAL 20003

ORIGINAL

AMENDED

DECISION

432. BY-LAW (NEW)

COMMITTEE RECOMMENDATION

Non-Concurrence

BY-LAW (NEW)

BY-LAW (NEW)

EXECUTIVE COUNCIL TERM LIMITS

RATIONALE

Is not democratic and could limit access to good candidates.

WHEREAS the lifeblood of any organization is its members; and

Recorded as opposed: Des Scott

WHEREAS a large organization such as the UTE is best served by periodic renewal and rejuvenation.

BE IT RESOLVED THAT all Executive Council Officers (National President, National Vice-Presidents and Regional Vice-Presidents) be limited to two consecutive terms of office; and

BE IT FURTHER RESOLVED THAT the first term of office to be considered under this resolution be the term beginning with the election of new officers at the Fourteenth Triennial Convention.

EDMONTON, LOCAL 30025

ORIGINAL

AMENDED

DECISION

433. BY-LAW 10

COMMITTEE RECOMMENDATION

BY-LAW 10, SECTION 4(4) (NEW)

BY-LAW 10, SECTION 4(4) (NEW)

Concurrence

Section 4

Section 4

RATIONALE

**CONVENTION RESOLUTIONS -
DEADLINES**

The Presidents Conference will allow for the drafting of resolution with the help of other locals and will allow for the sharing of expertise.

WHEREAS the Presidents' Conference preceding Convention has provided a great opportunity within a Union setting for resolution discussion and writing; and

WHEREAS the deadlines for Convention resolutions are set by the Executive Council based on the date set for Convention.

BE IT RESOLVED THAT By-law 10, section 4 be amended by including a subsection (4) which shall read as follows:

(4) Deadlines as noted in subsection (2) and (3) shall be by the close of business of the Presidents' Conference preceding the Triennial Convention.

PETERBOROUGH, LOCAL 00008

ORIGINAL

AMENDED

DECISION

434. BY-LAW 10

COMMITTEE RECOMMENDATION

BY-LAW 10, SECTION 5

BY-LAW 10, SECTION 5

Concurrence

CONVENTION DELEGATES

RATIONALE

For the purpose of representation at a Convention, each Local shall:

BE IT RESOLVED THAT the following changes be made to By-law 10, Section 5:

Allow all TSO's and TC's to not be penalized by peak periods that may be different from one office to the other.

(1) be entitled to one (1) delegate with full voting rights for each block of two hundred (200) members in good standing or fraction of this number during the calendar year preceding the Convention taking into account the month during which the number of members has been the highest in UTE. Every delegate shall be a member in good standing of the local.

(1) be entitled to one (1) delegate with full voting rights for each block of two hundred (200) members in good standing or fraction of this number during the calendar year preceding the Convention taking into account the month during which the number of members has been the highest ~~in UTE~~, **for each UTE local. Hence, the month may be different depending on the local.**

Every delegate shall be a member in good standing of the local.

(2) for the purpose of replacing delegates at Convention, submit to the National Office the name and ranking of the alternate delegates. Every alternate

(2) for the purpose of replacing delegates at Convention, submit to the National Office the name and ranking of the alternate delegates. Every alternate

ORIGINAL

AMENDED

DECISION

434. BY-LAW 10 – SECTION 5 (cont'd)

delegate shall be a member in good standing of the local.

delegate shall be a member in good standing of the local.

SHAWINIGAN LOCAL 10005

ORIGINAL

AMENDED

DECISION

435. BY-LAW 10

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 10 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 10 – SECTION 16 AND SECTION 17

BY-LAW 10 – SECTION 16 AND SECTION 17

CONVENTIONS

CONVENTIONS

Section 16

Section 16

RATIONALE

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

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

Housekeeping

Section 17

Section 17

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

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

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

436. BY-LAW 12

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 12 BE MADE.

COMMITTEE RECOMMENDATION

BY-LAW 12

BY-LAW 12

Concurrence

TRUSTEESHIP

TRUSTEESHIP

RATIONALE

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

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

That our By-Laws must be in order with the Constitution.

There is no right to appeal.

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

437. BY-LAW 16

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 16 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 16 – SECTION 1

BY-LAW 16 – SECTION 1

AMENDMENTS

AMENDMENTS

Section 1

Section 1

RATIONALE

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

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

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

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

438. BY-LAW 18

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 18 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 18 – SECTION 2

BY-LAW 18 – SECTION 2

EXPENSES

EXPENSES

Section 2

Section 2

RATIONALE

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

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

Housekeeping

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

439. BY-LAW 19

BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 19 BE MADE.

COMMITTEE RECOMMENDATION

Concurrence

BY-LAW 19

BY-LAW 19

GENERAL PROVISIONS

GENERAL PROVISIONS

Section 1

Section 1

RATIONALE

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

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

The committee supports the change to the Executive Committee quorum.

Section 2

Section 2

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

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

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

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

ORIGINAL

AMENDED

DECISION

439. BY-LAW 19 (cont'd)

Section 3

~~Section 3~~

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

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

Section 4

Section 3

Rules of Order

Rules of Order

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

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

EXECUTIVE COUNCIL

ORIGINAL	AMENDED	DECISION
440. BY-LAW 20	BE IT RESOLVED THAT THE FOLLOWING CHANGE TO BY-LAW 20 BE MADE.	COMMITTEE RECOMMENDATION
BY-LAW 20	BY-LAW 20	Concurrence
DEFINITIONS	DEFINITIONS	
In these By-Laws:	In these By-Laws:	
	"CRA" (ARC) means Canada Revenue Agency. (NEW)	RATIONALE
	"National Office (Bureau national) means the office of UTE located at 233 Gilmour Street, Suite 800, Ottawa ON K2P 0P2 and all persons employed therein.	The committee agrees with the changes.
"By-Laws" means the By-Laws (Status) of the Union of Taxation Employees.		
"Chairperson" (présidente ou président du comité) means a person who chairs a Committee of the Union of Taxation Employees.		
"Constitution" (Status de l'AFPC) as used in the English version of these By-Laws means the Constitution of the Public Service Alliance of Canada.		

ORIGINAL

AMENDED

DECISION

440. BY-LAW 20 (cont'd)

"Convention" (Congrès) means a National Triennial Convention of the Union of Taxation Employees.

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

"Executive Council" (Conseil exécutif) means the National Executive Council of the Union of Taxation Employees.

"Local" (Section locale) has the meaning conferred upon it by By-Law 7, Section 2.

"Membership", "Honorary Membership", "Life Membership" (Membre, Membre honoraire et Membre à vie) in these By-Laws have the meanings conferred upon them by By-Law 3.

"PSAC" (AFPC) means the Public Service Alliance of Canada.

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

ORIGINAL

AMENDED

DECISION

440. BY-LAW 20 (cont'd)

"President" (Présidente ou président) means the President of the Union of Taxation Employees, unless specifically indicated otherwise.

"Shall" (Expression des motions) the expression "shall" is to be construed as imperative and the expression "may" as permissive.

"Special Convention" (Congrès extraordinaire) means a Special Convention of the Union of Taxation Employees.

"Union business authorised by UTE" (Affaires syndicales autorisées par le SEI) means union business provided for in the present By-laws or any other union activities authorised by the President, or their designate or the Executive Council.

"UTE" (SEI) means Union of Taxation Employees a component of the Public Service Alliance of Canada.

"Vice-Presidents" (Vice-Présidentes et Vice-Présidents) means the National 1st and 2nd Vice-Presidents of the Union of Taxation Employees - Public Service Alliance of Canada.

ORIGINAL

AMENDED

DECISION

440. BY-LAW 20 (cont'd)

In these By-Laws, wherever the context indicates "masculine" it shall be deemed to include "feminine".

EXECUTIVE COUNCIL

ORIGINAL

AMENDED

DECISION

441. REGULATION 3

COMMITTEE RECOMMENDATION

3.1 COMMITTEES

Non-Concurrence

3.1 COMMITTEES (NEW)

**STANDING UTE UNION MANAGEMENT
RELATIONS COMMITTEE**

RATIONALE

WHEREAS the Union is moving forward in an effort to improve Union/Management Relations in a National forum as well as a Local forum; and

The wording is ambiguous.

The “BE IT RESOLVES” do not stand alone.

WHEREAS the Union/Management Initiative (UMI) is currently being rolled out across the Nation and it has already proved to be effective in the Atlantic; and

WHEREAS there is a learning curve to applying the knowledge and using the philosophy on a daily basis until it becomes a way of doing business.

BE IT RESOLVED THAT the UTE establish a standing committee to move this agenda forward; and

ORIGINAL

AMENDED

DECISION

441. REGULATION 3 (cont'd)

BE IT FURTHER RESOLVED THAT there be a Local President's representative on this Standing UTE Union Management Relations committee.

SAINT JOHN, LOCAL 60005

ORIGINAL

AMENDED

DECISION

442. REGULATION 3

COMMITTEE RECOMMENDATION

3.1 COMMITTEES

Non-Concurrence

3.1 COMMITTEES

UNION MANAGEMENT INITIATIVE (UMI)

RATIONALE

(1) There shall be thirteenth (13) standing committees: Bargaining, By-laws, Staffing, Technological Change, Health and Safety, Equal Opportunities, Employees Assistance Program, Finance, Honours and Awards, Workforce Adjustment, Harassment, Communications and Political Action.

WHEREAS the Union Management Initiative (UMI) is not included in the Union of Taxation Employees Regulations or Constitution.

The committee believes this is not feasible.

We would not be able to establish 55 committees.

BE IT RESOLVED THAT the Union of Taxation Employees form UMI Committees in each local; and

BE IT RESOLVED THAT the Union of Taxation Employees add the UMI Committees to Regulation 3.1 (1).

LETHBRIDGE, LOCAL 30027

ORIGINAL

AMENDED

DECISION

443. REGULATION 7

COMMITTEE RECOMMENDATION

7.1 REGIONAL OR INTER-REGIONAL CONFERENCES

7.1 REGIONAL OR INTER-REGIONAL CONFERENCES

Motion to divide; carried, to separate the two “BE IT RESOLVES” and renumber to 443(a) and 443(b).

NEW

FUNDING FOR REGIONAL AND INTERREGIONAL CONFERENCES
REGULATION NO. 7

WHEREAS each Regional Vice President has a budget for Educational purposes and for regional and inter-regional conferences; and

WHEREAS there is no consistency with the Regional Vice Presidents on how they reimburse the locals in their region for attending these conferences.

BE IT RESOLVED THAT Regulation No. 7 be amended to add:

443(a)

(8) Regional Vice Presidents shall obtain and maintain a separate bank account for the purpose of depositing funds received for Educational Courses and Regional or Inter-Regional Conferences and issuing the reimbursement of expenses.

COMMITTEE RECOMMENDATION

Concurrence

RATIONALE

The committee believes it makes sense.

ORIGINAL

AMENDED

DECISION

443. REGULATION 7 (cont'd)

443(b)

(9) Regional Vice Presidents shall reimburse the locals for expenses incurred for attending regional training courses, regional or inter-regional conferences in the same manner as prescribed in regulation 13 Reimbursement of Expenses and shall include reimbursement of the employers portion of statutory deductions for wage loss.

COMMITTEE RECOMMENDATION

Non-Concurrence

RATIONALE

**Too restrictive. Removes the flexibility.
Would require additional funds to apply Regulation 13.5.1 (2).**

KELOWNA, LOCAL 20003

ORIGINAL

AMENDED

DECISION

444. REGULATION 8

COMMITTEE RECOMMENDATION

8.1 DUTIES OF VICE-PRESIDENTS

8.1 DUTIES OF VICE-PRESIDENTS

Concurrence

AMENDMENT TO REGULATION NO. 8

RATIONALE

WHEREAS the UTE National Office provides financial statements/reports to all locals; and

To reflect what is in By-Laws 8, Section 5 (4).

WHEREAS the Locals are required to submit a copy of their statements/reports to the Vice-President.

BE IT RESOLVED THAT Regulation No. 8, 8.1, (3), (l) be amended to read as follows:

8.1 DUTIES OF VICE-PRESIDENTS

- (1) The 1st Vice-President:
 - (a) shall attend all meetings of the PSAC National Board of Directors;
 - (b) shall serve on committees.

- (1) The 1st Vice-President:
 - (a) shall attend all meetings of the PSAC National Board of Directors;
 - (b) shall serve on committees.

ORIGINAL

AMENDED

DECISION

444. REGULATION 8 (cont'd)

- | | |
|--|--|
| (2) The 2 nd Vice-President: | (2) The 2nd Vice-President: |
| (a) may attend as an observer one meeting of the PSAC National Board of Directors each year without taking into account the possibility of having to replace the 1 st Vice-President; | (a) may attend as an observer one meeting of the PSAC National Board of Directors each year without taking into account the possibility of having to replace the 1st Vice-President; |
| (b) shall serve on committees. | (b) shall serve on committees. |
| (3) The Regional Vice-President: | (3) The Regional Vice-President: |
| (a) is to visit, at least once in each year, the Locals in their region; | (a) is to visit, at least once in each year, the Locals in their region; |
| (b) attends all Executive Council, Regional and National Union Management Meetings. If no minutes are being prepared, reports in writing to the respective Locals within thirty (30) days; | (b) attends all Executive Council, Regional and National Union Management Meetings. If no minutes are being prepared, reports in writing to the respective Locals within thirty (30) days; |
| (c) arranges regional and inter-regional meetings as required; | (c) arranges regional and inter-regional meetings as required; |
| (d) serves on committees; | (d) serves on committees; |

444. REGULATION 8 (cont'd)

ORIGINAL	AMENDED	DECISION
(e) provides guidance and counselling to Locals when requested by the Local or the Executive Council;	(e) provides guidance and counselling to Locals when requested by the Local or the Executive Council;	
(f) acts as a representative or assists in the presentation of complaints, grievances or appeals;	(f) acts as a representative or assists in the presentation of complaints, grievances or appeals;	
(g) assists in Local consultation when requested;	(g) assists in Local consultation when requested;	
(h) when necessary, assists in the training of Local officers through courses or seminars;	(h) when necessary, assists in the training of Local officers through courses or seminars;	
(i) ensures effective communication is maintained to all levels of UTE;	(i) ensures effective communication is maintained to all levels of UTE;	
(j) reviews and suggests changes to Local By-laws;	(j) reviews and suggests changes to Local By-laws;	
(k) performs other related duties as required;	(k) performs other related duties as required;	

444. REGULATION 8 (cont'd)

ORIGINAL

- (l) submits to the National Office at least two weeks prior to an Executive Council meeting, written report of their activities, agenda items including motions, rationale and where applicable, supporting documentation;
- (m) may attend a PSAC National Board of Director's meeting once during their current term of office regardless of the location of the National Board of Directors meeting. This is a meeting of the Regional Vice-President's choice with prior approval of the National President.

AMENDED

- (l) submits to the National Office at least two weeks prior to an Executive Council meeting, written report of their activities, **expenses incurred**, agenda items including motions, rationale and where applicable, supporting documentation;
- (m) may attend a PSAC National Board of Director's meeting once during their current term of office regardless of the location of the National Board of Directors meeting. This is a meeting of the Regional Vice-President's choice with prior approval of the National President.

DECISION

SURREY, LOCAL 20029

ORIGINAL

AMENDED

DECISION

445. REGULATION 9

COMMITTEE RECOMMENDATION

Non-Concurrence

9.1 DUTIES OF THE ALTERNATE REGIONAL VICE-PRESIDENTS

REGULATION NO. 9

(e) may attend an Executive Council held at the same time as a President's Conference once each year in the course of his or her mandate;

9.1 DUTIES OF THE ALTERNATE REGIONAL VICE-PRESIDENTS

WHEREAS Alternate Regional Vice-Presidents serve an important role in assisting the Regional vice presidents; and

WHEREAS they can be called upon to assume the role of the regional vice-president; and

WHEREAS being knowledgeable and up to date on issues being discussed can be of critical importance; and

WHEREAS this supports the idea of succession planning which should be important within the union; and

WHEREAS the alternate RVP can only attend one executive council meeting per year.

RATIONALE

Committee supports the current practice.

Cost for twice a year not justified.

ORIGINAL

AMENDED

DECISION

445. REGULATION 9 (cont'd)

BE IT RESOLVED THAT Regulation 9.1.e
be amended to read as follows:

(e) may attend an Executive Council held at
the same time as a President's Conference
twice each year in the course of his or her
mandate;

**WINNIPEG TAXATION CENTRE,
LOCAL 50031**

ORIGINAL

AMENDED

DECISION

446. REGULATION 15

COMMITTEE RECOMMENDATION

**15.1 FUNDING FOR NON-UTE EVENTS
POLICY**

FUNDING NON-UTE EVENTS

Withdrawn with unanimous consent.

15.1.1 General

WHEREAS we must belong to provincial workers' federations; and

(1) This policy does not cover attendance at conventions.

WHEREAS such federations have conventions and they are not financed.

BE IT RESOLVED to amend Regulation 15.1.1 as follows:

(1) This Policy does not cover attendance at UTE, PSAC and CLC conventions.

JONQUIÈRE, LOCAL 10004

ORIGINAL

AMENDED

DECISION

447. REGULATION 20

COMMITTEE RECOMMENDATION

20.1 MEMBERS WITH DISABILITY

REGULATION 20.1 MEMBERS WITH DISABILITY

Withdrawn with unanimous consent.

(1) UTE shall establish an assistance fund for Locals to ensure that members with disability are informed about union activities and given access to them.

WHEREAS UTE shall establish an assistance fund for Locals to ensure that members with disability are informed about union activities and given access to them; and

(2) A budget of five thousand (\$5000) per year shall allotted for this fund.

WHEREAS a budget of five thousand (\$5,000) per year shall be allotted for this fund.

(3) Locals applying for this fund shall be asked to submit the following information in writing:

BE IT RESOLVED THAT such activities shall be defined as follows: Presidents' Conference, inter-regional, pre-convention, national conferences, general meetings of Locals and any other training activities; and

(a) The type of activity, dates and location where the activity will take place, the amount or estimated amount of the request and;

BE IT FURTHER RESOLVED THAT financial assistance for Locals shall be defined as follows: charges for any accommodations to allow members with disability to participate in activities.

(b) The reason for requesting assistance.

ORIGINAL

AMENDED

DECISION

447. REGULATION 20 (cont'd)

- (4) The request for funding shall be submitted to the 1st Vice-President responsible for Finance for approval or in their absence, the President.
- (5) The Local, after spending the funds, shall submit an expense claim with all receipts.

LAVAL, LOCAL 10028

ORIGINAL

AMENDED

DECISION

448. REGULATION 21

COMMITTEE RECOMMENDATION

21.2 UTE GUIDELINES

UTE FAMILY CARE ARRANGEMENTS;
REGULATION 21.2.1

Withdrawn with unanimous consent.

21.2.1 Normal Family Care Arrangements

WHEREAS UTE should remove any barriers which prevent members from participating fully in Union activities; and

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

WHEREAS members should be reimbursed for additional costs incurred as a direct result of attending an authorized UTE activity; and

WHEREAS it is the current practice of UTE to reimburse family care expenses to members on leave from the CRA as long as they are not reimbursing salary expenses at the same time.

BE IT RESOLVED THAT UTE Regulation 21.2.1(4) be amended to read, "Family care expenses shall not be reimbursed if the member is on leave (with or without pay) from the CRA but would normally incur family care expenses if they were at work; and the member is not also being reimbursed for salary expenses for the same authorized UTE activity by UTE."

SAINT JOHN, LOCAL 60005

ORIGINAL

AMENDED

DECISION

449. REGULATION 25

COMMITTEE RECOMMENDATION

Concurrence

25.1 TRUSTEESHIP

TRUSTEESHIP - REG NO 25

25.1.1 General Provisions

WHEREAS UTE regulation No 25 Trusteeship does not provide clear direction for the local when subject to trusteeship.

RATIONALE

(1) The Executive Council appoints by Power of Attorney a trustee to administer the local.

BE IT RESOLVED THAT UTE undertake a review of Regulation 25, 25.1 Trusteeship and 25.2 Interim Trusteeship to ensure clarity by publishing the established, or by establishing, procedures and/or protocols.

The committee supports the review to ensure that there are established procedures and protocols.

(2) The President shall notify the local by registered mail or by hand of the decision to place the local under trusteeship and to appoint a trustee.

(3) The trustee shall provide a written report to each Executive Council Meeting on their activities and the status of the Trusteeship.

ORIGINAL

AMENDED

DECISION

449. REGULATION 25 (cont'd)

25.2 INTERIM TRUSTEESHIP

- (1) Notwithstanding By-law 12, the President between Executive Council meetings, in consultation with the appropriate Regional Vice-President, may impose trusteeship on a local, appoint an interim trustee and seize the property of the local before officially advising the local.
- (2) The President shall report the interim trusteeship to the next meeting of the executive council.

PETERBOROUGH, LOCAL 00008

ORIGINAL

AMENDED

DECISION

450. REGULATION 25

COMMITTEE RECOMMENDATION

Non-Concurrence

25.1 TRUSTEESHIP

RESPONSIBILITIES OF A TRUSTEE

25.1.1 General Provisions

WHEREAS the imposition of a trusteeship on a local is a serious step which impacts a large number of members and has lasting repercussions on the health of a local; and

(1) The Executive Council appoints by Power of Attorney a trustee to administer the local.

WHEREAS the responsibilities of a trustee are not clearly defined by UTE Bylaw or Regulation.

RATIONALE

(2) The President shall notify the local by registered mail or by hand of the decision to place the local under trusteeship and to appoint a trustee.

BE IT RESOLVED THAT the *UTE Regulation 25* be amended to reflect that the responsibilities of a trustee should include the following items:

The committee supports 449 and believe this would restrict that review.

Recorded as opposed : Des Scott, Melanise Comeau

- production of complete financial statements in accordance with generally accepted accounting principles, at the time of the trusteeship being imposed and lifted
- selection of a completely impartial local committee to operate the business of the local
- an accounting of all physical assets of the local before and after trusteeship

ORIGINAL

AMENDED

DECISION

450. REGULATION 25 (cont'd)

- complete tracking of all ongoing grievances at the time of the trusteeship being imposed and lifted

- (3) The trustee shall provide a written report to each Executive Council Meeting on their activities and the status of the Trusteeship.

25.2 INTERIM TRUSTEESHIP

- (1) Notwithstanding By-law 12, the President between Executive Council meetings, in consultation with the appropriate Regional Vice-President, may impose trusteeship on a local, appoint an interim trustee and seize the property of the local before officially advising the local.
- (2) The President shall report the interim trusteeship to the next meeting of the executive council.

EDMONTON, LOCAL 30025

ORIGINAL

AMENDED

DECISION

451. REGULATION 25

COMMITTEE RECOMMENDATION

Non-Concurrence

25.1 TRUSTEESHIP

LOCAL RECOURSE UNDER BYLAW 12

25.1.1 General Provisions

WHEREAS Bylaw 12 of the UTE refers to the right of a local to appeal the imposition of a trusteeship as per Regulation; and

(1) The Executive Council appoints by Power of Attorney a trustee to administer the local.

WHEREAS the UTE Regulations do not currently reflect this right or provide a process by which the affected local may exercise this right.

RATIONALE

(2) The President shall notify the local by registered mail or by hand of the decision to place the local under trusteeship and to appoint a trustee.

BE IT RESOLVED THAT *UTE Regulation 25 be amended* to allow a local to appeal the imposition of a trusteeship in accordance with the procedure laid out in PSAC Regulation 19, wherein a three-person tribunal would be appointed to hear the appeal and render a binding decision.

The Constitution does not allow for this.

See Resolution 436.

Recorded as opposed : Des Scott

(3) The trustee shall provide a written report to each Executive Council Meeting on their activities and the status of the Trusteeship.

ORIGINAL

AMENDED

DECISION

451. REGULATION 25 (cont'd)

25.2 INTERIM TRUSTEESHIP

- (1) Notwithstanding By-law 12, the President between Executive Council meetings, in consultation with the appropriate Regional Vice-President, may impose trusteeship on a local, appoint an interim trustee and seize the property of the local before officially advising the local.
- (2) The President shall report the interim trusteeship to the next meeting of the executive council.

EDMONTON, LOCAL 30025

ORIGINAL

AMENDED

DECISION

452. REGULATION 25

COMMITTEE RECOMMENDATION

25.2 INTERIM TRUSTEESHIP

INTERIM TRUSTEESHIPS

(1) Not withstanding By-law 12, the President between Executive Council meetings, in consultation with the appropriate Regional Vice-President, may impose trusteeship on a local, appoint an interim trustee and seize the property of the local before officially advising the local.

WHEREAS the imposition of a trusteeship on a local is a serious step which impacts a large number of members and has lasting repercussions on the health of a local; and

Motion to divide; carried, to separate the two “BE IT RESOLVES” and renumber to 452(a) and 452(b).

(2) The President shall report the interim trusteeship to the next meeting of the executive council.

WHEREAS UTE Regulation 25 currently allows for the National President to impose an interim trusteeship on a local without the approval of the Executive Council or notification to the local.

452(a)

BE IT RESOLVED THAT *UTE Regulation 25 be amended* so that all future interim trusteeships require the 2/3 approval of the Executive Council, in accordance with Bylaw 12; and

COMMITTEE RECOMMENDATION

Non-Concurrence

RATIONALE

The resolution would interfere with the National Office from intervening immediately if so warranted.

Recorded as opposed: Des Scott

ORIGINAL

AMENDED

DECISION

452. REGULATION 25 (cont'd)

452(b)

BE IT FURTHER RESOLVED THAT *UTE Regulation 25 be amended* so that the National President or the appointed trustee must notify the local of the decision to impose an interim trusteeship by hand, in accordance with the existing wording in Regulation 25.

COMMITTEE RECOMMENDATION

Non-Concurrence

RATIONALE

The committee does not want this to be the only way to inform the local. Too restrictive.

The committee supports Resolution 449.

EDMONTON, LOCAL 30025

ORIGINAL

AMENDED

DECISION

453. REGULATION 26

COMMITTEE RECOMMENDATION

Non-Concurrence

26.4 APPEAL PROCESS

26.4 APPEAL PROCESS

UNION DISCIPLINE

(5) The appeal decision of the Executive Council shall be final and binding on all parties to the appeal.

WHEREAS there is not due unprejudiced process in the Union discipline process as the Executive Council has supreme authority,

BE IT RESOLVED THAT the Union of Taxation Employees Regulations 26.4 Paragraph (5) be rescinded.

RATIONALE

Regulation 26.4(5) reflects Regulation 19.6(f) of the Constitution and refers to removal of office at the local level.

LETHBRIDGE, LOCAL 30027

ORIGINAL

AMENDED

DECISION

454. REGULATION 27

COMMITTEE RECOMMENDATION

Non-Concurrence

27.1 DESIGNATED EMPLOYEES

**UTE DESIGNATED EMPLOYEES
(REGULATION 27.1)**

(1) Designated employees who work at a work site where their bargaining group is considered as being on strike shall be required to contribute twenty-five per cent (25%) of their net take home pay earned during this time to the Local fund.

WHEREAS, during the 2004 strike, there were a number of ambiguities regarding the enforcement of UTE Regulation 27.1; and

(2) Designated employees who do not comply with Regulations shall be considered to have contravened the By-laws and shall be subject to disciplinary actions in accordance with By-laws and Regulations.

WHEREAS PSAC has a similar regulation and it would be incumbent upon PSAC to ensure it is enforced; and

(3) Designated members who show proof of paying 25% of salary either to the PSAC National or Regional Hardship funds shall be exempt from Regulation.

WHEREAS the enforcement of Regulation 27.1 in its current form is controversial; and

WHEREAS UTE is in a legal deadlock.

RATIONALE

We still must abide by the Constitution regarding designated employees and the regulation allows the designated member to contribute during a strike.

It is not a matter of money, or enforcement, it is a matter of principle.

ORIGINAL

AMENDED

DECISION

454. REGULATION 27 (cont'd)

BE IT RESOLVED THAT UTE
Regulation 27.1 be repealed.

ROUYN-NORANDA LOCAL 10009

ORIGINAL

AMENDED

DECISION

455. PSAC CONSTITUTION

COMMITTEE RECOMMENDATION

Concurrence

PSAC RESOLUTION
SERVICE DELIVERY

WHEREAS Components may be best suited to provide some service delivery functions to their membership.

BE IT RESOLVED THAT the PSAC transfer all service delivery functions to Components upon request, save and except collective bargaining, organizing, the functions of the legislative office and necessary administrative functions (eg: membership); and

BE IT FURTHER RESOLVED THAT the PSAC dues structure be amended to return the monies associated with the cost of performing the aforementioned services to those Components who intend to perform those functions and have made the applicable request.

RATIONALE

We have been submitting this for the last 15 years.

Funds should be given to us because we are already performing some of these services.

It will allow us to have services adapted to our reality.

PETERBOROUGH, LOCAL 00008

ORIGINAL

AMENDED

DECISION

456. PSAC CONSTITUTION

COMMITTEE RECOMMENDATION

Concurrence

**TRANSFER OF SERVICE DELIVERY
FUNCTIONS**

RATIONALE

BE IT RESOLVED THAT the Alliance transfer all service delivery functions to components upon request, save and except collective bargaining; organizing; the functions of the Legislative Office; and necessary administrative functions (e.g. Membership Services); and

See Resolution 455.

BE IT FURTHER RESOLVED THAT the PSAC dues structure be amended to return the monies associated with the cost of performing the aforementioned services to those components who intend to perform those functions and have made the applicable request.

SAINT JOHN, LOCAL 60005

ORIGINAL

AMENDED

DECISION

457. PSAC CONSTITUTION

COMMITTEE RECOMMENDATION

Motion to divide; carried, to separate the two “BE IT RESOLVES” and renumber to 457(a) and 457(b).

SECTION 24 (7)

DESIGNATED MEMBERS

WHEREAS the PSAC Constitution (Section 24, Subsection (7) establishes the requirement for designated/essential members to remit 25% of the remuneration they receive during a legal strike to the Alliance; and

WHEREAS neither the PSAC Constitution nor its Regulations provide specific guidelines or procedures for the collection of these payments; and

WHEREAS it is not the intent to put members who may already be in hardship physically or mentally such as members on sick leave or Worker’s Compensation; and

WHEREAS members who on vacation leave receive full pay at a time when striking members are receiving strike pay and those on vacation leave will benefit from the strike activities of their brothers and sisters, they too should also contribute to the hardship fund.

ORIGINAL

AMENDED

DECISION

457. PSAC CONSTITUTION (cont'd)

457(a)

BE IT RESOLVED THAT Section 24 (7) be amended to add after “for each day worked” **to include days for which any member is on vacation leave;** and

COMMITTEE RECOMMENDATION

Non-Concurrence

RATIONALE

Does not meet the intent of the submitting local.

457(b)

BE IT FURTHER RESOLVED THAT PSAC develop specific guidelines on the procedures for the collection of these payments by designated members.

COMMITTEE RECOMMENDATION

Concurrence

RATIONALE

The committee is for the development of specific guidelines.

ST. JOHN’S TC, LOCAL 90000

ORIGINAL

AMENDED

DECISION

458. PSAC CONSTITUTION

COMMITTEE RECOMMENDATION

Motion to divided; carried, to separate the two “BE IT RESOLVES” and renumbered as 459(a) and 459(b).

SECTION 24 (7)

**PSAC CONSTITUTION SECTION 24
SUBSECTION 7**

WHEREAS the PSAC has not consistently upheld the Constitution in Section 24 subsection 7 of which they are sworn to enforce; and

WHEREAS the collection of remuneration of members under this subsection has not been applied consistently, and respectfully; and

WHEREAS there has been no enforcement, the very purpose of the funds collected is itself a hardship on those members who complied and remitted.

458(a)

BE IT RESOLVED THAT in the PSAC Constitution under Section 24 titled Finances and Collection of Dues that subsection 7 be removed.

COMMITTEE RECOMMENDATION

Non-Concurrence

RATIONALE

See Resolution 454.

ORIGINAL

AMENDED

DECISION

458. PSAC CONSTITUTION (cont'd)

Sub-Section (7)

“Notwithstanding Sub-Sections (1) and (5) of this Section, members who receive remuneration during a legal strike of their bargaining unit, shall be required to remit 25% of the remuneration they receive from the employer for each day worked during the legal strike to the PSAC. The monies received under this Sub-Section shall be set aside for a Hardship Fund. Such Fund shall be governed by Regulations adopted by the NBOD.

458(b)

Be it further resolved that PSAC return the remuneration of 25% collected in the past 5 years to the members respective Components for redistribution or creation of their own Hardship fund.

COMMITTEE RECOMMENDATION

Concurrence

RATIONALE

The committee believes these monies should be returned to the components.

**WINNIPEG TAXATION CENTRE,
LOCAL 50031**

ORIGINAL

AMENDED

DECISION

459. PSAC CONSTITUTION

COMMITTEE RECOMMENDATION

Motion to divided; carried, to separate the two “BE IT RESOLVES” and renumbered as 459(a) and 459(b).

SECTION 16 (4)

PSAC CONSTITUTION SECTION 16 (4)

BE IT RESOLVED THAT the following change to the PSAC Constitution be made.

WHEREAS representation by population is a basic union principle; and

WHEREAS delegate entitlement to PSAC regional Conventions is not based on representation by population in all PSAC regions; and

WHEREAS the PSAC does not currently fund all delegates to their respective PSAC Regional Conventions; and

WHEREAS many potential delegates are prohibited from participating due to high costs, especially those who live outside of the geographical area in which their convention is being held; and

ORIGINAL

AMENDED

DECISION

459. PSAC CONSTITUTION (cont'd)

459(a)

WHEREAS Alliance Executive Officers are elected at these Conventions and the voice of all members, through their delegates, should be assured in all electoral processes. **BE IT RESOLVED THAT** Subsection 16(4) of the PSAC Constitution be amended so that representation at PSAC triennial Regional Conventions be as follows: that each Component or Directly Chartered Local be entitled to one (1) delegate for the first 200 members and one (1) additional delegate for each additional 100 members of fraction thereof; and

COMMITTEE RECOMMENDATION

Concurrence

RATIONALE

This will allow representation by population.

459(b)

BE IT FURTHER RESOLVED THAT PSAC fully fund all delegates to their respective PSAC Regional Conventions.

COMMITTEE RECOMMENDATION

Covered by Resolution 460.

ST. JOHN'S TC, LOCAL 90000

ORIGINAL

AMENDED

DECISION

460. PSAC CONSTITUTION

COMMITTEE RECOMMENDATION

Concurrence

Covers 459(b), 462,463,464,465 & 466.

**RESOLUTION FOR FUNDING
APPLICABLE TO P.S.A.C.REGIONAL
CONVENTIONS:**

WHEREAS basic union principles are equality and democracy; and

WHEREAS these principles are being violated, by the current funding methods, for delegates to attend Regional P.S.A.C. Conventions.

BE IT RESOLVED THAT the Union of Taxation Employees submit, to the next P.S.A.C. National Convention, a resolution requesting full funding for P.S.A.C. delegates to attend Regional P.S.A.C. Conventions, to be paid by the P.S.A.C.

RATIONALE

PSAC should be fully funding their conventions.

WINDSOR, LOCAL 00018

ORIGINAL

AMENDED

DECISION

461. REGULATION 15

COMMITTEE RECOMMENDATION

Non-Concurrence

REGIONAL CONVENTIONS

WHEREAS it is important that UTE locals are able to participate in all levels of the PSAC; and

WHEREAS the costs of attending Regional Conventions can be prohibitive for some locals; and

WHEREAS the definition of a local is determined by the Component; and

WHEREAS UTE delegates have been attempting to achieve full funding for all delegates attending PSAC Regional Conventions.

BE IT RESOLVED THAT the Component assist locals wanting to send delegates to PSAC Regional Conventions by treating the regional Conventions as a “non-UTE event;” and

BE IT FURTHER RESOLVED THAT this action continue until a reasonable formula for “full-funding” for regional PSAC Conventions is achieved.

RATIONALE

PSAC should be funding their conventions.

CALGARY, LOCAL 30024

ORIGINAL

AMENDED

DECISION

462. PSAC CONSTITUTION

COMMITTEE RECOMMENDATION

Covered by Resolution 460.

PSAC RESOLUTION
REGIONAL CONVENTIONS – FULL
FUNDING

WHEREAS PSAC does not currently fully fund all delegates to their respective PSAC regional Conventions; and

WHEREAS many potential delegates are prohibited from participating due to high costs, especially those who live outside of the geographical area in which their Convention is being held; and

WHEREAS Alliance Executive Committee Officers are elected at these Conventions and the voice of all members, through their delegates, should be assured in all electoral processes.

BE IT RESOLVED THAT PSAC fully fund all delegates to their respective PSAC Regional Conventions.

PETERBOROUGH, LOCAL 00008

ORIGINAL

AMENDED

DECISION

463. PSAC CONSTITUTION

COMMITTEE RECOMMENDATION

Covered by Resolution 460.

PSAC REGIONAL CONVENTIONS

WHEREAS the Public Service Alliance of Canada (PSAC) set up a regional structure; and

WHEREAS the PSAC Ontario has a convention every 3 years; and

WHEREAS the convention delegates are not fully funded by the PSAC and the costs are incurred by the locals and/or delegates.

BE IT RESOLVED THAT the PSAC pay for all costs associated with having the PSAC regional conventions, including the costs incurred by locals and/or delegates.

HAMILTON, LOCAL 00014

ORIGINAL

AMENDED

DECISION

464. PSAC CONSTITUTION

COMMITTEE RECOMMENDATION

Covered by Resolution 460.

PSAC REGIONAL CONVENTIONS

WHEREAS the PSAC does not currently fully fund all delegates to their respective PSAC Regional Conventions; and

WHEREAS many potential delegates are prohibited from participating due to high costs, especially those who live outside of the geographical area in which their Convention is being held; and

WHEREAS Alliance Executive Officers are elected at those Conventions and the voice of all members, through their delegates, should be assured in all electoral processes.

BE IT RESOLVED THAT the PSAC fully fund all delegates to their respective PSAC Regional Conventions.

SAINT JOHN, LOCAL 60005

ORIGINAL

AMENDED

DECISION

465. PSAC CONSTITUTION

COMMITTEE RECOMMENDATION

Covered by Resolution 460.

PSAC FUNDING

WHEREAS resolutions are adopted for consideration at the PSAC Triennial Regional Conventions and are put forward to the PSAC Triennial National Convention; and

WHEREAS PSAC Regional Executive Vice-Presidents and Alternate Regional Executive Vice-Presidents' are elected at the PSAC Regional Conventions; and

WHEREAS representation members is a basic Union Principle; and

WHEREAS Locals cannot afford to subsidize the funding to attend the PSAC Regional Conventions'.

BE IT RESOLVED THAT the UTE National Component put forth a resolution to the next PSAC Triennial Convention to fully fund delegates to all PSAC Regional Conventions'.

NORTH YORK, LOCAL 00048

ORIGINAL

AMENDED

DECISION

466. PSAC CONSTITUTION

COMMITTEE RECOMMENDATION

Covered by Resolution 460.

REGIONAL PSAC CONVENTION

WHEREAS resolutions are adopted for consideration at UTE National Convention and forwarded to the Tri-annual National PSAC convention; and

WHEREAS the Regional Executive Vice-President and the Alternate Regional Executive Vice-President are elected at the Tri-annual Regional PSAC convention; and

WHEREAS representing members is a basic union principle.

BE IT RESOLVED THAT delegates entitled to attend the Tri-annual Regional PSAC convention shall be fully funded.

TORONTO WEST, LOCAL 00051

ORIGINAL

AMENDED

DECISION

467. PSAC CONSTITUTION

COMMITTEE RECOMMENDATION

Non-Concurrence

FULLY-FUNDED DELEGATES

WHEREAS representation at PSAC Regional Conventions are of prime importance; and

WHEREAS it is important that participating delegates are compensated fairly for the costs incurred to attend such an activity.

BE IT RESOLVED THAT the PSAC Constitution be amended to ensure that for purpose of representation at any Regional Triennial Convention of the PSAC, that each Component be entitled to elect delegates on a formula of one delegate for the first 100 members and one additional delegate for each additional 100 members or major fraction thereof.

RATIONALE

The committee preferred Resolution 459(a).

This does not allow for directly chartered locals.

CALGARY, LOCAL 30024

ORIGINAL

AMENDED

DECISION

468. PSAC CONSTITUTION

COMMITTEE RECOMMENDATION

Non-Concurrence

CONVENTIONS

WHEREAS the organization of a convention requires a great deal of energy and work on the part of organizations and their staff as well as activists; and

WHEREAS the actual duration of work between conventions is approximately 26 months; and

WHEREAS such conventions are very costly.

BE IT RESOLVED THAT the conventions of PSAC, its components and its area councils be held every four years.

JONQUIÈRE, LOCAL 10004

RATIONALE

The committee believes the current three years is appropriate.