# BY-LAWS
**OF THE**
UNION OF HEALTH AND ENVIRONMENT WORKERS

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Section 1

NAME

This Component of the Public Service Alliance of Canada shall be known as the Union of Health and Environment Workers (UHEW)

Section 2

HEADQUARTERS

This Component shall have its headquarters in the National Capital Region.

Section 3

OBJECTIVES

Sub-Section 1

Unite all employees over which the Component has jurisdiction, as determined by the Constitution of the Public Service Alliance of Canada, in a single union capable of acting on their behalf.

Sub-Section 2

To support fully the Public Service Alliance of Canada in the furtherance of its constitutional responsibility for the improvement and protection of wages, salaries and other terms of employment of all employees of the Federal Government.

Sub-Section 3

To obtain through democratic means for all employees of the departments or agencies designated in Sub-Section 1, the best possible standards of wages, salaries and other conditions of employment, and to protect their interests, rights and privileges.
Sub-Section 4

To subscribe to the aims and objects outlined in the Constitution of the Public Service Alliance of Canada

Section 4

MEMBERSHIP

Sub-Section 1

All employees of the departments or agencies designated in Section 3, Sub-Section 1 shall be eligible for membership in the Public Service Alliance of Canada and this Component. Such membership shall, where possible, be held in a duly constituted Local as defined by Section 9, Sub-Section 1 or a Sub-Local as defined in Section 10, Sub-Section 1.

Sub-Section 2

Employees of this Component who are not members of this Component and members of this Component who are on extended leave of absence, on lay-off or who have retired from the service of the Government of Canada may be granted Associate Membership in this Component in accordance with regulations established by the National Council.

Sub-Section 3

Through application by a Local or Sub-Local to this Component and with the approval of the National Council, a member who has retired on superannuation or who has separated from the service of the Government of Canada may be granted Honorary Membership for outstanding service to this Component. Honorary members shall not be entitled to vote at meetings or to election to office in this Component but shall be entitled to all other rights and privileges of membership in this Component.
Sub-Section 4

A Life Membership may be awarded to any member who, through personal and devoted efforts in the affairs of this Component, has performed exemplary services for the membership of this Component, provided, however, that there shall be no more such Life Memberships at any one time than the number thereof decided upon by the National Council.

The awarding of Life Memberships shall be controlled and decided upon by the National Council which shall establish regulations to govern the award thereof.

Sub-Section 5

All members except those mentioned in Sub-Section 2-3-4 and 5 shall be required to pay dues as detailed in Section 14.

Sub-Section 6

With the exception of those memberships provided by Sub-Sections 2 and 4 all members shall be issued with identification cards as approved by the National Board of Directors of the Public Service Alliance of Canada.

Sub-Section 7

Every individual member of this Component is deemed to agree to abide by and to be bound by the provisions of these By-Laws upon applying for membership in this Component or continuing his/her membership in this Component.

Sub-Section 8

The receipt by this Component of the official form authorizing payroll deduction of dues or any other form approved by the PSAC or where facilities are not available for payroll deduction dues, the receipt of a cash payment for one month of the applicable dues shall constitute evidence of membership for the issuance of identification cards for representation to Regional Conferences and National Conventions and for the granting of all rights and privileges as outlined in the Constitution of the Public Service Alliance of Canada and of this Component’s By-Laws.
Section 5

MEMBERSHIP RIGHTS AND RESPONSIBILITY

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

Sub-Section 2
Upon being granted membership in the Public Service Alliance of Canada and in this Component and for the term of such membership, each member of this Component is deemed to nominate, constitute and appoint this Component and the Public Service Alliance of Canada as his agent to negotiate with his/her employer on his/her behalf.

Sub-Section 3

(i) Members governed by Federal Public Service Labour Relations Act or superseding Acts of Parliament:

Upon being granted membership in the Public Service Alliance of Canada and in this Component and for the term of such membership, each member of this Component is deemed to nominate, constitute and appoint the Public Service Alliance of Canada as the agent for the purpose of entering into collective bargaining with the employer under collective bargaining procedures established by law for collective bargaining in the Public Service of Canada, and the Public Service Alliance of Canada shall have the power through its duly appointed agents to sign agreements reached through collective bargaining, conciliation and arbitration procedures established by law for the Public Service of Canada.
(ii) Separate Employer Members

Upon being granted membership in the Public Service Alliance of Canada and this Component and for the term of such membership; each member of this Component is deemed to nominate, constitute and appoint the Public Service Alliance of Canada as the agent for the purpose of entering into collective bargaining with the employer under collective bargaining procedures established by law and the Public Service Alliance of Canada shall have the power through its duly appointed agents to ratify and sign agreements reached through collective bargaining, conciliation and arbitration procedures established by law and the Public Service Alliance of Canada Constitution and the Public Service Alliance of Canada Regulation 15.

Sub-Section 4

Every member in good standing is entitled:

a) to be represented by the union;
b) to be free from any act of omission on the part of the union, or other members, that would discriminate against the member on the basis of age, sex, colour, national or ethnic origin, race, religion, marital status, criminal record, physical or mental handicap, sexual orientation, language or political belief;
c) to be free from harassment by another member, both within the union and in the workplace, on the basis of the grounds mentioned in paragraph (b);
d) subject to any qualifications stipulated elsewhere in these By-Laws, PSAC constitution, Local or Area Council By-Laws, to be nominated for & hold office in the union.

Section 6

FORM OF ORGANIZATION

This Component shall be composed of groups of members hereinafter referred to as Locals and Sub-Locals.
Section 7

NATIONAL COUNCIL

Sub-Section 1

The National Council shall be composed of the National President and a National Vice President who shall not be considered as employees of the Component and shall reside in the greater Ottawa/Gatineau area.

Each of these (2) positions would be one from each former Component, NHU and UEW

And

Two (2) interim Vice presidents (one from each of the merging partners), to be members of the council for the period of the ratification of these bylaws until UHEW National convention 2017

And

and 15 National Council members (RVP’s), one from each of the following Regions:

Alberta/ BC/Yukon (former NHU), BC/Yukon (former UEW)
Saskatchewan (former NHU), Prairies / North (former UEW)
Manitoba (former NHU), Ontario (former NHU),
Ontario (former UEW), NCR (former NHU),
NCR (former UEW), Quebec (former NHU),
Quebec (former UEW), NB/PEI (former UEW),
Scotia-Fundy (former UEW) NL/ Labrador (former UEW)
Atlantic (former NHU),

The Capital area is herein defined as the area of the Province of Ontario bounded on the west by an imaginary line drawn north from Kingston to Pembroke, and on the east by the Ontario-Quebec border, and including the Gatineau area in the Province of Quebec.
Sub-Section 2

The National Council shall be responsible for the affairs of this Component between National Conventions. The National Council shall meet in person two (2) times per calendar year at the call of the National President and each upcoming meeting shall be scheduled prior to the end of the current meeting. The National President shall summon special meetings of the Council upon the written request of a majority of the members thereof. When required a National Council conference call will be scheduled by the National President. A quorum of the Council shall be 50% of that body.

Sub-Section 3

An ad hoc Advisory Committee composed of the National President and the National Vice President and two (2) Council members and the Executive Assistant to the President as a staff resource person, can be struck at the request of the National President. The ad hoc Advisory Committee shall not be a decision making body but rather act as advisors to the President.

Sub-Section 4

a) The Standing Finance Committee of the Union will be composed of the National President, the National Vice-President and two members from and elected by the National Council. The Executive Assistant to the President may be a member of the Standing Finance Committee with voice, but without vote.

b) The Standing Finance Committee, with the exception of the Executive Assistant to the President, may serve as the signing officers for the Union of Health and Environment Workers.

c) The National President shall be responsible for the establishment of all hiring selection boards subject to ratification by the National Council. The National President shall also be responsible for the appointment of all staff of the Union of Health and Environment Workers.

d) The National Council shall advise the National President on the administration of the terms and conditions of employment for all staff of the UHEW.
e) The Finance Committee will ensure that funds of the Union of Health and Environment Workers are being properly administered. Some of their responsibilities are as follows:

i) Assist in the preparation of the 3-year budget developed by the President and presenting the budget to the National Council for their consideration.

ii) Overseeing the financial administration of the UHEW by:
   - Reviewing operating statements quarterly.
   - Reviewing financial statements.
   - Reviewing the Annual Auditors’ Reports.
   - Comparing expenditures with budgets.
   - Examining financial records as necessary to ensure appropriate use of funds.

iii) Making recommendations to the National Council on amendments to policies or regulations in the interest of the prudent administration of finances.

Sub-Section 5

All members of the National Council shall be members in good standing of this Component.

Sub-Section 6

a) When the office of President is vacated, the National Vice-President shall assume the office of President;

b) When the office of the National Vice-President is vacated, this office shall be filled, within thirty (30) days by the National Council from among members of the National Council;

c) When a vacancy occurs in the office of Council member the elected alternate shall immediately assume the office.
d) The alternate RVP position shall be filled by election within 90 days. The Regional Vice-President shall be responsible for the election process. Delegates to the previous Convention and Local Officers in the Region shall be eligible to run for office.

Entitlement to additional delegates will be identical to that in effect at the last Triennial Convention and the selection of those eligible to cast ballots will be determined by the Local Executive concerned. Presidents of Locals or their alternates from the region, delegates to the last Triennial Convention and Local Officers in the Region shall be eligible to cast ballots. National Council members holding membership in a Local or Sub-Local of the Region shall also be entitled to vote;

e) When a vacancy occurs in the office of Council member and the elected alternate is also vacant, the office of the council member and then the alternate position shall be filled by election within 90 days. The National President shall be responsible for the election process. Delegates to the previous Convention and Local Officers in the Region shall be eligible to run for office. Entitlement to additional delegates will be identical to that in effect at the last Triennial Convention and the selection of those eligible to cast ballots will be determined by the Local Executive concerned. Presidents of Locals or their alternates from the region delegates to the last Triennial Convention and Local Officers in the Region shall be eligible to cast ballots. National Council members holding membership in a Local or Sub-Local of the Region shall also be entitled to vote;

f) If a member of the National Council is absent for more than thirty consecutive calendar days because of illness, vacation, work for another employer, or holds an excluded position, he or she shall be replaced by his or her alternate for the period of absence and, in the case of the national vice-president, he/she shall be replaced by the National Council;

g) In the case of Council Member’s absence extending to over a year, whether this is known initially or later during the absence, the Alternate shall immediately replace the Council Member & and the position of Alternate shall be filled in accordance with paragraph (d) above;
h) In the case of an absence of 90 days but less than one year, an interim alternate shall be appointed by a committee composed of the Council Member, the Alternate and each of the local presidents within the affected region. This committee will meet by conference call within 30 days of the announcement of the Council Member’s absence to the National President;

i) In the case where the Alternate Council Member is away on leave for longer than 30 days, an Interim Alternate Council member be appointed by the Council Member in consultation with the Local and National Presidents.

Sub-Section 7

Between Conventions all Executive powers of this Component consistent with these By-Laws shall be vested in the National Council.

Sub-Section 8

The National Council shall have the power to make such regulations as are necessary for the proper conduct of the business of this Component, provided such regulations do not conflict with the provisions of these By-Laws.

Such regulations shall be promulgated within sixty (60) days of their adoption and shall be consequently ratified by a National Convention of this Component.

Sub-Section 9

The National Council shall have authority to dismiss employees of the Union and will act as the final appeal for all staff members should it be necessary.

Sub-Section 10

All actions by the National Council on behalf of this Component shall be subject to review at the Triennial National Convention.

Sub-Section 11

The National Council shall be considered as being in business session throughout the period of the National Convention and its elected members shall have all rights and privileges due National Convention delegates.
Sub-Section 12

The National Council shall submit a year to year budget for the ensuing three-year period for approval to each Triennial National Convention.

Sub-Section 13

The National Council shall have the authority to establish any committee necessary for the conduct of the affairs of this Component. The National President shall be an ex officio member of any committee so formed, unless elected to the committee as a member.

Sub-Section 14

Under authority of the National Council, the National President shall send to each Local and Sub-Local the Minutes of the National Council meetings.

Section 8

DUTIES OF OFFICERS

Sub-Section 1

The National President or designate shall:

a) be the official spokesperson for the Union of Health and Environment Workers;

b) represent this Component on the National Board of Directors of the Public Service Alliance of Canada as required by Sub-Section 1 of Section 10 of the Constitution of the Public Service Alliance of Canada;

c) preside at meetings of the National Council;

d) preside at sessions of the National Convention;

e) interpret the By-Laws of this Component for the administration and management of this Component and his/her interpretation shall be conclusive and in full force and effect unless reversed by the National Council or a National Convention;
f) ensure that the National Council carries out the directives and policies established by the National Conventions of the Public Service Alliance of Canada and this Component, in accordance with the authorities of each as provided by Constitution and By-Laws;

g) call a meeting of the National Council in person two (2) times annually or upon request by a quorum of the National Council;

h) report on his/her activities in writing to meetings of the National Council;

i) report in writing to the Triennial National Convention on the activities of the National Council, any ad hoc Advisory Committees and such other committees over which he/she may have presided and read such report;

j) submit in writing to the National Convention such recommendations as the National Council deems necessary for the continuing prosecution of the aims and objectives of this Component and the Public Service Alliance of Canada;

k) perform such other duties as are within the authority of presiding officers of deliberative bodies;

l) be responsible for the appointment, management, control and allocation of all staff at the headquarters office of this Component;

m) be responsible to the National Council for all finances, correspondence and all official documents of this Component;

n) keep an accurate account of proceedings of meetings of the National Council and following the close of each convention prepare and circulate to all Locals and Sub-Locals a report of the business transacted;

o) submit to each Convention a written report on the financial and membership state of this Component;

p) submit to each Convention a written report of his/her official activities on any committee or body where he/she has acted as the representative of this Component;
q) collect all monies payable to this Component and deposit such funds in a chartered financial institution to the credit of this Component and keep proper records of all transactions;

r) be responsible for the disbursement of funds payable by this Component in settlement of its just debts;

s) be responsible for the transmission of information and reports to the National Council, the Locals and Sub-Locals of this Component without delay;

t) carry out such other delegated duties as may be decided by the National Council of this Component within the terms of these By-Laws.

u) be the lead for all discipline matters concerning membership discipline and subsequent investigations of allegations brought before the National Council.

Sub-Section 2

The National Vice-President shall:

a) perform the duties of the National President in all absences in excess of 5 days except when on official UHEW business, and in the event the Office is vacated for any reason between National Conventions;

b) be responsible for the management of the day to day activities of the national office and any assigned portfolios as determined by the National President;

c) have signing authority for all financial and administrative matters for the Union of Health and Environment Workers in the absence of the National President.

d) coordinate the Orientation and Training activities for newly elected Council members, and to assist all Council members in the acquisition of all equipment, materials and supplies necessary for the performance of their duties;

e) attend all meetings of the National Council;

f) attend all sessions of the National Convention;

g) attend PSAC National Board of Directors meetings as eligible
h) report semi-annually in writing to the National Council on all activities and observations;

i) report in writing to the National Convention on all activities, observations and recommendations and read such report;

j) perform such other duties as may be assigned to him/her by the National President

Sub-Section 3

The Council Members shall:

a) attend all sessions of the Union of Health and Environment Workers National Triennial Convention;

b) attend all sessions of the Union of Health and Environment Workers' Presidents’ Conference;

c) plan, organize and attend all sessions of their Union of Health and Environment Workers Regional Conferences;

d) attend all sessions of one Labour Federation Convention relevant to their Region; the Council members are also responsible for determining the date of such Conventions, and coordinating registration and other arrangements with the National Office; attend all sessions of other meetings as requested or approved by the National President;

e) attend all meetings of the National Council;

f) attend all Committee meetings of the National Council when appointed to do so;

g) attend all sessions of their PSAC Regional Convention; may attend PSAC regional meetings or events where eligible to attend as a Component Council Member;

h) file a report of their activities and recommendations during their tenure to the National Council six months prior to the Triennial National Convention;

i) in general report to the National Council on the affairs of their region, represent regional interests of members to the National Council and perform such regional duties as may be required by the National President;
j) maintain regular contact with all Locals in jurisdiction, as defined in Section 7, Sub-
Section 1, and visit the Locals and Sub-Locals within their regions at least once
during periods between Triennial National Conventions;

k) have the authority to attend any Local or Sub-Local meetings with their respective
regions and to examine their records and accounts;

l) upon election, resign from the office of President, Vice-President or Treasurer of
any Local, Sub-local or Area Council within one month unless the remaining term
of office is less than six months and the membership of the Local, Sub-local or
Area Council has voted that he/she completes the term.

m) report semi-annually in writing on their activities and observations to the National
Council and to each Local and Sub-local in their jurisdiction;

n) ensure that the alternate is fully informed of all information pertinent to the position;

o) upon request from his or her Local executives, help, represent and attend some
meetings, as required.

p) assist Locals to hold Annual General Meetings, prepare financial statements and
revise Local by-laws if requested;

q) attend PSAC training related to the duties of the position, and other training
approved by the National President;

r) attend Regional Labour Management Consultation Committee meetings, and if
required, attend other Labour Management Consultation Committee meetings
within their region;

s) provide representation for second level grievances within their Region, and
transmit the grievances and grievance information to third level when required;

t) Council Members may; attend all sessions of the Canadian Labour Congress
(CLC) Convention.
Sub-Section 4

The Alternate Council Members shall:

a) replace the Council Member as required, and as requested by the Council Member; Alternate Council members attending National Council meetings in lieu of the Council Member may be asked to leave the room during confidential or in camera sessions;

b) attend the National Council orientation session following the Triennial Convention;

c) have an opportunity to attend a National Council meeting as an observer once during the three-year term, when the meeting is held in their region or in Ottawa;

d) attend all sessions of the Union of Health and Environment Workers Triennial Convention;

e) attend all sessions of the Union of Health and Environment Workers Presidents’ Conference and their Union of Health and Environment Workers Regional Conference;

f) take the oath of office at the meeting of their election; and

g) upon request of the RVP provide representation for second level grievances within the region, and transmit the grievances and grievance information to third level when required.

Sub-Section 5

All officers and employees of this Component shall deal promptly and appropriately with matters submitted to them by the membership or by National Officers.

Sub-Section 6

On vacating the respective positions which they may hold, all officers of this Component shall deliver to the Component all documents, monies or other property of this Component within 90 days.
Section 9

LOCALS, THEIR JURISDICTION,
AUTHORITY AND RIGHTS

Sub-Section 1

Locals shall be comprised of all members in a locality assigned to the Union of Health & Environment Workers in accordance with UHEW By-Laws, Section 3, Sub-Section 1. Members in a locality employed by a department, a government agency and/or a separate employer may where it is justified file an application to form a Local. A Local formed subsequent to these By-Laws shall be comprised of not less than 10 members.

Sub-Section 2

A group of members that meet the definitions set forth in Section 9, Sub-Section 1, of these By-Laws, wishing to become a Local of this Component must apply for a Charter in the manner prescribed below.

A) The application for Charter shall:
   i) be directed to the National President of the Component who shall submit the application to the National Council for approval;
   ii) provide:
       ▪ the location and name of the proposed Local;
       ▪ the full name and address of the provisional President and of the provisional Secretary-Treasurer;
       ▪ a draft of the proposed By-Laws;
   iii) be accompanied by a copy, certified by the provisional President and the provisional Secretary-Treasurer, of a resolution passed by a majority vote of the general membership of the staff in the group requesting such Charter affiliation and establishment of a Local;
   iv) be accompanied also by a pledge whereby members applying for Charter accept to be governed by the By-Laws of the Component and by the Constitution of the Public Service Alliance of Canada.

B) On approval of the application by the National Council, a founding meeting shall be held chaired by a member of the National Council. A Charter, bearing the Seal of the Component and duly signed by the National President and the National Vice-President shall be issued to the Local.
Sub-Section 3

If the total membership of a Local falls significantly below 10 members, the matter will be referred to the National Council for review and decision as to the appropriate organizational structure for members in the locality.

Sub-Section 4

A Local shall establish By-Laws for its operation and these By-Laws shall be fully consistent with the By-Laws of this Component and shall in no way contravene its provisions.

Sub-Section 5

A duly established Local shall have jurisdiction over its members who shall be subject to the terms and conditions of the By-Laws of the Local.

Sub-Section 6

A Local shall have the right to have meetings as outlined in its own By-Laws and shall be responsible for all costs involved in such meetings. Each Local shall hold a regular annual membership meeting for the purpose of receiving annual reports from its officers, consideration of such business as may be required by its By-Laws and the election of officers as required by these By-Laws. This annual meeting should be held during the month of November but if impractical it may be advanced or delayed for a period not greater than one month unless in consultation with the Council Member and specifically authorized by the National President. That authorization will not be unreasonably withheld. Officers may be elected for a three-year term.

Locals, who so wish, may develop an election process, which when approved by the National Council, would allow members to vote by mail; the sealed ballots are to be sent to the Council Member (RVP), who would hold them for safekeeping; and the Council Member (RVP) and the election committee shall count the ballots during the annual general meeting.
Sub-Section 7

A Local shall have the right to elect its own officers and delegates and alternates to the forthcoming National Convention of this Component. Locals shall have the right to send observers to National Convention at Local expense. Observers shall not have the right to vote or participate in debate at National Conventions.

Sub-Section 8

Immediately following election of Local delegates to National Conventions, the Local Secretary shall submit to the National President the names of the Local’s accredited delegates on a credential form supplied by the National Office of this Component.

Sub-Section 9

The internal operation of a Local shall be the primary concern and responsibility of that Local and its members.

Sub-Section 10

Each Local will provide annually to the Component a detailed financial statement of receipts and expenditures within 90 days from when they were presented to the Local’s Annual General Meeting. In addition, Locals will provide the National Office lists of their elected officers and By-law changes within 30 days from the date of their Local AGM.

Sub-Section 11

A Local will be restricted in its operation to matters which solely affect its own membership and will not in any way take action, except as provided in the By-Laws of this Component.

Sub-Section 12

Should a Local dissolve or be suspended, all documents, property and funds shall be returned to the care and safe-keeping of the National President to be placed in trust by the National Council until such time as the Local may be reinstated or reorganized or in the absence of the latter, used for organizational purposes as the National Council may direct.
Sub-Section 13

A Local may, with the approval of the National Council, designate any one of its elected officers as full-time officer of the Local and may employ a person or persons to assist in carrying out the work of the Local. Financial obligation resulting there from shall be the sole responsibility of the Local.

Sub-Section 14

A Local may, with the approval of the National Council, acquire such space and facilities as may be necessary for the conduct of the affairs of the Local. Financial obligation resulting there from shall be the sole responsibility of the Local.

Section 10

SUB-LOCALS, THEIR JURISDICTION, AUTHORITY AND RIGHTS

Sub-Section 1

When, in a locality, there are less than 10 but more than 5 members within the departments or agencies as designated in Section 3, Sub-Section 1, a group of members may upon application be granted Sub-Local status.

Sub-Section 2

A group of members, that meets the definition set forth in Section 10, Sub-Section 1, of these By-Laws, wishing to become a Sub-Local of this Component must apply for a Charter in the manner prescribed below;

A) The application for Charter shall:
   i) be directed to the National President of the Component who shall submit the application to the National Council for approval;
   ii) provide:
       ▪ the location and name of the proposed Sub-Local;
       ▪ the full name and address of the provisional President and of the provisional Secretary-Treasurer;
       ▪ a draft of the proposed By-Laws;
be accompanied by a copy, certified by the provisional President and the provisional Secretary-Treasurer, of a resolution passed by a majority vote of the general membership of the staff in the group requesting such Charter affiliation and establishment of a Sub-Local;

be accompanied also by a pledge whereby members applying for Charter accept to be governed by the By-Laws of the Component and by the Constitution of the Public Service Alliance of Canada.

B) On approval of the application by the National Council, a founding meeting shall be held chaired by a member of the National Council (RVP) or delegated representative. A Charter, bearing the Seal of the Component and duly signed by the National President and the National Vice-President shall be issued to the Sub-Local.

Sub-Section 3

Each Sub-Local will elect, in accordance with provisions of these By-Laws, a President and a Secretary-Treasurer. Such officers shall be elected annually at a general meeting of the Sub-Local. This annual meeting should be held during the month of November but if impractical it may be advanced or delayed for a period not exceeding one month unless in consultation with the Council Member (RVP) and specifically authorized by the National President. That authorization will not be unreasonably withheld. Officers may be elected for a three-year term.

Sub-Locals, who so wish, may develop an election process which would allow members to vote by mail; the sealed ballots are to be sent to the Council Member (RVP), who would hold them for safe keeping; and the Council Member (RVP) and the election committee shall count the ballots during the annual general meeting.

Sub-Section 4

A Sub-Local will be restricted in its operation to matters which solely affect its own membership and will not in any way take action, except as provided in the By-Laws of this Component.
Sub-Section 5

Each Sub-Local will provide annually to the Component a detailed financial statement of receipts and expenditures within 90 days from when they were presented to the Sub-Locals Annual General Meeting. The Component office shall send confirmation of receipt via email. In addition, Sub-locals will provide the National Office lists of their elected officers and By-law changes within 30 days from the date of their Local AGM.

Sub-Section 6

Sub-Locals shall be accorded all rights and privileges of a Local except that representation to Component Conventions will, when combined with Members-at-Large on total membership basis, be subject to numbers presented in Section 12.

Section 11

CONVENTIONS

Sub-Section 1

The Component shall hold a National Convention every third year.

Sub-Section 2

The supreme governing body of this Component, consistent with its area of jurisdiction as provided by the Constitution of the Public Service Alliance of Canada, shall be the Triennial National Convention.

Sub-Section 3

The Triennial National Convention shall commence on the date specified in the Convention call and shall be for the duration there specified subject to any modification by the National Convention.

Sub-Section 4

In no case shall the interval between Triennial National Conventions be less than 34 months or more than 38 months.
Sub-Section 5

The Triennial National Convention shall:

a) adopt rules of procedure governing the processing of all matters before the National Convention;

b) deal with all resolutions and matters submitted to it by the Locals, Sub-Locals and by the National Council;

c) deal with all specific matters assigned to it by these By-Laws;

d) establish the general policies of this Component;

e) elect from among its delegates officers of this Component;

f) ratify all appointments to Committees of the National Convention made by the National President;

g) establish the budgetary provisions of this Component for the ensuing period including the dues to be paid by each member of this Component;

h) review all reports submitted to it by officers and subordinate bodies;

i) act upon any other item of business placed before it by the duly elected delegates in the manner prescribed by the procedural rules adopted by the Convention for the orderly processing of its business.

Sub-Section 6

The National Council shall issue a call to Convention to all Locals not less than six months prior to the date of the National Convention. The Triennial National Convention shall be held at a date consistent with the provisions of Sub-Section 4, Section 9 of the Constitution of the PSAC. Such Convention Call to include final date for receipt of resolutions from Locals.
Sub-Section 7

Prior to the Triennial National Convention, the National President shall appoint from amongst accredited delegates such committees as may be necessary for the conduct of the business of the Convention. Delegates shall be advised of their Committee assignment by the National President at least two months prior to the opening of the Convention, and shall be supplied with an official copy of the agenda proposed by the National President. Convention Committee meetings may be held at a time and place other than the Convention at the discretion of the National President.

Sub-Section 8

Special National Conventions shall be called on the written request of two-thirds of the members of the National Council, or on written request of the Executive bodies of two-thirds of the duly established Locals at a time and place to be decided by the National Council.

Sub-Section 9

A special National Convention shall deal only with the matters for which it is called; unless by two-thirds vote of its delegates, it agrees to consider other matters of an urgent or necessary nature within the time limits set for the Special Convention.

Sub-Section 10

Delegates to the Triennial National Convention of the Public Service Alliance of Canada shall be elected in accordance with the requirements of the Constitution of the Public Service Alliance of Canada.

Sub-Section 11

National Conventions shall be chaired by the National President or his/her designate. In the absence of the National President by a pro tem chairperson selected by the Convention.
Section 12

REPRESENTATION AND VOTING AT CONVENTION

Sub-Section 1

(for former NHU for upcoming Convention 2017)

Each elected member of the National Council and his/her alternate, each Local President or his/her alternate and accredited delegates elected in accordance with the table specified in Sub-Section 2,

(for former UEW for upcoming Convention 2017)

Accredited delegates to the National Convention shall be composed of the officers of the National Executive, the National Human Rights Representative, the Regional Human Rights Representatives and delegates from Locals in accordance with the table in Sub-Section 3.

All accredited delegates shall be entitled to attend the Convention of this Component with full voice and voting rights. All elected delegates to the UHEW Convention shall attend all sessions of the Convention. All locals with more than one delegate must hold a general meeting, duly posted for members and that through the standard election process, additional delegates will be elected to attend Convention. The minutes from this General Meeting to be sent to National Office along with the names of the accredited, elected delegates to ensure compliance with this By-law.

Sub-Section 2 (Former NHU members)

At least four months prior to the opening date of the Triennial National Convention, each Local shall elect, from amongst its members at a general meeting of the Local, additional accredited delegates to the Convention of this Component on the basis of the table following:

<table>
<thead>
<tr>
<th>Members Range</th>
<th>Delegates</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 to 100 members</td>
<td>1</td>
</tr>
<tr>
<td>101 to 600 members</td>
<td>2</td>
</tr>
<tr>
<td>601 to 900 members</td>
<td>3</td>
</tr>
<tr>
<td>901 to 1000 members</td>
<td>4</td>
</tr>
<tr>
<td>1001 to 1100 members</td>
<td>5</td>
</tr>
</tbody>
</table>
1101 to 1200 members - 6 delegates
1201 to 1300 members - 7 delegates
1301 to 1400 members - 8 delegates
1401 to 1500 members - 9 delegates
1501 to 1600 members - 10 delegates

plus, one additional delegate for every complete block of 100 thereafter.

Sub-Locals and Members-at-Large representatives will be elected subject to the foregoing table and Section 10, Sub-Section 6 in a manner prescribed by Directive or Regulation by the National Council. These delegates will be permitted to vote for the Council Member of their region.

**Sub-Section 3 (Former UEW members)**

At least four (4) months prior to the opening date of the Triennial National Convention, at a general meeting of its members, each Local shall elect a member or members in good standing as a delegate or delegates, and alternate or alternates, to the Convention on the basis of the following membership table which shall be established by using the membership list from September of the year prior to Convention:

- Up to 150 members, 1 delegate; and
- 151-300 members, 1 additional delegate; or
- 301-450 members, 2 additional delegates; or
- 451-600 members, 3 additional delegates

and for each 150 additional members or majority fraction thereof, one additional delegate. The Local President shall be the automatic first delegate and should he/she decline delegate status, the delegate shall then be elected. Any additional delegate(s) a Local is entitled to shall be elected.

**Sub-Section 4**

Special National Conventions shall be composed of delegates as specified in Sub-Sections 1 and 2 and 3.

**Sub-Section 5**

Each accredited delegate present at National Convention shall be entitled to one vote on each subject and proxy votes shall not be permitted.
Sub-Section 6

Any member in good standing of the Component shall be entitled to attend a National Convention as an observer, but without voice or vote and at no expense to the Component.

Section 13

NOMINATIONS AND ELECTIONS OF OFFICERS

Sub-Section 1

The election of each office shall be by secret ballot. A blank ballot paper or electronic device shall be distributed to all in attendance entitled to vote for each office in turn as it is called. Each person in attendance entitled to vote shall write on the ballot paper the name of his or her choice for the office called, from amongst nominees for the office.

Sub-Section 2

Election to any office shall be declared only on receipt of a clear majority of the ballots cast. In the event that more than two nominees stand for election to any one office, the election procedure shall be by way of elimination.

Sub-Section 3

In the event of a tie vote the chair person shall immediately take a second ballot without recess or adjournment. If this results in a second tie vote, the chairperson shall call a short recess, after which a third and subsequent ballots shall be taken until the delegates in caucus have broken the tie.

Sub-Section 4

All nominees for National Council office must be voting delegates to National Convention.

Sub-Section 5

At each Triennial National Convention or at a special National Convention if notice is given, a Nominations Committee shall be appointed by the National Council from amongst those present, other than staff.
Sub-Section 6

The Chairman of the Nominations Committee shall be appointed by the National Council. He/she shall conduct the election of all officers. He/she shall have the power to appoint scrutineers and assistants deemed necessary to conduct the elections in an orderly manner, subject to the limitations of Sub-Section 7.

Sub-Section 7

The duties of the Nominations Committee shall be:

a) to receive nominations for each of the offices of:
   - National President
   - National Vice-President
   - Council Members
   - Alternate to Council Members

b) to verify the eligibility of nominees for office;

c) to ascertain the willingness of nominees to accept and to perform the duties of any office to which they may be elected; and

d) to report to the National Convention, the names of all such nominees.

Sub-Section 8

Nominations for the National President, and the Vice-President filed with the Nominations Committee shall be in writing, signed by a nominator and a seconder. A nomination for the office of Council Member (RVP) shall be signed by a nominator. A nomination for Alternates positions shall be signed by a nominator. All nominators and seconders shall be accredited delegate.

Sub-Section 9

All officers of this Component, its Locals or Sub-Locals shall take office at the end of the meeting or Convention at which they are elected.

Sub-Section 10

The Oath of Office shall be administered to all officers prior to taking office.
Sub-Section 11

The election of the National President, Vice-President and each Council Member shall be conducted in that order. Each office shall be called in turn and completed before the next office is called. In addition to the names of the nominees for each office reported by the Nominations Committee, further nominations for each office in turn shall be called from the floor of the National Convention.

Sub-Section 12

The Election of the Council Members shall be called in a similar manner, each geographical area, from east to west, being called in turn. Such Council Members may only be nominated and elected by delegates from the geographic area under nomination except in the event of a second tie vote which will be decided as stipulated in Section 13, sub-Section 3. Nominations from the floor (regional caucus rooms) will be accepted providing such are made by delegates from the same geographic area.

Sub-Section 13

Following the election of the National Council Officers, the Chairman of the Nominations Committee shall call for the election of alternates to the Council Members, in the same order as the Executive officers were elected pursuant to Sub-Sections 11 and 12 and in the same manner as provided for in Sub-Section 12.

Sub-Section 14

As the election of each office is called, the nominator, the seconder, or the nominee whose name has been filed with the Nominations Committee or nominated from the floor may speak for not more than three minutes (total time) on behalf of the nominee.

Section 14

FINANCES

Sub-Section 1

The amount of monthly dues payable by each member and deductee to the Component shall be determined by its National Convention, or, in special circumstances by a National Referendum vote.
Sub-Section 2

Members and deductees of the Component shall also be required to pay the dues established by the Constitution of the Public Service Alliance of Canada.

Sub-Section 3

Any Local or Sub-Local may have an additional amount of dues, as authorized by a majority vote of members attending a general meeting, deducted and collected by this Component in the manner prescribed. A notice of motion proposing an increase in dues shall be posted three weeks prior to general meeting. Such additional dues shall be rebated by this Component to the Local or Sub-Local concerned.

Sub-Section 4

Collection of the total amount of monthly dues as provided by Sub-Sections 1, 2 and 3 shall be by payroll deduction, as authorized by each member on the signing of a payroll authorization card, except that, where facilities are not available for payroll deduction, dues may be paid in cash.

Sub-Section 5

The finances of this Component shall be audited annually by a qualified and licensed public accountant approved by the National Council. Copies of the audited financial statement shall be given to all Locals and Sub-Locals for distribution to their subordinate bodies and to the Public Service Alliance of Canada.

Sub-Section 6

The signing officers of this Component shall be the National President and any one elected member of the Standing Finance Committee as defined in Section 7, s-s 4 (b) of these By-Laws. In the absence of 5 days or more (except when on official UHEW business) of the National President, the Vice-Presidents shall review, approve and authorize expense claims and invoices and sign cheques in his/her stead. In case of emergency, the National Council shall have the authority to designate one or more of its members as signing officers of this Component.

Sub-Section 7

The fiscal year of this Component shall be the calendar year.
Sub-Section 8

All financial records of this Component, its Locals and Sub-Locals shall be retained for the legal period prescribed by the Income Tax Act as interpreted by the Minister of National Revenue.

Sub-Section 9

Cheques and money orders shall be made payable to the Union of Health and Environment Workers, not to an individual of this Component.

Sub-Section 10

Locals and Sub-Locals shall approve three signing officers, two of whom shall sign all cheques. No disbursements shall be made without authorization of the Locals’ or Sub-Locals’ By-Laws.

Sub-Section 11

Local and Sub-Local Secretary-Treasurers shall submit to the National Council a detailed annual statement of finances and membership within 90 days from when they are presented to the Annual General Meeting. The Component office shall send confirmation of receipt via email. In the event the statements are not received by April 1, the National President shall send a demand in writing to the Local or Sub-Local President requesting that statements be prepared and delivered, as required by this Section. If statements are not submitted within thirty (30) days thereafter, rebate cheques to Locals or Sub-Locals shall cease. Reinstatement of the remittance of funds will follow the receipt of an acceptable detailed financial statement.

Sub-Section 12

No Local, Sub-Local or part thereof shall enter into any financial contractual understanding or agreement without prior approval by the National Council. Financial obligations resulting from the approved understanding or agreement shall be the responsibility of the Local or Sub-Local involved.
Sub-Section 13

All financial records of this Component and its subordinate bodies shall be maintained in an approved manner as advised by the auditors in case of the National Office and by the National Council in case of each Local and Sub-Local.

Sub-Section 14

Remuneration of elected and appointed officers, and staff and other persons for expenses incurred while on official business for this Component shall be governed by regulations established by the National Council.

Sub-Section 15

The National President may, upon authorization of the National Council, enter into an agreement with a chartered bank for the purpose of borrowing monies, under arrangements as deemed necessary by the bank. Two signatures are required to borrow monies.

Section 15

APPOINTED OFFICERS AND STAFF

Sub-Section 1

Assistants to the President, Service Officers, and any other positions deemed necessary shall be appointed by the National President in accordance with the specified Regulations established by the National Council.

Sub-Section 2

Clerical and administrative staff as required will be appointed by the National President subject to any limitations which may be imposed by the National Convention or the National Council.
Section 16

TERMS AND CONDITIONS OF EMPLOYMENT

Sub-Section 1

Terms and conditions of employment including salaries for appointed officers and staff shall be established by the National Council or as negotiated with a recognized bargaining agent.

Sub-Section 2

Terms and conditions of employment including salary for the National President and National Vice-President shall be governed by regulation.

Section 17

AMENDMENT OF BY-LAWS

Sub-Section 1

Any amendment of, deletion from or addition to these By-Laws shall become effective by approval:

a) of two-thirds (2/3) of the delegates voting at a National Convention of this Component;

or

b) between National Conventions, by approval of a majority of those voting in a membership referendum providing that fifty percent (50%) of eligible members vote in the referendum that must have been ordered by two-thirds (2/3) majority of the National Council, of the Union of Health and Environment Workers.

Sub-Section 2

Recommendations or resolutions for amendments to these By-Laws must be submitted to the National Council at least sixty (60) days before the opening day of the Convention or as specified in the Convention Call.
Sub-Section 3

All amendments to these By-Laws shall take effect immediately upon adoption unless otherwise specified.

Section 18

AREA COUNCILS

The organization and operation of Area Councils shall be encouraged by this Component as a matter of policy.

Section 19

DISCIPLINE

Sub-Section 1

The National Council shall have the authority by a resolution passed by a majority consisting of two-thirds of those eligible to vote to remove from office or to impose any other appropriate sanction against an elected or appointed officer of this Component for cause. The National Council shall have the authority to recommend suspension or expulsion to the National Board of Directors of the Public Service Alliance any member who is found to be in contravention of the Public Service Alliance Constitution or the By-Laws of the Union of Health and Environment Workers.

Sub-Section 2

A Local or Sub-Local shall have the authority to remove from office; or recommend to the National Council suspension or expulsion from membership any member (within their respective jurisdiction) who is found to be in contravention of the Constitution of the Public Service Alliance of Canada, the By-Laws of the Union Health and Environment Workers or the By-Laws of their Local or Sub-Local.

Sub-Section 3

An officer or member of the Union of Health and Environment Workers is guilty of an offence against these By-Laws who:
a) violates any of the provisions of these By-Laws;
b) obtains or solicits membership by misrepresentation;
c) institutes, urges or advocates that a member institute action in a court of law against the PSAC or any constituent part of this Union or officers therein without first exhausting all remedies through appeal within the Union & the PSAC;
d) other than through appropriate channels of the Union of Health and Environment Workers, advocates or attempts to bring about the withdrawal from the PSAC, its Components, Locals or Sub-Locals any member or group of members;
e) publishes or circulates among the members, false reports or misrepresentations;
f) works in the interest of a rival organization;
g) slanders, libels or willfully wrongs an officer within this Union or the PDAC;
h) uses abusive language or disturbs the peace at any meeting or around the office or meeting place of this Union or the PSAC;
i) fraudulently receives or misappropriates any monies due this Union or the PSAC;
j) uses the name of the Public Service Alliance or the Union of Health and Environment Workers without the respective consent of the Alliance Executive Committee or the National President;
k) furnishes without prior authority a list of any information on the membership of this Union or the PSAC to any person or persons other than those whose official position in the PSAC, its Components or Locals would entitle them to have such information;
l) deliberately interferes with an official of this Union or the PSAC in the discharge of his/her duties;
m) engages in any other conduct prejudicial to the good order and discipline of the Union of Health and Environment Workers and the PSAC;
n) if a non-essential service employee crosses the picket line of his/her own bargaining group;
Sub-Section 4

A Local or Sub-Local which has not carried out the responsibilities required by these By-Laws shall be considered to be in violation of the By-Laws and the National Council shall have the authority to appoint a trustee with the responsibility to manage the Local or Sub-Local and to bring about its compliance with these By-Laws without delay.

Sub-Section 5

Procedures for the handling of disciplinary charges should be prepared in the form of a regulation.

Section 20

GENERAL

Sub-Section 1

Subject matter files shall be maintained for periods established by the National Council.

Sub-Section 2

In the event of a jurisdictional dispute between Locals and/or Sub-Locals of this Component concerning employees eligible for membership, such disputes shall be referred to the National Council and their decision shall be binding on all Locals or Sub-Locals concerned. In such matters, the Locals or Sub-Locals concerned shall have the right to make an appeal to the Triennial National Convention.

Sub-Section 3

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

Sub-Section 4

Unless expressly provided otherwise by these By-Laws, the “Rules of Order to PSAC meetings” shall apply to all meetings and Conventions of this Component.
*Sub-Section 5*

Nothing in these By-Laws shall be construed to conflict with the Constitution of the Public Service Alliance of Canada.

*Sub-Section 6*

This Component shall issue such publications/web postings as are necessary to keep its members informed on matters of concern to them. The format of such publications shall be determined by the National Council.

*Sub-Section 7*

In all matters to be referred to the membership for referendum vote, either by reason or emergency or on the instruction of a National Convention, the National Convention, where possible, shall decide if such a vote will require a two-thirds majority or a simple majority of those voting. Where it is not possible to have the decision rendered by the National Convention, it shall be made by the National Council.

*Sub-Section 8*

Any referendum vote shall be by means of a secret unsigned ballot.

*Sub-Section 9*

The following interpretation shall apply in these By-Laws:

**“Component”**

*Where used shall be construed to mean “Union of Health and Environment Workers” of the Public Service Alliance of Canada” unless specifically indicated otherwise.*

**“May”**

*Is to be construed as permissive.*

**“Shall”**

*Is to be construed as imperative.*

**“He/She”**

*Shall be construed to include members of the opposite sex.*
“National Council"
Shall be construed to refer to the “National Council of the Union of Health and Environment Workers of the Public Service Alliance of Canada”.

Section 21

OATH OF OFFICE

“I____________________________having been elected an Officer of the Union of Health and Environment Workers of the Public Service Alliance of Canada, solemnly declare that for my term of office I shall fulfill the duties of such office, will maintain and uphold the dignity of the Union and will always keep confidential all matters concerning the affairs of the Union that are brought to my attention.”
# Listing of Life Members

<table>
<thead>
<tr>
<th>National Health Union</th>
<th>Union of Environment Workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1969 Ken Ball, Local 80002</td>
<td>1975 Thomas Black</td>
</tr>
<tr>
<td>1979 W. Sev Crowther</td>
<td>1981 Fred Lesik</td>
</tr>
<tr>
<td>1980 Georges Racine, Local 10007</td>
<td>1982 Doug Rix</td>
</tr>
<tr>
<td>1981 Shirley Smith, Local 30016</td>
<td>1984 Charles Monaghan</td>
</tr>
<tr>
<td>1983 Ronald Dugas, Exec. Sec., NHWU</td>
<td>1985 Chuck Jones</td>
</tr>
<tr>
<td>1985 Frank Cole, Local 70008</td>
<td>1989 Ralph Armstrong, Local 70008</td>
</tr>
<tr>
<td>1986 Conrad Desrochers, Local 70008</td>
<td>1989 Charles Monaghan</td>
</tr>
<tr>
<td>1988 André Emond, Assistant to President</td>
<td>1993 Jim Edwards</td>
</tr>
<tr>
<td>1990 Allan MacIntyre, Local 80002</td>
<td>1993 Dermot Kingston</td>
</tr>
<tr>
<td>1994 Ivan Pylypuik, Local 50011</td>
<td>1994 Richard Poersch</td>
</tr>
<tr>
<td>1996 Réjean Genest, Local 10006</td>
<td>1995 Maureen Maclsaac</td>
</tr>
<tr>
<td>2007 Ron Carman</td>
<td>1998 Joe Pacholik</td>
</tr>
<tr>
<td>2002 Jim Edwards</td>
<td>2002 Maureen Maclsaac</td>
</tr>
<tr>
<td>2011 Guy Borne</td>
<td>2002 Joe Pacholik</td>
</tr>
<tr>
<td>2011 Lloyd Jardine</td>
<td>2002 Maureen Maclsaac</td>
</tr>
<tr>
<td>2011 William Pynn</td>
<td>2002 Joe Pacholik</td>
</tr>
<tr>
<td>2012 David Comba</td>
<td>2002 Maureen Maclsaac</td>
</tr>
</tbody>
</table>
Listing of Honorary Members

*National Health Union*

**1982**
Gerry Mallard, Local 00009  
Al Osborne, Local 00009

**1987**
Jean Spenard, Local, Local 00036

**1988**
Ralston Carrigan, Local 80002

**1992**
Marion Johnston, Local 30016

**1993**
Carl Carlson, Local 40013

**1994**
Andre Gratton, Local 70008  
John Whitney, Local 70008  
Mary Swinemar, Local 80003

**2005**
Sue Bazinet, Local 70008