



## **Union of Health and Environment Workers**

### ***BY-LAWS***

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As amended by the Third  
National Triennial Convention  
August 2023

Life members: updated August 2023

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

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## **By-Law 1**

### **NAME**

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

## **By-Law 2**

### **HEADQUARTERS**

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

## **By-Law 3**

### **OBJECTIVES**

#### 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.

#### 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.

#### Section 3

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

#### Section 4

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

## **By-Law 4**

### **MEMBERSHIP**

#### Section 1

All employees of the departments or agencies designated in By-Law 3, 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 By-Law 9, Section 1 or a Sub-Local as defined in By-Law 10, Section 1.

#### 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.

#### 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.

#### 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.

#### Section 5

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

### Section 6

With the exception of those memberships provided by 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.

### 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 their membership in this Component.

### 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 9

The UHEW office will provide the Locals with a monthly PSAC rebate listing and an Excel copy of this listing every 4 months.

As well, the Component must provide each Region and the Locals within those Regions a monthly list of members not allocated to any Locals where the Local and RVP will work with the UHEW Membership Officer to assign these members in a timely manner.

## **By-Law 5**

### **MEMBERSHIP RIGHTS AND RESPONSIBILITY**

#### 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.

## 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 their agent to negotiate with their employer on their behalf.

## 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.

## 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 race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or

expression, marital status, family status, genetic characteristics, disability and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered;

- c) to be free from harassment by another member, both within the union and in the work place, 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 only one Local or Component of the PSAC at any given time.

## **By-Law 6**

### **FORM OF ORGANIZATION**

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

## **By-Law 7**

### **NATIONAL COUNCIL**

#### 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.

And

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

Alberta/ BC/Yukon (former NHU),  
 Saskatchewan (former NHU),  
 Manitoba (former NHU),  
 Ontario (former UEW),  
 NCR (former UEW),  
 Quebec (former UEW)  
 Scotia-Fundy (former UEW)  
 Atlantic (former NHU),

BC/Yukon (former UEW)  
 Prairies / North (former UEW)  
 Ontario (former NHU),  
 NCR (former NHU),  
 Quebec (former NHU),  
 NB/PEI (former UEW),  
 NL/ Labrador (former UEW)

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.

### 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. An additional full day of discussion to coincide with the bi-annual National Council meeting will be devoted to member's issues, strategy, past experiences (successes and failures) in order to provide a consistent approach across our departments and regions, and National Council members can proactively share the concerns and work on a collective and coherent strategy to address them.

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.

### Section 3

An ad hoc Advisory Committee composed of the National President and the National Vice President and two (2) Council members, 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.

### 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.
- b) The Standing Finance Committee 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) Collectively prepare and present the 3-year budget to National Council for their review.
  - 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.

### Section 5

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

### 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, they shall be replaced by their alternate for the period of absence and, in the case of the national vice-president, they 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 Locals and National President.

### Section 7

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

### 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.

### 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.

### Section 10

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

### 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.

### 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.

### 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.

Section 14

Under authority of the National Council, the National President shall ensure the minutes of the National Council meetings are posted, on the UHEW Website, within three months of the meetings and that the Locals and Sub-Local are notified when the minutes are posted on the Component's Website.

Section 15

UHEW National Committees

- Awards
- Education
- Environment
- Finance
- Health and Safety
- Structure and Bylaws

**By-Law 8****DUTIES OF OFFICERS**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 their 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 their 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 they 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 their official activities on any committee or body where they have 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.

## 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;
- e) attend all meetings of the National Council;
- f) attend all sessions of the National Convention;
- g) attend all regular sessions of the PSAC National Board of Directors meetings as a technical advisor and represents the UHEW National President at these sessions when required;
- 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) performs such other duties or assists the RVPs in carrying out their duties as may be assigned to them by the National President or the National Council;

- k) chairs the Standing Finance Committee of the National Council, the Finance Committee for the UHEW Triennial Convention and participates in other National Council Committees, as assigned by the National President;
- l) participates in UHEW joint union/management meetings as assigned by the National President.

### 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) if available, attend all sessions of one Labour Federation Convention relevant to their Region; the Council member is also responsible for 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 By-Law 7, 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 or Sub-local within one month unless the remaining term of office is less than six months and the membership of the Local or Sub-local has voted that they 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 their Local executives, help, represent and attend some meetings, as required.
- p) attend and 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, or request the alternate RVP or Local to provide representation when required and approved by the National President, for second level grievances within their Region, and transmit the grievances and grievance information to third level when required;
- t) if available, attend all sessions of the Canadian Labour Congress (CLC) Convention;
- u) review the By-Laws of all Locals in their jurisdiction, at least once in every mandate and/or when amended, to ensure compliance with the UHEW Framework of Local By-Laws, the UHEW By-Laws and the PSAC Constitution.

#### Section 4

##### **The Alternate Council Members shall:**

- a) assist the RVP as required, and attend National Council meetings in the RVP's absence;
- 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 as a delegate;
- e) attend all sessions of their Union of Health and Environment Workers Regional Conference;
- f) in the event of a dispute over duties assigned by the RVP, the matter will be referred to the National President for a ruling;
- 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;
- h) shall submit a report semi-annually in writing on their activities and observations to their RVP.

#### Section 5

##### **PSAC National Human Rights Representatives**

- A)** The PSAC National Human Rights Representative will work with the National Council to create a 3 year portfolio.
- B)** The PSAC National Human Rights Representative position will be subject to any limitations which may be imposed by the National Council.
- C)** Shall attend all PSAC Human Rights meetings as required.
- D)** Shall submit an annual report to the National Council by December 31 of each year.
- E)** Shall attend the UHEW Triennial Convention as a delegate.

Section 6

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

Section 7

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.

**By-Law 9****LOCALS, THEIR JURISDICTION, AUTHORITY AND RIGHTS**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, By-Law 3, 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.

Section 2

A group of members that meet the definitions set forth in By-Law 9, 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.

### Section 3

If the total membership of a Local falls below 10 members for 3 months or more, the matter will be referred to the National Council for review and decision in consultation with the affected Local and any potential receiving Local as to the appropriate organizational structure for members in the locality.

### 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.

### 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.

### Section 6

- a) 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. Each Local shall elect not less than 3 officers who shall be President, Vice President and Treasurer or Secretary-Treasurer to conduct its affairs. Such officers shall be elected annually at a general membership meeting of the Local and their duties shall be consistent with the By-Laws. Notwithstanding the above requirement, Local officers may be elected up to a three-year period if such a provision is included in the By-Laws of the Local.

- b) 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.
- c) 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 30 days prior to general meeting. Such additional dues shall be rebated by this Component to the Local or Sub-Local concerned.
- d) When a local officer will be vacant from their position for 4 months or greater they must resign their position.
- e) Annual general meetings shall be scheduled from October through March. At least 30 days prior to the Annual General Meeting, a local shall notify the National Office and the appropriate RVP of the date and time of the Annual General Meeting.

### Section 7

A Local shall have the right to elect delegates and alternates to the forthcoming National Convention of this Component in accordance with delegate entitlement. 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.

### 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.

### Section 9

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

### Section 10

A Local must provide the following annually to the Component within 30 days of the Annual General Meeting or by April 1, whichever comes first. In addition, Locals will provide the National Office with the following:

- A detailed financial statement of receipts and expenditures audited by 2 non-executive members in good standing of their respective Local and/or accredited accounting firm
- Minutes of the AGM
- Current bylaws highlighting any changes made at the AGM
- List of officers elected
- Dues Reporting Form
- Any other reports/forms deemed necessary by the National Office

### 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.

### 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.

### 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.

### 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 15

Locals will have access to additional education, courses, training, tips and tools through a UHEW Education program for Locals.

## **By-Law 10**

### **SUB-LOCALS, THEIR JURISDICTION, AUTHORITY AND RIGHTS**

#### Section 1

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

#### Section 2

A group of members, that meets the definition set forth in By-Law 10, 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;
  - 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 Sub-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 (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.

#### 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.

#### 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.

#### 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.

#### 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 By-Law 12.

### **By-Law 11**

## **CONVENTIONS**

#### Section 1

The Component shall hold a National Convention every third year.

### 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.

### 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.

### Section 4

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

### 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.

### 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.

### 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.

### 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.

### 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.

### Section 10

The National Vice-President and all Regional Vice-Presidents are automatic delegates to the PSAC Triennial National Convention as representatives of UHEW. The National President is a delegate by virtue of being PSAC NBoD member.

Additional 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.

### Section 11

National Conventions shall be chaired by the National President or their designate. In the absence of the National President by a pro tem chairperson selected by the Convention.

## **By-Law 12**

### **CONVENTION REPRESENTATION (Delegates, Alternates, Observers)**

#### Section 1: National Council & PSAC National Human Rights representative for UHEW

Each Elected Member of the National Council, and their Alternates will be automatic delegates to the Triennial National Convention.

The elected PSAC National Human Rights representative for UHEW shall be an automatic delegate.

#### Section 2: Locals

There are two options for locals to send local delegates to the National Triennial Convention:

- a. As specified in their Local By-Laws (Local President or their Vice-President) are automatic delegates. Note: This must be clearly specified in their local By- Laws.
- b. Through an election process as stated below.

All Locals where their By-Laws do not indicate any automatic delegate such as the Local President or have more than one delegate must hold an election.

At least four 4 (months) prior to the opening date of the Component's National Triennial Convention, at an Annual or 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.

The above meetings must be held with a notice of motion served at least 30 days in advance, announcing the specified meeting with these guidelines attached to that motion.

The standard Component election process will govern these election proceedings with a nominator, seconder, secret ballot process, etc.

Each Local shall be entitled to delegates as per the delegate formula in accordance with the table in Section 3. Numbers for the Delegate Table will be calculated using the month within the past twelve (12) months prior to the convention call out with the highest amount of members in good standing.

The official minutes from this Annual or General Meetings SHALL be sent to the National Office along with the names of the accredited, elected delegates, alternates and or observers to ensure compliance with this Policy.

Section 3: Delegate Table

<b>Members in Good Standing in Local</b>	<b>Delegate Entitlement</b>
10 - 150 Members	1 Delegate
151 - 400 Members	2 Delegates
401 - 800 Members	3 Delegates
801 - 1200 Members	4 Delegates
1201 Members and above	5 Delegates

Section 4: Observers

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.

Observers must be duly elected at an Annual or General Meeting.

Section 5

Special National Conventions shall be composed of delegates as specified in Section 3.

Section 6

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

**By-Law 13****NOMINATIONS AND ELECTIONS OF OFFICERS**Section 1**Convention**

- a. 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 their choice for the office called, from amongst nominees for the office.
- b. 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.
- c. 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.
- d. All nominees for National Council office must be members of the Component in good standing (whether present at the UHEW National Convention or not).

A member not in attendance at Convention must provide a written expression of interest before closure of nominations. Nominations for all offices shall be in writing and signed by a nominator and seconder, each of whom must be a Delegate to the UHEW National Convention.

- e. 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.
- f. The Chairman of the Nominations Committee shall be appointed by the National Council. They shall conduct the election of all officers. They shall have the

power to appoint scrutineers and assistants deemed necessary to conduct the elections in an orderly manner, subject to the limitations of Section 1.

- g. The duties of the Nominations Committee shall be:
- i. to receive nominations for each of the offices of:
    - National President
    - National Vice-President
    - PSAC National Human Rights Representative (for UHEW)
    - Council Members
    - Alternate to Council Members
  - ii. to verify the eligibility of nominees for office;
  - iii. to ascertain the willingness of nominees to accept and to perform the duties of any office to which they may be elected; and
  - iv. to report to the National Convention, the names of all such nominees.
- h. 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.
- i. 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.
- j. The Oath of Office shall be administered to all officers prior to taking office.
- k. 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.
- l. 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 By-Law 13, Section 1 (C). Nominations from the floor (regional caucus

rooms) will be accepted providing such are made by delegates from the same geographic area.

- m. 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 Sections 11 and 12 and in the same manner as provided for in Section 12.
- n. 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.

## **By-Law 14**

### **FINANCES**

#### 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.

#### 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.

#### Section 3

Collection of the total amount of monthly dues as provided by 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.

#### Section 4

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 Component financial statements shall be given to all Locals and Sub-Locals annually for distribution to their subordinate bodies and to the Public Service Alliance of Canada.

### Section 5

The signing officers of this Component shall be the National President and any one elected member of the Standing Finance Committee as defined in By-Law 7, Section 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 their 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.

### Section 6

The fiscal year of this Component shall be the calendar year.

### Section 7

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.

### Section 8

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

### Section 9

Local and Sub-Local shall submit to the National office a detailed financial statement of receipts and expenditures audited by 2 non-executive members in good standing of their respective Local and/or accredited accounting firm within 30 days from when they are presented to the Annual General Meeting or by April 1st, whichever comes first. The Component office shall send confirmation of receipt via email of the Local financial statement. In the event the statements is not received by the deadline, the National President shall send a written request for compliance to the Local or Sub-Local President, requesting that statements be prepared and delivered, as required by this Section. If statements are not received as per the deadline, rebates to Locals or Sub-Locals shall cease. Reinstatement of the remittance of funds will follow upon the receipt of an acceptable detailed financial statement. These financial statements shall be reviewed annually by a Component Financial Officer.

### Section 10

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.

### Section 11

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.

### Section 12

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.

### Section 13

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 14 – Strike Fund

UHEW will designate \$4.5 million as funds to be released at the discretion of the National Council in the event of a strike. The National Council will determine how those funds will be administered and under the governance of UHEW By-Laws and Regulations.

## **By-Law 15**

### **APPOINTED OFFICERS AND STAFF**

#### 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.

### 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 3

The National Director for Regulatory Enforcement position will be appointed by the National President as required and shall:

- a) work with the National Council to create a 3-year portfolio.
- b) be subject to any limitations which may be imposed by the National Council.
- c) Shall attend all National Enforcement UMCC meetings as required.
- d) Shall submit an annual report to the National Council by December 31 of each year.

## **By-Law 16**

### **TERMS AND CONDITIONS OF EMPLOYMENT**

#### 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.

#### Section 2

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

## **By-Law 17**

### **AMENDMENT OF BY-LAWS**

#### 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.

#### 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.

#### Section 3

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

## **By-Law 18**

### **DISCIPLINE**

#### 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.

## 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.

## 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 their 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 their own bargaining group;
- o) sexually or personally harasses another member.

#### 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.

#### Section 5

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

### **By-Law 19**

#### **GENERAL**

#### Section 1

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

#### 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.

Section 3

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

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.

Section 5

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

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.

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.

Section 8

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

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.*

**“They/Them/Their”**

*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”.*

**By-Law 20**

**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

### *National Health Union*

1969

Ken Ball, Local 80002 \*

1980

Georges Racine, Local 10007  
Shirley Smith, Local 30016 \*

1983

Ronald Dugas, Exec. Sec., NHWU \*

1985

Frank Cole, Local 70008  
Conrad Desrochers, Local 70008

1989

Ralph Armstrong, Local 70008

1993

André Emond, Assistant to President

1995

Allan MacIntyre, Local 80002

1996

Ivan Pylypuik, Local 50011

2007

Réjean Genest, Local 10006

### *Union of Environment Workers*

1975

Thomas Black \*

1979

W. Sev Crowther \*

1981

Fred Lesik \*

1982

Doug Rix \*

1984

Charles Monaghan \*

1985

Chuck Jones \*

1995

Dermot Kingston \*  
Richard Poersch \*

1996

Maureen Maclsaac

1998

Ron Carman  
Joe Pacholik

2002

Jim Edwards

2011

Guy Borne  
Lloyd Jardine  
William Pynn

2012

David Comba

2013

Chuck Davis

### *Union of Health and Environment Workers*

2017

Tony Tilley

2018

Jeffrey Irwin

2023

Irene Berube

2016  
Nicholas Humphreys

\* members that have passed

### **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