

BY-LAWS AND REGULATIONS
OF LOCAL 00048 OF
THE UNION OF TAXATION EMPLOYEES OF
THE PUBLIC SERVICE ALLIANCE OF CANADA
AMENDED DECEMBER 15, 2021 AT ANNUAL GENERAL MEETING

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BY-LAW 1 - NAME

Section 1

The name of this Local shall be "Local 00048" Union of Taxation Employees of the Public Service Alliance of Canada.

Section 2

This Local is constituted under By-Law 7 of the Component By-Laws adopted at the Founding Convention of the Taxation Component, November 8th, 1966, held in Ottawa, Ontario.

BY-LAW 2 - PURPOSE, AIMS, AND OBJECTIVES

Section 1

To unite all members in good standing of the Canada Revenue Agency in a single organization capable of acting on their behalf by soliciting the membership of such employees and locations of employment within the Division in the office(s) assigned to the local by the Union of Taxation Employees (UTE).

Section 2

To support fully the Public Service Alliance of Canada (PSAC) in the furtherance of its purpose, objectives, and constitutional responsibility.

Section 3

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

Section 4

To represent any member or group of members in appeals, grievances, complaints, independent third party reviews, or any other matters within the jurisdiction of UTE.

Section 5

To promote solidarity, develop and maintain good communications, and build union pride amongst members in good standing of the UTE.

BY-LAW 3 - MEMBERSHIP

Section 1

All members in good standing of the Union of Taxation Employees assigned to this local by the National Executive Council shall be members of this local.

Section 2

Honorary Membership (Retired Members) - Through application by this Local, with the approval of the UTE, a member who has retired on superannuation or who has left the service, may be granted Honorary Membership for outstanding services to the Local. Honorary members shall not be required to pay dues and shall not be entitled to vote at any meeting or to hold office in the organization, but shall be entitled to all other rights and privileges of membership in this Local.

Section 3

Honorary Membership (Non-Members) - This Local may, by proposal concurred in by the National Executive of the UTE, elect to Honorary Membership in the Local anyone who is deemed to merit such honour and is not eligible for regular membership. Honorary members shall not be required to pay dues and shall not be entitled to vote at any meeting or to hold office in the organization, but shall be entitled to all other rights and privileges of membership in this Local.

Section 4

Life Membership

(a) A Life Membership may be proposed by the Local, to the National Executive of the UTE, in accordance with By-Law 3, Section 3, of the UTE's By-Laws.

(b) Life Members of the Local shall have the right to attend any Annual General Meeting or any Special General Meeting of the Local. Life members shall not be required to pay dues and shall not be entitled to vote at any meeting or to hold office in the organization, but shall be entitled to all other rights and privileges of membership in this Local.

BY-LAW 4 - MEMBERSHIP RESPONSIBILITY

Section 1

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

Section 2

Upon being granted membership in this Local and for the term of such membership, each member of this Local is deemed to nominate, constitute, and appoint the UTE and the PSAC as his agents to negotiate with his employer on his behalf in accordance with By-Law 4, Section 2, of the UTE By-Laws.

Section 3

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

BY-LAW 5 - MEMBERSHIP DUES

Section 1

The monthly dues in Local 00048, UTE shall be set at the Regular Annual General Meeting or any Special General meeting called for the purpose.

Section 2

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

BY-LAW 6 - DISCIPLINE

Section 1

Local 00048 shall follow UTE By-Law 12, and Regulation 26 as it relates to discipline.

BY-LAW 7 - EXECUTIVE COUNCIL

Section 1

The Local shall elect from its membership a slate of officers to conduct its affairs, namely:

- (a) a President
- (b) a Vice President for 5001 Yonge Street location. The member must physically or virtually work at the location. If there are no nominees for the position at the closing of the Executive Council nomination period, then a by-election will be held by the Executive Council. At the by-election, members from both locations may be nominated, but preference will be given to nominees that physically or virtually work at the location.
- (c) a Vice President for 25 Sheppard Avenue West location. The member must physically or virtually work at the location. If there are no nominees for the position at the closing of the Executive Council nomination period, then a by-election will be held by the Executive Council. At the by-election, members from both locations may be nominated, but preference will be given to nominees that physically or virtually work at the location.
- (d) a Treasurer
- (e) an Executive Secretary
- (f) a Director for every one hundred and twenty five members or fraction thereof in the office(s) from which the Local's membership is derived. Should membership fall below the required number to support the number of active Directors between election years, the standing Directors will remain in office until attrition reduces the number of Directors to one for every one hundred and twenty five members or fraction thereof, or until the next general election or special election.

Section 2

The officers of the Local shall constitute the Executive Council. In addition, the

immediate Past President may sit on the Council subject by a simple majority vote for a period of six months after succession having voice but no vote.

Section 3

Committees may be appointed in accordance with the provision of Regulation 8, Section 1.

Section 4

The Executive Council shall provide each member with a copy of the Local By-Laws and Regulations, UTE By-Laws and Regulations, and the Constitution of the PSAC upon request by the member.

Section 5

The Executive Council shall:

- a) exercise all the powers and perform all the duties vested in it by these By-Laws;
- b) discharge all duties and obligations imposed upon it by the AGM;
- c) be vested with the authority to deal with all matters affecting the business, purpose, aims, and objectives;
- d) have the authority to spend funds for the benefit of the members, in keeping with these By-Laws and Regulations.

BY-LAW 8 - MEETINGS

Section 1

The Annual General Meeting of Local 00048 UTE shall be held in the month of April or May each calendar year, or as determined by the Executive Council.

Section 2

A Special General Meeting may be called to deal with any problem.

Section 3

The Annual General Meeting shall be the supreme policy making-body.

BY-LAW 9 - REGULATIONS

Regulations shall cover:

- (1) Form of Organization
- (2) Duties and Powers of Officers
- (3) Executive Council
- (4) Executive Council Stipend
- (5) Council of Stewards
- (6) Stewards
- (7) Vacancies
- (8) Property
- (9) Committees
- (10) Audit
- (11) Quorum

- (12) Annual General Meeting
- (13) Special General Meeting
- (14) Voting
- (15) Nominations and Elections
- (16) Rules of Order

BY-LAW 10 - AMENDMENTS

Section 1

The Executive Council shall issue written notice of a call for proposed amendments to the Local By-Laws and Regulations and shall post such notice in each work area not later than 45 days prior to the Annual General Meeting.

Section 2

Subject to the Constitution of PSAC and subject to the UTE By-Laws and Regulations, these By-Laws and Regulations may be amended at any Annual General Meeting of Local 00048 – UTE by a two-thirds majority, or by simple majority if notice of change has been given to Executive Council at least 30 days prior to the date of the Annual General Meeting.

Section 3

The By-Laws and Regulations Committee of the Executive Council must identify all their proposed amendments, additions, and deletions to the By-Laws and Regulations of Local 00048, and shall share their proposed changes with the membership via electronic mail and on the Local's website, no later than 15 days prior to the Annual General Meeting.

Section 4

Where the By-Laws and Regulations are amended, they shall be renumbered in an appropriate manner where required.

Section 5

The Executive Council may adopt, amend, or delete by simple majority vote such Regulations as it deems necessary and consistent with the Constitution of the PSAC, UTE By-Laws and Regulations, and the By-Laws and Regulations of the Local provided that such changes are submitted to the first succeeding Annual General Meeting for ratification.

Section 6

The Executive Council shall notify the membership of all actions that have been taken as a result of By-Law 10 Section 5, within 30 days of such action.

BY-LAW 11 - INTERPRETATION

The terms "Local" and "Local 00048 - UTE" as used herein are synonymous.

BY-LAW 12 - DISSOLUTION

Section 1

The Local may be dissolved by a two-thirds majority of the membership by way of a secret ballot supervised by the National Executive Council.

Section 2

All assets of the dissolved Local immediately become the property of the Union of Taxation Employees.

Section 3

Members of the dissolved Local will be reallocated to another Union of Taxation Employees local by direction of the National President of the National Executive Council.

REGULATION 1 – FORM OF ORGANIZATION

Section 1

At the time of nomination of candidates for office, all officers of the Local under By-Law 7, Section 1 must be employed in the Tax Service Office in which they would serve if elected and must be members in good standing.

Section 2

The officers shall exercise all the powers and perform all the duties vested in them by these By-Laws and Regulations.

REGULATION 2 - DUTIES AND POWERS OF OFFICERS

Section 1 President

- (a) It shall be the duty of the President at all times to uphold the By-Laws and Regulations of the Local. The President shall preside at all meetings of the Local, shall be, ex-officio, a member of all committees; chairman of the Executive Council; and, in general shall perform all such duties as are incidental to the office of the President and are properly required.
- (b) The President shall preside at all meetings of the Local unless:
 - (i) The President appoints another Chairperson.
 - (ii) There is a 50% vote of the Executive Council Members present, at a particular meeting to elect an alternate Chairperson.
 - (iii) The meeting is a committee meeting thus having its own chair.
- (c) The President shall appoint and select representatives, participants, and/or observers to conferences, courses, and special meetings.
- (d) The President shall have the authority to appoint and remove any individual deemed fit to access the Local's RP account and indicate whether their authorization level is level 1 or level 2. Each of their respective access level is indicated below:
 - (1) Level 1 – View only

Allows the CRA to disclose information about the account(s).

The Finance department of UTE may disclose information to the representative such as: (i) View account balance and activities; and (ii) View return status.

(2) Level 2 – Update and view

Allows the CRA to disclose information and accept changes to the account(s).

The Finance department of UTE may disclose information listed in level 1, and with level 2, you may ask for changes to their account(s) such as: (i) File a return; and (ii) Transfer payment.

Section 2 Vice-President(s)

- (a) In the absence of the President, one of the Vice-Presidents at the President's discretion shall exercise all of the functions of the President and shall be vested with all their powers.
- (b) Perform duties assigned by the President and/or Executive Council.

Section 3 Treasurer

- (a) The treasurer shall keep the accounts of the Local and shall make a report of its financial condition to the Executive Council at its regular monthly meeting. The Treasurer shall also report to the Annual General Meeting; such report to include a Balance Sheet and Statement of Revenue and Expenditure.
- (b) All monies of the Local received by the Treasurer shall be deposited to the credit of the Local in a Chartered Bank or Trust Company or Credit Union provided that such institution is regulated by a federal or provincial authority.
- (c) A petty cash account shall be established for the purpose of paying accounts to support the general membership of UTE Local 00048. The account shall be a maximum of three hundred dollars to be administered by the Treasurer.
- (d) The Treasurer is empowered to pay all accounts not exceeding three hundred dollars without prior approval of the Executive Council.
- (e) Employment of excess funds shall be recommended by the Treasurer and approved by the Executive Council.
- (f) All cheques drawn on the Local bank and trust or credit union accounts shall be prepared by the Treasurer. The Treasurer will request the signature of any two of the three Executives Council Members designated to have signing authority. In the absence of the President, such cheques shall be signed by the two Executive Council Members designated to have signing authority.
- (g) The Treasurer shall have the power to issue payments via e-transfer. Such payments shall be approved by any two of the three Executive Council Members designated to have signing authority. In the absence of the President, such payments shall be signed by the two Executive Council Members designated to have signing authority. A payment voucher (showing the monetary amount, date, the

payee, reason), signed by both Executives must be issued prior to any payments being issued via e-transfer.

- (h) The books and records of the Local shall, at all material times, be kept in a secure location as determined by the Executive Council.
- (i) Any group which receives funds for a special or sporting event as a result of an adopted motion of the Executive Council or by an adopted motion at the Annual General Meeting must provide an accounting of revenue and expenses, unless the full amount is repaid. This report and any excess, up to the amount received from the Local, must be submitted to the Treasurer within 3 months from the date of the event for which the funds have been advanced.

Section 4

Executive Secretary

- (a) The Executive Secretary shall be responsible for taking minutes at all meetings of the Executive Council and the Steward's Council. The Executive Secretary shall countersign the minutes after they have been signed by the Chairperson.
- (b) Shall be responsible for the taking of a complete record of the proceedings of each Annual General Meeting or Special General Meeting.
- (c) Meeting minutes shall be shared with the Executive Council no later than 30 days after the meeting.
- (d) Prepare and send notices of all meetings and assume secretarial duties as assigned by the President.
- (e) In case of absence from a meeting, a provisional secretary shall be appointed by the Chairperson.

REGULATION 3 - EXECUTIVE COUNCIL

Section 1

The Executive Council shall have control of the business of the Local subject at all times to the direction of the membership at its Annual General Meeting.

Section 2

The Executive Council shall be vested with authority to deal with all matters affecting the policy, business, and objectives of the Local; it shall discharge all duties and obligations imposed on it at its Annual General Meeting and shall carry on all necessary activities of the Local between Annual General Meetings.

Section 3

The Executive Council shall have the power to spend funds of and for the benefit of the Local in any matter in keeping with these By-Laws and Regulations and motions adopted at the Annual General meeting.

Section 4

The Executive Council shall have the power to approve all expenditures of the Local. Notwithstanding any other By-Law and Regulation, when any expenditure in excess of the adopted budgeted amounts is to be funded from the surplus, a two-thirds (2/3) majority vote of the Executive Council is required.

Section 5

The Executive Council shall authorize and designate the President and two other members of the Executive Council to have and hold signing authority on cheques and financial instruments through simple majority vote.

Section 6

The Executive Council shall recommend to the Annual General Meeting or any Special General Meeting called for that purpose, the amount of Local dues to be paid by the members.

Section 7

The Executive Council shall have the power to call into conference or consultation or invite to attend an Executive Council meeting, Annual General Meeting, or Special General Meeting any person, who by reason of experience or general knowledge, may be able to assist the Local in carrying out its objectives.

Section 8

The Executive Council shall fill vacancies as provided in Regulation 6 and shall appoint delegates to represent the Local in addition to the President at any convention or meeting to which it may send such delegates.

Section 9

The Executive Council may meet once a month at a time to be specified by the Council. If a simple majority of the Executive Council eligible to vote request a meeting of the Executive Council, the President will call a meeting of the Executive Council within seven days of receiving such written request.

Section 10

The Executive Council may appoint or revoke Chief Steward(s) by simple majority vote whose duties shall include:

- (a) Giving direction to all Stewards on all matters relating to complaints, grievances, and appeals.
- (b) The signing of all members' grievances where the Union will be the representative. In case of absence or for practicality, grievances can be signed by a member of the Executive Council with the President's approval.
- (c) To recommend Steward training courses.

- (d) To perform all other duties which the Executive Council deems appropriate.
- (e) The Chief Steward will give a written or verbal report at each Executive Council meeting. In the absence of a monthly meeting, the Chief Steward shall email the monthly activity report to the Executive Council.

Section 11

The President, the Vice-President(s), the Treasurer, and the Executive Secretary shall give a written or verbal monthly activity report at each regularly scheduled Executive Council meeting. In the absence of a monthly meeting, the President, Vice-President(s), Treasurer, and Secretary shall email the monthly activity report to the Executive Council.

Section 12

The Regional Vice-President (R.V.P.) shall be included as a member of the Executive Council having voice but no vote.

REGULATION 4 - EXECUTIVE COUNCIL STIPENDS

Section 1

Awarding of Executive Council Stipend

An Executive Council Member shall be paid a monthly stipend of \$50.00 when they:

- (a) attend monthly Executive Council meeting(s) in a given month, attend all General Membership Meeting(s) held during that month, and fulfill the duties of their office in accordance with the direction of the Local President; or
- (b) fulfill the duties of their office in accordance with the direction of the Local President.

Section 2

This stipend shall not be paid in advanced.

Section 3

Right to Elect to Refuse Stipend

An Executive Council Member may elect not to receive the monthly stipend and will notify the other Executive Council Members in writing of their decision.

REGULATION 5 - COUNCIL OF STEWARDS

Section 1

The Stewards Council shall consist of all the non-executive stewards and shall be chaired by the President or, where the nature of the business warrants, by a Vice President or the Chief Steward, as the case may be.

Section 2

The Stewards Council shall be an advisory body to the Executive Council on matters affecting the policy, business, and objectives of the Local subject at all times to the direction of the Executive Council and the membership of the Annual General Meeting.

Section 3

The Stewards Council may meet quarterly at a time and place to be specified by the Stewards Council or as required.

REGULATION 6 - STEWARDS

Section 1

Members of the Executive Council shall be deemed to be stewards during their term of office and may be assigned such duties and responsibilities as may advance the needs and objectives of the Local.

Section 2

Non-Executive Stewards

The Executive Council may select from the general membership such qualified members in good standing and, by resolution, appoint them to serve as stewards as defined in Section 3 and assign such specific duties and responsibilities as necessary to advance the objectives of the Local.

Section 3

Non-executive stewards shall serve at the pleasure of the Executive Council for a period of not more than one year ending immediately after the first Executive Council meeting following the Annual General Meeting of the Local. The Executive Council may, by resolution, renew the appointment of any steward at that meeting.

Section 4

A steward who, in the opinion of the Executive Council, has failed to carry out the duties of their office shall be subject to a disciplinary review hearing. If, at the hearing held by the Executive Council at which the Steward has the right to represent themselves or to be represented, it is found that the Steward has failed to carry out their duties, they shall be subject to discipline which may include removal or suspension from office.

Section 5

A steward shall be removed from their position upon a 2/3 majority vote of the Executive Council.

REGULATION 7 - VACANCIES

Section 1

Between elections, an office within the Executive Council will become vacant if the position has not been filled at the time of the Local elections, if the incumbent dies, resigns, is no longer a member in good standing, or is removed from office for disciplinary reasons pursuant to By-Law 6.

Section 2

An office will also become vacant upon a 50% vote of the Executive Council if the incumbent becomes ineligible to hold office, or otherwise becomes unable to discharge the duties of their position.

Section 3

If a vacancy is determined pursuant to Section 1 or 2 above, notice of the vacancy will be posted among the membership at least 10 working days before the election calling for nominations. The notice will specify the date of the next regularly-scheduled monthly meeting of the Executive Council by which meeting, any nominations must reach the Executive Council. At that meeting, the Executive Council will vote to fill the vacancy from among those nominated in due form.

Section 4

Vacancies for the position of Auditors during the period between Annual General Meetings shall be filled by appointment of the Executive Council.

Section 5

Notwithstanding the above sections, should there be a major reorganization of the Local, which reduces the total membership by at least 10%, and which also results in any vacancies of the positions of President, Vice-President(s), Treasurer, or Executive Secretary, these vacancies shall be filled by a Special Election of the general membership, conducted in the style of the General Election, as outlined in Regulation 14.

Section 6

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

REGULATION 8 - PROPERTY

Section 1

Any property held, which is not registered in the name of the Local, shall be held in Trust. The three Trustees are comprised of the President, Treasurer, and Executive Secretary. These Trustees are appointed by the Executive Council from its members.

Section 2

The Executive Council may invest any funds of the Local, not required for current expenses, in the custody of a Chartered Bank, Trust Company, or Credit Union.

REGULATION 9 - COMMITTEES

Section 1

Subject to the approval of the Executive Council, the President is empowered to appoint such Local committee(s) as are deemed necessary.

Section 2

The President shall appoint, subject to the approval of the Executive Council, the Chairperson of each Local committee, and shall collaborate with the Committee Chairperson in selecting the members of the committee. The selected members shall be approved by the Executive Council.

Section 3

The Local committee(s) shall meet at the call of their chairperson.

Section 4

Any Local committee chairperson, in consultation with the President, may appoint advisory members who may attend and have a voice at their committee meetings, but shall have no vote.

Section 5

Local committee(s) or sub-committee(s) appointed for the purpose of studying any particular subject shall be deemed to be dissolved upon presentation of their final report.

Section 6

All Local committees shall make a written or verbal report on all their activities at each meeting of the Executive Council.

Section 7

The President is empowered to appoint members to established committee(s) in the workplace as is deemed necessary.

REGULATION 10 - AUDIT

An auditor shall be appointed at least one month before the Annual General Meeting. They shall audit the Local's accounts and report therein to the members at the Annual General Meeting. They shall certify the Annual Financial Statements issued by the Treasurer in accordance with Regulation 2, Section 3 (a).

REGULATION 11 - QUORUM

Section 1

A quorum at all meetings of the Executive Council shall be one half of the Local executive entitled to attend.

Section 2

A quorum at any Special General Meeting or Annual General Meeting shall be 25 members in good standing at the start of the meeting.

Section 3

No business may be legally transacted at a meeting unless the required quorum is present.

REGULATION 12 - ANNUAL GENERAL MEETING

Section 1

Subject to Section 1 of By-Law 8, the Executive Council shall determine the date, time, and place of the Annual General Meeting.

Section 2

Motions presented at the Annual General Meeting which require or direct the expenditure of funds shall require a two-thirds majority of members present, or a simple majority if notice of such motion was presented to Executive Council at, or prior to, the regularly-scheduled Executive Council meeting immediately preceding the Annual General Meeting.

REGULATION 13 - SPECIAL GENERAL MEETING

Section 1

A Special General Meeting may be called by the Executive Council to deal with any special problem if such Special General Meeting is deemed to be in the best interests of the members.

Section 2

The Executive Council shall call a Special General Meeting on a written request of fifty members of the Local. Such request shall specify in writing the purpose for calling the meeting.

Section 3

A Special General Meeting shall have power to deal only with the matters specified in the notice of the meeting.

REGULATION 14 - VOTING

At any Annual General Meeting or Special General Meeting, each member in good standing present shall have one vote only.

REGULATION 15 - NOMINATIONS AND ELECTIONS

Section 1

The officers of the Local as constituted by By-Law 7, Regulation 1, of these By-Laws shall be elected for a period of three years by secret ballot prior to the Annual General Meeting.

Section 2

The Executive Council shall appoint a nominations Chairperson and committee of not more than five members of the Local, who shall forfeit the right to be candidates for that election. The duties of the nominations committee shall be:

- (a) to post notice of the Executive Council offices to be filled;
- (b) to receive nominations for all offices from members of the Local entitled;
- (c) to determine the eligibility of such nominees;
- (d) to request from the nominee a brief history;

- (e) to publish a list of nominees for each office, including a brief history of each nominee (where submitted) and to place such list in each section of the office;
- (f) to prepare ballots listing the Executive Offices to be filled;
- (g) to accept all ballots up to and including the last day for balloting but not thereafter;
- (h) to tabulate and summarize the ballots after the closing date for balloting and submit the summary, tabulation sheets, and ballots to the Chairperson of the nominations committee;
- (i) to determine from the summaries, the successful candidates, which shall be based upon the greatest number of votes cast for each candidate. The Chairperson shall announce the results of the election to the membership within one week of the tabulation;
- (j) to vote.

Section 3

All nominations submitted to the committee shall be in writing, signed by the nominator and seconder, and signed by the nominee signifying that the nominee will accept the office and related duties if elected. Nominees cannot self-nominate and the nominator and seconder must also be a member in good standing of the Local.

Section 4

The Nomination period shall last for a duration of 21 days and shall close 60 days prior to the Annual General Meeting, or as determined by the Executive Council.

Section 5

Balloting shall take place over a two-week period and shall be completed at least five weeks prior to the Annual General Meeting, or as determined by the Executive Council.

Section 6

Each member in good standing is entitled to vote for the office of President, Vice-President(s), Treasurer, Executive Secretary, and Directors as set out in By-Law 7, Regulation 1.

Section 7

Ballots, tabulation sheets, and summaries shall be retained until a formal motion for destruction is approved at the Annual General meeting.

Section 8

No member may run for more than one elected position in the Local.

Section 9

No person running for Executive Office shall hand out, collect, deliver, or count any ballots.

Section 10

As the first order of business at the Annual General Meeting following their election, the officers shall assume their elected offices. In the event that there is no Annual General Meeting, they shall assume their offices on May 1st.

REGULATION 16 - RULES OF ORDER

The rules of procedure at all meetings of the Local, except as specifically provided by these By-Laws and Regulations, shall be according to the Rules of Order for PSAC meetings published by the Public Service Alliance of Canada.