

# Bylaws of the Saskatoon Civic Middle Management Association

## 1. Duties and Powers of the Board of Directors

- 1.01 In the event of a vacancy occurring in any office through the permanent absence or incapacity of the incumbent thereof, the President shall recommend a candidate to fill the vacancy. Vacancies in office occurring between AGMs shall be filled by approval of two-thirds of the Executive Board of a qualified member to serve until next election cycle year for that position.
- 1.02 Orders for withdrawal of funds must be signed by two Officers, one of whom shall be either of the President or the Treasurer.
- 1.03 The Association may elect such other or additional Officers as it may deem necessary for the proper conduct of its business. The members of the Association may also elect one or more business agents or organizers or similar officials.
- 1.04 A majority of the Officers shall constitute quorum for any meeting of the Executive Board.
- 1.05 The Executive Board shall meet a minimum of six times throughout the calendar year with no more than two months between meetings. Between meetings of the Association, the Executive Board shall exercise the powers of the Association.
- 1.06 The salaries of paid Officers or paid officials of the Association shall be fixed by the membership at the meeting at which such paid Officers or paid officials are to be elected. Thereafter, such salary shall not be increased during the terms of their office, except by a special meeting of the membership called for such purpose.
- 1.07 A member of the Executive Board shall:
- a) Conduct themselves consistent with the Code of Conduct. A member who commits grievous breaks in the code of conduct as determined by the Chair may be removed from the Board by a majority vote of the Board of Directors at a properly commenced meeting of the Board.
  - b) Shall strive to attend all Board of Directors meetings, giving apologies ahead of time to the Chair if unable to attend. A member of the Board of Directors who are absent for three (3) meetings in a twelve (12) month period without reasons acceptable to the Chair may be removed from the Board by a majority vote of the Board of Directors at a properly commenced meeting of the Board.

## 2. Qualifications of Members of the Board of Directors

- 2.01 Only those persons whose names appear on the list of membership of the Association and are in continuous good standing for twenty-four (24) months are eligible for election to the Board of Directors
- 2.02 Notwithstanding anything else contained in this By-law, none of the following shall be qualified to be a member of the Board of Directors.
- a) A person who, either himself/herself or by or through another has any personal claim, action or proceeding against any member of the Association

b) A person having been convicted of any criminal offence upon conviction of which offence a person is liable for imprisonment.

### 3. Membership in Continuous Good Standing

3.01 Subject to Article 2 of the Constitution: "Continuous good standing" shall mean no interruption in active Membership of this Union because of suspension, expulsion, withdrawals, failure to pay fines or assessments to this Union. Provided, however, that the Executive Board, upon good cause shown, may waive the requirement for continuous good standing Membership.

### 4. Membership

- 4.01 Applicants for membership shall complete the form provided for that purpose, and shall answer all relevant questions, and sign a pledge to abide by all laws, rules and regulations of the Association
- 4.02 An applicant for membership shall be deemed a member in good standing of the Association upon completion of a membership form. Thereafter the applicant shall be entitled to the rights and privileges of membership in the Association so long as he or she continues as a member in good standing.
- 4.03 Members shall pay dues as and when required and shall promptly pay all assessments. Any member who shall be two (2) months in arrears in the payment of dues, assessments or other payments required to be paid shall cease to be in good standing and shall automatically be suspended from all rights and privileges of membership. The Executive Board may make suitable provisions for the exoneration of dues, assessments and other payments required to be made.
- 4.04 Subject to the provisions of Article 12 hereof, the Association is irrevocably and exclusively designated to represent each member for the purpose of collective bargaining with the employer in respect to rates of pay, wages, hours of employment, and for the negotiation, execution, revision and termination of contracts and agreements with his or her employer covering all such matters.
- 4.05 The Association is irrevocably and exclusively designated, authorized and empowered by each member to appear and act for him or her and on his or her behalf before any Board Court, Committee or other tribunal in any matter affecting his or her status as an employee or as a member of the Association and exclusively to act as his or her agent to represent, or bind him or her in the presentation, prosecution, adjustment or settlement of all grievances, complaints, disputes or any kind or character arising out of the employer and employee relationship; in the same manner and for the same purposes as the employee himself or herself could act.
- 4.06 Any member of the Association who has withdrawn his or her membership or has otherwise ceased to be a member may be reinstated to membership upon payment by the member of all arrears and dues and assessments from the date of his or her withdrawal, or as otherwise decided by the Executive Board and shall thereupon be reinstated to his or her previous standing in membership, provided however, that if more than two (2) years has lapsed since the date of withdrawal, the member can be re-admitted only as a new member.
- 4.07 Members who are duly suspended or expelled by the Association for any cause whatsoever may be reinstated to membership by the Executive Board upon fulfillment of

such terms and conditions as may be ordered by the Association at the time of his or her expulsion.

## 5. General Meetings

- 5.01 The Association shall hold at least one (1) meeting during the calendar year which shall be held between the 1<sup>st</sup> day of October and the 31<sup>st</sup> day of October in each year, which shall be the annual meeting and at which the election of Officers shall take place and for the receiving of reports for the previous calendar year and the transacting of such other business as may be brought before the meeting.
- 5.02 Special General Meetings may be called by the President, the Board of Directors, or any ten (10) members of the Associations such request for the calling of a Special General Meeting shall be signed by not less than ten (10) members in good standing and forwarded to the Treasurer of the Association who shall then call for a Special General Meeting, provided that such request states specifically the purpose for which such meeting is to be called.
- 5.03 When a Special General Meeting is convened as a result of the request of ten (10) or more members of the Association, it shall deal only with the purpose for which it was called.
- 5.04 Notices of General Meetings shall be written notices and shall be forwarded to each member at his / her last known address or email address through the employers internal email system, or his/her place of employment, stating the purpose of the meeting and such notices shall be mailed, emailed or delivered to each member not less than one (1) week prior to the holding of a General Meeting except in the case of an emergency as must be determined by the Board of Directors.
- 5.05 Election of Officers shall be by secret ballot and shall require a majority vote of those present and eligible to vote and actually voting at the meeting when by paper ballot or if by electronic voting within a predetermined set period occurring during the meeting.
- 5.06 Twenty five (25) of the members in good standing of the Association shall constitute a quorum of any meeting of the association.
- 5.07 The Executive Board shall determine the date of the annual meeting in accordance with Article 5.01 and the date of any extraordinary meeting under Article 5.02.

## 6. Revenue

- 6.01 The revenue of the Association shall be derived from initiation fees, membership dues, assessments, reinstatement fees, fines and income from bank deposits and investments such as government bonds or other legal investments.
- 6.02 All Officers and persons having custody or control of the funds or property of the Association shall, if so required by the Executive Board or by a general meeting, give a bond of reliable surety company in the form approved and in the amount fixed by the Executive Board. All Officers of the Association shall deliver to their successors all funds and property in their possession received by them from their predecessors, and they shall not be released from their bonds until they have fully accounted for and delivered such funds and property of the Association and anyone who retains for his or her own use or fails to deliver to his or her successors any funds or property of the Association shall be expelled from the Association.

## 7. Payment of Association Dues

- 7.01 Subject to Article 7 of the Association Constitution, all dues shall be paid to the Association directly from the employer as a result of the Collective Agreement, or as may be determined by the Board of Directors.
- 7.02 Each member shall be notified in writing of any proposed change to the dues, and such notice shall be mailed, or emailed or delivered to each member not less than one week prior to the holding of a General Meeting.
- 7.03 Members of the Association shall pay minimum dues in such amounts as may be determined from time to time by the Executive Board or by a meeting of the Association. The Executive Board of the Association shall fix such dues at such amount as will enable the Association to meet its obligations and to function effectively in carrying out the objectives of this Constitution subject to Article 7 of the Constitution.
- 7.04 A special assessment may be levied following a decision to that effect by a majority of votes cast at a General Meeting of the Association. Such special assessment shall be paid to the Association directly from the employer, or as may be determined by the Board of Directors.

## 8 Order of Business at Annual General Meeting:

- 8.01 Call to order
  - 8.02 Reading of the Minutes
  - 8.03 Matters arising
  - 8.04 Reports
    - a) President
    - b) Special Report
    - c) Administrative Report
    - d) Audit Report
    - e) Treasurer's Report
  - 8.05 Unfinished Business
  - 8.06 New Business
  - 8.07 Nominations and Elections
  - 8.08 Correspondance
  - 8.09 Other New Business
  - 8.10 Adjournment
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- 9.01 Elections: Every elector shall have only one vote, when voting for each member of the Board of Directors or IFPTE Delegate to be elected and a majority of votes cast by members present at a General Meeting shall decide each election, subject to Article Four (4) or Article Five (5) of the Constitution
  - 9.02 Counting of votes shall be decided by a show of hands or by ballot on paper / electronically and the method employed shall be the decision of the Chairperson.
  - 9.03 Business: All matters of business shall be decided by a majority of votes cast by members present at a General Meeting, in a mail-in ballot or a walk-in ballot.
  - 9.04 Any member who will be working or on vacation at an out-of-town location at the time of a meeting will be provided an alternative voting option through prior arrangements made with the President or designate.

- 9.05 The Chairperson shall have the same rights as other members to vote on any question. In a case of a tie vote, the Chairperson shall cast the deciding vote.

## 10. Election Procedure

### Qualification of Voters at Elections:

- 10.01 Except as otherwise hereinafter provided, those persons whose names appear on the list of membership of the Association shall be entitled to vote at a general membership election of Directors.
- 10.02 No person shall be entitled to vote at any election unless they are one of the persons named, or purported to be named in the proper list of electors, or is entitled to vote by virtue of certification pursuant to Clause 4.03 hereof

### Notwithstanding that the list has been revised and corrected by the Treasurer

- 10.03 Who at the time of election is qualified to vote but whose name has been omitted from the list; or,
- 10.04 Who has registered with the Treasurer but whose name has been omitted from the list; or,
- 10.05 Whose name has been misspelled on the list and who is otherwise entitled to vote; may make application to the Treasurer, or in their absence, any other authorized signing officer, for certification of membership, and upon being satisfied that such name was so omitted or misspelled and that the applicant is otherwise qualified to vote, the Treasurer or authorized signing officer may certify that that person is entitled to vote.

### List of Electors:

- 10.06 The proper list of electors to be used at an election shall be the last revised list of members in good standing
- 10.07 The Treasurer shall every year, immediately prior to the date of elections, make up a correct alphabetical list of all persons entitled to vote, and shall certify the same as to its accuracy and completeness.

### Nominations

- 10.08 Prior to the Annual General Meeting each year, the Board of Directors shall ensure the selections of a slate of candidates from eligible members. The selection should be made on the basis of having as wide a representation as reasonably possible. The list of candidates shall be submitted to the Treasurer for distribution to the membership prior to the Annual General Meeting.
- 10.09 Nominations will be received from the floor under the rules of parliamentary procedure (do not require to be seconded) provided the nominee will allow their name to stand for election.

## 11. Discipline

- 11.01 Members may be expelled, suspended, fined or otherwise disciplined for violation of any of the provisions of this Constitution or for any other conduct detrimental to the best interests of the Association and its membership.
- 11.02 Before any member may be disciplined, written charges shall be filed with the Secretary, who shall thereupon promptly transmit a copy to the member accused at his or her last known address, together with written notices of the time and place of the hearing thereon, which shall be held not less than five (5) days after the date of the notice.

- 11.03 Hearings shall be held before a quorum of the Executive Board. The member accused shall have the right to appear at such hearings, produce and cross-examine witnesses and to be represented by any person of his or her choice for that purpose.
- 11.04 In the event that the Executive Board shall convict the member of any charges, the member shall have the right to appeal therefrom to the membership of the Association at an extraordinary meeting held for that purpose, provided that the member serves upon the Secretary notice in writing of his or her intention to appeal, on or before the thirtieth day following such conviction of the member by the Executive Board.
- 11.05 The decision of the membership of the Association shall be final and binding and there shall be no right to review such decision.

## 12. Collective Bargaining

### Proposals of Collective Agreements

- 12.01 The President or their designate shall request written proposals from the membership no sooner than three (3) months and no later than one month after the expiry date of a Collective Agreement.
- 12.02 The Board of Directors will then cause to be prepared proposed changes to a Collective Agreement.

### Negotiating Committee:

- 12.03 The Board of Directors shall appoint a Negotiating Committee to meet with the employer and such committee shall have the authority to reach a settlement with the employer, subject to ratification in accordance with subsection 12.06 below.
- 12.04 The members of the Negotiating Committee dealing with the City of Saskatoon shall be as appointed by the Board of Directors but such committee shall include at least two (2) persons from the Board of Directors and any other persons deemed necessary by the Board of Directors.
- 12.05 The members of the Negotiating Committee shall keep all negotiations confidential within the Committee until at such point a settlement or other action is recommended to the Board of Directors.

### Ratification and Signing of the Agreement

- 12.06 Prior to the signing of a Collective Agreement, the Board of Directors shall call a Special General Meeting to present the negotiated settlement to the membership for ratification
- 12.07 If ratified by a majority vote of those affected by the negotiations and who actually cast ballots on a ratification vote, the contract or agreement shall be drafted and signed by the proper Officers of the Association and thereupon it shall be binding upon all member in good standing affected thereby.
- 12.08 No member or members shall negotiate or confer with the employer or its agents, without due authority from the Executive Board, on matters pertaining to wages, hours or working conditions.

## 13. Strikes

- 13.01 A strike, study session or decision to work-to-rule may be called by the Executive Board, provided that the majority of members to be affected thereby have voted approval thereof by secret ballot at a meeting called for that purpose, notice of which meeting shall have been given not less than one (1) week before the date of the said meeting.

- 13.02 Any proposal to settle or terminate an existing strike, study session or decision to work-to-rule shall be decided by a majority of the members affected thereby who shall vote on such proposal by secret ballot at a meeting called for that purpose, notice of which meeting shall have been given not less than one (1) week before the date of said meeting.
- 13.03 Notwithstanding the above the Executive Board may request members to return to work pending the outcome of the vote as described herein.

## 14. Arbitration

- 14.01 Notwithstanding Article 12 and 13, the terms and provisions of a collective bargaining agreement may be determined by arbitration between the Association and the employer, provided that the terms of any such agreement to arbitrate have been ratified by the Executive Board, and by a majority vote of those members affected thereby who are present and actually cast votes at a meeting called for that purpose, notice of which meeting shall have been given at least one (1) week before the date of the said meeting.

## 15. Effective Date

- 15.01 The Bylaws shall be effective upon the adoption thereof by a majority of those attending the meeting founding this organization held at Saskatoon, Saskatchewan, on the 29<sup>th</sup> day of October, A.D. 2020.