



Constitution and Regulations

November 2018 Edition



Public Service Alliance of Canada
Alliance de la Fonction publique du Canada



CONSTITUTION

of the

PSAC

**As adopted by the Founding Convention
at Ottawa, November 9 and 10, 1966
and as amended by the
Triennial National Triennial Convention**

in

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Schedule A Regulations

LIST OF ACRONYMS USED IN CONSTITUTION

PSAC Public Service Alliance of Canada

AEC Alliance Executive Committee

NBoD National Board of Directors

DCL Directly Chartered Local

NEVP National Executive Vice-President

REVP Regional Executive Vice-President

CONSTITUTION

SECTION 1

NAME

This Union shall be known as the Public Service Alliance of Canada hereinafter referred to as the "PSAC".

SECTION 2

HEADQUARTERS

The PSAC shall have its headquarters in the National Capital Region.

SECTION 3

OBJECTS

Sub-Section (1)

To unite all workers in a single democratic organization.

Sub-Section (2)

To obtain for all workers the best standards of compensation and other conditions of employment and to protect the rights and interests of all workers.

Sub-Section (3)

To maintain and defend the right to strike.

SECTION 4

MEMBERSHIP

Sub-Section (1)

All workers, as determined from time to time by the NBoD in session, or by the AEC in session, shall be eligible for membership in the PSAC as outlined in Sections 9 and 11.

Sub-Section (2)

All members of the PSAC shall be considered members in good standing subject to this Section and to Section 25 of this Constitution.

Members in good standing are entitled to the rights and privileges as outlined in Section 5 of this Constitution.

Members in good standing are defined as follows:

Dues-Paying Members

- (a) Dues-paying members who have signed a PSAC Application for Membership Form, whose membership is not currently suspended by the PSAC NBoD, and whose dues are kept current and paid no later than the month in which they become due;
- (b) For the duration of tenure of their office, dues-paying members elected to a full-time position in the PSAC, a Component or a Directly Chartered Local (DCL) who are laid off or dismissed by the employer for action undertaken on behalf of the membership subject to Sections 4 and 25 of this Constitution, and whose dues are kept current and paid no later than the month in which they become due;
- (c) Dues-paying members who are employed by the Canadian Labour Congress (CLC), chartered Federations of Labour or Labour Councils, whose dues are kept current and paid no later than the month in which they become due;
- (d) Dues-paying seasonal indeterminate or equivalent members;

Non Dues-Paying Members

- (e) Members who are suspended or terminated by their employer, until they have exhausted all avenues of recourse. The rights and responsibilities of non-dues paying members under Sub-Section 2 (e) are defined in Regulations adopted by the NBoD;

- (f) Non dues-paying members who have signed a PSAC Application for Membership Form and who are not yet paying dues because their first collective agreement has not yet been reached or signed;
- (g) Non dues-paying members laid off by their employer may have their membership extended for a maximum of thirty (30) months subsequent to lay-off. The rights and responsibilities of non-dues paying members under Sub-Section (2) (g) are defined in Regulations adopted by the NBoD;
- (h) Non dues-paying PSAC members who do not have alternative paid employment and who are temporarily away on leave without pay for reasons including maternity leave, parental leave, adoption leave, leave for care of family members or leave for family responsibilities greater than two (2) years, and who are not required to pay dues pursuant to Section 24 in any amount or percentage while on leave without pay. Members under Sub-Section (2) (h) may have their membership extended for a maximum of thirty (30) months. The rights and responsibilities of members under Sub-Section (2) (h) are defined in Regulations adopted by the NBoD;
- (i) Non dues-paying PSAC members who do not have alternative paid employment and who are on leave without pay because of disability or injury at work;
- (j) Non-dues paying seasonal indeterminate or equivalent members;
- (k) With the exception of f) and j), pursuant to Regulation 5, non-dues paying members must make application to the National President in order to maintain their membership in good standing;

Awarded Memberships

- (l) Non-dues paying Honorary Members as defined in Sub-Sections (4) and (5);
- (m) Non-dues paying Life Members as defined in Sub-Sections (6) and (7);
- (n) Non-dues paying Associate Members as defined in Sub-Sections (8) and (9).

Sub-Section (3)

A member must not hold office in another union, organization, or group that is in active competition with the PSAC.

Sub-Section (4)

Through application by a Component or a Directly Chartered Local to the NBoD, a member who has retired may be granted Honourary Membership for outstanding service to the PSAC.

Honourary members shall not be required to pay dues to the PSAC and shall not be entitled to vote at meetings or to election to office in the PSAC, but shall be entitled to all other rights and privileges of membership in the PSAC.

Sub-Section (5)

The PSAC may extend recognition to honorary memberships, or memberships otherwise designated, granted by any other organization upon that organization becoming a part of the PSAC.

Sub-Section (6)

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

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

Life members shall not be required to pay union dues to the PSAC and shall not be entitled to vote at meetings or to election to office in the PSAC, unless otherwise eligible, but shall be entitled to all other rights and privileges of membership in the PSAC.

Sub-Section (7)

The NBoD shall consider for recognition on the same basis and with the same rights and privileges as provided for Life Memberships awarded by Sub-Section (6), Life Memberships, or memberships otherwise designated, which in the opinion of the NBoD are compatible to the Life Membership provided by Sub-Section (6) and which have been awarded by:

Canadian Agriculture National Employees Association;
Canadian Air Services Association;
Canadian Immigration Staff Association;
Canadian Marine National Employees Association;
Canadian Taxation Division Staff Association;
Civil Service Federation of Canada;
Customs and Excise Officers' Association;
Federal Public Works Employees Association of Canada;
Department of National Health and Welfare Employees' Association;
Department of Veterans' Affairs Employees' Association;
National Defense Employees' Association;
National U.I.C. Association;

Treasury Staff Association of Canada;
Civil Service Association of Canada; and
Department of Justice Employees' Association

It shall be competent for the NBoD to extend like recognition to Life Memberships, or to memberships otherwise designated, which in the opinion of the NBoD are compatible to the Life Memberships provided by Sub-Section (6) and which have been awarded by any other organization, upon that organization becoming a constituent part of the PSAC.

Sub-Section (8)

Employees of the PSAC who are non-members of the PSAC and non dues-paying members, except life members, of the PSAC who are on extended leave of absence, on lay-off or who have retired may be granted Associate Membership in the PSAC in accordance with regulations established by the NBoD, and further, Associate Members shall not be elected as representatives to any Convention of the PSAC.

Sub-Section (9)

Through application by a Component, former members who are temporarily subject to confidential exclusion may be granted Associate Membership in the PSAC in accordance with regulations established by the NBoD, and further, Associate Members shall not be elected as representatives to any Convention of the PSAC.

Sub-Section (10)

- (a) In accordance with Regulations established by the NBoD, the organization, operation and the payment of affiliation fees of a PSAC Retirees' Organization shall be encouraged by the PSAC.
- (b)
 - (i) Associate members of the PSAC who are retired and their spouses/partners, and former PSAC members and their spouses/partners shall have the right to join the PSAC Retirees' Organization; and,
 - (ii) Spouses/partners who join the PSAC Retirees' Organization shall be granted voice but no vote at meetings, conferences and conventions of the PSAC Retirees' Organization.

Sub-Section (11)

All members shall be issued with a membership card, approved by the NBoD, as evidence of their membership in the PSAC and their membership in a particular Component or Directly Chartered Local of the PSAC. The eligibility for membership in a

particular Component is determined by Sub-Sections (2), (3), (4), (5) or (6) of Section 8. The eligibility for membership in a particular DCL is determined by Section 10.

Sub-Section (12)

Every individual member of the PSAC is deemed to agree to abide by and to be bound by the provisions of this Constitution and the applicable Component, Local and Regional By-Laws, upon applying for membership in the PSAC or continuing membership in the PSAC.

Sub-Section (13)

The receipt, either directly at the PSAC Centre or from the Component or DCL, of a signed PSAC Application for Membership Form, shall constitute evidence of membership in good standing for:

- (a) issuance of an identification card;
- (b) granting of all rights and privileges of membership as outlined by this Constitution;
- (c) representation to any Convention of that Component of the PSAC to which the individual member belongs; and
- (d) representation to any Convention or Conference of the PSAC.

SECTION 5

MEMBERSHIP RIGHTS

Every member in good standing as defined in Section 4, Sub-Section (2) is entitled:

- (a) to be represented by the union;
- (b) to be free from any act or omission on the part of the union, or other members, that would discriminate against the member on the basis of age, sex, colour, national or ethnic origin, race, religion, marital status, family status, criminal record, physical or mental disability, sexual orientation, gender identity or expression, language, political belief, social and economic class or employer;
- (c) to be free from harassment by another member, both within the union and in the workplace, on the basis of any of the grounds mentioned in paragraph (b); and

- (d) subject to any qualifications stipulated elsewhere in this Constitution, or in Component, Local or Area Council By-Laws, to vote and/or to be nominated for and hold office in the Union.

SECTION 6

FORM OF UNION

- (a) The Union is the PSAC. Its jurisdiction, authority and rights are outlined in Section 7.
- (b) The PSAC shall be composed of all its members, Components and their Locals or Branches, DCLs and Regional Councils.
- (c) The jurisdiction, authority and rights of Components established in accordance with Section 8 are outlined in Section 9.
- (d) The jurisdiction, authority and rights of DCLs established in accordance with Section 10 are outlined in Section 11.

SECTION 7

THE UNION, ITS JURISDICTION, AUTHORITY AND RIGHTS

Sub-Section (1)

- (a) The "Union" is the PSAC. The supreme governing body of the PSAC is the National Triennial Convention as outlined in Section 17. The NBoD is the governing body of the PSAC under the terms of this Constitution, and shall be recognized as the governing body between National Triennial Conventions.
- (b) The NBoD shall consist of the National President, the NEVP, REVPs for the Atlantic, Québec except that part within the National Capital Region, Ontario except that part within the National Capital Region, National Capital Region, Prairies, British Columbia and North, as well as the President from each of the duly-established Components or their alternates.
- (c) The Alliance Executive Committee shall be composed of the National President, one National Executive Vice-President and seven Regional Executive Vice-Presidents, all nine of whom shall be elected in accordance with the provisions of Section 23.

- (d) The "PSAC Centre" shall consist of the Alliance Executive Committee and the staff coming under its jurisdiction.

Sub-Section (2)

The PSAC Centre shall be solely and exclusively responsible for:

- (a) carrying out all policies of the PSAC as established in National Triennial Conventions and by the NBoD;
- (b) collective bargaining for all bargaining units for which the PSAC has been certified as the Bargaining Agent;
- (c) the organization and operation of Area Councils;
- (d) the representation at all levels of the government on matters which are not the sole and exclusive responsibility of one Component;
- (e) the establishment, maintenance and control of all organizing work;
- (f) the resolution, through the appeal procedures of the Constitution, of all jurisdictional issues and disputes;
- (g) the employment, assignment, performance, salaries, conditions of employment and office accommodation of all paid staff of the PSAC Centre both at National Headquarters and in the field;
- (h) the preparation and processing of all business for PSAC Conventions, including a proposed budget and dues structure;
- (i) processing classification grievances involving members; upon reciprocal agreement, this function may be delegated to a Component or a DCL;
- (j) communications, political action and public relations.

Sub-Section (3)

- (a) The PSAC shall seek certification in the name of the PSAC on behalf of its members in a bargaining unit except where legislation requires that certification be obtained by a local or provincial union in which case certification will be governed by regulation enacted by the NBoD. In the event that it is so certified, it may delegate the negotiation of agreements to a Component on the request of that Component where all the members of a bargaining unit are within that Component. Where the Component does not receive such authority, the negotiating team shall be established under the provisions of paragraph (b) of this Sub-Section.

- (b) (i) Where no Component represents all members in a bargaining unit, the AEC shall establish a PSAC Bargaining Committee for each bargaining unit in accordance with PSAC Regulation 15.
- (ii) Where a Component represents all the members in a bargaining unit, the AEC shall establish for each bargaining unit, in accordance with Regulation 15, a PSAC Bargaining Committee composed of members from the bargaining unit from this Component plus a member of the AEC or a representative of the AEC.
- (c) Notwithstanding the provisions contained in Section 7, Sub-Section (3) (b) and (e), when a staff representative is appointed to represent the AEC on a Bargaining Committee or a Negotiating Team, the staff representative will not be entitled to vote.
- (d) Where subsidiary agreements can be negotiated, the AEC shall, at the request of the Component, delegate to the Component the authority to negotiate a subsidiary agreement. Where the Component does not request such authority, the Negotiating Team shall be established under the provisions of paragraph (b) of this Sub-Section. All agreements must be signed by an elected officer of the AEC.
- (e) There shall be at least one representative of the central bargaining agent on all bargaining teams and a representative of the central bargaining agent shall be a signatory of all agreements.
- (f) All bargaining committees and all Negotiating Teams shall be determined in keeping with paragraphs (a), (b), (d) and (e) above, subject to regulations established by the NBoD.

Sub-Section (4)

The AEC may delegate the delivery of education to a Component on the request of a Component.

Sub-Section (5)

- (a) The PSAC Centre shall be solely and exclusively responsible for processing grievances at the adjudication level. PSAC decisions not to pursue a grievance at adjudication may be appealed pursuant to an appeal process as outlined in a Regulation enacted by the NBoD.
- (b) Notwithstanding Sub-Section (5) (a) of this Section, the PSAC may delegate responsibility to process a grievance at adjudication in the event that:
- the PSAC has decided not to pursue the grievance at adjudication;
 - the adjudication process will not prejudice other PSAC members; and

- the Component or a DCL is prepared to provide the representation at its cost.
- (c) Notwithstanding Section 9, Sub-Section (5) (a), the PSAC may delegate the processing of grievances at adjudication to a Component or a DCL on the request of a Component or a DCL.

Sub-Section (6)

A majority decision by the National Triennial Convention of the PSAC shall be required for membership or affiliation by the PSAC in any organization or body having similar aims, objects and functions as the PSAC.

SECTION 8

COMPONENTS

Sub-Section (1)

"Component" means an organized group of members, Locals or Branches established as such in accordance with Sub-Sections (2), (3), (4), (5) and (6) of this Section, and deriving its jurisdiction, authority and rights from Section 9 of this Constitution.

Sub-Section (2)

The following is the list of Components which shall be recognized by the issuance of a charter as being established:

- Agriculture Union
- Canada Employment and Immigration Union
- Customs and Immigration Union
- Government Services Union
- Union of National Employees
- Nunavut Employees Union
- Union of Canadian Transportation Employees
- Union of Health and Environment Workers
- Union of National Defense Employees
- Union of Northern Workers
- Union of Postal Communications Employees
- Union of Safety and Justice Employees
- Union of Taxation Employees
- Union of Veterans' Affairs Employees
- Yukon Employees Union

According to this Constitution, the above list of Components may be amended to add new Components established or to delete Components that cease to exist.

Sub-Section (3)

- (a) The members of the Components listed in Sub-Section (2) of this Section may continue to enjoy the right of membership in their respective Components regardless of whatever employer reorganization takes place.
- (b) In cases where one or more Components decide to merge or request the PSAC Centre to allocate all or part of its membership to some other Component now in existence or to be established, the PSAC Centre may agree to do so. In the event that the PSAC Centre does not agree, the NBoD, by a two-thirds (2/3) majority vote, shall order a referendum of affected members. The NBoD shall be bound by the wishes of the majority of members voting in such a referendum. The AEC shall allocate affected members based on the results of the referendum vote.
- (c) A Separate Employer Bargaining Unit within one Component may request the PSAC Centre to allocate jurisdiction of all or part of its membership to some other Component now in existence or to be established. The NBoD, by a two-thirds (2/3) majority vote, shall order a referendum of affected members. The NBoD shall be bound by the wishes of the majority of members voting in such a referendum. The AEC shall allocate affected members based on the results of the referendum vote.

Sub-Section (4)

When a member or members cannot become members of a Component as provided by either Sub-Section (2) or (3), the AEC shall be responsible for making recommendations to the NBoD on the placement of such members, and providing full membership services to the members, until they are placed in the appropriate Component. The AEC shall allocate affected members based on the NBoD decision.

Sub-Section (5)

- (a) A new Component shall consist of no less than 2,500 members.
- (b) Notwithstanding Sub-Sections (5)(a) and (12)(a) of this Section, the NBoD may, by a two-thirds (2/3) majority vote, determine that a new Component consisting of less than 2,500 members is viable, and can be established in accordance with Sub-Section (5) (c).

- (c) Such a Component shall be established only on the provision that, in the opinion of the AEC, it is capable of discharging effectively the duties and responsibilities of a Component set forth in Sub-Section (5) of Section 9 of this Constitution and on the basis of standards established by the NBoD as set forth in the Regulations. Upon receipt of this assurance from the AEC, the NBoD, by a two-thirds (2/3) majority vote, shall authorize the granting of a charter to the newly-established Component.

Sub-Section (6)

A Component which, in the opinion of the NBoD of the PSAC, is not discharging its responsibilities as set forth in Section 9, Sub-Section (5) may, by a two-thirds (2/3) majority vote at a meeting of the NBoD, have its charter suspended and its members assigned to the appropriate Component pursuant to Sub-Section (4) of Section 8 of this Constitution. In such case, the decision of the NBoD may be appealed to the next succeeding Convention of the PSAC.

Sub-Section (7)

- (a) Notwithstanding Sub-Sections (3), (4) and (5) of this Section, the AEC may establish DCLs in accordance with Section 10 of this Constitution.
- (b) Notwithstanding Sub-Sections (3), (4) and (5) of this Section, the NBoD may charter as Components, other bodies of workers.

Sub-Section (8)

A Component shall be governed by the mandate of its Convention provided always that the mandate is within the exclusive jurisdiction of the Component and does not contravene the jurisdiction of the PSAC as provided by Section 7.

Sub-Section (9)

A Component shall hold conventions as determined by its own By-Laws provided one convention is held prior to a regular National Triennial Convention of the PSAC as provided in Section 17.

Sub-Section (10)

Any convention of a Component shall be composed of its elected officers and the delegates representing its subsidiary divisions as provided by its own By-Laws.

Sub-Section (11)

Remuneration of the elected officers and delegates, including any necessary expenses to any Component Convention, shall be the responsibility of that Component.

Sub-Section (12)

- (a) If the total membership of a Component falls significantly below 1,500, the matter shall be referred to the NBoD for its decision as provided for in paragraph (b) of this Sub-Section.
- (b) The NBoD of the PSAC, at a meeting of the NBoD, shall decide, by a two-thirds (2/3) majority vote, whether it is in the best interest of the PSAC for the members to remain in a separate Component or to be assigned to the appropriate Component pursuant to Sub-Section (4) of this Section. The disposition of the assets of a Component being assigned to another Component, established in accordance with Sub-Section (4), will be governed by regulation. The decision of the NBoD may be appealed to the next National Triennial Convention.

Sub-Section (13)

Should any decision of the NBoD have the effect of eliminating or substantially reducing the size of any Component, all surplus full-time elected officers and/or employees shall be given priority in appointment with the PSAC provided those concerned have had two (2) or more years of service.

SECTION 9

COMPONENTS, THEIR JURISDICTION, AUTHORITY AND RIGHTS

Sub-Section (1)

A Component shall establish By-Laws and policies for its operation and such By-Laws and policies shall be fully consistent with the Constitution of the PSAC and shall in no way contravene its provisions.

Sub-Section (2)

A duly-established Component shall have jurisdiction over its members who shall be subject to the terms and conditions of the By-Laws of the Component, save only that a member who has exhausted all means for the resolution of a problem through his/her Component shall have the right to request a full review of the matter by the PSAC Centre. In such cases the PSAC Centre shall consult with the Component concerned.

Sub-Section (3)

A Component shall have the right to hold conventions or meetings as outlined in its own By-Laws and shall be solely responsible for all costs involved in such conventions and meetings.

Sub-Section (4)

- (a) A Component shall have the right to elect its own officers in accordance with procedures outlined in its By-Laws.
- (b) A Component shall have the right to elect delegates and alternates to National Triennial Conventions of the PSAC, in accordance with procedures outlined in its By-Laws, providing that such election takes place and is fully completed six (6) months prior to the commencement of the National Triennial Convention of the PSAC. Only dues-paying members in good standing as defined in Section 4, Sub-Section (2) (a), (b), (c), (d), (e), (f), (g), (h) and (j) or Life Members who are otherwise eligible, shall be eligible for election as delegates.
- (c) The National President of the PSAC or his/her nominee shall have the right to attend all Component Conventions and to speak when requested.

Sub-Section (5)

A Component shall:

- (a) process appeals and grievances involving its members, up to, but not including, grievances at the adjudication level. The Component functions may be delegated to the PSAC Centre from time to time by any Component requesting assistance or service;
- (b) assume responsibility for the enforcement of collective agreements signed by the PSAC covering members within the jurisdiction of the Component;
- (c) represent its members on matters such as classification and working conditions, not already covered in collective agreements, and all other matters which are solely of concern to them;
- (d) provide the liaison between its members and the PSAC Centre;
- (e) select and appoint staff within the limitations of the Constitution of the PSAC;
- (f) elect its own officers; and
- (g) hold its own conventions.

Sub-Section (6)

The internal operations of a Component shall be the primary concern and responsibility of that Component and its members subject only to Sub-Section (2) of this Section.

Sub-Section (7)

Each Component and its officers shall be subject to the disciplinary provisions of Section 25 of this Constitution.

Sub-Section (8)

Each Component will provide annually to the National President of the PSAC a detailed audited statement of receipts and expenditures certified by qualified accountants.

Sub-Section (9)

A Component will be restricted in its operations to matters which solely affect its own membership within its defined area of jurisdiction as provided by Sub-Sections (2) and (3) of Section 8.

Such authority may be maintained pending amendment by the NBoD. A transfer of members where necessary shall not be unduly deferred and, in any event, no later than the next following NBoD meeting.

Sub-Section (10)

Notwithstanding Section 7, Sub-Section (2) (j), a Component may engage in communications, political action and public relations on matters of concern to the members assigned to it, provided that its communications, political action and public relations are not detrimental to other parts of the PSAC.

Sub-Section (11)

Components shall have the right to any service or services provided by the PSAC Centre under the terms of this Constitution, subject to Regulations established by the NBoD.

Sub-Section (12)

A Component shall, through democratic process, establish the total amount of dues to be paid by members assigned to it. Such total amount of dues shall include that portion levied by the PSAC in the manner provided by Section 24 of this Constitution.

Sub-Section (13)

A Component may adopt resolutions for consideration at a regular National Triennial Convention of the PSAC in accordance with procedures outlined in its By-Laws, providing that such resolutions are adopted at least six (6) months prior to the National Triennial Convention of the PSAC.

SECTION 10

DIRECTLY CHARTERED LOCALS (DCLs)

Sub-Section (1)

- (a) DCL means an organized group of members established by the AEC in accordance with this Constitution and deriving its jurisdiction, authority and rights from Section 11 of this Constitution.
- (b) Notwithstanding Sub-Section (1) (a), a DCL shall not be established for an organized group of members employed by Treasury Board or the Territorial Governments, or for a nationally-certified bargaining unit.
- (c) Where an existing Local has been assigned to an established Component, the Local may only become a DCL providing the Local submits a petition to the AEC and a majority of the membership vote, in a referendum, to establish a DCL.
- (d) Notwithstanding Sub-Section (1) (a) and (b) of this Section, a DCL may be established for an organized group of members employed by Treasury Board, if the bargaining unit joins the PSAC after April 22, 1994.
- (e) A DCL may request the PSAC Centre to allocate jurisdiction of all or part of its membership to some other DCL or Component now in existence or to be established.
- (f) DCLs will report to the NBoD through the REVP.

Sub-Section (2)

A DCL which, in the opinion of the NBoD of the PSAC, is not discharging its responsibilities as set forth in Section 11 Sub-Section (5) may, by a two-thirds (2/3) majority vote at a meeting of the NBoD, have its charter suspended and its members assigned to the appropriate DCL or Component pursuant to Sub-Section (4) of Section 8 of this Constitution. In such case, the decision of the NBoD may be appealed to the next succeeding Convention of the PSAC.

SECTION 11

DIRECTLY CHARTERED LOCALS, THEIR JURISDICTION, AUTHORITY AND RIGHTS

Sub-Section (1)

A DCL shall establish By-Laws and policies for its operation and such By-Laws and policies shall be fully consistent with the Constitution of the PSAC and shall in no way contravene its provisions.

Sub-Section (2)

A duly-established DCL shall have jurisdiction over its members who shall be subject to the terms and conditions of the By-Laws of the DCL, save only that a member who has exhausted all means for the resolution of a problem through his/her DCL shall have the right to request a full review of the matter by the PSAC Centre. In such cases, the PSAC Centre shall consult with the DCL concerned.

Sub-Section (3)

A DCL shall have the right to hold meetings as outlined in its own By-Laws and shall be solely responsible for all costs involved in such meetings.

Sub-Section (4)

- (a) A DCL shall have the right to elect its own officers and to elect at a general meeting, held within a period of not more than twelve (12) months and not less than six (6) months prior to the commencement of the regular National Triennial Convention of the PSAC, delegates and alternates to the forthcoming National Triennial Convention of the PSAC. Only dues-paying members, or Life Members who are otherwise eligible, shall be eligible for election as delegates.
- (b) At a general meeting held at least six (6) months prior to the regular National Triennial Convention of the PSAC, a DCL shall have the right to adopt resolutions for consideration by delegates to the forthcoming National Triennial Convention of the PSAC.
- (c) The National President of the PSAC or his/her nominee shall have the right to attend the Annual General Meeting of all DCLs and to speak when requested.

Sub-Section (5)

A DCL shall:

- (a) process appeals and grievances involving its members up to, but not including, grievances at the adjudication level. The DCL functions may be delegated to the PSAC Centre from time to time by any DCL requesting assistance or service;
- (b) be delegated authority from the PSAC Centre and assume responsibility, at the Local level, for collective agreements signed by the PSAC covering members in the Local within the jurisdiction of the DCL;
- (c) represent its members on matters such as classification and working conditions, not already covered in collective agreements, and all other matters which are solely of concern to the DCL members;
- (d) provide the liaison between its members and the PSAC Centre;
- (e) select and appoint staff within the limitations of the Constitution of the PSAC;
- (f) elect its own officers; and
- (g) hold its own meetings.

Sub-Section (6)

The internal operations of a DCL shall be the primary concern and responsibility of that DCL and its members subject only to Sub-Section (2) of this Section.

Sub-Section (7)

Each DCL and its officers shall be subject to the disciplinary provisions of Section 25 of this Constitution.

Sub-Section (8)

- (a) Each DCL will provide the National President of the PSAC with (i) an annual detailed statement of receipts and expenditures, and (ii) a balance sheet showing Assets, Liabilities and Equities by March 31st of each year. These statements must be reviewed by a PSAC member or other person who is not on the DCL Executive who, along with the Local President or Treasurer, will certify their completeness and accuracy.

- (b) Notwithstanding (a) above, the PSAC National President can, at any time, require a DCL to provide a detailed audited statement of receipts and expenditures certified by qualified accountants.

Sub-Section (9)

A DCL will be restricted in its operations to matters which solely affect its own membership within its defined area of jurisdiction.

Sub-Section (10)

Notwithstanding Section 7, Sub-Section (2) (j), a DCL may engage in communications, political action and public relations on matters of concern to the members assigned to it, provided that its communications, political action and public relations are not detrimental to other parts of the PSAC.

Sub-Section (11)

DCLs shall have the right to any service or services provided by the PSAC Centre under the terms of the Constitution, subject to regulations established by the NBoD.

Sub-Section (12)

A DCL shall, through democratic process, establish the total amount of dues to be paid by members assigned to it. Such total amount of dues shall include that portion levied by the PSAC in the manner provided by Section 24 of the Constitution.

SECTION 12

NATIONAL BOARD OF DIRECTORS (NBoD)

Sub-Section (1)

The NBoD shall consist of the National President, one National Executive Vice-President, the seven (7) Regional Executive Vice-Presidents, as well as the President from each of the duly-established Components or their alternates.

All members of the NBoD and their alternates shall be members in good standing of the PSAC.

Sub-Section (2)

The NBoD shall be responsible for the affairs of the PSAC between the National Triennial Conventions. All residual power, authority and rights not specifically established by this Constitution in either the PSAC Centre or the Components shall reside in the NBoD subject to ratification by the Convention. The NBoD shall meet at least three (3) times a year, normally every four (4) months, but, in no event, shall it exceed five (5) months and may be called earlier by the National President if necessary, or upon written request of a majority of the NBoD.

Sub-Section (3)

When a vacancy occurs on the NBoD from among the National President, the NEVP, the seven (7) REVPs or their alternates, it shall be filled in accordance with the provisions of Section 23, Sub-Section (10) of this Constitution.

Sub-Section (4)

Without limiting the generality of Sub-Section (3), the NBoD shall be charged with the responsibility for:

- (a) carrying out the policies of the PSAC as established at National Triennial Convention, and ensuring that the provisions of this Constitution are strictly observed by the PSAC Centre and the Components;
- (b) the establishment of policies on matters related to collective bargaining, such as Bargaining Committees, Negotiating Teams and ratification of agreements;
- (c) ensuring that the PSAC is represented in all matters affecting the membership generally;
- (d) acquiring the offices and facilities necessary to conduct the affairs of the PSAC;
- (e) the employment, salaries and other conditions of employment of organizers and other full-time or part-time staff of the PSAC Centre;
- (f) fixing the conditions of employment, excluding salaries, of the full-time elected officers and the full-time appointed officers of the PSAC Centre;
- (g) ensuring the provision of a publication or publications designed to keep members informed on the activities of the PSAC;

- (h) considering and preparing all business to be brought before the National Triennial Convention and all arrangements in connection with the National Triennial Convention, including the submission of a budget with a proposed dues structure to the National Triennial Convention for the ensuing three (3) years and a recommendation respecting the date and location of the following National Triennial Convention;
- (i) adopting regulations pertaining to financial, organizational and operational matters.

Sub-Section (5)

Notwithstanding (f) of Sub-Section (4) of this Section, the NBoD may set salaries for full-time appointed officers subject to the budgetary limitations set by and in the absence of direction by the National Triennial Convention.

Sub-Section (6)

The NBoD may delegate any or all of the authority conferred in Sub-Sections (2) and (4) of this Section to the AEC.

Sub-Section (7)

- (a) At meetings of the NBoD, each member of the NBoD shall be entitled to one vote only;
- (b) Nevertheless, under circumstances described below, each member of the NBoD shall be entitled to cast votes equal to the total number of delegates to which that member's Component, DCLs or Area Councils would be entitled at a Convention of the PSAC, based on the most up-to-date available records of the PSAC. The NEVP and the seven (7) REVPs shall be entitled to cast one vote each, representing the ten (10) equity group delegates elected to PSAC National Triennial Conventions. The specific circumstances are:
 - (i) whenever in the opinion of the Chairperson, the NBoD is about to modify existing policy established by a National Triennial Convention, or is about to set new policy; or
 - (ii) whenever in the opinion of the NBoD, it is about to modify existing policy established by a National Convention, or is about to set new policy; or
 - (iii) at the request of any member of the NBoD, if, in the opinion of the Chairperson, the conditions stated above exist.
- (c) Only members in good standing shall be entitled to vote at the NBoD meetings.

SECTION 13

ALLIANCE EXECUTIVE COMMITTEE (AEC)

Sub-Section (1)

- (a) The National President shall function as the Chief Executive Officer of the PSAC and shall exercise supervision over the affairs of the PSAC, sign all official documents and preside at regular and special conventions. The National President shall preside at all meetings of the NBoD and AEC, and be accorded all the rights and privileges of presiding officers of deliberative bodies. Subject to Sub-Section (2), the National President shall assign duties to the NEVP and REVPs.
- (b) The National President shall have the authority to interpret this Constitution and the interpretation shall be conclusive and in full force and effect unless reversed by the NBoD or a National Triennial Convention. Any interpretation given at a meeting of the NBoD or at a National Triennial Convention of the PSAC whether conclusive and in full force and effect, or reversed, shall be reported in an Appendix to the appropriate minutes of the proceedings.
- (c) The National President shall provide a report on his/her activities, the administration of his/her office and on the affairs of the PSAC to each regular meeting of the NBoD and to each National Triennial Convention.
- (d) The NEVP and the seven (7) REVPs shall provide a detailed written report, on their portfolio and activities to each regular meeting of the NBoD.
- (e) The NEVP shall act in the office of the National President in the event of the incapacity or the unavailability of the National President.
- (f) Once elected, if she or he is not already bilingual, the National President has one (1) year to begin a second language course to improve her or his linguistic skills, and continue throughout her or his term of office.

Sub-Section (2)

- (a) The AEC shall be composed of the National President, the NEVP, seven (7) REVPs, all nine (9) of whom shall be elected in accordance with the provisions of Section 23.
- (b) The National President shall, in consultation with other members of the AEC, assign duties.

Sub-Section (3)

- (a) A majority of the members of the AEC shall constitute a quorum.
- (b) In a case of a tie vote, the Chairperson will be entitled to a second vote to cast the deciding vote.

Sub-Section (4)

- (a) Notwithstanding any other Section of this Constitution, the AEC may delegate any or all of its authority as it relates to the various regions, to the applicable REVP.
- (b) The authority outlined in Section 13, Sub-Section (4) (a) shall include, but not be limited to, the following duties and responsibilities:
 - be the political voice for the PSAC in their region;
 - act as the liaison officer between the PSAC and the Canadian Labour Congress Federations of Labour;
 - be the political voice of the PSAC on the applicable Federation of Labour;
 - chair meetings of the Council and other regionally-determined bodies where appropriate;
 - administer PSAC Centre services, and implement PSAC programs in their region by developing and adopting, at the AEC, budget projections and breakdowns for each fiscal year, and forwarding the appropriate funds to each region.
 - administer and manage the regional education budget;
 - participate on the AEC with voice and vote; and
 - perform any other duties assigned by the National President.

SECTION 14

AREA COUNCILS

Sub-Section (1)

The organization and operation of Area Councils shall be encouraged by the PSAC as a matter of policy, provided that not more than one Area Council may be organized in any area that can be reasonably encompassed by one Area Council. Area Councils shall be fully-funded by the PSAC.

Sub-Section (2)

Area Councils of the PSAC may be organized where at least three (3) Components and/or DCLs make application to the AEC. Approval of such application will lie with the AEC.

Sub-Section (3)

Notwithstanding Sub-Section (2) the AEC may approve, in exceptional cases, the organization of an Area Council when it is satisfied that the members are willing to participate and the Area Council can be viable.

Sub-Section (4)

Area Council meetings shall be open to all members of the Locals or Branches of Components, DCLs, and constitutionally-recognized regional committees within the area of jurisdiction, all of which must be in good standing, who shall have full voice on all discussions at Area Council meetings. Each Local or Branch of a Component and each DCL shall be entitled to two (2) delegates for the first 500 members and one additional delegate for each additional 500 members or part thereof. Each constitutionally-recognized regional committee shall be entitled to one (1) delegate. Voting rights at Area Council meetings shall be vested in the elected/selected delegates from the Locals or Branches of Components, DCLs, and constitutionally-recognized regional committees and the elected officers of the Area Council.

Sub-Section (5)

Locals and Branches that have members in multiple Area Council jurisdictions may determine those members affiliated to each Area Council. Delegate entitlements to each Area Council shall be in accordance with Sub-Section (4) and no member may be affiliated to more than one Area Council.

Sub-Section (6)

Area Councils shall be governed under the provisions of By-Laws drawn up and agreed upon by the Area Council. Such By-Laws shall conform to the provisions and principles of the Constitution of the PSAC.

Sub-Section (7)

Area Councils are designed to serve as liaison for Locals or Branches of Components, DCLs, and constitutionally-recognized regional committees. The role of Area Councils shall consist of such activities as community, social and recreational affairs within the communities in which the Area Councils function; promotion and coordination of PSAC campaigns assigned to them by the NBoD or the AEC, such as political action; promotion of Federations of Labour and District Labour Councils; dissemination of information as well as workshop and seminar-type education in matters directly relating to the functions of Area Councils.

Sub-Section (8)

Each Area Council and its officers shall be subject to the disciplinary provisions of Section 25 of this Constitution.

Sub-Section (9)

No Area Council shall use the name of the PSAC without first obtaining prior written consent from the appropriate REVP or the AEC.

Sub-Section (10)

No Area Council shall enter into a contract or commitment in the name of the PSAC without first obtaining prior written consent from the designated REVP or the AEC.

Sub-Section (11)

Each Area Council may charge such fees as it deems necessary for the operation of the Area Council, to each participating Component Local or Branch, DCL, and constitutionally-recognized regional committee.

Sub-Section (12)

The channel of communication for Area Councils to the PSAC shall be through the appropriate REVP.

Sub-Section (13)

- (a) Area Council meetings shall be held at least four (4) times a year. One such meeting shall be known as the annual meeting at which time officers shall be elected and financial and other reports presented.
- (b) Area Council delegates shall have the right to elect at a general membership meeting, held within a period of not more than twelve (12) months and not less than six (6) months prior to the commencement of the regular National Triennial Convention of the PSAC, a delegate to the forthcoming PSAC Convention.

Sub-Section (14)

- (a) Area Councils shall forward to the designated REVP of the PSAC, minutes of all meetings no later than thirty (30) days following the date on which each meeting is held.
- (b) Area Council resolutions to National Triennial Conventions must be submitted to the NBoD six (6) months prior to the Convention.

SECTION 15

REGIONAL COMMITTEES

Sub-Section (1)

The organization and operation of Regional Women's, Indigenous Peoples, Racially Visible Persons, Pride (LGBTQ2+ Lesbian, Gay, Bisexual, Transgender Persons, Queer, Two-Spirited, +), Access (Persons with Disabilities) and Young Worker (persons 35 years of age and under) Committees should be encouraged by the PSAC as a matter of policy, provided that not more than one Regional Women's, Indigenous Peoples, Racially Visible Persons, Pride, Access and Young Worker Committee may be organized in any area that can be reasonably encompassed by one Regional Women's, Indigenous Peoples, Racially Visible Persons, Pride, Access and Young Worker Committees.

Sub-Section (2)

- (a) Women's, Indigenous Peoples, Racially Visible Persons, Pride, Access and Young Worker Committees of the PSAC may be organized where there are at least three (3) Components and/or DCLs willing to participate and upon application to the AEC.

- (b) Notwithstanding Sub-Section (2) (a), the AEC may approve the organization of Regional Indigenous Peoples, Racially Visible Persons, Pride, Access and Young Worker Committees where less than three (3) Components and/or DCLs are willing to participate when it is satisfied that the Committee can be viable.
- (c) Notwithstanding Sub-Section (2) (a) and (b), Regional Human Rights Committees consisting of members of the Indigenous Peoples, Racially Visible Persons, Pride and Access Equity Groups may be organized where there are at least three (3) Components and/or DCLs willing to participate, and upon application to the AEC.
- (d) Notwithstanding Sub-Section (2) (a), (b) and (c), the AEC may approve, in exceptional cases, the organization of Regional Indigenous Peoples, Racially Visible Persons, Pride and Access Committees jointly as a Human Rights Committee when it is satisfied that the members are willing to participate and the Committee can be viable.

Sub-Section (3)

- (a) Regional Women's, Indigenous Peoples, Racially Visible Persons, Pride, Access and Young Worker Committees or Regional Human Rights Committees shall consist of representatives who should come from each Component with members in the jurisdiction of the Women's, Indigenous Peoples, Racially Visible Persons, Pride, Access and Young Worker Committees.
- (b) Only one member per Local or Branch may be a voting member of each Committee. For any Committee that does not utilize voting, only one member per Local or Branch may engage in the process by which decisions of the Committee are made.

Sub-Section (4)

Regional Human Rights Committees or Regional Women's, Indigenous Peoples, Racially Visible Persons, Pride, Access and Young Worker Committee meetings shall be held at least four (4) times a year.

Sub-Section (5)

Regional Human Rights Committees or Regional Women's, Indigenous Peoples, Racially Visible Persons, Pride, Access and Young Worker Committees shall be fully funded by the PSAC.

Sub-Section (6)

The seven (7) PSAC Regional Health and Safety Committees shall have the authority to submit resolutions directly to the National Health and Safety Conference.

SECTION 16

COUNCILS AND REGIONAL TRIENNIAL CONVENTIONS

Sub-Section (1)

Each region shall establish a Council. The organization and operation of the:

- Atlantic;
- Quebec;
- Ontario;
- Prairies;
- British Columbia;
- North;
- National Capital Region

Council shall be governed under the provisions of By-Laws they have drawn up and agreed upon.

Such By-Laws shall not conflict with the provisions and principles of the Constitution of the PSAC.

Sub-Section (2)

(a) The

- Atlantic;
- Quebec;
- Ontario;
- Prairies;
- British Columbia;
- North;
- National Capital Region

Council may charge such fees as it deems necessary for its operation, to each participating Component Local or Branch and DCLs.

(b) Each Regional Council will provide the National President of the PSAC with (i) an annual detailed statement of receipts and expenditures, and (ii) a balance sheet showing Assets, Liabilities and Equities by March 31st of each year. These statements must be reviewed by a PSAC member or other person who is not on the Regional Council Executive who, along with the Regional Executive Vice-President, will certify their completeness.

- (c) Notwithstanding (b) above, the PSAC National President can, at any time, require a Regional Council to provide a detailed audited statement of receipts and expenditures certified by qualified accountants.

Sub-Section (3)

All Locals, Sub-Locals or Branches having members working or residing in more than one PSAC regional jurisdiction may affiliate those members in a particular PSAC region to the Regional Council for that region. A member may only participate in one PSAC Regional Council.

Sub-Section (4)

Regional Triennial Conventions:

- (a) will elect an REVP, an Alternate REVP (A/REVP) and, where provided for in Regional By-Laws, a second Alternate REVP;
- (b) may adopt resolutions for consideration at National Triennial Conventions of the PSAC in accordance with procedures outlined in its Regional By-Laws;
- (c) will take place within the period commencing 14 months and ending nine (9) months prior to the PSAC National Triennial Convention.

Sub-Section (5)

Regional Conventions shall take place over three (3) days commencing on a Friday.

Sub-Section (6)

For the purpose of representation at a PSAC Regional Triennial Convention:

- (a) Each local (components and DCLs) shall be entitled to one (1) delegate for the first one (1) to two hundred and fifteen (215) members and one (1) additional delegate for each additional two hundred and fifteen (215) members or fraction thereof.
- (b) Up to twenty (20) members of their respective Regional Councils shall be delegates;
- (c) Each active Area Council shall be entitled to elect one (1) delegate;
- (d) Each active Regional Women's Committee shall be entitled to elect one (1) delegate;

- (e) Each active Regional Human Rights and Equity Committee shall be entitled to elect one (1) delegate;
- (f) Two (2) elected regional National Aboriginal Peoples' Circle representatives shall be delegates;
- (g) Each Regional Young Workers Committee shall be entitled to elect (1) delegate;
- (h) Component national officers shall be delegates in the region in which they live or work.
- (i) Members of the NBoD and full time Component Vice-Presidents shall be entitled to delegate status in the caucus they have elected to participate in as per Section 19, Sub-Section 5 b)

Sub-Section (7)

- (a) Component officers as defined in Component By-Laws that meet the following criteria shall be delegates to their respective Regional Convention:
 - i) the officer must be a full voting member of the Component executive and elected by the Component Convention delegates or the membership at the national or regional level; and
 - ii) the officer must live or work in the Region.
- (b) Delegation to a Regional Convention of any Component officer not included in (a) above will require a recommendation from the National President and approval from the NBoD.

Sub-Section (8)

Remuneration of delegates shall be in accordance with Section 24, Sub-Section (21).

Sub-Section (9)

No member shall attend more than one Regional Convention as a delegate per convention cycle.

SECTION 17

NATIONAL TRIENNIAL CONVENTIONS

Sub-Section (1)

The PSAC shall hold a National Convention every three (3) years, known as the National Triennial Convention.

Sub-Section (2)

The National Triennial Convention shall be the supreme governing body of the PSAC.

Sub-Section (3)

The NBoD shall issue a call to Convention to all Components, Area Councils and DCLs not less than six (6) months prior to the date of the National Triennial Convention. Such Convention call shall include final date for receipt of resolutions from Components, Area Councils and DCLs.

Sub-Section (4)

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

Sub-Section (5)

The National Triennial Convention shall be held within the period of April 1st to June 30th.

Sub-Section (6)

The National Triennial Convention shall:

- (a) adopt rules of procedure governing the processing of all matters before the National Triennial Convention;
- (b) deal with all resolutions and matters submitted to it by: the NBoD; Components, in accordance with Section 9, Sub-Section (13); Regional Convention/Councils in accordance with Section 16, Sub-Section (4); and, DCLs in accordance with Section 11, Sub-Section (4) (b) except that this would not normally include collective bargaining demands;
- (c) deal with all specific matters assigned to it by this Constitution;

- (d) establish the general policies of the PSAC;
- (e) elect officers of the PSAC as outlined in Sections 18 and 23 of this Constitution;
- (f) ratify all appointments to Committees of the National Triennial Convention made by the NBoD or the AEC;
- (g) establish the budgetary provisions of the ensuing period including the dues to be paid by each member other than those dues established by a:
 - i) Component Convention or by subordinate bodies of a Component; or
 - ii) DCL
- (h) review all reports submitted to it by officers and subordinate bodies;
- (i) review the report of the National Triennial Women's, **Indigenous Peoples**, Racially Visible Persons, Pride, Access and Health and Safety Conferences and vote on recommendations adopted at the Conferences;
- (j) act upon any other items of business placed before it by the duly elected delegates in the manner prescribed by the procedural rules adopted by the Convention for the orderly processing of its business.

Sub-Section (7)

All matters and resolutions not dealt with by the Convention shall be referred to the NBoD who will consider and act upon such unfinished business before the conclusion of the second regular meeting of the NBoD following the Convention. Decisions on the disposition of all Convention matters and resolutions by the NBoD shall be published and distributed to all Convention delegates, and shall include reasons and recorded votes.

Sub-Section (8)

National Triennial Conventions shall be chaired by the National President or in his/her absence or on his/her delegation by a pro-tem chairperson selected by the Convention.

Sub-Section (9)

Special National Conventions shall be called on the written request of two-thirds (2/3) of the members of the NBoD or on the written request of the Executive bodies of two-thirds (2/3) of the duly-established Components as described in Section 8.

Sub-Section (10)

A Special National Convention shall deal only with the matters for which it is called unless, by a two-thirds (2/3) 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 18

ELIGIBILITY OF NOMINEES FOR OFFICE

Sub-Section (1)

All nominees for elected office shall be members in good standing of the PSAC.

Sub-Section (2)

- (a) A nominee for office as a REVP or an alternate shall work or reside in the area to be represented.
- (b) Notwithstanding Sub-Section 2 (a) of this Section, a member of the NBoD shall be entitled to seek the nomination for the office of REVP if he/she resided in the region immediately prior to his/her election to a position on the NBoD.

Sub-Section (3)

- (a) Nominees for the National President and the NEVP shall be prepared to live in the greater Ottawa/Gatineau area, if elected.
- (b) Nominees for the:
 - Atlantic;
 - Quebec;
 - Ontario;
 - Prairies;
 - British Columbia;
 - North;
 - National Capital Region

REVP positions shall be prepared to live in a location where there is a PSAC Regional Office as determined by the AEC. When making this determination, the AEC shall take into consideration the family status, the needs of the membership, membership population and administrative criteria.

- (c) Nominees for all full-time officers of the AEC shall be prepared to live in the greater Ottawa/Gatineau area or the regional location as determined by the AEC if elected; and be governed by the PSAC election expenditures Regulation enacted by the NBoD.

Sub-Section (4)

An Alternate NEVP shall be prepared to live in the greater Ottawa/Gatineau area if he/she ascends to the position of the NEVP.

Sub-Section (5)

An elected member of any Component National Executive shall not hold any other elected national office in the PSAC, except Alternate to a REVP or the Alternate NEVP.

Sub-Section (6)

Members elected to the position of REVP shall not hold Local or Branch Executive Officer positions other than Steward.

SECTION 19

REPRESENTATION AND VOTING AT THE PSAC NATIONAL TRIENNIAL CONVENTION

Sub-Section (1)

For purposes of representation at any National Triennial Convention of the PSAC, each Component shall be entitled to elect delegates on the following basis:

- One delegate for the first 100-400 members; and
- One additional delegate for each additional 400 members or major fraction thereof; and
- Dues-paying members who are recognized by the terms of their collective agreement.

Sub-Section (2)

- (a) For the purposes of representation at any National Triennial Convention of the PSAC, a DCL shall be entitled to elect delegates on the following basis:

- One delegate for the first 100-400 members, defined here to include those dues-paying members who are recognized by the terms of their collective agreement; and
 - One additional delegate for each additional 400 members or major fraction thereof, defined here to include those dues-paying members who are recognized by the terms of their collective agreement.
- (b) (i) For the purposes of representation at any National Triennial Convention of the PSAC, DCLs of a region under the jurisdiction of an REVP who are not entitled to elect delegates pursuant to Section 19, Sub-Section (2) (a), shall be entitled to elect delegates on the following basis:
- One delegate for the first 100-400 members from DCLs of a region as defined above; and
 - One additional delegate for each additional 400 members or major fraction thereof.
- (ii) Procedures governing the election of delegates under Sub-Section (2) (b) (i) will be developed by the AEC.

Sub-Section (3)

Delegate entitlement under Section 19 shall be determined in accordance with Section 4, Sub-Section (13) in the 12 months prior to the date of the Convention Call.

Sub-Section (4)

All accredited delegates as elected by Components and DCLs shall have full voice and voting rights.

Sub-Section (5)

- (a) Each member of the NBoD or their alternate shall be entitled to attend a National Triennial Convention of the PSAC and shall be accorded all rights and privileges of accredited delegates.
- (b) Each member of the NBoD, and each full-time Component Vice-President who is required to relocate to the National Capital Region shall, within thirty (30) days of his/her election, notify the PSAC Director of the Membership Programs Branch of his/her intention to either:
- i) participate in the caucus at Convention from the geographic area where he/she resided immediately prior to his/her election to the NBoD or Component Vice-President; or

- ii) participate in the National Capital Region Caucus.

Sub-Section (6)

Each Area Council shall be entitled to elect and send to any National Triennial Convention of the PSAC one delegate who shall be accorded all rights and privileges of accredited delegates.

Sub-Section (7)

The Indigenous Peoples, Racially Visible Persons, Pride, Access and Women equity groups shall each be entitled to send two (2) delegates to any National Triennial Convention of the PSAC who shall be accorded all rights and privileges of accredited delegates. These delegates shall be elected at their respective PSAC National Triennial Conference.

SECTION 20

DESIGNATED OFFICIALS

Sub-Section (1)

The Directors of Branches shall be appointed by the members of the AEC and ratified by the NBoD.

Sub-Section (2)

The salaries of the Directors of Branches shall be determined by the members of the AEC within such limitations as may be imposed by the National Triennial Convention or by the NBoD.

Sub-Section (3)

The duties of the Directors of Branches shall be prescribed by the AEC and shall be carried out under the general direction of an AEC Officer.

Sub-Section (4)

The Directors of Branches shall be prepared to reside in the greater Ottawa/Gatineau area, if appointed.

SECTION 21

STAFF

Sub-Section (1)

Staff, as required, will be appointed by the AEC, subject to any limitations that may be imposed by the National Triennial Convention or by the NBoD.

SECTION 22

TERMS AND CONDITIONS OF EMPLOYMENT

Sub-Section (1)

- (a) The salaries for full-time elected officers shall be established by the National Triennial Convention.
- (b) Terms and conditions of employment for full-time elected officers shall be governed by this Constitution and by Regulations adopted by the NBoD.

Sub-Section (2)

Terms and conditions of employment, including salaries, for excluded staff shall be governed by Regulations adopted by the NBoD.

Sub-Section (3)

Terms and conditions of employment, including salaries, of other staff shall be established by the AEC or as negotiated with the recognized bargaining agents.

SECTION 23

NOMINATION AND ELECTION OF OFFICERS — NATIONAL TRIENNIAL CONVENTION

Sub-Section (1)

At each National Triennial Convention or at a Special National Convention, if notice is given, a Nominations Committee of at least five (5) persons shall be appointed by the AEC from among those present, other than staff.

Sub-Section (2)

The duties of the Nominations Committee shall be:

- (a) To receive nominations for each of the offices of:
 - National President
 - NEVP
 - Alternate NEVP
- (b) to verify the eligibility of nominees for office;
- (c) to ascertain the willingness of nominees to accept and perform the duties of any office to which they may be elected; and
- (d) to report to the National Triennial Convention the names of all such nominees.

Sub-Section (3)

Nominations for all offices filed with the Nominations Committee shall be in writing, signed by a nominator and a seconder, each of whom shall be an accredited delegate.

Sub-Section (4)

The Chairperson of the Nominations Committee shall be appointed by the AEC, and shall conduct the election of all officers. The Chairperson shall have the power to appoint scrutineers and assistants deemed necessary to conduct the elections in an orderly manner, subject to the limitations of Sub-Section (1).

Sub-Section (5)

The election of the National President, the NEVP and the Alternate NEVP shall be conducted in turn. 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 Triennial Convention.

Sub-Section (6)

As the election for each office is called, the Nominee, Nominator or Seconder of each nominee, whether filed previously with the Nominations Committee or nominated from the floor, may speak to the National Triennial Convention for not more than three (3) minutes on behalf of that nominee.

Sub-Section (7)

The election to each office shall be by secret ballot. Each person in attendance entitled to vote shall indicate the name of his/her choice for the office called, from among the nominees for the office.

Sub-Section (8)

Election to any office shall be declared only on receipt of a clear majority of the ballots cast with standings revealed to voting delegates after each ballot. In the event that more than two (2) nominees stand for election to any one office, the election procedure shall be by way of elimination.

Sub-Section (9)

In the event of a tie vote, the Chairperson 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 before taking the third ballot.

Sub-Section (10)

- (a) In the event of a vacancy in the office of National President, the position shall be filled by the NEVP.
- (b) A vacancy in the office of the NEVP shall be filled by the Alternate NEVP. A vacancy in the position of Alternate NEVP shall be filled in accordance with paragraph (d) of this Sub-Section.
- (c) A vacancy in the office of the REVP shall be filled by ascension of the Alternate REVP from the same region. A vacancy in the office of Alternate REVP shall be filled by ascension of the Second Alternate REVP (where applicable, and in accordance with the applicable Regional By-Laws).
- (d) Subject to the limitations imposed by paragraphs (a), (b) or (c) of this Sub-Section, in the event of a vacancy occurring six (6) months or more prior to the National Triennial Convention in any of the positions on the NBoD, other than those occupied by REVPs or representatives of Components, nominations shall be called by the AEC from amongst the membership in good standing of the PSAC. A period of not more than thirty (30) days from the date of notice of the vacancy shall elapse and the AEC shall ensure that the nominees are members in good standing and are prepared to stand for office. If an election is necessary, it shall be conducted by the AEC in accordance with procedures adopted by the NBoD, except that only those delegates from the last Convention still in good standing shall be eligible to vote.

SECTION 24

FINANCES AND COLLECTION OF DUES

Sub-Section (1)

The amount of monthly dues payable by each deductee and member of the PSAC to the PSAC Centre shall be determined by the National Triennial Convention. This shall include an amount established by the National Triennial Convention to be set aside for an emergency fund. Such Fund shall be governed by Regulations adopted by the NBoD.

Sub-Section (2)

The amount of monthly dues payable by each deductee and member of the PSAC to the Component to which the member is assigned shall be determined by the By-Laws of the Component.

Sub-Section (3)

- (a) The amount of monthly dues payable by each deductee and member of the PSAC in accordance with Section 8, Sub-Section (7) (a) will be determined by the AEC based on the average membership dues paid by those members who have been assigned to an established Component.
- (b) Notwithstanding Sub-Section 3 (a), the AEC may recommend to the NBoD, and the NBoD may approve, membership dues lower than the average membership dues paid by those members who have been assigned to an established Component if:
 - (i) the amount of dues is sufficient to adequately service the Local; and
 - (ii) lower than average dues are, in the opinion of the NBoD, in the best interest of the PSAC.

Sub-Section (4)

Notwithstanding other provisions of this Section, the AEC shall be empowered to establish lower PSAC Centre dues, for an interim period of three (3) years, for groups of workers who agree to merge with or join the PSAC.

- (a) the initial dues paid by these members are no lower than the dues, and/or membership fees, that they paid to another union or association immediately prior to merging with or joining the PSAC; and

- (b) the dues paid by these members increase in equal annual installments until the third anniversary of the date they merged with or joined the PSAC, at which time the dues paid by these members shall be equal to the dues established for other members.

Sub-Section (5)

Notwithstanding other provisions of this Section, the NBoD shall be empowered to establish a sliding scale of dues including Component and Local dues for locally-engaged employees outside Canada.

Sub-Section (6)

Collection of the total amount of monthly dues as provided by Sub-Sections (1), (2) and (4) shall be by payroll deduction, except for those members where facilities are not available for payroll deductions, in which case, dues may be paid by cheque.

Sub-Section (7)

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

Sub-Section (8)

All monthly dues collected through the payroll deduction shall be authorized by the PSAC to be paid to the PSAC by the employer in the amount per deductee and member as provided by Sub-Sections (1), (2) and (4) of this Section and in the manner provided by Sub-Section (9) of this Section.

Sub-Section (9)

- (a) Notwithstanding Sub-Sections (1) and (5) of this Section, members who receive remuneration during a legal strike and who have been fined under Section 25, Sub-Section (4) shall remit the amount of the fine to the PSAC or any of its subordinate bodies. The monies received under this Sub-Section shall be directed to the body that initiated the disciplinary action.
- (b) The PSAC and its Components, Branches, Locals and DCLs shall have the authority to pursue all legal avenues to ensure that members pay any penalties imposed under Section 24, Sub-Section (9) (a). The body that initiated the disciplinary action may request assistance from other levels of the PSAC in order to pursue the monies owed by the members who receive remuneration during a

legal strike and who have been fined in accordance with Section 25, Sub-Section (4) of this Constitution.

- (c) The PSAC shall notify Locals, DCLs and its Components on receipt of any funds from fines collected pursuant to Section 25, Sub-Section (4) of this Constitution.

Sub-Section (10)

The PSAC Centre shall ensure that the Component portion be transmitted at the earliest possible date.

Sub-Section (11)

Authority for all subsequent changes in the monthly dues by payroll deduction on behalf of the PSAC shall be vested in the PSAC. The PSAC Centre shall be responsible for notifying each paying authority through which any members of the PSAC are paid.

Sub-Section (12)

The finances of the PSAC Centre shall be audited annually by a qualified and licensed Public Accountant approved by the NBoD. Copies of the audited annual statements, together with a comparative statement of the annual budget, shall be distributed to all Components for distribution to their subordinate bodies, and a distribution shall be made by the PSAC Centre to Area Councils.

Sub-Section (13)

All monies received shall be deposited in a chartered bank, designated by the NBoD, to the credit of the PSAC.

Sub-Section (14)

Funds required for current expenditures shall be maintained in a bank account or accounts opened as instructed by the AEC.

Sub-Section (15)

Funds not required for current operation may be invested in securities by the AEC. Such investments shall only be in securities authorized by the laws of Ontario for Trustees.

Sub-Section (16)

Cheques shall be signed by the Director of the Finance Branch and any one of:

- (a) the National President; and

(b) an AEC Officer designated by the National President.

In the absence of the Director of the Finance Branch, a designated AEC Officer shall sign cheques in his/her stead.

Sub-Section (17)

The AEC may, upon authorization of the NBoD, enter into an agreement with a chartered bank for the purpose of borrowing monies, under arrangements as deemed necessary by the bank.

Sub-Section (18)

Each member of the AEC shall be bonded in an amount of not less than \$100,000. All other staff concerned with the administration of finances or the control of equipment and supplies shall also be bonded in amounts decided by the AEC. The cost of all such bonds shall be borne by the PSAC.

Sub-Section (19)

Standing advances for expense purposes as approved by the AEC shall be provided on an imprest account basis to all elected and appointed officers, organizers and staff.

Sub-Section (20)

Remuneration of elected and appointed officers, organizers and staff and other persons for expenses incurred while on official business for the PSAC Centre shall be governed by Regulations established by the NBoD. Such Regulations shall be promulgated within sixty (60) days of their adoption and shall be subsequently ratified by the National Triennial Convention.

Sub-Section (21)

Remuneration of delegates, including members of the NBoD, to any National Triennial Convention of the PSAC, shall be paid by the PSAC Centre.

Remuneration shall consist of all necessary transportation, hotel accommodation, per diem at a flat rate to cover subsistence expenses incurred during attendance at the National Triennial Convention, the flat rate to be struck at the opening session of the Convention, and actual salary or wages for time lost. Salary for time lost shall not be payable to any full-time elected or appointed officer of the PSAC in attendance at any National Triennial Convention of the PSAC.

Sub-Section (22)

- (a) Members on leave without pay who do not have alternative paid employment as defined in Section 4, Sub-Section (2) (h) shall not be required to pay dues while on leave.
- (b) Members who have been laid off as defined in Section 4, Sub-Section (2) (g) shall not be required to pay dues.

Sub-Section (23)

A Component shall remit quarterly the PSAC Centre's portion of the dues collected from all cash dues-paying members. A list of names and home addresses of all such members shall accompany each remittance.

Sub-Section (24)

All cheques and money orders covering remittance to the PSAC Centre shall be made payable to the PSAC and not to any officer of the PSAC.

Sub-Section (25)

The PSAC Centre shall not be responsible for payment of any account which has not been authorized by the AEC by minute or delegation.

Sub-Section (26)

In order to sustain the financial stability of the PSAC, in the event any Component decides to withdraw from the PSAC, this shall only be done following one year's notice to the PSAC and then only on the authority of a resolution to this effect adopted and passed by a majority consisting of two-thirds (2/3) of those eligible to vote at a constitutionally-called Convention of the Component.

Sub-Section (27)

The fiscal year of the PSAC shall be the calendar year ending December 31st.

SECTION 25

DISCIPLINE

Sub-Section (1)

The NBoD shall have the authority, by resolution passed by a majority consisting of two-thirds (2/3) of those eligible to vote, to suspend or expel from membership any PSAC National Officer; any Regional Council, Component, Local, Branch, Regional Committee, Area Council, or any of their officers or members, for contravening any provision of the Constitution of the PSAC or the By-Laws of any Regional Council or any By-Laws of any Component or the By-Laws of any Local, Branch, Area Council or for causes as listed in Sub-Section (6) of this Section.

- (a) An officer or member suspended from membership shall be removed from an office held for a period not exceeding five (5) years. Any person or persons suspended shall turn over to the PSAC all records, documents, funds or property that are held in trust for the PSAC, a Regional Council, a Component, a Local, Branch, Regional Committee or an Area Council.
- (b) An officer or member expelled from membership shall be removed from an office held for a period up to life, subject to a review process every five (5) years. Any person or persons expelled shall turn over to the PSAC all records, documents, funds or property that are held in trust for the PSAC, a Regional Council, a Component, a Local, Branch, Regional Committee or an Area Council.

Sub-Section (2)

The NBoD shall have the authority by resolution passed by a majority consisting of two-thirds (2/3) of those eligible to vote, to remove from office any PSAC National Officer; any Regional Council, Component, Local, Branch, Regional Committee or Area Council officer for contravening any provision of the Constitution of the PSAC or the By-Laws of any Component or Local or for causes as listed in Sub-Section (5) of this Section. An officer removed from office shall not be allowed to hold office for a period not exceeding five (5) years. Any person or persons removed from office shall turn over to the PSAC all records, documents, funds or property that are held in trust for the PSAC, a Component, a Local, Branch, Regional Committee or an Area Council.

Sub-Section (3)

- (a) When a Component has removed an officer or member from union office, in accordance with the Component By-Laws, the NBoD shall restrict this officer or member from standing for election or holding any other office within PSAC. The duration of this restriction shall take effect and be concurrent with the period of discipline levied against this officer or member by the Component.

- (b) Any person or persons removed from office shall turn over to the appropriate body all records, documents, funds or property that are held in trust for the PSAC, a Component, a Local, Branch, Regional Committee, an Area Council or Regional Council.

Sub-Section (4)

Any disciplinary action taken under the provisions of Sub-Sections (1) and (2) of this Section for a cause listed in Sub-Section (6) (n) of this Section shall include the imposition of a fine that equals the amount of daily remuneration earned by the member, multiplied by the number of days that the member crossed the picket line, performed work for the employer or voluntarily performed struck work.

Sub-Section (5)

- (a) Any disciplinary action taken under the provisions of Sub-Sections (1) and (2) of this Section may be appealed to a tribunal empowered to hear appeals which shall make final and binding decisions thereon. The Chair of the tribunal shall be an independent person agreed to by both parties or appointed by an appropriate labour organization where there is no mutual agreement.
- (b) All terms and conditions of the tribunal shall be contained in an appropriate Regulation adopted by the PSAC NBoD.

Sub-Section (6)

A PSAC, Regional Council, Component, Local, Branch, Regional Committee, Area Council officer or member, is guilty of an offense against this Constitution who:

- (a) violates any of the provisions of this Constitution;
- (b) obtains membership or solicits membership by misrepresentation;
- (c) institutes, urges or advocates that a member institute action in a court of law against the PSAC, any of its constituent parts or any of their officers without first exhausting all remedies through appeal within the PSAC;
- (d) other than through proper Component channels, advocates or attempts to bring about the withdrawal from the PSAC, its Regional Councils, Components, or Locals or Branches of 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 of the PSAC, its Regional Councils, Components, Locals, Branches, Regional Committees or Area Councils;
- (h) uses abusive language or disturbs the peace of any meeting or around any office or meeting place of the PSAC, its Regional Councils, Components, Locals, Branches, Regional Committees or Area Councils;
- (i) fraudulently receives or misappropriates any monies due to the PSAC, its Regional Councils, Components, Locals, Branches, Regional Committees or Area Councils;
- (j) uses the name of the PSAC for soliciting funds or advertising without the consent of the AEC;
- (k) furnishes without prior authority a list or any information on the membership of the PSAC, its Regional Councils, Components, Locals, Branches, or Regional Committees to any person or persons other than those whose official position in the PSAC, its Regional Councils, Components, Locals, Branches, or Regional Committees would entitle them to have such information;
- (l) deliberately interferes with an official of the PSAC or its Components, in the discharge of duties;
- (m) engages in any other conduct prejudicial to the good order and discipline of the PSAC;
- (n) is a worker in a legal strike position, who either crosses the picket line or is paid by the employer not to participate in strike action, or performs work for the employer, unless required to do so by law, or who voluntarily performs struck work;
- (o) being a PSAC, Regional Council, Component, Local or Branch Officer who willfully does not initiate disciplinary action against scabs as defined in paragraph (n) of this Section; or
- (p) sexually or personally harasses another member.

Sub-Section (7)

Any member can initiate disciplinary action against any PSAC, Component, Local, or Branch Officer under Sub-Section (5) (o) of this Section.

Sub-Section (8)

Within six (6) months of the conclusion of a ratification vote, members of the NBoD shall be responsible for providing the AEC with a status report on disciplinary actions taken against scabs within their Component. The report shall include details of disciplinary action undertaken by Locals and Branches and what steps have been taken

to ensure that the disciplinary action is taken against scabs as specified in this Constitution.

Sub-Section (9)

A Regional Council, Component, Local, or Branch which has not carried out the responsibilities required by this Constitution shall be considered to be in violation of this Constitution, and the NBoD shall have the authority to appoint a trustee with the responsibility to manage the Regional Council, Component, Local, or Branch's affairs and to bring about its compliance with this Constitution without delay.

Sub-Section (10)

Any member of the PSAC who has been found guilty, in accordance with Section 25, of contravening any Section of this Constitution and/or By-Laws of the Component and/or Local and/or Branch to which the member belongs shall have his/her membership revoked by written notification signed jointly by the authorized senior elected officers of the AEC and of the Component.

SECTION 26

AMENDMENT OF CONSTITUTION

Sub-Section (1)

Any amendment of, deletion from, or addition to this Constitution shall become effective by approval:

- (a) of two-thirds (2/3) of the delegates voting at a National Triennial Convention of the PSAC; or
- (b) between National Triennial 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 a two-thirds (2/3) majority of the NBoD.

Sub-Section (2)

Resolutions for the alteration of this Constitution may be submitted directly to the PSAC Centre, or to any committee of the PSAC set up to receive them, by any Component, Regional Council, Area Council or DCL of the PSAC.

Sub-Section (3)

Unless otherwise specified, any amendment of, deletion from, or addition to this Constitution shall become effective at the time of its adoption.

SECTION 27

PROCEDURES FOR THE RESOLUTION OF JURISDICTIONAL ISSUES OR DISPUTES

Sub-Section (1)

The PSAC undertakes to respect the established jurisdiction of each Component which likewise undertakes to respect the jurisdiction of every other Component.

Sub-Section (2)

- (a) The PSAC Centre and Components recognize that it is in the best interest of the PSAC membership that jurisdictional issues that may arise between Components be resolved in a timely way and, where possible, by mutual agreement.
- (b) The PSAC Centre and Components recognize that while voluntary agreements and/or mergers between Components are the best way to resolve jurisdictional issues, the process will, at times, require the assistance of an independent party.

Sub-Section (3)

Pursuant to Sub-Section (4) (a), when a Component believes that jurisdictional issues exist between itself and one or more other Components that need to be resolved, it is responsible for initiating jurisdictional discussions with the other Component(s).

Sub-Section (4)

- (a) Any Component can initiate jurisdictional discussions with another Component or Components, providing that it does so in writing, and providing that the letter outlines the issues and affected members that it believes are involved, states the Component's desire to enter into discussions, and requests a meeting with the other Component(s). The Component letter initiating the jurisdictional dispute must be copied to the PSAC National President.
- (b) The PSAC National President shall convene a meeting of the Components involved in the jurisdictional dispute within 30 days of having been notified of the dispute.

Sub-Section (5)

- (a) A Component involved in jurisdictional discussions with another Component or Components can declare an impasse at any time subsequent to the initial meeting as outlined in Sub-Section (4) (b).
- (b) The PSAC National President can declare an impasse at any time subsequent to being officially informed of a jurisdictional dispute between two (2) or more Components.

Sub-Section (6)

- (a) If mediation is rejected by one or more of the Components involved in the jurisdictional dispute; or
- (b) if, at any time, in the opinion of the PSAC National President, it is clear that mediation will fail to resolve the outstanding jurisdictional issues;

the AEC will either:

- (a) with the agreement of all parties, submit the jurisdictional dispute to an independent third party for a binding decision; or
- (b) order a vote of all affected members to determine which Component will represent them. Such a vote is to be held within 180 days of the official notice by a Component that an impasse has not been resolved.

Sub-Section (7)

- (a) The AEC shall be responsible for the preparation of the ballot, and a letter to members identifying the issues in dispute. Components that are included on the ballot will be given an opportunity to prepare a letter explaining their position on the issues, membership dues, structure and the services they provide for inclusion in the voting kit, providing that the letter does not exceed two (2) pages in each official language.
- (b) Components shall be permitted to put out additional pieces of information, but only if they have been vetted and approved by a Committee of two (2) Component Presidents and an AEC Officer.

SECTION 28

GENERAL

Sub-Section (1)

Unless expressly provided otherwise in this Constitution, all decisions requiring a vote shall be decided by a simple majority.

Sub-Section (2)

Except at meetings of the NBoD, any decision requiring a vote shall be decided by a secret ballot upon adoption of a motion to that effect.

Sub-Section (3)

- (a) In all matters to be referred to the membership for referendum vote, either by reason of emergency or on the instruction of a National Triennial Convention, the National Triennial Convention, where possible, shall decide if such a vote will require a two-thirds (2/3) majority or a simple majority of those voting.
- (b) Where it is not possible to have the decision rendered by the National Triennial Convention, it shall be made by the NBoD.

Sub-Section (4)

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

Sub-Section (5)

The PSAC shall provide services to the members in the official language of their choice.

SECTION 29

OATH OF OFFICE

"I having been elected an officer of the PSAC, solemnly declare that for my term of office, I shall abide by and uphold this Constitution, 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."

SCHEDULE “A”

PUBLIC SERVICE ALLIANCE OF CANADA

REGULATIONS

NATIONAL BOARD OF DIRECTORS

**(All Regulations are pursuant to the authority
and power vested under the Constitution of
the PSAC on behalf of the NBoD)**

**By a clear majority, NBoD can enact a Regulation; by 2/3, it
can amend and rescind a Regulation**

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REGULATION 1

Public Service Alliance of Canada

Enacted this 15th day of December 1967
(As amended January 29, 1971)
(As amended September 27, 1973)
(As amended February 4, 2009)

REGULATION GOVERNING ALLOCATION OF MEMBERS TO NEW COMPONENTS

1. This Regulation may be cited as the allocation of members to new Components Regulation, pursuant to Section 8 of the Constitution of the Public Service Alliance of Canada.
2. This Regulation shall set standards and procedures for allocating members to new Components.

ADMINISTRATION

3. The Alliance Executive Committee shall be responsible for the appointment of an administrator*, who shall be assigned the task of forming new Components.
4. The administrator shall report at regular intervals to the Alliance Executive Committee with copies of all communications and data which relate to the formation of new Components.

PROOF OF MEMBERSHIP

5. Before any action is taken to form a new Component, the Alliance Executive Committee shall be satisfied that the Component to be formed consists of no less than twenty-five hundred (2500) members or otherwise qualifies under Section 8, Sub-Section (5) of the Constitution.

FORM OF ORGANIZATION

6. Upon receipt of satisfactory evidence that the provisions of Section 5 above have been met, the Alliance Executive Committee may authorize the administrator to proceed with the formation of the new Component.
7. The administrator shall thereupon notify the members concerned of the decision and inform them that the following procedures will take place:

* administrator (or administrators)

- (a) an advisory committee will be formed, the members of which shall be representative of the major divisions of the new Component. Members of the National Executive of any Component who will be transferred to the new Component shall be consulted.
 - (b) the administrator and the advisory committee will draft an organizational structure, by-laws and a proposed budget for the new Component; and
 - (c) the draft documents mentioned in (b) above, shall be submitted for the approval of the Alliance Executive Committee and when approved, shall be submitted to the membership. The adoption of By-Laws by the membership shall constitute the establishment of the new Component.
8. The proposed budget of the new Component shall be subject to discussion and amendment at the founding convention.

TRANSFER OF MEMBERS AND DUES

9. Following approval by the membership of their by-laws, all eligible members shall be transferred to the new Component.
10. The administrator shall supervise the affairs of the new Component until such time, within a period of not more than six (6) months from the date of the adoption of by-laws, the new Component has provided evidence that all obligations of any dissolved Component or Components have been discharged and that all expenses of the founding convention have been paid.
11. The dues of all eligible members, following deduction of the PSAC Centre portion, shall be placed in a special account and be administered by a designated administrator. The primary purpose of the special account shall be to meet all expenses of the new Component including those of its founding convention.
12. Following the new Component's founding convention, the administrator shall submit to the Alliance Executive Committee a statement of any special account established as provided in Section 11 hereof, or, where applicable, the evidence provided by the new Component as required by Section 10 hereof.
13. Upon satisfying itself that the account is in good order, the Alliance Executive Committee shall authorize a transfer of the account to the new Component, and recommend to the NBoD the issuance of a charter.

JURISDICTIONAL DISPUTES

14. If during the course of forming a new Component a jurisdictional dispute arises, the matter shall be submitted to the Alliance Executive Committee for settlement pursuant to Section 27 of the Constitution.

REGULATION 2

Public Service Alliance of Canada

Enacted this 1st day of February 1968
(As amended May 26, 1971)
(As amended September 25, 1986)
(As amended May 29, 1991)
(As amended February 4, 2009)

REGULATION GOVERNING ASSOCIATE MEMBERSHIPS

1. In this Regulation, the word PSAC means the Public Service Alliance of Canada Centre, Components and DCLs.
2. During any period or periods in which a member, except full-time paid elected officers of the PSAC, is a person:
 - (a) on extended leave of absence;
 - (b) on lay-off; or
 - (c) retiredfrom an employer with employees represented by the PSAC, such member may be granted Associate Membership in the PSAC.
3. Notwithstanding Sections 2 and 3 of this Regulation, in accordance with Section 4, Sub-Section (10) of the PSAC Constitution, an employee who is excluded on a confidential basis only may be granted Associate Membership in the PSAC providing the applicable membership dues are paid in advance on a quarterly basis.
4. Any person who is not a member of the PSAC, and who is an employee of the PSAC, may be granted Associate Membership in the PSAC.
5. Associate Members within the meaning of Sections 3, 4 and 5 of this Regulation:
 - (a) shall have no right to attend meetings of the PSAC except meetings which are specifically called to consider matters relating exclusively to rights and privileges of Associate Membership;
 - (b) shall have no right to vote;

- (c) shall not be eligible for elective office in the PSAC;
- (d) shall not be eligible for delegate status to any PSAC Convention or Conference; and
- (e) shall not be eligible for priority staffing within the PSAC.

but shall be entitled to all other rights and privileges of membership in the PSAC.

6. Associate Membership, in accordance with Sections 3, 4 and 5 of this Regulation, may only be granted upon receipt by the PSAC Centre of an application for Associate Membership.
7. Associate Members may be issued with a membership card as evidence of their membership in the PSAC. This card shall contain a clear indication of the fact that the person is an Associate Member.

REGULATION 3

Public Service Alliance of Canada

Enacted this 1st day of April 1969
(As amended May 24, 2000)
(As amended February 1, 2005)
(As amended February 4, 2009)
(As amended February 8, 2012)
(As amended March 4, 2015)
(As amended June 3, 2015)
(As amended February 24, 2016)

LIFE MEMBERSHIPS

Section 4, Sub-Section (6) of the PSAC Constitution reads in part as follows:

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

The NBoD hereby enact Regulation 3 which governs the award of Life Memberships in the Public Service Alliance of Canada from this date forward.

1. Nominations for Life Membership in the Public Service Alliance of Canada may be made by the National Executive of a Component or the Executive of a DCL in respect to any member or executive officer of a Component or DCL who has performed exemplary service for the membership of the Public Service Alliance of Canada.
2. Nominations for Life Membership in the Public Service Alliance of Canada may be made by the National Board of Directors in respect to any member or ex-member of the NBoD who has performed exemplary service for the members of the Public Service Alliance of Canada.
3. All nominations for Life Membership shall be considered by the National Board of Directors and if approved by two-thirds (2/3) of the membership of the Board, Life Membership shall be granted to the nominee.
4. A Life Member of the PSAC, who is eligible for regular membership in the PSAC, shall be entitled to all the rights and privileges of membership in the various parts of the PSAC.

5. A member who has been granted Life Membership in the PSAC shall have his/her Life Membership placed in suspension for the duration of his/her employment while he or she is employed in a confidential or managerial capacity or in any position where he or she is barred from participation in the union by reason of the terms and conditions of his or her employment.
6. Life Membership in the various segments of the PSAC, such as Area Councils, Locals, Components or Regional Councils shall not be recognized as Life Memberships in the Public Service Alliance of Canada unless they have been approved by the NBoD.
7. A list of Life Memberships shall be established and maintained by the PSAC Centre.
8. A Life Member of the Public Service Alliance of Canada shall not be required to pay dues.
9. All nominations shall be made in and on a form prescribed by the National Board of Directors for that purpose.
10. A separate application shall be completed for each nominee.
11. A distinctive Life Membership Card, pin and plaque shall be issued to all nominees whose applications are approved by the National Board of Directors.

REGULATION 4

PSAC

Enacted this 24th day of January 1970
(As amended May 31, 1975)
(As amended June 1, 1983)
(As amended January 29, 1987)
(As amended February 9, 2012)
(As amended October 28, 2015)

TRANSFER OF LEAVE AND SEVERANCE ENTITLEMENTS REGULATION

1. This Regulation shall be known as the “Transfer of Leave and Severance Entitlements Regulation.”
2. In this Regulation, “employee” means full-time and part-time employees of the PSAC and of the Components of the PSAC, and includes both indeterminate employees and term employees.
3. In this Regulation “leave” means:
 - (a) sick leave;
 - (b) vacation leave; and
 - (c) severance pay entitlement.

Sick leave, vacation leave and severance pay entitlement has the same meaning as in the collective agreements between the staff unions and the PSAC.

4. When an employee terminates employment in a Component and, within one week, commences employment with the PSAC, all unused sick leave credits that stand to the employee’s credit in the records of the Component, will be transferred to the PSAC provided these are substantiated to the satisfaction of the PSAC.
5. When an employee terminates employment in a Component and, within one week, commences employment with the PSAC, unused vacation leave, up to an amount equal to one year entitlement, that stand to the employee’s credit in the records of the Component, may be transferred to the PSAC provided the employee requests the transfer and provided the Component issues a cheque payable to the PSAC calculated as current hourly rate X number of hours of unused vacation hours to be transferred and provided these are substantiated to the satisfaction of the PSAC.

6. These unused sick and vacation leave credits shall be placed to the employee's credit in the records of the PSAC, as though they had been earned while in the employment of the PSAC and shall be so regarded for all purposes.
7. When an employee terminates employment in a Component and, within one week, commences employment with the PSAC, a transfer of severance pay that represents the employee's service in the records of the Component, will be transferred to the PSAC provided these are substantiated to the satisfaction of the PSAC and provided the Component issues the payment of PSAC.

Severance pay shall be calculated by the Component as number of complete years plus part years of employment X current weekly rate of pay. Where the employee subsequently terminates employment with the PSAC, he/she is not entitled to severance pay, the amount of severance pay entitlement shall be returned, without interest, to the originating Component(s).

8. The provisions of this Regulation shall apply when an employee terminates employment in the PSAC and, within one week, commences employment in a Component of the PSAC.
9. When an employee of the PSAC secures a term position with a Component but remains in the employ of the PSAC, she/he shall be entitled to sick leave and vacation leave as provided for under paragraph 8.
10. When an employee of a Component secures a term position with the PSAC but remains in the employ of the Component, she/he shall be entitled to sick leave and vacation leave as provided for under paragraphs 4 and 5.

REGULATION 5

REGULATION REQUIRING NOTICE OF MOTION IN FINANCIAL MATTERS TO BE IMPLEMENTED BY THE NATIONAL BOARD OF DIRECTORS

RESCINDED – February 4, 2009

NEW REGULATION 5

Enacted this 30th day of April 2009
(As amended in June 2013)
(As amended in May 2018)

REGULATION DEFINING THE RIGHTS AND RESPONSIBILITIES OF NON DUES-PAYING MEMBERS UNDER SECTION 4, SUB-SECTION (2) (e), (g) AND (h) OF THE PSAC CONSTITUTION

A. *Responsibilities:*

In order to remain a member in good standing a member as defined in Section 4, Sub-Sections (2) (e), (g) and (h) must advise the PSAC National President, in writing, of their desire to remain a member in good standing, and in the case of a member defined in Sub-Section (2) (h) advise the PSAC National President of his/her expected return-to-work date.

B. *Rights:*

A member as defined in Section 4, Sub-Section (2) (e), (g) and (h) has all rights and privileges of membership in the PSAC except that unless authorized to do so by motion adopted by the AEC, he/she shall not be eligible for elected office within the PSAC, and cannot be delegated to attend any PSAC Convention or Conference.

C. *Limitation:*

A member who is permitted to remain a member in good standing under Section 4, Sub-Section (2) (h) will cease to be a member in good standing 30 months after commencing his or her leave without pay, unless the membership in good standing status is extended by motion adopted by the AEC.

REGULATION 6

PSAC

Enacted this 28th day of September 1970

(As amended January 27, 1972)

(As amended January 30, 1975)

(As amended February 3, 1979)

(As amended June 1, 1982)

(As amended September 25, 1985)

(As amended January 26, 1989)

(As amended October 6, 1989)

(As amended October 15, 1991)

(As amended January 28, 1992)

(As amended September 29, 1992)

(As amended September 27, 1994)

(As amended September 23, 1997)

(As amended October 1998)

(As amended January 25, 2001)

(As amended June 1, 2001)

(As amended January 24, 2002)

(As amended May 2003)

(As amended January 2006)

(As amended June 2006)

(As amended February 4, 2009)

(As amended April 30, 2009)

(As amended February 26, 2014)

(As amended October 28, 2015)

STRIKE FUND

1. Schedule of Benefits for Strike

- (a) The qualifying period for benefits takes effect the first day of the strike. Using attendance lists provided by the Locals and Branches, strike pay will be paid retroactively for the full period to each member participating in the strike for the authorized duration of the strike in accordance with the PSAC Strike Procedure, as follows:

Members who work in	Per day	To a maximum per calendar week of
Yukon	\$103.20	\$516.00
Northwest Territories	\$117.35	\$586.75
Nunavut	\$141.00	\$705.00
Elsewhere in Canada	\$ 75.00	\$375.00

- (b) Notwithstanding paragraph (a) above, for a member who normally works less than twenty (20) hours per week, who participates in the strike, strike pay will be paid retroactively for the authorized duration of the strike in accordance with the PSAC Strike Procedure, as follows:

Members who work in	Per day	To a maximum per calendar week of
Yukon	\$72.24	\$361.20
Northwest Territories	\$82.15	\$410.75
Nunavut	\$98.70	\$493.50
Elsewhere in Canada	\$53.00	\$265.00

- (c) Notwithstanding the provisions of paragraphs (a) and (b) above, in a situation where members are requested to and scheduled to picket seven (7) days per week, the AEC may authorize payment of strike benefits as follows:

Members who work in	Per day	To a maximum per calendar week of
Yukon	\$103.20	\$722.40
Northwest Territories	\$117.35	\$821.45
Nunavut	\$141.00	\$987.00
Elsewhere in Canada	\$ 75.00	\$525.00

or in the case of paragraph (b) above, as follows:

Members who work in	Per day	To a maximum per calendar week of
Yukon	\$72.24	\$505.68
Northwest Territories	\$82.15	\$575.05
Nunavut	\$98.70	\$690.90
Elsewhere in Canada	\$53.00	\$371.00

- (d) Notwithstanding the provision of paragraph (a) above, the AEC may make recommendations to the Strike Fund Committee to provide for payment of benefits to members who participate in any activities, as may be decided from time to time by the AEC or the NBoD. The amount of such benefits would be as determined by the AEC in each instance after having considered existing circumstances and the nature of such activities. Such activities must have the prior approval of the AEC or of the NBoD and be authorized by the National President. With the exception of strategic strike pay, this paragraph cannot be used to increase strike pay as provided in Section 1 (a), (b) and (c) above.

- (e) Notwithstanding paragraph 1 (a), (b) and (c), the AEC may approve strategic strike action at 60% of a member's gross pay for a period of two (2) weeks beginning on the commencement of a strike, providing that the National Strike Coordinating Committee can demonstrate that strategic strike action can effectively undermine an employer's operation, and providing that no more than 10% of the members of the bargaining unit receive strategic strike pay. Strike pay paid during a strategic strike will be paid from the first day of strike action. Any extension of a strategic strike action or increase above the 10% of the members who receive strategic strike pay must have the prior approval of the AEC or the NBoD and must be authorized by the National President.
- (f) Notwithstanding paragraph (e) above, for smaller separate employer Locals, the AEC may approve strategic strike action at 60% of a member's gross pay for a period of two (2) weeks beginning on the commencement of a strike, providing that the Strategy Coordinating Committee can demonstrate that strategic strike action can effectively undermine an employer's operations, and providing that no more than 25% of the members of the bargaining unit receive strategic strike pay. Strike pay paid during a strategic strike will be paid from the first day of strike action. Any extension of a strategic strike action or increase above the 25% of the members who receive strategic strike pay must have the prior approval of the AEC or the NBoD and must be authorized by the National President.
- (g) Benefit premiums, as determined by the AEC on a case by case basis, required to ensure continued insurance coverage will be paid to the employer by the PSAC during a strike by PSAC members.

2. Definitions

- (a) For the purpose of this Fund, and subject to all its provisions, a member is also a member in a bargaining unit generally known as a Rand Deductee who signs an application for PSAC membership.
- (b) All full-time elected officers of the PSAC, including Component, Locals and Branches, shall only receive the same strike pay as the members of their bargaining unit.
- (c) With the exception of full-time elected officers of the PSAC, only members on the active payroll of the employer with whom the bargaining agent is in dispute shall be eligible for benefits.

- (d) Notwithstanding the above, any staff member who contributes his/her pay to the PSAC Strike Fund, or any PSAC member outside the striking bargaining unit(s) who takes leave without pay to actively work in support of the strike, shall be entitled to receive strike pay. This amendment is effective September 9, 1991.

3. Benefit Limitation

The Strike Fund shall be administered by the PSAC Centre.

(a) Strike Fund (Administrative)

Subject to the recommendation of the Strike Fund Committee and the approval of the NBoD, the Strike Fund may be used for:

- i) purposes including but not limited to, the costs of national strike headquarters, additions to a national communications network, expenses related to national headquarters meetings of strike committees, distribution from the PSAC Centre of publicity material and other publications related to the strike, legal fees, consultant fees, charges for third party hearings, authorized strike or lock-out activities that would not normally be provided in the regular budget. Charges against this account to cover the cost of third party shall be limited to costs incurred in excess of the costs of normal collective bargaining as determined by the Strike Fund Committee;
- ii) including, but not limited to expenses incurred prior to holding a strike vote related to team members' travel, meeting rooms and related expenses as well as mobilization materials.

(b) Strike Fund (Strike Benefits)

While funds are available in the Strike Fund account, strike benefits will be paid as a matter of right to all eligible participants in a legal and authorized strike as outlined in this Regulation.

- (c) The salaries of full-time staff or officers of the PSAC shall not be charged at any time to the Strike Fund account.

4. Eligibility for Benefits

- (a) Members who are involved in a legal and authorized strike action are eligible for benefits.

- (b) Those members or their representatives who incur expenses beyond the normal costs of collective bargaining in conjunction with authorized third party actions shall be eligible for reimbursement from this Fund.
- (c) To maintain eligibility for benefits in the case of strikes, other than as approved by the AEC, members are required to carry out duties for a minimum of four (4) hours each day as assigned by duly-recognized officers. In some strike situations, it may be necessary for members to carry out duties for their normal work day. Failing to do so will result in the loss of benefits for each day absent without cause.

5. Non-Eligibility in the Event of Strike

Members will not be eligible for benefits under the following circumstances:

- (a) Members unemployed or on lay-off at the beginning of the strike.
- (b) Members on paid vacation, sick leave, injury on duty leave, compensation benefits or other paid leave.

6. Administration

- (a) The Strike Fund shall be administered by the Strike Fund Committee which shall be composed of the National President of the PSAC, one REVP of the PSAC, plus three (3) other members to be elected by the NBoD.
- (b) The Strike Fund shall be a completely separate account of the PSAC.
- (c) All monies in the Fund are to be invested in accordance with the laws of Ontario for Trustees.
- (d) Prior to each regular meeting of the NBoD, the Director of the Finance Branch shall provide the Strike Fund Committee with a report as to the current state of the Fund, investments made, and disbursements, since the previous report.
- (e) All disbursements for administrative purposes from the Fund must be approved by a majority of the members of the Committee, whereupon the Chairperson of the Committee shall be empowered to issue the necessary direction to the Director of the Finance Branch of the PSAC to make payment from the Strike Fund to the General Fund as outlined by the Committee.
- (f) The Chairperson of the Strike Fund Committee shall be the National President of the PSAC, and he/she shall have the authority to call meetings

as deemed necessary, or upon the request of a majority of the members of the Committee.

- (g) The Chairperson of the Committee shall report on the operations of the Fund at each regular session of the NBoD of the PSAC.

7. Method of payment

- (a) After a strike has been ordered by the bargaining agent the Director of the Finance Branch will arrange for the transfer of funds from the Strike Fund to special accounts established for the purpose of strike payments only.

Withdrawal from these special accounts will require two (2) signatures as approved by the AEC. Each striking member must perform assigned duties to qualify for benefits, and must signify receipt of benefits in the manner prescribed by the Strike Fund Committee.

- (b) At the conclusion of the strike, the Regional Strike Coordinator will submit a detailed report through the National Strike Coordinator to the Director of the Finance Branch as to the disbursement of funds made by the Strike Coordinator, supported by evidence that the persons indicated on the nominal roll each week were entitled to and received the monies allocated to them by the Strike Coordinator in accordance with the prescribed procedure.

8. Other Benefits

Other unusual collective bargaining expenses referred to the Committee by the AEC may be paid on the recommendation of the Committee and the approval of the NBoD.

REGULATION 6A

REGULATION GOVERNING THE OPERATION OF STRIKE FUNDS

RESCINDED – February 4, 2009

REGULATION 6B

Public Service Alliance of Canada

Enacted this 27th day of September 1994
(Amended September 26, 2002)
(Amended January 20, 2003)
(As amended May 2003)
(As amended February 4, 2009)

REGULATION GOVERNING THE OPERATION OF REGIONAL HARDSHIP FUNDS

A. PURPOSE

The purpose of the Regional Hardship Fund is to provide assistance of an emergency nature, including but not restricted to urgent matters of food and shelter, to members who are incurring/have incurred financial hardship due to being on strike or honouring a picket line and thereby being prevented from reporting to work. It is not intended to be a source of supplementary strike pay.

B. GENERAL PROCEDURES

1. Each REVP will establish a Regional Hardship Committee of no less than three members which shall be responsible for convening meetings as necessary to assess requests for emergency assistance required because of a strike, and make recommendations for funding to the REVP.
2. Emergency assistance from other sources must be reported to the Regional Hardship Committee by applicants, and will be taken into account in formulating its recommendations.
3. Regional Hardship Funds will be managed as a separate account by the REVP.
4. Regional Hardship Committees will maintain up-to-date administrative records, available to the REVP and PSAC staff designated by the Alliance Executive Committee. The confidentiality of individual applicants for emergency assistance shall in all cases be respected.

C. FINANCIAL PROCEDURES

1. Money provided by members under Section 24, Sub-Section (7) of the PSAC Constitution is to be remitted to the PSAC Centre.
2. The PSAC Centre will maintain a record of the amounts received, by region, and will remit these amounts to the regions. The expenditure of funds maintained in the regions must be consistent with the requirements outlined in Section B (General Procedures).
3. Financial statements or a detailed report outlining the monies received and disbursed must be provided to the PSAC National President by the REVP within 90 days of the end of each calendar year.

D. APPEAL PROCEDURES

1. A member dissatisfied with a decision of a Regional Hardship Committee can appeal the decision to the REVP in writing. The appeal must contain all relevant information that was provided to the Regional Hardship Committee.
2. A committee of three AEC Officers who were not involved in the decision will review the documentation submitted by the member and the reasons for decision provided by the Regional Hardship Committee and determine whether the decision was appropriate in the circumstances. The Committee will not normally interview the appellant or representatives of the decision-making body (Regional Hardship Committee) but has the ability to do so when clarification is required.
3. The Appeal Committee will report its conclusions to the PSAC National President, who will in turn advise the member of the outcome of the Appeal.

REGULATION 7

Public Service Alliance of Canada

Enacted this 27th day of January 1971
(As amended September 28, 1973)
(As amended September 4, 1975)
(As amended January 23, 1978)
(As amended January 29, 1981)
(As amended June 2 and 4, 1982)
(As amended September 29, 1983)
(As amended May 22, 1985)
(As amended September 23, 1985)
(As amended January 30, 1986)
(As amended September 30, 1988)
(As amended September 25, 1996)
(As amended January 27, 1999)
(As amended April 30, 2009)

REGULATION GOVERNING EXPENSES FOR MEMBERS OF THE NATIONAL BOARD OF DIRECTORS

1. This Regulation may be cited as the "Expenses for Members of the National Board of Directors", pursuant to Section 24 of the Constitution.
2. When a member of the National Board of Directors is authorized to proceed on PSAC business on a day of rest or statutory holiday, he/she shall be entitled to be reimbursed expenses as per the PSAC Travel Policy and, in addition, shall be remunerated at the rate specified in the applicable collective agreement to a maximum amount of one day's regular pay of the Board member concerned.

REGULATION 8

**REGULATION REQUIRING 2/3 MAJORITY VOTE FOR THE AMENDMENT OR
RESCINDING OF REGULATIONS ENACTED BY THE BOARD**

RESCINDED – February 4, 2009

REGULATION 9

RATIFICATION VOTES

RESCINDED AS IT IS COVERED IN REGULATION 15

REGULATION 9A

**CONTRACT RATIFICATION FOR LOCALS GOVERNED BY THE CANADA LABOUR
CODE, THE COUNCIL OF MARITIME PREMIERS LABOUR CODE AND THE NOVA
SCOTIA TRADE UNION ACT**

RESCINDED AS IT IS COVERED IN REGULATION 15

REGULATION 10

DISPUTE SETTLEMENT VOTE

RESCINDED AS IT IS COVERED IN REGULATION 15

REGULATION 11

REGULATION GOVERNING REMOVAL EXPENSE FOR NEW EMPLOYEES

RESCINDED – February 4, 2009

REGULATION 12

Public Service Alliance of Canada

Enacted this 26th day of September 1974

(As amended May 22, 1976)

(As amended May 26, 1981)

(As amended October 2010)

REGULATION ESTABLISHING RULES OF ORDER FOR PSAC MEETINGS

1. The President, or in the absence of the President or on the delegation of the President, a Vice-President shall take the Chair at the time specified and shall preside at all sessions.
2. Hours of sittings of meetings of the Public Service Alliance of Canada shall be determined by the appropriate by-laws or constitution. In the absence of such rule, hours of sittings shall be determined by the meeting itself on recommendation of the Chair.
3. Members wishing to speak shall raise their hand or proceed to one of the microphones provided for that purpose. When recognized by the Chair, they shall give their name and the body represented, state the purpose for which they rise, and confine remarks to the question at issue.
4. Speeches shall be limited to three (3) minutes.
5. A member shall not speak more than once upon a subject until all who wish to speak have had an opportunity to do so.
6. A member shall not interrupt another, except on a point of order or a question of privilege.
7. At the request of the Chair, a member called to order shall take a seat until the point of order has been decided.
8. Should a member persist in unparliamentary conduct, the Chair shall name the member and submit the conduct to the judgment of the meeting. In such case, the member whose conduct is in question should explain and then withdraw, and the meeting will determine what course to pursue in the matter.

9.
 - (a) When the “previous question” is moved and seconded, no further discussion is permitted on a main motion or amendment to the main motion. The Chair must immediately ask “*shall the question be now put?*”, and if a two-thirds majority vote “*that the question be now put*”, the motion or amendment shall be put to a vote without debate. If the motion to put the question is not adopted by a two-thirds majority vote, discussion will continue on the motion or amendment.
 - (b) If the previous question has not been adopted, it cannot be put a second time unless at least three (3) members wishing to speak have had the opportunity to do so.
 - (c) The previous question cannot be proposed by a person who has spoken on the motion or the amendment.
10.
 - (a) Any motion or amendment to a motion may be amended, provided the amendment is relevant to the question and does not have the effect of simply negating the question. If a second amendment has been moved and seconded, the Chair will not entertain any further amendments until the second amendment has been decided.
 - (b) Amendments are always voted on in reverse order to their introduction. That is, the second amendment must be decided before the first amendment, and the first amendment must be voted on before the main motion. Whether or not the amendments have been adopted, the main motion must always be voted on.
11. Any member may challenge a decision of the Chair and the challenge shall require a seconder. Immediately and without debate, except that the appellant and the Chair may give their reasons for the challenge and the decision respectively, the Chair shall put the question: “Shall the decision of the Chair be sustained?” The Chair shall not have to accept a challenge if it is on a point of fact or law.
12. In the event of a tie vote on any matter other than the election of officers, the Chair may cast a deciding vote. The Chair shall not take part in a debate unless he/she leaves the Chair. Having left the Chair, he/she shall not return to it until the matter in question has been decided.
13.
 - (a) Committees may combine resolutions or prepare a composite resolution or policy paper to cover the question at issue.
 - (b) Recommendations from committees are not subject to amendment by the meeting but a motion to refer back to committees for review with instructions, consideration and direction shall be in order.

- (c) Committees can only meet during a plenary session of the meeting with the approval of a majority of members.
 - (d) In cases where committees make recommendations on resolutions, members vote on the committee's recommendation of Concurrence or Non-Concurrence and not on the original resolutions. On presenting the committee's recommendation to the meeting, the Chair of the Committee shall present a motion in the following form: "I move, seconded by (name of Vice-chairperson of the Committee) concurrence (or non-concurrence) in Resolution No...".
14. A motion to refer must be seconded and is not debatable except the mover may give reasons. A motion to refer must include instructions to the committee or officer to which the motion is referred.
 15. The report of a committee, when adopted, becomes the decision of the meeting which adopted it.
 16. The following motions shall be in order at any time and in the order stated:
 - (a) To adjourn (not debatable);
 - (b) To recess (not debatable);
 - (c) Question of privilege (the Chair must rule immediately before going on to further business);
 - (d) Point of order (the Chair must rule immediately before going on to further business);
 - (e) To table (not debatable, except the mover may give reasons);
 - (f) To put the previous question (not debatable);
 - (g) To postpone to a future time (not debatable, except the mover may give reasons).

Motions to adjourn, recess, table or postpone to a future time shall not be moved a second time until there has been an intermediate proceeding of business dealt with by the meeting.

17. A motion may be reconsidered providing the mover and seconder of the motion to reconsider voted with the prevailing side, and notice of motion has been given for reconsideration at the previous sitting. A motion to reconsider shall require a two-thirds majority to be adopted.

18.
 - (a) The Chair shall order a standing vote if a voice/show of hands vote is unclear or inconclusive.
 - (b) A member can request a standing vote if he/she questions the results of a voice vote or a vote taken by a show of hands as announced by the Chair. The Chair shall then order a standing vote.
 - (c) A vote by secret ballot shall be taken only on a substantive motion at the request of one third of the members present.
 - (d) A vote by secret ballot shall not be permitted on a procedural or dilatory motion with one exception: if the initial question was resolved by a secret ballot, a secret ballot will be permitted on a motion of reconsideration.
 - (e) Once the Chair has called the question, it shall not be in order to request a secret ballot.
 - (f) When a standing vote or a vote by secret ballot has been ordered, no adjournment or recess shall take place until the results have been announced. For the record, the Chair shall announce the number of members voting in the affirmative and the negative recorded.
19. When a standing vote or a vote by secret ballot has been called by the Chair, no one, except with permission of the Chair, shall be permitted to enter or leave the floor until the results of the vote have been announced.
20. None but accredited members of the Public Service Alliance of Canada and authorized members of the staff and guest speakers shall be permitted on the meeting floor during sessions.
21. One-third (1/3) of members at the meeting may request, and have ordered, a recorded vote. Upon receiving such request, the Chair shall have the roll called and record the names of those members voting in the affirmative and in the negative.
22.
 - (a) Proposals and other matters of business submitted after the closing date of the agenda will be referred to the meeting as late resolutions. The meeting may refer them to the appropriate officer or committee.
 - (b) Late proposals that are, in the opinion of the Chair, of an emergency nature shall be debatable at any time. Late proposals not deemed to be of an emergency nature shall be considered after all business listed on the agenda has been dealt with.

23. All motions calling for the expenditure of money shall be placed in writing and together with all proposals and amendments referring to same, shall be costed by the appropriate committee or officer responsible for finances, before any vote is taken on the issue.
24. A motion to limit the debate shall be in order once the Chair has stated the motion. It must be moved and seconded and is not debatable. A motion to limit debate may limit the number of speakers or the time allotted and the motion must so state. Such a motion shall require a two-thirds majority to be adopted.
25. Election of officers shall be conducted in accordance with the provisions of the PSAC Constitution.
26. In calling for further nominations from the floor, the Chair of the Nominations Committee will declare nominations closed after calling "Are there any further nominations?" three times, without response.
27. The Chair of the elections will announce after each vote by ballot:
 - (a) the number of ballots cast;
 - (b) the number of spoiled ballots, if any;
 - (c) the number of ballots required to elect a candidate (number of ballots cast less the number of spoiled ballots, multiplied by 50% and rounded to the next highest whole number);
 - (d) the number of ballots cast for each candidate.
28. Each candidate for an office may nominate a scrutineer who shall be entitled to observe all phases of the election and the counting of ballots for that particular office.
29. In the event of a close decision, it will be in order for a member to request a recount. If the Chair of the elections rules against a recount, the ruling may be appealed in the same manner as a challenge to the Chair.
30. Quorums shall be determined by the appropriate bylaws or constitution governing the body in session.
31. Bourinot's Rules of Order shall govern in all matters not regulated by the rules set out above or as provided by the PSAC Constitution.

REGULATION 13
Public Service Alliance of Canada
(Enacted this 31st day January 1975)
(As amended February 24, 2016)
(As amended May 4, 2018)

HONOURARY MEMBERSHIPS

Section 4, Sub-Section (4) of the PSAC Constitution reads in part as follows:

“Through the application by a Component or a Directly Chartered Local to the NBoD, a member who has retired may be granted Honourary Membership for outstanding service to the PSAC.”

1. Nominees for Honourary Membership must be retired from the public service.
2. Nominations for Honourary Membership in the Public Service Alliance of Canada may be made by the National Executive of a Component, the Executive of a DCL, or by the National Board of Directors, in respect of any member who has given outstanding service to the Public Service Alliance of Canada.
3. Outstanding service to the Public Service Alliance of Canada shall mean service of a very significant nature involving a single incident, or service of a high calibre over a period of time; in any case, the service may be at any level of the organization as a whole, but it must also have benefited other segments of the organization other than the Component in which the person held membership.
4. All nominations shall be made in and on a form prescribed by the National Board of Directors for that purpose.
5. A separate application shall be completed for each nominee.
6. All nominations shall be directed to the PSAC Centre.
7. Applications for Honourary Membership in the Public Service Alliance of Canada shall be referred to the Standing Committee on Honours and Awards; this Standing Committee shall review all applications and make appropriate recommendations to the Board.
8. All decisions on awarding Honourary Memberships in the Public Service Alliance of Canada shall, in all circumstances, require a two-thirds (2/3) majority of the National Board of Directors assembled in regular meeting and voting by secret ballot.

9. A distinctive Honourary Membership Card and plaque shall be issued to all nominees whose applications are approved by the Board of Directors.

**REGULATION 14
REGULATION GOVERNING DISTRIBUTION OF MEMBERSHIP EQUITY TO NEW
COMPONENTS**

RESCINDED as it is folded into Regulation 1 – February 4, 2009

REGULATION 15

Public Service Alliance of Canada

Enacted this 29th day of May 1975
(As amended May 22, 1976 and May 26, 1977)
(As amended September 26, 1979)
(As amended February 1, 1980)
(As amended May 29, 1980)
(As amended September 27, 1981)
(As amended January 28, 1982)
(As amended September 27, 1983)
(As amended September 24, 1985)
(As amended March 28, 1987)
(As amended April, 1988)
(As amended May 22, 1990)
(As amended January 29, 1992)
(As amended March 30, 1992)
(As amended February 3, 1995)
(As amended January 31, 1996)
(As amended January 27, 1999)
(As amended January 25, 2001)
(As amended May 22, 2002)
(As amended July 29, 2002)
(As amended June 2006)
(As amended December 2008)
(As amended February 2018)

The PSAC Collective Bargaining Process

INTRODUCTION

Membership involvement and mobilization form the bedrock of the collective bargaining process. Through collective bargaining we protect and improve our working lives and help to build the labour movement. Collective bargaining is also an important vehicle for advancing our goals with respect to human rights and social justice. Collective bargaining also benefits society at large by helping to create more inclusive and progressive workplaces. By engaging and empowering all members of the Public Service Alliance of Canada through the collective bargaining process, we will achieve our shared aspirations and goals and create a stronger union.

The Public Service Alliance of Canada is a broad and diverse union and we are committed to ensuring that all bargaining units, regardless of size, industry or sector, have an equal opportunity to achieve their goals and advance our union's vision of social justice and equality. Underlying the success of any negotiation is membership mobilization and engagement across the union. Therefore, ensuring strong communication, mobilization and engagement throughout the bargaining process are essential components of how we conduct collective bargaining.

To that end, this document is a democratic framework that works towards ensuring that all involved in the process - from members and shop stewards in the worksite to union staff to our National President - understand their roles and responsibilities in bargaining a collective agreement.

STRUCTURE

This Regulation is divided into three parts. This allows our Union to address the diversity of the bargaining units within the Public Service Alliance of Canada and encourage and support our members' engagement in the collective bargaining process. The three parts of this Regulation are 15A: Treasury Board and Agency Bargaining; 15B National Bargaining Units and Territorial Government Bargaining Units; and 15C Directly Chartered Local and Regional Bargaining Units.

15A - TREASURY BOARD, CANADA REVENUE AGENCY, PARKS AGENCY AND CANADIAN FOOD INSPECTION AGENCY COLLECTIVE BARGAINING

1. APPLICATION

This Regulation applies to our Treasury Board bargaining units: Program and Administrative Services (PA), Operational Services (SV), Technical Services (TC), Education and Library Science (EB), and Frontière/Border Services (FB). It also applies to our large Agency bargaining units: Canada Revenue Agency (CRA), Parks Canada and the Canadian Food Inspection Agency (CFIA).

2. ROLES AND RESPONSIBILITIES

2.1 Members

2.1.1 Members are the backbone of the collective bargaining process. The active support and mobilization of our members is critical to successful collective bargaining. Our union is only as strong as our membership.

2.2 Locals/Branches

2.2.1 Locals/Branches are the first point of contact with the union for most bargaining unit members. Local Union Officers are, therefore, key to our ability to mobilize our membership and achieve success at the bargaining table.

2.2.2 Locals/Branches receive the bargaining input call and assist with the distribution to bargaining unit members in the Local/Branch. The Local/Branch then receives bargaining input from the members. The Local/Branch is responsible for transmitting input received to their component.

2.2.3 Locals/Branches are responsible for assisting with organizing the input from members, and assist in the development of rationales.

2.2.4 Locals/Branches work with the PSAC and are responsible for the conduct of votes, such as ratification, strike or dispute settlement route votes, among their membership.

2.3 Components

2.3.1 The Component reviews, amends and/or supplements, and selects the bargaining demands to be sent to PSAC in the manner set out in this Regulation.

- 2.3.2 Components support the bargaining process by electing/selecting bargaining unit members who are engaged in union activities and committed to union principles to represent the bargaining unit members at bargaining conferences in the manner set out in this Regulation. Delegates to bargaining conferences are responsible for supporting member mobilization throughout the bargaining process.
- 2.3.3 Components are responsible for keeping their members informed about the issues, and ensuring that mobilization events are well-supported throughout the Component.
- 2.3.4 Components work with the PSAC to conduct votes, such as ratification, strike or dispute settlement route votes, among their members.

2.4 National Board of Directors (NBoD)

- 2.4.1 As the Union's governing body between Conventions, the NBoD establishes policies related to collective bargaining.
- 2.4.2 The NBoD determines whether coalition/multi-unit bargaining is appropriate, in circumstances where there is a community of interest.
- 2.4.3 The NBoD is responsible for reviewing and recommending the program of demands created for the Treasury Board and Agency bargaining units, and determining whether the number of demands that each Component may submit will be limited.
- 2.4.4 The NBoD is responsible for determining which dispute settlement route should be employed for each unit and whether a dispute settlement route vote should be held in accordance with this Regulation.
- 2.4.5 The NBoD is responsible for fully supporting the recommendations of a negotiating team and may not make any public statement that is critical of the bargaining team's decision or that calls that decision into question.
- 2.4.6 Members of the NBoD who have bargaining unit members in their Components are responsible for fully participating in mobilizing efforts.
- 2.4.7 Members of the NBoD who have bargaining unit members in their Components may be elected/selected to sit as part of the National Strategy Coordinating Committee and/or National Strike Coordinating Committee.

2.5 Collective Bargaining Committee (CBC) of the NBoD

- 2.5.1 The CBC of the NBoD is composed of members of the NBoD appointed to it by the PSAC National President and is chaired by the AEC Officer(s) responsible for collective bargaining.

2.5.2 The CBC reviews and recommends for adoption by the NBoD the initial program of demands that accompanies the input call that initiates the bargaining process.

2.5.3 The CBC may be asked to consider any matter related to collective bargaining referred to it by the NBoD or the AEC and to make recommendations as required.

2.6 National Strategy/Strike Coordinating Committee (NSCC)

2.6.1 The NSCC provides key strategic support and advice throughout the bargaining process and makes recommendations to the National President, the AEC and the NBoD on such matters as the bargaining timelines, bargaining strategy, and the communications and mobilization strategy.

2.6.2 The NSCC makes key recommendations to the National President, the AEC and the NBoD where necessary on strike strategy and mobilization.

2.7 Bargaining Team

2.7.1 Bargaining Teams represent all members of the bargaining unit at the bargaining table and play an essential role in the bargaining process.

2.7.2 Bargaining Team members are expected to engage directly with other workers throughout the entire bargaining process.

2.7.3 Bargaining team members are responsible for ensuring that the bargaining process helps build the union and advances the interests of all members.

2.7.4 Bargaining team members are obligated to respect the Constitution and Regulations of the PSAC and to adhere to PSAC policies.

2.7.5 Bargaining team members must be dedicated union activists, who are engaged in union activities and committed to union principles, including social justice and human rights.

2.7.6 Bargaining team members provide important insight and information on the actual working conditions of bargaining unit members in the workplace and on the rationales behind the bargaining demands.

2.7.7 Bargaining team members are responsible for conveying information about the progress of bargaining to bargaining unit members, and for explaining decisions made by them at the bargaining table.

2.7.8 Bargaining team members are responsible for reporting back to the bargaining team relevant issues raised by the membership, received as part of their communication and outreach work, on an ongoing basis.

- 2.7.9 Bargaining team members participate in the process of negotiations by: reviewing the bargaining input, finalizing and prioritizing the package of demands, participating in bargaining, participating in strategy and mobilization discussions as required, making decisions on employer offers and tentative settlements, and by participating in all mobilization activities established for the bargaining unit.
- 2.7.10 Bargaining team members must make a decision to accept or reject a proposed memorandum of settlement before it is sent to the members of the bargaining unit for a vote. Once that decision is made, all members of the bargaining team must support it.

2.8 Regional Councils

- 2.8.1 As the body of elected officers in each region, Regional Councils play a vital role in regional mobilization during the bargaining process and in the strike mobilization process, particularly in multi-unit or coalition bargaining.
- 2.8.2 Regional Councils are an important venue for information sharing and for encouraging solidarity and support for other PSAC bargaining units in need of assistance.

2.9 Alliance Executive Committee (AEC)

- 2.9.1 The AEC will ensure an effective bargaining environment by appointing the staff necessary to facilitate bargaining and membership mobilization.
- 2.9.2 The AEC shall, where feasible, establish Bargaining Conferences.
- 2.9.3 The AEC will determine the size of bargaining teams within the parameters established in 3.8 of this Regulation.
- 2.9.4 The AEC will ensure that bargaining teams are representative by using its authority to appoint bargaining team members.
- 2.9.5 The AEC has the sole authority to remove a member from a bargaining team.
- 2.9.6 The AEC has sole authority for approving Memoranda of Settlement and letters of understanding.
- 2.9.7 The AEC is responsible for approving administrative guidelines governing activities associated with Regulation 15.
- 2.9.8 AEC Officers are mandated to sign collective agreements.

2.10 National President

- 2.10.1 The National President has the sole authority to interpret the PSAC Constitution and this Regulation.
- 2.10.2 The National President, in consultation with the Collective Bargaining Committee of the NBoD, will determine which items will be the subject of negotiations through the collective bargaining process and which items will be subject to co-development/consultation at the National Joint Council.
- 2.10.3 The National President has the sole authority to authorize a strike vote and authorize or end strike action.
- 2.10.4 In consultation with the affected bargaining team(s), the National President or designate may engage in direct negotiations with the employer to achieve a Memorandum of Settlement.

3. COLLECTIVE BARGAINING PROCESS

3.1 Establishment of a National Strategy Coordinating Committee (NSCC)

- 3.1.1 The AEC Officer(s) responsible for collective bargaining in the case of our Treasury Board bargaining units, or the AEC Officer assigned to a particular bargaining unit in the case of our Agency bargaining units, will establish an NSCC to provide strategic advice on bargaining, mobilization and strike mobilization.
- 3.1.2 The NSCC will be composed of the AEC Officer(s) responsible, members of the NBoD selected from those Components with members in the bargaining unit, and bargaining team members selected by the team to sit on the NSCC and where applicable, bargaining conference delegates elected or selected to be on the NSCC. The NSCC will also assign appropriate staff to provide technical advice as required.
- 3.1.3 The number of Component Presidents sitting on the NSCC will be determined by the National President and/or the AEC, and the number of team members elected/selected to sit on the committee will be determined by the National President and/or the AEC, in consultation with the CBC of the NBoD for multi-component units and Component Presidents who have members in the bargaining unit for single component units and Parks Canada.

- 3.1.4 The NSCC is chaired by the AEC Officer(s) responsible for collective bargaining in the case of our Treasury Board bargaining units, or the AEC Officer assigned to a particular bargaining unit in the case of our Agency bargaining units.
- 3.1.5 The NSCC will meet as early as possible in the bargaining process, ideally before Notice to Bargain has been served.
- 3.1.6 The NSCC will determine its own process and agenda, but generally will be mandated to discuss and recommend strategies with respect to bargaining timelines, communications to the membership and others, mobilization and strike mobilization and strategy, as well as any other matter that may have an impact on bargaining in any particular round of negotiations.

3.2 Bargaining Input Call and Program of Demands

- 3.2.1 Where possible, the PSAC shall issue an input call at least six (6) months prior to serving Notice to Bargain.
- 3.2.2 Where possible the PSAC Negotiations Section will prepare a program of suggested demands for discussion at the National Bargaining Conference and for consideration by the bargaining team. These demands will be derived in part from demands that remained on the table from the last round, new developments in collective bargaining, ongoing research and the priorities and goals of the union.
- 3.2.3 The proposed program of demands will be reviewed by the Collective Bargaining Committee of the NBoD, who will review it and, if satisfied, recommend its adoption by the NBoD.
- 3.2.4 As part of the bargaining input process, a determination will be made by the NBoD, based on the consideration of a recommendation from the CBC of the NBoD, as to whether or not the number of demands that each Component may submit will be limited and, if so, what that limit will be.
- 3.2.5 The Component shall ensure that each proposal is sent electronically to the PSAC Negotiations Section within the timeframe set out in the input call. Each proposal shall contain a rationale, identify the submitting Local/Branch and be provided in both official languages.

3.3 Bargaining Conferences

- 3.3.1 In consultation with the Component(s) that represent members in the bargaining units affected, and where the AEC decides that Bargaining Conferences will be held, the following rules and procedures shall apply.

- 3.3.2 Bargaining Conferences are the opportunity for bargaining unit members, Elected Officers and activists to meet, plan the upcoming round of bargaining, review bargaining demands, identify priorities, develop initial mobilization strategies, and to build awareness of the political context in which the round of bargaining will take place.
- 3.3.3 Delegates chosen to attend Bargaining Conferences must be members of the bargaining unit or, hold office in the union, which can include being a shop steward. Delegates must also be dedicated union activists, engaged in union activities and committed to union principles, including social justice and human rights.
- 3.3.4 Members of the NBoD and other full time elected officers who have bargaining unit members participating in the round of bargaining may attend Bargaining Conferences and may fully participate in all discussions, but may not seek election or vote in the election of bargaining team members.
- 3.3.5 Where timelines permit, Bargaining Conferences shall be held where at a time and location to be determined by the AEC in consultation with the CBC of the NBoD.
- 3.3.6 The number of conference delegates shall be determined by the AEC in consultation with the CBC of the NBoD. The delegate entitlements shall reflect a proportionate distribution amongst the components. All components with members in the bargaining unit shall be entitled to at least one delegate.
- 3.3.7 The AEC may add delegates from among equity group members (I.e. Aboriginal peoples, Racialized Workers, Gay/Lesbian/Bisexual/Trans, Members with Disabilities) and from the Regional Women's Committees, and additional young worker delegates if there is a need to address their representation at Bargaining Conferences.
- 3.3.8 Bargaining Conferences will be chaired by the AEC Officer assigned to the bargaining unit or another NBoD member as designated by the National President. Where bargaining conferences are co-located, sessions involving more one bargaining unit, it may be chaired by the AEC Officer(s) assigned responsibility for collective bargaining or another NBoD member as designated by the National President.
- 3.3.9 Bargaining Conference agendas will be reviewed and approved by the appropriate AEC Officer(s) and may vary from round to round. However, in all cases, the conference will include an opportunity for the delegates to: review the bargaining proposals, establish bargaining priorities, develop mobilization strategies and elect bargaining teams. The bargaining team election shall occur no later than the first item of business on the last day of the bargaining conference.

3.4 Bargaining Teams

- 3.4.1 Bargaining team members must hold office in the union and must represent all members of the bargaining unit and not any particular constituency within the bargaining unit or the union.
- 3.4.2 Bargaining team members are required to attend all bargaining sessions and failure to do so could result in removal from the team.
- 3.4.3 Bargaining team members will be protected from loss of income and their expenses will be reimbursed according to the administrative guidelines that are amended from time to time and approved by the AEC.
- 3.4.4 The bargaining team will communicate with members on the progress of negotiations at each stage of the negotiations process (e.g. prior to the initial exchange, at impasse, and ratification or award), or more often as appropriate, and will report back to the rest of the bargaining team any relevant issues raised by them.
- 3.4.5 Bargaining team members who do not fulfill their responsibilities as a bargaining team member may be removed from the team. All removal requests are to be submitted to the AEC Officer(s) responsible for collective bargaining for the bargaining unit. The decision as to whether a bargaining team member is to be removed shall be made by the AEC.
- 3.4.6 The AEC in consultation with the CBC of the NBoD will determine the size of the bargaining team taking into account the size of the unit and its reflection of geographic, occupational and equity group diversity.

3.5 Composition of Bargaining Teams

- 3.5.1 A majority of each bargaining team will be elected at Bargaining Conferences. The AEC may appoint additional bargaining team member by the AEC from the pool of Bargaining Conference delegates in order to ensure equity, geographic, linguistic and /or occupational group diversity and to ensure the adequate representation of women.
- 3.5.2 The National President may appoint a member of the AEC and/or the NBoD to sit as a member of the bargaining team, who shall have full voice but no vote.
- 3.5.3 The National President and/or the AEC shall appoint a staff representative to sit on the bargaining team as chair of the team. This appointee shall have full voice but no vote.

3.5.4 The National President and/or the AEC may appoint additional staff representatives to sit on the bargaining team as technical advisors who have voice but no vote.

3.6 Memorandum of Settlement

3.6.1 In consultation with the affected bargaining team(s), the National President or designate may engage in direct negotiations with the employer to achieve a Memorandum of Settlement.

3.6.2 Authority to arrive at a Memoranda of Settlement or Letters of Understanding rests with the AEC. The AEC Officer(s) responsible for collective bargaining for the bargaining unit must be consulted prior to signing a Memorandum of Settlement or Letter of Understanding.

3.6.3 The AEC Officer(s) or designate shall have the signing authority on any Memorandum of Settlement, Collective Agreements or Letters of Understanding.

3.7 Votes

Dispute Settlement Route Votes

3.7.1 Where legislation permits, all bargaining units shall use conciliation/strike as the default dispute resolution process. Requests to change the process to arbitration can be submitted as outlined below: and, if approved, shall be for one round of bargaining only.

3.7.2 A dispute settlement route vote shall be taken when there has been a request by either a petition from 10 percent of the membership of the bargaining unit or when the NBoD so directs as per article 2.4.4.

3.7.3 Approval of a change in the dispute settlement route shall be made as a result of a majority of the returned ballots, excluding spoiled ballots, or by a decision of the NBoD.

Strike Votes

3.7.4 The National President is the only person who may authorize a strike vote and authorize or end strike activity. Such authorization(s) shall be in writing.

3.7.5 Subject to the applicable legislation, strike votes shall be conducted at meetings established for the purpose of explaining the outstanding issues and reasons that a strike vote is necessary, except where the isolated location of the worksite or shift schedules require that special arrangements be made.

3.7.6 All employees in the bargaining unit are entitled to vote in strike votes.

Ratification Votes

3.7.7 Meetings shall be conducted for the purpose of explaining the terms of the tentative agreement, except where the isolated nature of the worksite or shift schedules require alternative means of informing the membership prior to a vote. Members may either vote in these meetings or through other means as established by the AEC in consultation with the CBC of the NBoD for units with 3 or more components or the AEC in consultation with the component(s) involved for units with fewer than 3 components.

3.7.8 Eligibility for voting shall be in accordance with the Administrative Guidelines.

3.7.9 An AEC Officer shall have a mandate to sign a collective agreement for a bargaining unit or a coalition bargaining group when a majority of the votes cast in the bargaining unit have been cast in favour of accepting a proposed collective agreement, excluding spoiled ballots.

4. DEVIATION FROM THE REGULATION

4.1.1 Requests for deviation from this Regulation may be made by the CBC of the NBoD, or a majority of Component Presidents where the unit is comprised of members from three or more Components or a Component President where the bargaining unit is comprised of members within one or two Components.

4.1.2 In the case of bargaining units with more than two Components, deviation from the Regulation requires the approval of the AEC and the majority of Component Presidents with members in the bargaining unit.

4.1.3 In the case of bargaining units with one or two Components, deviation from the Regulation requires the approval of the AEC and the Component President(s)

15B –COLLECTIVE BARGAINING FOR NATIONAL AND TERRITORIAL GOVERNMENT BARGAINING UNITS AND NATIONAL UNITS (OTHER THAN TREASURY BOARD, CRA, PARKS AND CFIA)

1. APPLICATION

This Section of the Regulation applies to Yukon, Northwest Territories and Nunavut Power Corporations and Territorial Government bargaining units. It also applies to all national units other than Treasury Board (TB), Canada Revenue Agency (CRA), Parks Canada and the Canadian Food Inspection Agency (CFIA) which include members who work in more than one of the PSAC's seven regions.

This part of the Regulation covers thirteen PSAC bargaining units representing approximately ten per cent of the PSAC membership.

2. ROLES AND RESPONSIBILITIES

2.1 Members

2.1.1 Members are the backbone of the collective bargaining process. The active support and mobilization of our membership is critical to successful collective bargaining. Our union is only as strong as the membership.

2.1.2 Collective bargaining is the way to improve working conditions and advance the issues that are important to our union members. The more there is participation in the process, which includes submitting bargaining demands, being aware of the issues at the bargaining table, supporting our bargaining teams and participating in mobilization activities, the greater the success of collective bargaining.

2.2 Locals

2.2.1 Locals are the first point of contact with the union for most bargaining unit members. Local Union Officers are, therefore, key to our ability to mobilize our membership and achieve success at the bargaining table.

2.2.2 Locals receive the bargaining input call and distribute it to bargaining unit members in the Local. The Local then receives the bargaining input from members.

2.2.3 Locals are responsible for establishing Standing Bargaining Committees that review and organize the input from members and assist in the development of rationales. These Committees also ensure that information is included with the bargaining input when it is sent back to the Component.

- 2.2.4 Local Standing Bargaining Committees work to make bargaining an engaging and ongoing participatory process for the membership. This can include developing bargaining surveys, grievance analysis and having members assist other PSAC bargaining units currently engaged in negotiation.
- 2.2.5 The Local Standing Bargaining Committee and the Local Officers provide important support to the bargaining process by ensuring that bargaining unit members in the Local are well informed about the issues, and that mobilization events are well-supported in the Local.
- 2.2.6 Locals strengthen the bargaining process by putting forward, to their Components where applicable, the names of knowledgeable and committed members who are able to represent the Local at bargaining conferences, on bargaining teams and on strike coordinating committees, where applicable.
- 2.2.7 Locals work with the PSAC and are responsible for the conduct of votes, such as ratification, strike or dispute settlement route votes, among their membership.

2.3 Components

- 2.3.1 Components receive the input call from the PSAC. The Components then forward the input call to each Local that represents members in the bargaining unit.
- 2.3.2 Components then receive the bargaining demands from the members, forwarded through their Locals. The Component reviews, amends and/or supplements and selects the demands that are to be sent to the PSAC in the manner set out in this Regulation.
- 2.3.3 Components support the bargaining process by electing/selecting bargaining unit members who are engaged in union activities and committed to union principles, to represent the bargaining unit members at Regional and/or National Bargaining Conferences in the manner set out in this Regulation. Delegates to Regional and National Bargaining Conferences are responsible for supporting member mobilization through the bargaining process.
- 2.3.4 Components are responsible for keeping their members informed about the issues, and ensuring that mobilization events are well-supported throughout the Component.
- 2.3.5 Components work with the PSAC to conduct votes, such as ratification, strike or dispute settlement route votes, among their members.

2.4 National Board of Directors (NBoD)

- 2.4.1 As the Union's governing body between Conventions, the NBoD establishes policies related to collective bargaining.

- 2.4.2 The NBoD is responsible for fully supporting the recommendations of a negotiating team and may not make any public statement that is critical of the bargaining team's decision or that calls that decision into question.
- 2.4.3 Members of the NBoD who have bargaining unit members in their Components are responsible for fully participating in mobilizing efforts.
- 2.4.4 Members of the NBoD who have bargaining unit members in their Components shall be elected/selected to sit as part of the Strategy Coordinating Committee and/or Strike Coordinating Committee. The NBoD member may designate an alternate representative from their Component.

2.5 Collective Bargaining Committee (CBC) of the NBoD

- 2.5.1 The CBC of the NBoD is composed of members of the NBoD appointed to it by the PSAC National President and is chaired by the AEC Officer(s) responsible for collective bargaining.
- 2.5.2 The CBC may be asked to consider any matter related to collective bargaining referred to it by the NBoD or the AEC and to make recommendations as required.

2.6 Strategy/Strike Coordinating Committee (SCC)

- 2.6.1 The SCC provides key strategic support and advice throughout the bargaining process and makes recommendations to the National President, the AEC and the NBoD on such matters as the bargaining timelines, bargaining strategy and priorities, and the communications and mobilization strategy.
- 2.6.2 The Strategy Coordinating Committee (SCC) becomes the Strike Coordinating Committee (SCC) at the point at which strike mobilization is required and makes key recommendations to the National President, the AEC and the NBoD where necessary on strike strategy and mobilization.

2.7 Bargaining Team

- 2.7.1 Bargaining Teams represent all members of the bargaining unit at the bargaining table and play an essential role in the bargaining process.
- 2.7.2 Bargaining Team members are expected to engage directly with other workers throughout the entire bargaining process.
- 2.7.3 Bargaining team members are responsible for ensuring that the bargaining process helps build the union and advances the interests of all members.

- 2.7.4 Bargaining team members are obligated to respect the Constitution and Regulations of the PSAC and to adhere to PSAC policies.
- 2.7.5 Bargaining team members must be dedicated union activists, who are engaged in union activities and committed to union principles, including social justice and human rights.
- 2.7.6 Bargaining team members provide important insight and information on the actual working conditions of bargaining unit members in the workplace and on the rationales for bargaining demands.
- 2.7.7 Bargaining team members are responsible for conveying information about the progress of bargaining to bargaining unit members, and for explaining decisions made by them at the bargaining table.
- 2.7.8 Bargaining team members are responsible for reporting back to the bargaining team relevant issues raised by our membership, received as part of their communication and outreach work, on an ongoing basis.
- 2.7.9 Bargaining team members participate in the process of negotiations by: reviewing the bargaining input, finalizing and prioritizing the package of demands, participating in bargaining, participating in strategy and mobilization discussions as required, making decisions on employer offers and tentative settlements, and by participating in mobilization activities established for the bargaining unit.
- 2.7.10 Bargaining team members must make a decision to accept or reject a proposed memorandum of settlement before it is sent to the members of the bargaining unit for a vote, and once that decision is made, all members of the bargaining team must support it without exception.

2.8 Regional Councils

- 2.8.1 As the body of elected officers in each region, Regional Councils play a vital role in regional mobilization during the bargaining process and in the strike mobilization process, particularly in multi-unit or coalition bargaining.
- 2.8.2 Regional Councils are an important venue for information sharing and for encouraging solidarity and support for other PSAC bargaining units in need of assistance.

2.9 Alliance Executive Committee (AEC)

- 2.9.1 The AEC will ensure an effective bargaining environment by appointing the staff necessary to facilitate bargaining and membership mobilization.

- 2.9.2 The AEC shall, where appropriate, establish Regional and/or National Bargaining Conferences.
- 2.9.3 The AEC will determine the size of bargaining teams within the parameters established in 3.8 of this Regulation.
- 2.9.4 The AEC will ensure that bargaining teams are representative by using its authority to appoint bargaining team members.
- 2.9.5 The AEC has the sole authority to remove a member from a bargaining team.
- 2.9.6 The AEC has sole authority for approving Memoranda of Settlement and letters of understanding.
- 2.9.7 The AEC is responsible for approving administrative guidelines governing activities associated with Regulation 15.

2.10 AEC Officers

- 2.10.1 AEC Officers have the responsibility for the establishment of a Strategy/ Strike Coordinating Committee SCC and chairing SCC Meetings.
- 2.10.2 Regional AEC Officers will approve the Agenda for their respective Regional Bargaining Conferences, and chair such Conferences.
- 2.10.3 AEC Officer(s) will chair National Bargaining Conferences.
- 2.10.4 AEC Officers are mandated to sign collective agreements.

2.11 National President

- 2.11.1 The National President has the sole authority to interpret the PSAC Constitution and this Regulation.
- 2.11.2 The National President has the sole authority to authorize a strike vote and authorize or end strike action.
- 2.11.3 In consultation with the affected bargaining team(s), the National President or designate may engage in direct negotiations with the employer to achieve a Memorandum of Settlement.

3. COLLECTIVE BARGAINING PROCESS

3.1 Establishment of Strategy/Strike Coordinating Committee (SCC):

- 3.1.1 The AEC Officer assigned to the bargaining unit will establish an SCC to provide strategic advice on bargaining, mobilization and strike mobilization.
- 3.1.2 The SCC will be composed of the AEC Officer(s) responsible for the bargaining unit, the member of the NBoD or designate selected from the Component with members in the bargaining unit, and the bargaining team member or members selected by the team to sit on the SCC. The SCC will also assign appropriate staff to provide technical advice as required.
- 3.1.3 The number of team members elected/selected to sit on the committee will be determined by the AEC Officer assigned to the bargaining unit, in consultation with the Component President who has members in the bargaining unit.
- 3.1.4 The SCC is chaired by the NBoD member responsible for the bargaining unit or designate.
- 3.1.5 The SCC will meet as early as possible in the bargaining process, ideally before Notice to Bargain has been served.
- 3.1.6 The SCC will determine its own process and agenda, but generally will be mandated to discuss and recommend strategies with respect to bargaining timelines, communications to the membership and others, mobilization and strike mobilization and strategy, as well as any other matter that may have an impact on bargaining in any particular round of negotiations.

3.2 Bargaining Timelines

- 3.2.1 Between six (6) months and one year before notice to bargain is to be served, the PSAC will develop the initial timeline for bargaining in consultation with the AEC Officer assigned to the bargaining unit and the Component President or designate with members in the bargaining unit and the SCC.
- 3.2.2 The bargaining timeline may be revised as required from time to time throughout the process of bargaining.

3.3 Input Call

- 3.3.1 At least six (6) months before notice to bargain is served, or at such time established on the bargaining timeline, the PSAC will send out the call for bargaining input from members in the bargaining unit.

- 3.3.2 The input call will be sent to the Component with members in the bargaining unit and will set out the date that the input must be sent to the PSAC Negotiations Section.
- 3.3.3 The Component will forward the input call to each Local with members in the bargaining unit.
- 3.3.4 Each Local with members in the bargaining unit will distribute the input call and any attached documents to members of the bargaining unit in the Local.
- 3.3.5 The Locals will receive the bargaining input from members of the bargaining unit and will review each demand to ensure that there is a complete rationale for the demand. The Locals will also ensure that where there are multiple proposals on the same subject that one proposal will cover all aspects of the group of proposals.
- 3.3.6 The Local will forward only the number of proposals set out in the input call if the input call limits the number of proposals.
- 3.3.7 The Component reviews, amends and/or supplements the proposals received from the Locals, and will forward to the PSAC Negotiations Section only the number of proposals set out in the input call, and will send only one proposal for each issue.
- 3.3.8 The Component shall ensure that each proposal is sent electronically to the PSAC Negotiations Section within the timeframe set out in the input call. Each proposal shall contain a rationale, identify the submitting Local, and be provided in both official languages where appropriate.

3.4 Bargaining Conferences (where applicable)

General

- 3.4.1 In consultation with the Component with members in the bargaining unit, where the AEC decides that Regional and/or National Bargaining Conferences will be held, the following rules and procedures shall apply.
- 3.4.2 Bargaining Conferences are the opportunity for bargaining unit members, elected officers, and activists to meet to plan the upcoming round of bargaining, review bargaining demands, identify priorities, develop initial mobilization strategies, and build awareness of the political context in which the round of bargaining will take place.
- 3.4.3 Bargaining Conferences also present an important learning opportunity for new activists and an equally-important opportunity for all members in attendance to build solidarity.

- 3.4.4 Delegates chosen to attend either Regional or National Bargaining Conferences must be members of the bargaining unit or hold office in the union, which can include being a shop steward. Delegates must also be dedicated union activists engaged in union activities and committed to union principles, including social justice and human rights.
- 3.4.5 Members of the NBoD who have members in the bargaining unit may attend bargaining conferences and may fully participate in all discussions, but may not seek election or vote in the election of bargaining team members.

3.5 Regional Conferences (where applicable)

- 3.5.1 The location of Regional Bargaining Conferences will be determined by the AEC and may vary from round to round as circumstances and necessity dictate. Where there are bargaining unit members in each region, a Regional Conference will be held for each region. However, several Regional Conferences may be held in one location at the same time in order to more effectively allocate resources.
- 3.5.2 Regional Bargaining Conferences will be chaired by the PSAC Regional Executive Vice-President of the region and where Regional Bargaining Conferences are co-located, sessions involving more than one region may be chaired by the REVP(s) assigned responsibility for collective bargaining for that unit.
- 3.5.3 The agenda for Regional Bargaining Conferences will be reviewed and approved by the appropriate REVPs and may vary from round to round. However, in all cases, there should be an opportunity provided for delegates to consider mobilization strategies and to have an initial review of bargaining proposals, in addition to selecting delegates to attend the National Bargaining Conference.

3.6 National Bargaining Conferences (where applicable)

- 3.6.1 If a National Bargaining Conference is held, the location is to be determined by the AEC.
- 3.6.2 National Bargaining Conferences will be chaired by an AEC Officer(s).
- 3.6.3 The agenda for National Bargaining Conferences and the duration of the conference will be reviewed and approved by the AEC and will include an opportunity for the delegates to: review the bargaining proposals, establish bargaining priorities, develop mobilization strategies, and elect bargaining teams.
- 3.6.4 In addition to the delegates selected to attend the National Bargaining Conference from the Regional Bargaining Conferences, delegates will be chosen to attend National Bargaining Conferences using the following criteria:

3.7 Conference Delegates

- 3.7.1 The Component with members in the bargaining unit shall be entitled to a number of delegates determined by the AEC, in consultation with the Component taking into account the size of the unit.
- 3.7.2 Delegates who attend the Regional and/or National Bargaining Conferences must be members of the bargaining unit.
- 3.7.3 The AEC in consultation with the Component, may appoint additional delegates to the Regional and/or National Conferences from the bargaining unit to ensure equity, geographic, linguistic and/or occupational group diversity.
- 3.7.4 The AEC in consultation with the Component may appoint a youth delegate or delegates. Youth is defined as a member of the bargaining unit who is 30 years of age or younger.
- 3.7.5 A Bargaining Conference may be held that does not conform to the procedures laid out above. Delegates to such Bargaining Conferences will be chosen according to a process established by the AEC, in consultation with the Component(s) who have members in the bargaining unit.

3.8 Bargaining Teams

General

- 3.8.1 Bargaining team members must hold office in the union and must represent all members of the bargaining unit and not any particular constituency within the bargaining unit or the union.
- 3.8.2 Bargaining team members are required to attend all bargaining sessions and failure to do so could result in removal from the team.
- 3.8.3 Bargaining team members will be protected from loss of income and their expenses will be reimbursed according to the administrative guidelines that are amended from time to time and approved by the AEC.
- 3.8.4 The bargaining team will communicate with members on the progress of negotiations at each stage of the negotiations process (e.g. prior to the initial exchange, at impasse, and ratification or award), or more often as appropriate, and will report back to the rest of the bargaining team any relevant issues raised by them.
- 3.8.5 Bargaining team members who do not fulfill their responsibilities as a bargaining team member may be removed from the team. All removal requests are to be submitted to the AEC Officer(s) responsible for collective bargaining for the

bargaining unit. The decision as to whether or not a bargaining team member is to be removed shall be made by the AEC.

Size of Bargaining Teams

- 3.8.6 The AEC will determine the size of the bargaining team taking into account the size of the unit, and its reflection of equity, geographic, linguistic and occupational group diversity.
- 3.8.7 The size of a bargaining team will normally be between three and five members with the goal of ensuring women representation, equity, geographic, linguistic and occupational group diversity. No national bargaining team should have fewer than five members.

3.9 Election/Selection and Composition of Bargaining Teams

- 3.9.1 If the bargaining unit has a National Bargaining Conference, a majority of each negotiating team will be elected at the National Bargaining Conference and the remaining members will be appointed from the pool of National Bargaining Conference delegates by the AEC in consultation with the Component. The number to be appointed will be decided and announced by the AEC prior to the National Bargaining Conference.
- 3.9.2 If the unit does not have a National Bargaining Conference the Component with members in the bargaining unit shall elect a majority of the bargaining team members and the remaining bargaining unit members will be appointed by the AEC in consultation with the Component, to ensure women representation, equity, geographic, linguistic and occupational group diversity. The number to be appointed will be decided and announced by the AEC prior to the bargaining team election.
- 3.9.3 The National President may appoint a member of the AEC and/or the NBoD to sit as a member of the bargaining team, who shall have full voice but no vote.
- 3.9.4 The National President and/or the AEC shall appoint a staff representative to sit on the bargaining team as chair of the team. This appointee shall have full voice but no vote.
- 3.9.5 The National President and/or the AEC may appoint additional staff representatives to sit on the bargaining team as technical advisors who have voice but no vote.

3.10 Memoranda of Settlement

- 3.10.1** In consultation with the affected bargaining team(s), the National President or designate may engage in direct negotiations with the employer to achieve a Memorandum of Settlement.
- 3.10.2** Authority to arrive at Memoranda of Settlement or Letters of Understanding rests with the AEC. The AEC Officer(s) responsible for collective bargaining for the bargaining unit or designate must be consulted prior to signing a Memorandum of Settlement or Letter of Understanding.
- 3.10.3** The AEC Officer(s) or designate shall have the signing authority on any Memoranda of Settlement, Collective Agreements or Letters of Understanding.

3.11 Votes

Dispute Settlement Route Votes (*Public Service Labour Relations Act* units only)

- 3.11.1** All bargaining units governed by the PSLRA shall remain on the conciliation with the right to strike dispute settlement route. Requests to change the route to arbitration can be submitted as outlined below and, if approved, shall be for one round of bargaining only.
- 3.11.2** A dispute settlement route vote shall be taken when there has been a request by either a petition from 10 percent of the membership of the bargaining unit or when the NBoD so directs.
- 3.11.3** The AEC shall have the right to set deadlines for the receipt of such requests in order to allow for the scheduling of votes well in advance of the notice to bargain date. Such deadlines shall be communicated to all Components at least three months before the deadline date.
- 3.11.4** Approval of a change in the dispute settlement route shall be made as a result of a majority of the returned ballots, excluding spoiled ballots, or by a decision of the NBoD.

Strike Votes

- 3.11.5** The National President is the only person who may authorize a strike vote and authorize or end strike activity. Such authorization(s) shall be in writing.

3.11.6 Subject to the applicable legislation, strike votes shall be conducted at meetings established for the purpose of explaining the outstanding issues and reasons that a strike vote is necessary, except where the isolated location of the worksite or shift schedules require that special arrangements be made.

3.11.7 Subject to the applicable labour legislation, all employees in the bargaining unit may be entitled to vote in strike votes.

Ratification Votes

3.11.8 Ratification votes shall be held at meetings conducted for the purpose of explaining the terms of the tentative agreement, except where the isolated nature of the worksite or shift schedules require that special arrangements be made.

3.11.9 Subject to the applicable labour legislation, only employees in the bargaining unit who are PSAC members in good standing shall be entitled to vote in a ratification vote; proof of membership may be required.

3.11.10 When legislation provides a process where a ratification vote on whether or not employees wish to accept a tentative collective agreement is also intended to constitute a strike vote, and all employees in the bargaining unit are entitled to vote in the strike vote, the following procedure shall apply:

- a) employees in the bargaining unit who are PSAC members in good standing shall be provided with a ballot that asks whether they accept the tentative agreement or whether they reject it and authorize strike action; and
- b) employees in the bargaining unit who are not PSAC members in good standing shall be provided with a ballot that asks whether the employee authorizes or does not authorize strike action.

3.11.11 An AEC Officer shall have a mandate to sign a collective agreement for a bargaining unit or a coalition bargaining group when a majority of the votes cast are in the affirmative, excluding spoiled ballots.

4. Deviation from the Regulation

4.1 Requests for deviation from this Regulation may be made by a Component President.

4.2 Deviation from the Regulation requires the approval of the AEC and the Component President(s) with members in the bargaining unit.

15C – COLLECTIVE BARGAINING FOR DIRECTLY CHARTERED LOCALS AND REGIONAL BARGAINING UNITS

1. APPLICATION

This part of the Regulation applies to all regional bargaining units in the PSAC, other than the Territorial Government units covered by Part B. Regional bargaining units are those where all of the members work in a single PSAC region including the majority of separate employer locals under the *Public Service Labour Relations Act* and are represented by a single Component or by a Directly Chartered Local.

2. ROLES AND RESPONSIBILITIES

2.1 Members

2.1.1 Members are the backbone of the collective bargaining process. The active support and mobilization of our membership is critical to successful collective bargaining. Our union is only as strong as the membership.

2.1.2 Collective bargaining is the way to improve working conditions and advance the issues that are important to our union members. The more participation in the process, which includes submitting bargaining demands, being aware of the issues at the bargaining table, supporting our bargaining teams and participating in mobilization activities, the greater the success of collective bargaining.

2.2 Local

2.2.1 The Local is the first point of contact with the union for most bargaining unit members. Local Union Officers are, therefore, key to our ability to mobilize our membership and achieve success at the bargaining table.

2.2.2 The Local receives the bargaining input call and distributes it to bargaining unit members in the Local. The Local then receives the bargaining input from members in the Local.

2.2.3 The Local is responsible for establishing a Standing Bargaining Committee to review and organize the input from members, assist in the development of rationales. The Committee also ensures that information is included with the bargaining input when it is sent back to the PSAC, whether through a Component or from a Directly Chartered Local.

- 2.2.4 Standing Bargaining Committees work to make bargaining an engaging and ongoing participatory process for the membership. This can include developing bargaining surveys, grievance analysis and having members assist other PSAC bargaining units currently engaged in negotiation.
- 2.2.5 The Standing Bargaining Committee of the Local and the Local Officers provide vital support to the bargaining process by ensuring that bargaining unit members in the Local are well informed about the issues, and that mobilization events are well-supported.
- 2.2.6 The Local strengthens the bargaining process by putting forward the names of knowledgeable and committed members who are able to represent the Local on bargaining teams and on strike coordinating committees, where applicable.
- 2.2.7 The Locals work with the PSAC and are responsible for the conduct of votes, such as ratification, strike or dispute settlement route votes, among their members.

2.3 Directly Chartered Local (DCL) or Component

- 2.3.1 The DCL or Component receives the input call from the PSAC and forwards it to each Local or worksite for which there are members in the bargaining unit.
- 2.3.2 The DCL or Component then receives the bargaining demands from the members, forwarded through the Locals and worksites, and reviews, amends and/or supplements and selects the demands that are to be sent to the PSAC in the manner set out in this Regulation.
- 2.3.3 The DCL or Component supports the bargaining process by electing/selecting bargaining unit members who are engaged in union activities and committed to union principles to represent the bargaining unit members in the manner set out in this Regulation.
- 2.3.4 The DCL or Components play a key role in the bargaining process by ensuring that bargaining unit members in the Component or worksites are well informed about the issues, and that mobilization events are well-supported.
- 2.3.5 The DCL or Component works with the PSAC to conduct votes, such as ratification, strike or dispute settlement route votes, among their members.

2.4 National Board of Directors (NBoD)

- 2.4.1 As the Union's governing body between Conventions, the NBoD establishes policies related to collective bargaining.

- 2.4.2 The NBoD is responsible for fully supporting the recommendations of a negotiating team and may not make any public statement that is critical of the bargaining team's decision or that calls that decision into question.
- 2.4.3 Members of the NBoD who have bargaining unit members in their Components shall be elected/selected to sit as part of the Strategy Coordinating Committee or Strike Coordinating Committee. The NBoD member may designate an alternate representative from their Component.

2.5 Collective Bargaining Committee (CBC) of the NBoD

- 2.5.1 The CBC of the NBoD is composed of members of the NBoD appointed to it by the PSAC National President and is chaired by the AEC Officer(s) responsible for collective bargaining.
- 2.5.2 The CBC may be asked to consider any matter related to collective bargaining referred to it by the NBoD or the AEC and to make recommendations as required.

2.6 Strategy/Strike Coordinating Committee (SCC)

- 2.6.1 The SCC is chaired by the AEC Officer(s) responsible for the bargaining unit or designate and is composed of the member of the NBoD or where applicable, a designate selected from the Component with members in the bargaining unit, or the President of the Directly Chartered Local or designate, and the bargaining team member or members selected by the team to sit on the SCC.
- 2.6.2 The size and composition of the SCC may vary according to the size of the bargaining unit, and whether or not it is a multi-unit or coalition bargaining process.
- 2.6.3 The SCC provides key strategic support and advice throughout the bargaining process and makes recommendations to the National President, the AEC and the NBoD on such matters as the bargaining timelines, bargaining strategy and priorities, and the communications and mobilization strategy.
- 2.6.4 The Strategy Coordinating Committee (SCC) becomes the Strike Coordinating Committee (SCC) at the point at which strike mobilization is required and makes key recommendations to the National President, the AEC and the NBoD where necessary on strike strategy and mobilization.

2.7 Bargaining Teams

- 2.7.1 Bargaining teams represent all members of the bargaining unit at the bargaining table and play an essential role in the bargaining process.

- 2.7.2 Bargaining team members are expected to engage directly with other workers through the entire bargaining process.
- 2.7.3 Bargaining team members are responsible for ensuring that the bargaining process helps build the union and advances the interests of all members.
- 2.7.4 Bargaining team members are obligated to respect the Constitution and Regulations of the PSAC and to adhere to PSAC policies.
- 2.7.5 Bargaining team members must be dedicated union activists who are engaged in union activities and committed to union principles, including social justice and human rights.
- 2.7.6 Bargaining team members provide important insight and information on the actual working conditions of bargaining unit members in the workplace and on the rationales for bargaining demands.
- 2.7.7 Bargaining team members are responsible for conveying information about the progress of bargaining to bargaining unit members, and for explaining decisions made by them at the bargaining table.
- 2.7.8 Bargaining team members are responsible for reporting back to the bargaining team relevant issues raised by membership, received as part of their communication and outreach work, on an ongoing basis.
- 2.7.9 Bargaining team members participate in the process of negotiations by reviewing the bargaining input, finalizing and prioritizing the package of demands, participating in bargaining, by participating in strategy and mobilization discussions as required, by making decisions on employer offers and tentative settlements, and by participating in mobilization activities established for the bargaining unit.
- 2.7.10 Bargaining team members must make a decision to accept or reject a proposed memorandum of settlement before it is sent to the members of the bargaining unit for a vote, and once that decision is made, all members of the bargaining team must support it.

2.8 Regional Councils

- 2.8.1 As the body of elected officers in each region, Regional Councils play a vital role in regional mobilization during the bargaining process and in the strike mobilization process, particularly in multi-unit or coalition bargaining.
- 2.8.2 Regional Councils are an important venue for information sharing and for encouraging solidarity and support for other PSAC bargaining units in need of assistance.

2.9 Alliance Executive Committee (AEC)

- 2.9.1 The AEC will ensure an effective bargaining environment by appointing the staff necessary to facilitate bargaining and membership mobilization.
- 2.9.2 The AEC will determine the size of bargaining teams within the parameters established in 3.8 of this Regulation.
- 2.9.3 The AEC will ensure that bargaining teams are representative by using its authority to appoint bargaining team members.
- 2.9.4 The AEC has the sole authority to remove a member from a bargaining team.
- 2.9.5 The AEC has the sole authority for approving Memoranda of Settlement and letters of understanding.
- 2.9.6 The AEC is responsible for approving administrative guidelines governing activities with Regulation 15.

2.10 AEC Officers

- 2.10.1 AEC Officers have the responsibility for the establishment of a Strategy/ Strike Coordinating Committee SCC and chairing SCC Meetings.
- 2.10.2 AEC Officers are mandated to sign collective agreements.

2.11 National President

- 2.11.1 The National President has the sole authority to interpret the PSAC Constitution and this Regulation.
- 2.11.2 The National President has the sole authority to authorize a strike vote and authorize or end strike action.
- 2.11.3 In consultation with the affected bargaining team(s), the National President or designate may engage in direct negotiations with the employer to achieve a Memorandum of Settlement.

3. COLLECTIVE BARGAINING PROCESS

3.1 Establishment of a Strategy/Strike Coordinating Committee (SCC)

- 3.1.1 The AEC Officer assigned to the bargaining unit will establish an SCC to provide strategic advice on bargaining, mobilization and strike mobilization.
- 3.1.2 The SCC will be composed of the AEC Officer(s) responsible or designate, the member of the NBoD or designate selected from the Component with members in the bargaining unit or Local President of the Directly Chartered Local or designate, and the bargaining team member or members selected by the team to sit on the SCC. The SCC will also assign appropriate staff to provide technical advice as required.
- 3.1.3 The number of team members elected/selected to sit on the committee will be determined by the AEC Officer assigned to the bargaining unit, in consultation with the Component President or designate or Directly Chartered Local President or designate who has members in the bargaining unit.
- 3.1.4 The SCC will meet as early as possible in the bargaining process, ideally before Notice to Bargain has been served.
- 3.1.5 The SCC will determine its own process and agenda, but generally will be mandated to discuss and recommend strategies with respect to bargaining timelines, communications to the membership and others, mobilization and strike mobilization and strategy, as well as any other matter that may have an impact on bargaining in any particular round of negotiations.

3.2 Bargaining Timelines

- 3.2.1 Between six (6) months and one year before notice to bargain is to be served, the PSAC will develop the initial timeline for bargaining in consultation with the AEC Officer assigned to the bargaining unit and the Component President or designate with members in the bargaining unit, or the Directly Chartered Local President, and the SCC.
- 3.2.2 The bargaining timeline may be revised as required from time to time throughout the process of bargaining.

3.3 Input Call

- 3.3.1 At least six (6) months before notice to bargain is served, or at such time established on the bargaining timeline, the PSAC will send out the call for bargaining input from the members in the bargaining unit.

- 3.3.2 The input call will be sent to the Component with members in the bargaining unit or Directly Chartered Local and will set out the date that the input must be returned to the PSAC Negotiations Section.
- 3.3.3 The Component will forward the input call to the Local with members in the bargaining unit.
- 3.3.4 The Local will distribute the input call and any attached documents to members of the bargaining unit.
- 3.3.5 The Local will receive the bargaining input from the members of the bargaining unit and will review each demand to ensure that there is a complete rationale for the demand. The Local will also ensure that where there are multiple proposals on the same subject that one proposal will cover all aspects of the group of proposals.
- 3.3.6 The Local will forward only one proposal on each issue to the PSAC Negotiations Section, as well as to the Component where applicable, and will only forward the number of proposals set out in the input call if the input call limits the number of proposals.
- 3.3.7 The Component or the Directly Chartered Local, will review, amend and/or supplement proposals and forward to the PSAC Negotiations Section, only the number of proposals set out in the input call, and will send only one proposal for each issue.
- 3.3.8 The Component or Directly Chartered Local shall ensure that each proposal is sent electronically to the PSAC Negotiations Section within the timeframe set out in the input call. Each proposal shall contain a rationale, identify the submitting Local and shall be provided in both official languages where appropriate.

3.4 Bargaining Teams

General

- 3.4.1 Bargaining team members are required to attend all bargaining sessions and failure to do so could result in removal from the team.
- 3.4.2 Bargaining team members will be protected from loss of income and their expenses will be reimbursed according to the administrative guidelines that are amended from time to time and approved by the AEC.

Size of Bargaining Teams

- 3.4.3 The AEC will determine the size of the bargaining team taking into account the size of the unit, and its reflection of equity and occupational group diversity.

- 3.4.4 The size of a negotiating team will normally be three members with the goal of ensuring equity and occupational group diversity.
- 3.4.5 The AEC may determine that a negotiating team should be smaller than 3 members where the bargaining unit has fewer than 50 members. The AEC may determine that a bargaining team should be larger than three members for reasons such as:
- first collective agreements for larger bargaining units (for units with over 100 members)
 - negotiations for larger bargaining units (those of over 500 members)
 - wide occupational diversity in the bargaining unit
 - coalition bargaining across more than one bargaining unit

3.5 Election/Selection and Composition of Bargaining Teams

- 3.5.1 The Component or Directly Chartered Local with members in the bargaining unit shall elect the bargaining team.
- 3.5.2 The AEC in consultation with the Component or Directly Chartered Local may appoint an additional bargaining team member or members to ensure equity, linguistic and/or occupational group diversity, and to ensure the adequate representation of women.
- 3.5.3 The National President may appoint a member of the AEC and/or the NBoD to sit as a member of the bargaining team, who shall have full voice but no vote.
- 3.5.4 The National President and/or the AEC shall appoint a staff representative to sit on the bargaining team as chair of the team. This appointee shall have full voice but no vote.
- 3.5.5 The National President and/or the AEC may appoint staff representatives to sit on the bargaining team as technical advisors who have voice but no vote.

3.6 Negotiations

- 3.6.1 The bargaining team will communicate with the membership on the progress of negotiations at each stage of the negotiations process (e.g. prior to the initial exchange, at impasse, and ratification or award) or more often as appropriate and will report back to the rest of the bargaining team any relevant issues raised by the membership.
- 3.6.2 Bargaining team members who do not fulfill their responsibilities as a bargaining team member may be removed from the team. All removal requests are to be submitted to the AEC Officer(s) responsible for collective bargaining for the

bargaining unit. The decision as to whether or not a bargaining team member is to be removed shall be made by the AEC.

3.7 Memorandum of Settlement

- 3.7.1 In consultation with the affected bargaining team(s), the National President or designate may engage in direct negotiations with the employer to achieve a Memorandum of Settlement.
- 3.7.2 Authority to arrive at Memoranda of Settlement or Letters of Understanding rests with the AEC. The AEC Officer(s) responsible for collective bargaining for the bargaining unit or designate must be consulted prior to signing a Memorandum of Settlement or Letter of Understanding.
- 3.7.3 The AEC Officer(s) or designate shall have the signing authority on any Memorandum of Settlement, Collective Agreements or Letters of Understanding.

3.8 Votes

Dispute Settlement Route Votes (*Public Service Labour Relations Act* units only)

- 3.8.1 All bargaining units governed by the PSLRA shall remain on the conciliation with the right to strike dispute settlement route. Requests to change the route to arbitration can be submitted as outlined below and, if approved, shall be in force for one round of bargaining only.
- 3.8.2 A dispute settlement route vote shall be taken when there has been a request by either a petition from 10 percent of the membership of the bargaining unit or when the NBoD so directs.
- 3.8.3 The AEC shall have the right to set deadlines for the receipt of such requests in order to allow for the scheduling of votes well in advance of the notice to bargain date. Such deadlines shall be communicated to all Components at least three months before the deadline date.
- 3.8.4 Approval of a change in the dispute settlement route shall be made as a result of a majority of the returned ballots, excluding spoiled ballots, or by a decision of the NBoD.

Strike Votes

- 3.8.5 The National President is the only person who may authorize a strike vote and authorize or end strike activity. Such authorization(s) shall be in writing.

3.8.6 Subject to the applicable legislation, strike votes shall be conducted at meetings conducted for the purpose of explaining the outstanding issues and reasons that a strike vote is necessary, except where the isolated location of the worksite or shift schedules require that special arrangements be made.

3.8.7 Subject to the applicable labour legislation, all employees in the bargaining unit may be entitled to vote in strike votes.

Ratification Votes

3.8.8 Ratification votes shall be held at meetings conducted for the purpose of explaining the terms of the tentative agreement, except where the isolated nature of the worksite or shift schedules require that special arrangements be made.

3.8.9 Subject to the applicable labour legislation, only employees in the bargaining unit who are PSAC members in good standing shall be entitled to vote in a ratification vote; proof of membership may be required.

3.8.10 When legislation provides a process where a ratification vote on whether or not employees wish to accept a tentative collective agreement is also intended to constitute a strike vote, and all employees in the bargaining unit are entitled to vote in the strike vote, the following procedure shall apply:

- a) employees in the bargaining unit who are PSAC members in good standing shall be provided with a ballot that asks whether they accept the tentative agreement or whether they reject it and authorize strike action; and
- b) employees in the bargaining unit who are not PSAC members in good standing shall be provided with a ballot that asks whether the employee authorizes or does not authorize strike action.

3.8.11 AEC Officer shall have a mandate to sign a collective agreement for a bargaining unit or a coalition bargaining group when a majority of the votes cast are in the affirmative, excluding spoiled ballots.

4. DEVIATION FROM THE REGULATION

4.1.1 Requests for deviation from this Regulation may be made by a Component President or an AEC Officer responsible for the bargaining unit in the case of Directly Chartered Locals.

4.1.2 Deviation from the Regulation requires the approval of the AEC and the Component President with members in the bargaining unit or the AEC Officer responsible for the bargaining unit in the case of Directly Chartered Locals.

REGULATION 15A

**REGULATION GOVERNING THE PAYMENT OF EXPENSES
TO SPECIFIED MEMBERS OF A PSAC BARGAINING COMMITTEE
AND/OR PSAC NEGOTIATING TEAM**

RESCINDED – February 9, 2012

REGULATION 16

Public Service Alliance of Canada

Enacted this 29th day of January 1977
(As amended September 27, 1995)
(As amended January 25, 2001)

REGULATION GOVERNING THE RELOCATION OF FULL-TIME ELECTED OFFICERS OF THE PSAC CENTRE

1. The full-time elected officers of the PSAC Centre are the National President, the National Executive Vice-President and seven Regional Executive Vice-Presidents (British Columbia, North, Ontario, National Capital Region, Quebec, Prairies and Atlantic).
2. Section 18 Sub-Section (3) of the Public Service Alliance of Canada Constitution requires the President and the National Executive Vice-President to reside in the Greater Ottawa/Gatineau Area, and the Regional Executive Vice-Presidents to reside in a location as determined by the Alliance Executive Committee .
3. The purpose of this Regulation is to authorize the PSAC Centre to reimburse those actual and reasonable expenses within the limits of the Treasury Board Relocation Directive incurred by an elected officer of the PSAC Centre, spouse and dependant members of the family in relocating from one place of residence to another, either at the time of election or at the time of termination of employment as full-time elected officer.
4. A member who is elected as a full-time officer of the PSAC Centre, shall be paid relocation expenses when at the time of election such member is residing outside of the Greater Ottawa/Gatineau Area or the regional location as determined by the Alliance Executive Committee and must move so as to comply with the requirements of the Constitution.
5. Notwithstanding Section 4, the AEC is authorized to recover relocation costs, up to 100%, when an AEC Officer resigns his/her position during a first term of office. Recovery of all or part of the relocation costs paid by the PSAC can be waived by the AEC when the resignation is related to exceptional personal circumstances.
6. When a full-time elected officer of the PSAC Centre ceases to be employed as a full-time elected officer for any reason, except misconduct, such member shall be paid relocation expenses provided that:
 - (a) such member was residing outside of the Greater Ottawa/Gatineau Area or the regional location as determined by the Alliance Executive Committee at the time of election; and

- (b) such member does not accept other employment in the Greater Ottawa/Gatineau Area or the regional location as determined by the Alliance Executive Committee after the termination of employment as a full-time elected officer; and
 - (c) such member does not resign during a first term of office for other than exceptional personal circumstances as determined by the AEC; and
 - (d) such member applies for relocation expenses within three (3) months following the termination of employment as a full-time elected officer.
7. This Regulation applies to any full-time elected officer of the PSAC Centre who, prior to election as a full-time elected officer of the PSAC Centre, was a full-time elected officer of any predecessor organization or a Component and who meets the requirements of Section 5 of this Regulation.
 8. A full-time elected officer who ceases to be employed as a full-time elected officer of the PSAC Centre and who applies for and is entitled to relocation expenses shall be entitled to be reimbursed those actual and reasonable expenses not exceeding an amount equal to his/her relocation expenses from the Ottawa/Gatineau Area or the regional location as determined by the Alliance Executive Committee to his/her former place of residence.
 9. If a full-time elected officer of the PSAC Centre, to whom Sections 4 or 6 of this Regulation applies, dies during a term of office, his/her spouse and/or dependants shall be entitled to be reimbursed relocation expenses subject to the same conditions specified in Section 5 of this Regulation.

Upon the request from the immediate family assistance may be paid for the transportation of the remains of the deceased officer to his/her former place of residence in accordance with the conditions specified in Section 7 of this Regulation.

10. The Alliance Executive Committee may recommend to the National Board of Directors the payment of relocation expenses to a full-time elected officer who ceases to be employed as a full-time elected officer of the PSAC Centre and who is not otherwise entitled to relocation expenses under this Regulation when the Alliance Executive Committee is of the opinion that such expenses should be paid for humanitarian reasons.

REGULATION 17

Public Service Alliance of Canada

Enacted this 28th day of May 1977
(As amended January 27, 1978)
(As amended September 26, 1981)
(As amended April 17, 1982)
(As amended May 31, 1982)
(As amended February 2, 1984)
(As amended January 31, 1985)
(As amended September 23, 1985)
(As amended May 27, 1986)
(As amended January 19, 1988)
(As amended April 22, 1988)
(As amended November 27, 1990)
(As amended October 15, 1991)
(As amended January 30, 1996)
(As amended January 28, 1997)
(As amended May 1999)
(As amended April 2000)
(As amended January 20, 2003)
(As amended February 1, 2005)
(As amended February 6, 2007)
(As amended February 4, 2009)
(As amended June 2013)
(As amended May 2014)
(As amended October 27, 2015)

REGULATION GOVERNING THE TERMS AND CONDITIONS OF EMPLOYMENT FOR ELECTED OFFICERS OF THE ALLIANCE EXECUTIVE COMMITTEE OF THE PUBLIC SERVICE ALLIANCE OF CANADA

1. The purpose of this Regulation is to set up the terms and conditions of employment for the Alliance Executive Committee of the Public Service Alliance of Canada.
2. The full-time elected officers of the Public Service Alliance of Canada are the National President, the National Executive Vice-President and the seven Regional Executive Vice-Presidents.
3. The terms and conditions of employment for the full-time elected officers are as described in this Regulation.

4. Tenure of Office

The tenure of office of full-time elected officers shall be in accordance with the Constitution of the Public Service Alliance of Canada.

5. Entitlement to Pay

- (a) An elected officer is entitled to be paid for services rendered the remuneration applicable to the position held by the elected officer.
- (b) The pay levels of the elected officers as approved by the Convention are as follows:

Effective May 15, 2015:

(i)	National President:	\$148,861
(ii)	National Executive Vice-President (85% of the National President's salary):	\$126,531
(iii)	Regional Executive Vice-Presidents (80% of National President's salary):	\$119,088

- (c) The salaries of the elected officers of the Alliance Executive Committee shall be increased on the 15th day of May of each year, commencing in 2009, by the increase of the average annual salary of members in the previous year.

6. Continuous Employment

For purposes of annual leave and severance pay, continuous employment for an elected officer shall comprise the total period of continuous employment from the date of certification of a bargaining unit represented by the PSAC to the date of termination of employment with the PSAC.

7. Designated Paid Holidays

An elected officer shall be entitled to designated paid holidays on the same basis as employees in the federal public service.

8. Overtime

- (a) Overtime means the requirement for an elected officer to be on official business for the PSAC on a day of rest or on a designated paid holiday.
- (b) When an elected officer is required to be on official business for the PSAC on a day of rest or on a designated paid holiday, the elected officer shall be compensated at the rate of one and one-half (1 1/2) time on Saturday and a rate of double (2) time on Sunday.
- (c) Overtime compensation on a day of rest or on a designated paid holiday shall not exceed seven (7) hours per day at the straight-time rate.

9. Compensatory Leave

- (a) "Compensatory Leave" means leave with pay in lieu of cash payment for overtime, and such leave with pay will be equivalent in value to the cash payment that would otherwise have been made.
- (b) Compensatory leave exceeding 15 days not used by December 31st each year will be paid in cash at the rate of pay received by the elected officer on December 31st or provisions as set out at Section 24.
- (c) If an elected officer dies or otherwise ceases to be employed, the elected officer or his/her estate shall be paid an amount equal to the product obtained by multiplying the number of days or hours of earned but unused compensatory leave by the daily or hourly rate of pay applicable to the elected officer immediately prior to termination of his/her employment.
- (d) A report of all compensatory leave shall be given annually to the NBoD Standing Finance Committee. Such report shall list all compensatory time earned by year.

10. Leave General

When an elected officer, who has been granted more vacation, sick or special leave with pay than was earned, dies or ceases to be an elected officer because he/she is not re-elected for another term of office, the elected officer shall be considered to have earned the amount of leave with pay granted to him/her.

11. Sick Leave

- (a) An elected officer shall earn sick leave credits at the rate of 1 1/4 days for each calendar month for which the elected officer receives pay for at least ten (10) days.

- (b) An elected officer shall be granted sick leave with pay when unable to perform his/her duties because of illness or injury under the same conditions that apply to all employees of the PSAC Centre.
- (c) If an elected officer has insufficient credits to cover the granting of sick leave with pay under the provision of this section, sick leave with pay may, at the discretion of the Alliance Executive Committee, be granted up to 15 days. The granting of more than 15 days' advanced sick leave to an elected officer must be approved by the National Board of Directors before sick leave with pay may be granted.

12. **Vacation Leave with Pay**

- (a) For each calendar month in which an elected officer earns at least ten (10) days' pay, the elected officer shall earn vacation credits with pay at the rate of:
 - (i) 1 2/3 days if the elected officer has completed less than 12 years of continuous employment;
 - (ii) 2 1/12 days if the elected officer has completed 12 years of continuous employment; and
 - (iii) 2 1/2 days if the elected officer has completed 20 years of continuous employment.
 - (iv) After having completed 22 years of continuous employment, an employee shall be credited with one-half (1/2) day of vacation leave for each successive year of continuous service to a maximum of five (5) additional days of vacation leave.
- (b) An elected officer shall be granted vacation leave with pay under the same conditions that apply to all employees of the PSAC Centre.
- (c) An elected officer may carry over any vacation leave credits but not in excess of one (1) year's entitlement or provisions as set out at Section 24.
- (d) Vacation leave credits with pay exceeding two (2) years' entitlement not used on December 31st each year will be paid in cash at the rate of pay received by elected officers by December 31st.
- (e) Any vacation leave with pay credited to an elected officer at the time this Regulation is enacted shall be retained by the elected officer or may, at the discretion of the elected officer, be used or paid in cash any time upon request.

- (f) If an elected officer dies or otherwise ceases to be employed, the elected officer or his/her estate shall be paid an amount equal to the product obtained by multiplying the number of days earned but unused vacation leave by the daily rate of pay applicable to the position immediately prior to the termination of his/her employment.

13. Holiday Season Leave

Elected Officers will be granted leave with pay for regular working days falling in the period between December 26th and January 1st.

14. Special Leave

An elected officer shall be entitled to special leave with pay on the same basis and under the same conditions that apply to all employees of the PSAC Centre.

15. Other Types of Leave

An elected officer shall be entitled to other types of leave with or without pay on the same basis and under the same conditions that normally apply to employees of the federal public service.

16. Severance Pay

- (a) Subject to paragraphs (b) and (c) below, when the employment of an elected officer terminates for any reason other than removal from office under Section 25 Sub-Section (1) of the Constitution, the elected officer shall be entitled to be paid one (1) week's pay at the position's current rate of pay for each completed year of continuous employment in respect of which the elected officer has not previously been paid severance pay to a maximum of 30 weeks.
- (b) Severance pay entitlement determined in accordance with paragraph (a) above shall be abated by the full amount of severance pay payable by the employer for the period of employment included in the total eligible service.
- (c) Notwithstanding paragraph (a) above, if an elected officer who terminates employment with the PSAC returns to employment with their employer , he/she shall be entitled to be paid severance pay only for the period of continuous employment with the PSAC.

- (d) If an elected officer dies during his/her employment with the PSAC, there shall be paid to the estate of the deceased an amount equal to the amount he/she would have otherwise been entitled to at the time of termination of employment with the PSAC.
- (e) For the purpose of paragraph (c) of this section, continuous employment with the PSAC means continuous employment in the PSAC Centre or a Component.

17. AEC Transition

- (a) When the employment of an elected officer terminates for any reason other than removal from office under Section 25 Sub-Section (1) of the Constitution, the elected officer shall be entitled to be paid two (2) weeks' pay at the position's current rate of pay in addition to severance pay as outlined in Section 15.
- (b) The National President may increase the amount of pay outlined in Section 17 (a) to a maximum of four (4) weeks in the event that an incoming AEC Officer requests transitional assistance from the outgoing AEC Officer.

18. Transfer of Leave

- (a) When a member is elected as a full-time elected officer of the PSAC Centre, all the unused sick and special leave credits that stand to the employee's credit in the record shall be transferred to the PSAC Centre provided that these are substantiated to the satisfaction of the PSAC Centre.
- (b) In the case of a person who, prior to election as a full-time officer of the PSAC Centre, was a full-time employee or officer in a Component, the transfer of leave shall be processed in accordance with Regulation 4.

19. Travel Expenses

An elected officer of the PSAC Centre is entitled to be reimbursed his/ her travel expenses in accordance with the PSAC Travel Policy.

20. Relocation Expenses

An elected officer of the PSAC Centre is entitled to be reimbursed his/ her relocation expenses in accordance with Regulation 16.

21. **Other Benefits**

An elected officer is entitled to all other benefits which are currently applicable to employees of the PSAC Centre. Any changes to additional benefits for PSAC Centre employees shall be reviewed by the Board before being applied to the elected officers.

Other benefits include the following:

- Group Life Insurance
- Accidental Death and Dismemberment
- Long-Term Disability
- Extended Health
- Employment Insurance
- Workers' Compensation
- Parking
- PSAC Pension Plan
- Canada Pension Plan/Québec Pension Plan
- Group Dental Plan
- Vision Care Plan

22. **Privately-Owned Motor Vehicle Use**

Elected Officers shall be entitled to a kilometric rate (in accordance with the PSAC Travel Policy), for use of a privately-owned motor vehicle on authorized business and shall be reimbursed supplementary business insurance for the vehicle, where required.

23. All bilingual elected officers shall be entitled to receive a bilingualism allowance on the same basis that applies to all employees of the PSAC Centre.
24. No additional benefits other than those described in this Regulation shall be granted to elected officers unless they are approved by the NBoD prior to their implementation.
25. Notwithstanding the provisions of sub-paragraph (9)(b) (Compensatory Leave) and sub-paragraph (12)(c) (Vacation Leave with Pay), an elected officer may request in writing that an equivalent cash value for leave in excess of the carry-over provisions be retained in a provisional account for him/her by the PSAC.

If an elected officer subsequently requested and received approval for leave, a calculation would be made using the applicable current rate of pay and his/her provisional account would be reduced accordingly.

If an elected officer subsequently requested in writing a withdrawal of funds from his/her provisional account, the account would be reduced accordingly.

REGULATION 18
RESPONSIBILITIES OF NATIONAL DIRECTORS
RESCINDED

REGULATION 19

Public Service Alliance of Canada

Enacted this 2nd day of June 1983
(As amended February 3, 1984)
(As amended October 1, 1987)
(As amended May 22, 1990)
(As amended May 29, 1991)
(As amended March 1, 1993)
(As amended May 27, 1993)
(As amended April 15, 1997)
(As amended May 21, 1998)
(As amended May 2003)
(As amended June 8, 2004)
(As amended June 2006)
(As amended February 5, 2013)
(As amended June 11, 2014)

REGULATION GOVERNING MEMBERSHIP DISCIPLINE

1. The National Board of Directors, in accordance with Section 25 of the Constitution, retains the authority to suspend or expel from membership any PSAC officer or member.
2. In accordance with this Regulation, a Regional Council, Component, Local or Regional Committee shall have the authority to remove from an office of the body concerned any member who is found to be in contravention of the Constitution as specified in Sub-Section (6) of Section 25 or the Regional Council, the Component, the Local or the Regional Committee By-Laws.
3. In accordance with the procedure outlined in this Regulation, a Regional Council, Component, Regional Committee or Local may recommend the suspension or expulsion from membership of any member of that body.
4. Any and all charges against a member shall be placed in writing, signed by the member or members making the charge or charges, and shall be submitted to the appropriate body for consideration.

Allegations Against	Appropriate Receiving Body	Appropriate Body Validating Process	Deciding Body Membership Suspension	Deciding Body Removal from Office	Deciding Body Removal from all PSAC Offices
Member	Local President	Component	NBoD	Component National Executive	NBoD
Local President	Local 1 st Vice-President***	Component	NBoD	Component National Executive	NBoD
Directly Chartered Local (DCL) Member	Local President	Regional Executive Vice-President	NBoD	Regional Council	NBoD
Regional Councils/Committees	Regional Executive Vice-President	Regional Council	NBoD	Regional Council	NBoD
Alliance Executive Committee (AEC)	PSAC National President	NBoD	NBoD	NBoD	NBoD
Component President	Component First or National Vice-President	Component National Executive	NBoD	Component National Executive	NBoD
Component National Officers	Component President	Component National Executive	NBoD	Component National Executive	NBoD
NBoD	PSAC National President	NBoD	NBoD	NBoD	NBoD
PSAC National President	PSAC National Executive Vice-President	Alliance Executive Committee	NBoD	NBoD	NBoD

***or if the 1st Vice-President is named in the allegations, the next Local Executive Officer not named in the allegations.

5. The appropriate executive body receiving the allegation(s) shall determine whether “evidence” (prima facie and supporting document) warrants an investigation.
6. Any charge or charges which are found to be frivolous or intended to harass, embarrass, or discredit a member or members may result in disciplinary proceedings under Section 25, Sub-Section (6) (e) and/or (g).

7. The procedure for the handling of disciplinary charges shall be as follows:
- (a) The appropriate body shall establish an internal or external impartial review committee consisting of three (3) people to investigate and assess the charges, including the receipt of oral and written evidence.
 - (b) The member(s) charged with misconduct shall be provided a copy of the charges and, both the members making the charge and member(s) charged will be afforded the right to appear before the Committee.
 - (c)
 - (i) If the Committee determines that the PSAC Constitution or appropriate body by-laws were not violated, no further action is taken.
 - (ii) If the Committee determines that the PSAC Constitution or appropriate body by-laws were violated but does not recommend disciplinary action, the Committee report shall be placed before a special or general meeting of the appropriate body and shall be subject to acceptance of two-thirds (2/3) of those members in attendance; except only that the member(s) initiating disciplinary action against another member(s), and the accused member(s) shall be denied voice and vote during the decision-making process.
 - (iii) If disciplinary action is recommended, the Committee report shall be placed before a special or general meeting of the appropriate body and shall be subject to the acceptance of two-thirds (2/3) of those members in attendance; except only that the member(s) initiating disciplinary action against another member(s), and the accused member(s) shall be denied voice and vote during the decision-making process.
 - (d) If allegations are founded, the report of the Committee established in Section 7 (a) of this Regulation shall consist of two parts.
 - (i) Part I: will include a finding of fact that confirms the members have violated the PSAC Constitution or Regional Council, Component, Local or Regional Committee By-Laws. This part of the report cannot be amended.
 - (ii) Part II: will recommend the specific disciplinary action, if any to be imposed.
 - (e) If the appropriate body accepts a recommendation of removal from office, it shall convey that decision to the member or members concerned together with written notice that an appeal may be submitted to the appropriate body.

- (f) If the appropriate body accepts a recommendation to suspend or expel from membership, the appropriate body shall forthwith advise the Regional Executive Vice-President or Component President in writing together with all relevant documentation.
- 8.
- (a) A charge or charges against an officer of the National Board of Directors in the capacity of a member of the NBoD shall be submitted to the PSAC Alliance Executive Committee, except as provided in Section 9.
 - (b) A charge or charges against an officer of the National Board of Directors in the capacity of a Component President shall be submitted to the Component First or National Vice-President.
- 9.
- (a) Where a charge or charges of misconduct is alleged against an officer of the Alliance Executive Committee, except the National President, the written allegation shall be submitted to the National President and, at its next regular meeting, the National Board of Directors shall establish an internal or external impartial review committee to deal with the matter in accordance with Section 7.
 - (b) Where a charge or charges of misconduct is alleged against the National President, the written allegation shall be submitted to the National Executive Vice-President and, if validated by the Alliance Executive Committee, the NBoD shall, at its next regular meeting, establish an internal or external impartial review committee to deal with the matter in accordance with Section 7.
10. Any member charged with misconduct shall not be a member of the Committee established to investigate the allegation(s), and shall not participate in the vote to accept or reject the findings and recommendations of such a committee. For greater clarification, where more than one member is charged with a similar offence, such as crossing a picket line (Section 25, Sub-Section (6) (n)), the member(s) charged will not be member(s) of the Committee established to investigate the allegation(s), and shall not participate in the vote to accept or reject the findings and recommendations of such a committee.

Appeal Procedure

- 11.
- (a) A decision to implement disciplinary action under the provisions of Sub-Sections (1) or (2) of Section 25 of the Constitution, the applicable Regional Council, Component, Local or Regional Committee By-Laws may be appealed to a tribunal empowered to hear appeals. A written notification of the individual's intent to appeal must be submitted to the Senior Officer of the appropriate body within sixty (60) calendar days of receipt of the disciplinary notification. The appropriate body will determine whether the Tribunal consists of one or three members.

- (b) A Tribunal comprised of three (3) members shall include a representative of the appellant, a representative of the appropriate PSAC body and a third independent person agreed to by both parties or appointed by an appropriate labour organization such as a Canadian Labour Congress affiliated union, a Federation of Labour or the Canadian Labour Congress, as determined by the AEC. The appellant shall not be a member of the Appeal Tribunal. The representative of the appropriate PSAC body must not have a conflict of interest in the outcome nor have been involved in the process or the decision to suspend.
 - (c) The decision of the Tribunal shall be final and binding on all parties to the appeal.
12. The Tribunal shall be established within a two-month period unless the timeframe is extended by:
- (a) mutual agreement of the parties concerned; or
 - (b) the AEC if it determines that extenuating circumstances prohibit the establishment of the Tribunal within the above-noted timeframe.
13. The PSAC Centre shall be responsible for the cost of the hearing and the expenses of the Tribunal in the case of a single member Tribunal.

The PSAC Centre shall be responsible for the cost of the hearing and the expenses of the Chairperson in the case of a three (3) member Tribunal, except as follows:

- (a) Each party will be responsible for his/her own expenses, except that if the appellant's appeal is successful, the appellant may be entitled to reasonable expenses as determined by the National Board of Directors. Such expenses shall be paid by the applicable level of the Public Service Alliance of Canada.
- (b) The expenses of the member of the Tribunal appointed by the appellant, including any per diem or salary required, shall be borne by the appellant.
- (c) When a PSAC Regional Council or Component/Local takes disciplinary action against a member and an appeal is lodged with the Public Service Alliance of Canada, the PSAC Regional Council or Component/Local member of the Tribunal will be appointed by that Regional Council or Component/Local, and the Regional Council or Component/Local will be solely responsible for his/her expenses.

- (d) Each party shall normally be responsible for any expenses incurred as a result of testimony from any witness they wish to call. However, where the appeal is upheld, the appellant may, in extenuating circumstances, request full or partial payment of reasonable expenses incurred by witnesses for the appellant. Such expenses, whose reasonableness shall be determined solely by the National Board of Directors, shall be paid by the applicable level of the Public Service Alliance of Canada.
- 14. Notwithstanding the procedures contained in the previous paragraphs of this Regulation, disciplinary action may be initiated in accordance with Section 25 of the PSAC Constitution at a higher level than where the actions giving rise to disciplinary action occurred.
- 15. The procedure for dealing with any disciplinary situation which may arise which is not specifically covered under this Regulation shall be deemed to be covered and processed within the spirit and intent of this Regulation.

Strike Breaker

- 16. Notwithstanding any previous provisions of this Regulation, in the case of an alleged violation of Section 25, Sub-Section (6) (n) of the PSAC Constitution, the following procedures may be utilized:
 - (a) At the Local level, the alleged violation of Section 25, Sub-Section (6) (n) will be signed by a Local member and submitted to the Local Discipline Committee or Local Executive for study and recommendation to a general membership meeting. The member alleged to have violated Section 25, Sub-Section (6) (n) will be notified in writing, notified of the general membership meeting and given an opportunity to make representation at the Local meeting. The decision of the general membership meeting will be forwarded to the Component President in writing together with all relevant documentation. The Component President, after satisfying himself/herself that the proper procedure has been followed, shall submit the matter to the National Board of Directors for decision.

or

 - (b) At the Component national or regional level, upon receipt of an alleged violation of Section 25, Sub-Section (6) (n) signed by a Local member, an assigned Component National Officer shall notify the member charged, conduct an investigation providing an opportunity for the member charged to make representation and prepare a written report for the Component President. The Component President shall submit the written report to an executive body of the Component for its review and recommendation. The Component President, after satisfying himself/herself that the proper procedure has been followed shall submit the matter to the National Board of Directors for decision.

REGULATION 19A

Public Service Alliance of Canada

(Enacted February 5, 2013)

(As amended February 27, 2014)

(As amended June 11, 2014)

(As amended October 22, 2014)

REGULATION GOVERNING THE OPERATION OF THE STANDING DISCIPLINE COMMITTEE OF THE NATIONAL BOARD OF DIRECTORS

PREAMBLE

1. The National Board of Directors established a Standing Committee on Discipline at its September 2002 meeting. Since that time, the Committee has reviewed all discipline being brought forward to the Board to ensure to ensure that disciplinary process was properly followed. This Regulation expands the mandate and the role of the Committee.

COMPOSITION OF THE COMMITTEE

2. The National President of the Public Service Alliance of Canada shall appoint four members of the National Board of Directors and/or full-time Component National Vice-presidents to sit on the Standing Discipline Committee of the National Board of Directors.

MANDATE AND ROLE OF THE COMMITTEE

3. The Committee shall meet prior to each regular meeting of the NBoD and review all disciplinary action being submitted to the NBoD. In the event that the disciplinary process outlined in Regulation 19 was followed, the Committee shall submit it to the NBoD for decision, along with any recommendations that it wishes to make to ensure that disciplinary quanta are consistent across the Union.
4. The Committee shall be responsible for ensuring that all members of an internal or external impartial review committee established after March 3, 2015 have received training in the conduct of investigation committees; fully understand the requirement for confidentiality and procedural fairness and have the requisite skills question witnesses and draft clear reports and recommendations based on the evidence presented to the Committee.
5. The Committee is further mandated to review Regulation 19 on a periodic basis, and make recommendations to the NBoD to amend Regulation 19.

REGULATION 20

Public Service Alliance of Canada

Enacted this 3rd day of June 1988
(As amended May 29, 1996)
(As amended May 21, 1998)
(As amended June 2006)
(As amended February 4, 2009)

REGULATION GOVERNING CERTIFICATION OF A LOCAL OR PROVINCIAL UNION

A) LOCAL OR PROVINCIAL UNION CERTIFICATION

1. Where required by provincial labour legislation, a local or provincial union chartered by the PSAC may seek certification in its own name.
2. A local or provincial union chartered by the PSAC may subsequently be assigned to a Component of the PSAC in accordance with Section 7, Sub-Section (4) of the PSAC Constitution.

B) COLLECTIVE BARGAINING PROCEDURES OF A LOCAL OR PROVINCIAL UNION CERTIFIED IN ACCORDANCE WITH THIS REGULATION

1. Locals and provincial unions certified in accordance with this Regulation shall:
 - (a) establish standing bargaining committees to prepare bargaining proposals based on a review of membership experience under their collective agreement and receive bargaining proposals from local or provincial union members;
 - (b) forward, at the appropriate time, bargaining proposals to the appropriate PSAC Regional Office on an approved form and in accordance with the established timetable; and
2. Standing bargaining committees shall be composed of the PSAC Regional Executive Vice-President or a representative of the Regional Executive Vice-President, not more than five (5) members of the bargaining unit elected by the membership, and may include one (1) member from the Component to which the local or provincial union has been assigned.
3. The PSAC Regional Executive Vice-President may delete or amend demands proposed by a local or provincial union standing bargaining committee which:

- (a) are harmful to other bargaining units; and
 - (b) are contrary to the good and welfare of the union.
4. A local or provincial union negotiating team (PSAC Negotiating Team) shall consist of the PSAC Regional Executive Vice-President or a staff representative of the Regional Executive Vice-President, and not more than five (5) members elected from among the membership of the bargaining unit. Only members of the bargaining unit on the bargaining committee will be entitled to vote in such election. Members nominated to serve on the negotiating team must have given prior agreement of their willingness to serve.
 5. A local or provincial union negotiating team will be chaired by the PSAC Regional Executive Vice-President or a staff representative of the Regional Executive Vice-President. All members of the negotiating team will have full voice and vote, except that when a staff representative is appointed to represent the Regional Executive Vice-President on the negotiating team, the staff representative will have no vote.
 6. The local or provincial union negotiating team is responsible for concluding Memoranda of Settlement (including Letters of Understanding) with the employer through the process of collective bargaining.
 7. A proposed Memorandum of Settlement (including Letters of Understanding) shall be reviewed by the PSAC Regional Executive Vice-President prior to being sent to the membership for ratification.

C) VOTING AND RATIFICATION PROCEDURES

1. All votes shall be authorized by the local or provincial union executive and be conducted under the authority of the appropriate PSAC Regional Office.
2. All bargaining unit members in the local or provincial union shall be eligible to vote.
3. All votes shall be by secret ballot.
4. The PSAC REVP shall develop specific guidelines for the conduct of balloting by Regional Offices.
5. All voting kits shall state the purpose of the vote, contain precise voting instructions and, in the case of ratification votes, identify all amendments, additions and deletions to the collective agreement.

6. A collective agreement for a local or provincial union bargaining group will be signed by the PSAC REVP and the local or provincial union president when a majority of the votes cast during a ratification vote are in the affirmative, excluding spoiled ballots.

D) STRIKE AND/OR STRIKE VOTE AUTHORIZATION

1. The local or provincial union president may authorize a strike vote following consultation with the PSAC REVP if:
 - (a) the bargaining procedures established by appropriate labour legislation fail to result in a tentative agreement;
 - (b) at any time, a recommendation that a strike vote be taken is made in writing, signed by a majority of the members of the local or provincial union negotiating team and approved by the PSAC REVP.
2. The PSAC REVP may authorize a strike when the majority of members voting in a ratification vote, excluding spoiled ballots, rejects a proposed Memorandum of Settlement.

E) STRIKE FUND

Members of a local or provincial union will receive strike pay in accordance with the provisions of PSAC Regulation No. 6 if the strike is authorized by the local or provincial union president and sanctioned by the PSAC REVP.

F) REPRESENTATION AT PSAC NATIONAL BOARD OF DIRECTORS' MEETINGS AND PSAC CONVENTIONS

1. A local or provincial union will be represented on the PSAC National Board of Directors by the PSAC REVP or its Component President or his/her alternate.
2. For the purpose of representation at any National Convention of the PSAC each local or provincial union's delegate entitlement shall be determined by Section 19 of the PSAC Constitution.

G) PAYMENT OF DUES

Payment of dues by a member of a local or provincial union shall be in accordance with Section 24 of the PSAC Constitution.

H) PRESENTATION OF GRIEVANCES

The preparation and presentation of grievances shall be the responsibility of the local or provincial union except that:

- (a) the decision to proceed with a grievance to arbitration or adjudication will be the responsibility of the PSAC REVP acting upon a recommendation of the local or provincial union; and
- (b) the PSAC Centre shall be responsible for representation of members at arbitration or adjudication.

I) AUTHORITY

- 1. The PSAC REVP is hereby delegated the authority of the PSAC National President for locally or provincially certified bargaining units in his/her region.
- 2. If the applicable legislation requires residency in the province, the National President, in consultation with the Regional Executive Vice-President, may delegate the above-noted authority to a PSAC Official or a member in the province.

J) ISSUANCE OF A CHARTER

A local or provincial union chartered by the PSAC shall be issued a charter signed by the PSAC National President in a form approved by the Alliance Executive Committee.

K) LOCAL OR PROVINCIAL UNION BY-LAWS

A local or provincial union shall establish by-laws and policy for its operation and such by-laws and policy shall be fully consistent with the Constitution of the PSAC, Component By-Laws, and this Regulation, and shall in no way contravene their provisions.

REGULATION 21

Public Service Alliance of Canada

Enacted this 25th day of September 1996
(As amended June 2006)

REGULATION GOVERNING PSAC ELECTION EXPENDITURES

1. This Regulation may be cited as the "PSAC Election Expenditures" pursuant to Section 18 of the Constitution.
2. The spending limit for candidates for PSAC Executive Office shall be as follows:
 - For the office of National President - \$6,000
 - For the office of National Executive Vice-President - \$4,800
 - For the office of Regional Executive Vice-Presidents - \$3,600

A candidate who runs for more than one office shall be subject to the limit for the higher office.

3. The cost of suite/rooms shall not be included in the spending limit.
4. Donated literature; posters; handouts; buttons and other paraphernalia; food and refreshments shall be included in the spending limit.
5. The spending limit shall begin six (6) months prior to the commencement of a PSAC Convention.
6. Each candidate shall submit a report of campaign expenses to the National Board of Directors within three (3) months of the date of the election, and the NBoD will refer the reports to the Standing Finance Committee or other body for review at its discretion.
7. The expense report shall be accompanied by supported invoices for all expenses.
8. Failure to submit an expense report or spending in excess of the limits mentioned in Section (2) may result in disciplinary action under Section 25 of the PSAC Constitution.

REGULATION 22

Public Service Alliance of Canada

Enacted this 28th day of January 1998

REGULATION GOVERNING THE OPERATION OF A PSAC RETIREES' ASSOCIATION Section 4, Sub-Section (11)

1. The Association shall establish a Constitution and policies for its operations and such Constitution and policies shall be fully consistent with the Constitution of the PSAC and shall in no way contravene its provisions.
2. The Association has the right to hold conventions or meetings as outlined in its own Constitution and shall be solely responsible for all costs involved in such conventions and meetings.
3.
 - a) The Association shall have the right to elect its own officers in accordance with procedures outlined in its Constitution.
 - b) The National President of the PSAC or his/her nominee shall have the right to attend all meetings and conventions and to speak when requested.
4.
 - a) Membership in the Association may be extended to retired associate members and retired members of the PSAC.
 - b) The Association shall establish its own dues or membership fees and shall control its own revenue and expenditures.
5. The Association may become affiliated with other similar organizations which promote and advance their common interests.

REGULATION 23

Public Service Alliance of Canada

Enacted this 27th day of September 2000
(As amended February 4, 2009)
(As amended June 2, 2010)
(As amended October 27, 2015)

REGULATION GOVERNING FINANCIAL ACCOUNTABILITY AND THE OPERATION OF THE STANDING FINANCE COMMITTEE OF THE NATIONAL BOARD OF DIRECTORS

A) Composition of the Standing Finance Committee

1. The Standing Finance Committee of the NBoD shall consist of four members: three (3) members of the Board excluding AEC Officers - elected by members of the NBoD other than AEC Officers during the first NBoD meeting following Triennial Conventions of the PSAC - and the AEC Officer responsible for Finance.
2. The Standing Finance Committee shall elect its own Chairperson.
3. In the event that a vacancy occurs on the Standing Finance Committee from amongst the NBoD members (except the AEC Officer responsible for Finance), the vacancy will be filled at the next meeting of the NBoD.

B) Mandate of the Standing Finance Committee

The Committee shall:

1. Meet on a regular basis at a minimum three times per year.
2. Meet with the Director of the Finance Branch before each regular meeting of the National Board of Directors, to review past and future expenditures and proposals to the NBoD for which there is no budget.
3. Review all financial statements and support documentation on an ongoing basis, and provide comments to the AEC and NBoD where the Committee feels appropriate.
4. Provide reports on the state of the PSAC's financial situation to the AEC and the NBoD that includes its comments and recommendations, and the responses from the AEC and the NBoD.

5. Provide a written report to each National Triennial Convention of the PSAC through the Convention Finance Committee on all issues that it has addressed during its term, and identify all expenditures funded out of the PSAC Membership Asset Fund.
6. Review any reports provided to it by the Board of PSAC Holdings Ltd on any major costs for repairs, renovations, etc., and submit any comments that it has to the Board of PSAC Holdings Ltd for its consideration.

C) Responsibility of the AEC to the Standing Finance Committee

1. The AEC will provide all relevant financial information to the Standing Finance Committee in a timely way, and provide a written reply to any comments or recommendations that it receives from the Standing Finance Committee within six weeks of receipt of the comments and recommendations.
2. Ensure that the Chair of the Standing Finance Committee is advised at the outset of internal deliberations that may result in a future expenditure that is outside the approved budget.
3. Ensure that quarterly reviews are done with each Branch Director and the AEC Officer, who will provide updates to the Standing Finance Committee.
4. Ensure that the Chair of the Standing Finance Committee participates in the drafting of the Convention budget document. The Chair shall sit with the AEC during the budget preparation process in order to facilitate the Standing Finance Committee's involvement.
5. Ensure that the Chair of the Standing Finance Committee sit as the Co-chair of the Convention Finance Committee.

D) Responsibility of the NBoD to the Standing Finance Committee

1. The National Board of Directors shall review the reports of the Standing Finance Committee and ensure that expenditures not exceed revenues, unless such expenditures are essential to the operation of the PSAC and in the best interest of the PSAC membership.

E) Expenditures withdrawn from the PSAC Membership Asset Fund (MAF)

1. Except in extraordinary circumstances, funds from the PSAC MAF should only be drawn to cover expenditures that are in excess of approved budget allocations to pay for extraordinary expenses or incurred as a result of circumstances or conditions either unexpected or beyond the PSAC's control. Extraordinary circumstances would include PSAC dues being cut off during a strike, meeting the PSAC's legal obligations, and adjusting the PSAC budget during a period of declining revenue.
2. Funds shall only be requested from the PSAC MAF when no other approved budgetary funds are available and failure to provide such emergency funds would be detrimental to the welfare of our members.
3. Such requests for funds from the PSAC MAF shall be reviewed by the Standing Finance Committee and provided to the NBoD in advance, with comments and recommendations from the Standing Finance Committee.
4. The NBoD will annually consider a transfer into the MAF in order to maintain the current objective of 3.5 months revenue reserve, based on the recommendation of the AEC and the Standing Finance Committee.

F) Expenditures withdrawn from the PSAC Contingency Reserve Fund (CRF)

1. The CRF is a reserve fund established to address non-recurring expenditures not foreseen in the normal convention budgeting process.
2. Annually, the NBoD will consider a transfer into the CRF, based on the recommendation of the AEC and the Standing Finance Committee.
3. Expenditures, in excess of \$800,000 drawn from the CRF will require prior approval from the NBoD.