

# **NSUPE Local 13 By-Laws**

**Adopted April 24, 2013**

**Amended October 16, 2013 (by adding para. 24)**

## **Preamble**

1. The following By-Laws are adopted by NSUPE Local 13 in accordance with Art. 7.12.1 of the NSUPE Constitution and are subject to the provisions of the NSUPE Constitution.

## **Executive**

2. The Local 13 Executive shall consist of seven positions:
  - 1 President
  - 1 Communications Officer
  - 5 Vice-Presidents
3. The term of each position is two years except where the membership has voted to extend the term of a position(s), provided that such an extension will not be greater than twelve (12) months.
4. Elections for executive positions will be held at general membership meetings each October, or as soon thereafter as practicable, alternating as follows:
  - Even years – President, three vice-presidents
  - Odd years – Communications officer, two vice-presidents
5. Should an Executive position become vacant mid-term, the position will be filled on an interim basis through an election held at a general membership meeting. However, if there is six (6) months or less remaining in the term of the vacant position, the Executive has the discretion to leave the position vacant until a regular election is held.
6. At least two weeks' notice of elections of Executive members will be provided to the membership.
7. Where two (2) or more candidates are nominated for an Executive position, the vote will be held by secret ballot. Where only one (1) candidate is nominated, that candidate will be acclaimed unless the majority of the members at the meeting where the nomination occurs vote to hold a vote, either by show of hands or by secret ballot, to approve or not approve the nominee.
8. Except as provided above, the procedure for elections will be as set out in Article 7, Section 4, of the NSUPE Constitution.

## **Committees and Union Representatives**

9. Elections will be held at the first membership meeting of the calendar year in odd number years for the following committees and positions:

Health and Safety Committee  
Executive Council rep. and alternate

The term of each position is two (2) years.

10. If a vacancy for the Health and Safety committee remains vacant following elections or becomes vacant mid-term, the Local Executive has the discretion to:
- a. fill the position by holding an election at a subsequent general membership meeting; or
  - b. appoint a member; or
  - c. leave the position vacant.
11. If a vacancy for the Executive Council rep. or alternate remains vacant following elections or becomes vacant mid-term, an election will be held at the next membership meeting held at least two (2) weeks subsequent to the vacancy arising. If both the Executive Council rep. and alternate positions are vacant, the Local Executive may appoint a Local member to act as the Local's representative at any Executive Council meetings held in the interim until the Local next membership meeting occurs where an election can be held.
12. The following process will be followed to fill a vacancy for the voting representative and alternates to the HRM Pension Committee:
- a. The Executive will notify the membership of a vacancy and ask that those interested self-identify and provide an outline of their qualifications and/or reasons for wanting to be on the Committee;
  - b. The Executive may bring forward its recommendation on who the representative will be for ratification at a general membership meeting. If the membership does not ratify the Executive's recommendation, an election will be held.

The term of each appointment to the HRM Pension Plan Committee will be for two (2) years. However, after taking into account the amount of time it takes for a person to become familiar with the pension plan, communications from representatives and any other issues that have arisen, the Executive has the discretion to renew the term of a pension plan representative without returning to the membership.

13. The Executive will determine who the Local's representatives will be on the Labour-Management Committee established under the collective agreement.
14. The Executive will determine who the Local's representative will be on the HRM Employee and Family Assistance Plan Committee.

### **Negotiations**

15. At least three (3) months prior to the expiry of the current collective agreement or as soon after that as possible, the Local Executive will put forward to the membership for ratification a slate of names to sit on the Negotiating Committee for the next round of bargaining.
16. Where the membership does not ratify the slate of names put forward in accordance with paragraph 14, nominations and elections for Negotiating Committee members will be held in the same manner as for Local Executive member positions.
17. The Local Executive and/or Negotiating Committee will ensure that members have the opportunity to provide input on initial bargaining proposals. Initial bargaining proposals to be made to the employer will be approved by a vote of the membership prior to negotiations commencing.
18. Once negotiations begin and subject to final ratification of a collective agreement by the membership, the Negotiating Committee has the authority to
  - a. determine bargaining strategy
  - b. withdraw, amend, counter or otherwise deal with union and employer proposals
  - c. return to the membership for direction on a bargaining issue(s)
  - d. determine whether and when an employer's offer for a new collective agreement should be brought before the membership for a vote.
19. All votes to accept or reject a new collective agreement shall be by secret ballot.

### **Union Advocates**

20. All members of the Executive are appointed Union Advocates for the Local.
21. The Executive may, subject to Article 7.14.2 of the NSUPE Constitution, appoint other members to be Union Advocates for the Local.

### **Membership Meetings**

22. Membership meetings will be scheduled by the Local President. At least three (3) membership meetings will be held annually.
23. Members will be provided as much notice as possible of upcoming membership meetings.
24. Members are encouraged at all times to bring issues forward to the Executive. The Executive will consider all issues brought forward and, if appropriate, may call a special membership meeting or have the issue placed on the agenda of a regular meeting.

### **Executive Meetings**

25. Executive meetings will be scheduled by the Local President with due consideration given to the urgency of the issues to be dealt with and the availability and wishes of other members of the Executive.