

## **NSUPE Local 14 By-Laws**

**Adopted May 23, 2014**

**Amended May 28, 2020**

### Preamble

1. The following By-Laws are adopted by NSUPE Local 14 in accordance with Art. 7.12.1 (Local By-Laws) of the NSUPE Constitution and are subject to the provisions of the NSUPE Constitution. Art. 7.12.1 states:

*A Local may make By-Laws for the conduct of its affairs provided that such By-Laws are not inconsistent with the Union Constitution and By-Laws or their intent. Such By-Laws may include matters relating to the composition of the Local Executive, elections and appointments, Union Advocates, Local meetings, committees, annual or biannual Local meetings, notices, replacement of Officers, selection of delegates to Convention, etc.*

### Executive

2. The Local 14 Executive shall consist of eight (8) positions:
  - 1 President
  - 1 Secretary
  - 5 Vice-Presidents
  - 1 Treasurer
3. The term of each position is two (2) years except where the membership has voted to extend the term of a position(s), provided that no extension will be greater than twelve (12) months. There is no limit to how many terms a member may serve on the Local Executive.
4. Normally, elections for executive positions will be held at a general membership meeting held in the spring of odd numbered years.
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 are 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. Members will be provided with at least two weeks' notice of elections of Executive members.
7. Elections for Executive positions will be conducted in accordance with Article 7 – Section 4 (Union Elections) of the NSUPE Constitution. All elections of Executive positions will be by secret ballot. Where there is only one (1) member nominated for any given Executive position, the membership will vote to approve or not approve the nominee.

## Committees and Union Representatives

8. Normally, elections for the following committees and positions will be held at a general membership meeting in the spring of even number years.

NSUPE Executive Council – 1 member plus 1 alternate  
Job Evaluation Committee – 5 members plus 1 observer  
Health and Safety Committee – 4 members plus 1 alternate  
Labour-Management Committee – 5 members plus 1 alternate  
Observers to the Halifax Public Libraries Board – 2  
Observer to the Halifax Regional Municipality Pension Plan – 1

9. Where two (2) or more candidates are nominated for one of the positions set out in By-Law 8 above, the vote will be by secret ballot. Where only one (1) candidate is nominated, that candidate will be acclaimed unless the majority of the members at the meeting vote to hold a secret ballot vote to approve or not approve the nominee.
10. Notwithstanding that the usual term for a committee position is two (2) years, due to the training involved, the Job Evaluation Committee (JEC) and the Health and Safety Committee (HSC) are considered standing committees, and unless the Executive or the membership votes to hold an election to replace one (1) or more of the JEC and/or HSC representatives, a JEC or HSC member will remain in place until she/he resigns from the position or is no longer able to act or is no longer a NSUPE member.
11. With the exception of the position of Executive Council member or alternate, if a vacancy for a committee or Local position remains vacant following elections or becomes vacant mid-term, the Local Executive shall have the discretion to:
  - a. fill the position by holding an election at a subsequent general membership meeting; or
  - b. appoint a member to fill the position; or
  - c. leave the position vacant.
12. If a vacancy for the Executive Council member 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 member and alternate positions are vacant, the Local Executive may appoint a Local member to act as the Local's observer and non-voting representative at any Executive Council meetings held in the interim until the next membership meeting occurs where an election can be held.

## Negotiations

13. Prior to each round of bargaining, the Local Executive will decide whether to strike a Negotiations Advisory Committee (NAC) to determine initial bargaining proposals. Volunteers for such a committee will be sought from among the membership. Where a Negotiations Advisory Committee is not established, the Union Negotiating Committee (UNC) will be responsible for determining initial bargaining proposals.

14. The members of the UNC will be elected at a general membership meeting. The Local Executive may choose to put forward a proposed slate of names to sit on the UNC, in which case the membership will vote to approve or not approve the proposed slate. Normally, the UNC will include the President and at least one (1) other member of the Executive. Where a proposed slate is not ratified, nominations and elections for the UNC will be held in the same manner as for Local Executive member positions.
15. The Local Executive and/or UNC 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.
16. Once negotiations begin, and subject to membership ratification of a collective agreement offer, the UNC 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.
17. All votes to accept or reject a new collective agreement or to amend a collective agreement shall be by secret ballot.

#### Union Advocates and Liaisons

18. Union Advocates are volunteers appointed by the Union to assist with member communications and representation, and may at times attend with members who are meeting with managers concerning a performance or employment issue. Union Liaisons are volunteers appointed by the Union to assist with communicating information within the Union.
19. All members of the Executive are appointed Union Advocates for the Local. Subject to Article 7.14.2 of the NSUPE Constitution, the Executive may appoint additional members to be Union Advocates for the Local. All Advocates are entitled to decline to act as Advocate in any situation.
20. The Executive will endeavour to have at least one (1) Advocate or Liaison at each work location.

#### Membership Meetings

21. Membership meetings will be scheduled by the Local President with due consideration given to the availability of members based on the operations of the Employer.

#### Executive Meetings

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

### Social Fund

23. Members will pay a Local assessment of 0.02% of their regular pay which will be used by the Local as a Social Fund. The Treasurer will report on the social fund at a membership meeting held in the spring of each year or otherwise as requested.

### Electronic Voting

24. Voting by the membership on any Local matter may be carried out electronically. Without limitation, such Local matters include all votes carried out pursuant to these bylaws.