

BY-LAWS 2002-2005

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BY-LAW 1

Name and Headquarters of National Office

Section 1

This Component shall be known as the Agriculture Union - Public Service Alliance of Canada and shall be referred to in these By-Laws and Regulations as the Union.

Section 2

This Union shall have its headquarters in the greater Ottawa area, Ontario, Canada.

BY-LAW 2

Aims and Objectives

Section 1

To unite all public service employees over which this Union has jurisdiction as determined by the Constitution of the Public Service Alliance of Canada in a single Union capable of acting on their behalf.

Section 2

To support fully the Public Service Alliance of Canada in the furtherance of its constitutional responsibility for the improvement and protection of wages, salaries and other terms of employment of all public service employees.

Section 3

To obtain through democratic means for all public service employees assigned to this Union as referred to in Section 1 of this By-Law the best possible standards of wages, salaries and other conditions of employment and to protect their interests, rights and privileges.

Section 4

To subscribe, unconditionally, to the aims and objects outlined in the Constitution of the Public Service Alliance of Canada.

BY-LAW 3

Membership

Section 1 – Regular Membership

All public service employees, as referred to in By-Law 2, Section 1, shall be eligible for regular membership in a Local of this Union. Employees located in an area where no Local exists shall be eligible to join the Union as Members-at-Large.

Section 2 – Associate Membership (Employees)

Any employee of this Union or of any Local thereof, who is not also a dues paying member of the Union by virtue of membership prior to election or appointment to full-time office, may in accordance with Section 4, Sub-section 9 of the Public Service Alliance Constitution, be granted an associate membership in the Union and issued a card by the National Executive which certifies the holder to be an associate member. Associate members shall not be eligible for executive office in this Union, shall not have voice or vote in meetings of this Union, but may be accorded such other privileges of membership for such length of time as may be provided by regulations to the By-Laws.

Section 3 – Honorary Membership for retired members

Through application by a Local to the Administrative Officer and with the approval of the National Executive, a member who has retired on superannuation or who has left the service may be granted honorary membership for outstanding service to the Union and/or the PSAC. Honorary members shall not be required to pay dues and shall not be entitled to vote at meetings or to hold office in the organization, but shall be entitled to all other rights and privileges of membership in this Union.

Section 4 – Honorary Membership for non-members

This Union may, by decision of the National Council or by decision of National Convention or by Local proposal concurred in by the National Council, elect to honorary membership in the Union anyone who is deemed to merit such honour and is not eligible for regular membership.

Section 5 – Life Membership

A Life Membership may be awarded to any current and/or retired member who, through personal and devoted efforts in the affairs of this Union, has performed exemplary services for the membership provided, however, that there shall not be more that ten (10) such Life Memberships at any one time. The awarding of Life Membership shall be controlled and decided by the National Council which, from time to time as it deems necessary, shall instruct the Administrative Officer to indicate to Locals the number of vacancies in the establishment of Life Memberships and to invite nominations from Locals for Life Membership awards.

Section 6

Unless otherwise provided by Regulation of the National Board of Directors of the Public Service Alliance of Canada, only regular members shall be required to pay dues.

Section 7

With the exception of those memberships provided by Sections 2, 3 and 4, all members shall be issued with an identification card, as approved by the National Convention of the Public Service Alliance of Canada, as evidence of their membership in this Union and the Public Service Alliance of Canada.

Section 8

With the exception of those memberships provided by Section 5 of this By-Law, the receipt by this Union of the official form authorizing payroll deduction of dues or any other form approved by the Public Service Alliance of Canada or where facilities are not available for payroll deductions of dues, the receipt of a cash payment for one month of the applicable dues shall constitute evidence of membership for the issuance of identification cards, for representation to National Conventions and for the granting of all rights and privileges as outlined in the Constitution of the Public Service Alliance of Canada and these By-Laws.

BY-LAW 4

Membership Responsibilities

Section 1

Upon being granted membership in the Public Service Alliance of Canada and this Union and for the terms of such membership, each member of this Union is deemed to have agreed to abide by and to be bound by the provisions of these By-Laws and the Constitution of the Public Service Alliance of Canada.

Section 2

Upon being granted membership in this Union and the Public Service Alliance of Canada and for the term of such membership, each member of this Union is deemed to nominate, constitute and appoint this Union and the PSAC as his agents to negotiate with his employer on his behalf in the spheres of competence of this Union and the PSAC respectively.

Section 3

Upon being granted membership in this Union and the Alliance for the term of such membership, each member of this Union is deemed to nominate, constitute and appoint the Public Service Alliance of Canada as his/her agent for the purpose of entering into collective bargaining with his/her employer under collective bargaining procedures established by law for collective bargaining in the Public Service of Canada, and the Public Service Alliance of Canada shall have the power, through its duly appointed agents, to ratify and sign agreements reached through collective bargaining, conciliation and arbitration procedures established by law for the Public Service of Canada.

BY-LAW 5

Membership Dues

Section 1

The membership dues in each Local and for members-at-large of this Union shall not be less than the amount of the per capita fee payable to this Union, as determined by the National Convention, out of which a portion determined by the National Convention shall be rebated to each Local.

Section 2

Members of this Union shall also be required to pay the dues established by subsection (1) of Section 24 of the Constitution of the Public Service Alliance of Canada.

Section 3

Where payroll deduction has been authorized by any member, deductions shall be made by the payroll authorization method employed by Central Pay Office or other paying authorities, except where facilities are not available for payroll deductions, dues may be paid in cash.

Section 4

Rebates shall be due and payable at least quarterly to the Local concerned.

BY-LAW 6

National Council and National Executive

Section 1

The National Council shall be composed of a National President, one (1) First National Executive Vice President; one (1) Second National Executive Vice President; one (1) Third National Executive Vice President; one (1) Fourth National Executive Vice President and (1) Regional Vice President from each of the following regions: Eastern Atlantic Region; Western Atlantic Region; Eastern Quebec; Western Quebec; Eastern Ontario including Ottawa-Hull Region; Western Ontario; Northwestern Ontario, Manitoba; Southern Saskatchewan; Northern Saskatchewan; Southern Alberta; Northern Alberta and North West Territories; Eastern British Columbia; Western British Columbia and Yukon; two National Directors representing the former SECO Component; and one National Director representing Equal Opportunity.

Section 2

1. The National Executive shall be composed of the National President; the First National Executive Vice President; the Second National Executive Vice President; the Third National Executive Vice President and the Fourth National Executive Vice President.
2. The National President and the four (4) National Executive Vice Presidents, one of whom shall be proficient in both official languages, shall be nominated and elected at each regular Triennial National Convention of the Union by voting delegates attending such Convention.
3. In the event of a vacancy in the office of National President, the position will be filled by the First National Executive Vice President and that vacancy and subsequent vacancies shall be filled ascension in numerical order of the other National Executive Vice Presidents.
4. In the event of a vacancy in the National Executive, subject to limitation imposed in 2 (3), the vacancy shall be filled by an election from the Regional Vice Presidents. The person elected to the position of National President be domiciled in the National Capital Region and it be a full-time position paid at Band 14 as per the PSAC Employees Collective Agreement contract.

Section 3

1. Regional Vice Presidents and their Alternates shall be nominated from among their respective Regional delegations and immediately following nominations each Regional Vice President and Alternate shall be elected by the voting delegates from his/her Region attending National Convention.
2. National Directors and their Alternates representing members of the former SECO Component shall be nominated from their respective caucus and immediately following nominations each Director and Alternate shall be elected by the voting delegates from his/her respective caucus attending National Convention.

3. National Director for Equal Opportunity and Alternate shall be nominated and elected at each regular Triennial National Convention by the voting delegates attending such convention. This election shall take place immediately following the election of Fourth National Executive Vice President

Section 4

An Administrative Officer shall be employed by the National Executive. The incumbent shall attend all meetings of the National Executive and National Council during his/her tenure.

Section 5

All members of the National Council shall be members in good standing of this Union.

Section 6

1. A quorum of the National Council shall be the President or his/her delegate; two (2) National Executive Vice Presidents plus nine (9) other members.
2. A quorum of the National Executive shall be the President or his/her delegate and any two (2) National Executive Vice Presidents.

Section 7

1. The National Council shall hold meetings at least twice annually at the call of the National President or at any time if requested by twelve (12) or more members of the National Council. Meetings of the National Council shall be held in those locations where it is economically feasible and where the interest of the Agriculture Union is most efficiently served. A recorded vote shall be taken on all motions and a copy of same attached to the minutes.
2. The National Executive shall hold meetings at least annually at the call of the National President or at any other time if requested by three (3) or more members of the National Executive. All meetings of the National Executive shall be held in Ottawa, except when attending Convention in other cities.

Section 8

Between Conventions all Executive powers of this Union consistent with these By-Laws shall be vested in the National Council.

Section 9

The National Executive shall have the power to make such regulations as are necessary for the proper conduct of the business of this Union provided such regulation do not conflict with the provisions of these By-Laws. Such regulations shall be promulgated within sixty (60) days of their adoption by the National Council and shall be subsequently subject to ratification by a National Convention of this Union.

Section 10

The National Executive shall have authority to hire, assign duties or dismiss National employees of this Union. All rights, privileges, work standards and remuneration shall at least be in accord with accepted practice in the Public Service of Canada.

Section 11A

The National Executive be responsible for all finances of this Union and submit to each Convention a written report of the financial position and current membership of this Union. The National Executive shall be responsible to collect money payable to this Union and deposit funds in a chartered financial institution to the credit of this Union and keep proper records of all transactions; be also responsible for the disbursement of funds payable by this Union in settlement of its just debts.

Section 11B

Any non-budgeted monetary items which are brought to the council for approval shall require a two thirds (2/3) majority to carry.

Section 12

All actions by the National Council on behalf of this Union between Conventions may be subject to review at the next Triennial National Convention.

Section 13

The National Council shall be considered as being in business session throughout the period of the National Convention and its elected members shall have all rights and privileges due National Convention delegates.

Section 14

The National Council shall submit a year to year budget for the ensuing three-year period for approval to each Triennial National Convention.

Section 15

The National Council shall have the authority to establish any committee necessary, including additional standing committees, for the conduct of the affairs of this Union and pursuant to By-Law 9 - Section 3(g). The National President shall be ex officio, a member of any committee so formed.

Section 16

The Executive of the Union shall be authorized to negotiate with one or more Components of the PSAC to enter into an amalgamation. Any amalgamation agreement is subject to approval of the PSAC National Board of Directors and the membership of the Agriculture Union.

BY-LAW 7

Form of Organization

Section 1

This Union shall be composed of groups of members hereinafter referred to as Locals and Sub-Locals which shall be governed by By-Law 8 of these By-Laws.

Section 2

When in a locality where there are less than twenty (20) but more than five (5) members, these groups of members may be hereinafter referred to as Sub-Locals by a vote of the National Council.

Section 3

By-Law 11, Section 11, will not apply to Sub-Locals.

Section 4

Should a Local dissolve or be suspended, all documents, property and funds shall be returned to the care and safe-keeping of the Administrative Officer to be placed in trust by the National Executive until such time as the Local may be reinstated or reorganized or, in the absence of the latter, used for organizational purposes as the National Executive may direct.

BY-LAW 8

Local By-Laws

Section 1 – Name

This Local shall be known as Local.....of the Agriculture Union, Public Service of Canada.

Section 2 – Aims and Objects

1. It shall be the object of the Local to protect, maintain and advance the interests of members coming under its jurisdiction.
2. The Local shall unconditionally subscribe to and accept as its governing documents the Constitution of the Public Service Alliance of Canada and the By-Laws of the Agriculture Union, Public Service Alliance of Canada.

Section 3 – Membership

Regular:

The Local shall be composed of all members of the Agriculture Union in the locality as determined from time to time by the National Executive. The Local may, in the interests of the membership and more efficient operation, be divided into groups on the basis of common class or geographical interests.

Associate:

The Local may retain as associate members former members of the Local whose employment has terminated by:

- (a) reaching the minimum statutory requirement age;
- (b) ill health, when such is certified as the reason for retirement, or
- (c) separation from their continued employment in the public service by reason of the abolition of positions

Associate members shall not be eligible for executive office in the Union, shall not have voice or vote in meetings of the Local but may be accorded such other privileges of membership for such length of time as may be provided by regulations under these By-Laws.

Section 4 – Membership Dues

1. The dues payable by each member of the Local shall not be less than that established in accordance with Sub-sections (1) and (2) of the Section 24 of the Constitution of the Public Service Alliance of Canada.
2. The Local may have an additional amount of dues deducted if authorized by a two thirds (2/3) majority vote of the members present at any special or regular meeting after the total membership has been duly informed of the intent of the meeting. Such additional dues shall be collected by the Union in the manner prescribed by these By-Laws and rebated to the Local.
3. The dues established in Paragraph (2) above may be changed by two thirds (2/3) majority vote of the members present at any special or regular meetings after the total membership has been duly informed of the intent of the meeting.

Section 5 – Membership Meetings

1. The Local shall hold a regular annual membership meeting for the purpose of receiving annual reports from the Local Officers, consideration of such business as may be required by these By-Laws and the holding of annual election of officers as required by these By-Laws.
2. Regular monthly membership meetings may be held as determined by the Local Executive or by decision of the membership at the annual meeting.
3. A special meeting of the membership may be called at the request of a majority of the Local Executive or shall be called at the written request of a majority of the membership with the time and place to be decided by the Local Executive, but in any event, shall be held within a period of thirty calendar days. A special meeting shall deal only with the matters for which it was called unless the members present agree by a two thirds (2/3) majority to consider other matters of an urgent or necessary nature.
4. The Executive of the Local shall hold regular meetings for the proper conduct of the Local's affairs.
5. If the Local is divided into groups as provided in Section 3 (1) of this By-Law, regular meetings composed of the Local Officers and not more than four delegates from each group shall be held if requested by a majority of the groups. Such meetings may be held in lieu of the requirements of Section 5 (4).

Section 6 – Local Officers

Executive:

The Executive of the Local shall consist of the President, Vice President, Secretary and Treasurer. By decision of the annual meeting, additional officers may be added to the Executive or the offices of Secretary and Treasurer may be combined. A majority of the Executive shall constitute a quorum for the conduct of business at any meeting of that body. In the event of a vacancy in any office, the vacancy shall be filled pro-tem by the remaining members of the Executive by appointment until a replacement can be elected by the membership.

Stewards:

The number of stewards required shall be determined having regard to the plan of organization, distribution of members at the work place and the administrative procedure implied by the grievance procedure.

Section 7 – Authority and Responsibility

1. The Local shall have the power to deal with management representatives in the locality on matters affecting the interests of the membership. The Local shall also have the authority to initiate action on matters having broader effect than the interests of the Local membership by submission in writing to the National Executive or by resolution to the Triennial National Convention of the Union or by submission in writing to the Area Council of the Public Service Alliance of Canada, whichever is appropriate.

2. The Local may designate one of the elected officers as a full-time officer of the Local and may employ a person or persons to assist in carrying out the work of the Local.
3. The Local shall designate one of the elected officers to be responsible for the portfolio of health and safety for the Local.
4. The Local may, with the approval of the National Executive, acquire such space and facilities as may be necessary for the conduct of the affairs of the Local.
5. The Executive shall have the authority to establish any Committee they deem necessary for the conduct of Local business.
6. The Local may adopt regulations for the conduct of the affairs of the Local whenever adequate provisions are not contained in these By-Laws. Such regulations shall not in any way conflict with the provisions of these By-Laws or the Constitution of the Public Service Alliance of Canada.

Section 8 – Duties of Officers

1. The President shall preside at all executive, annual or special membership meetings. He/she shall ex officio be a member of any Local committee.
2. The Vice President shall act at the request of or in the absence of the President and in the event of the resignation or incapacity of that officer shall assume the office of President until a replacement can be elected by a general membership meeting.
3. The Secretary shall:
 - a) keep an accurate account of proceedings of meetings of the Executive and membership meetings and following the close of each meeting shall prepare a report of the business transacted;
 - b) be responsible for maintaining proper files of documents and all correspondence.
4. The Treasurer shall:
 - (a) be responsible for the financial records of the Local;
 - (b) be responsible for the preparation and presentation of financial statement at membership and Executive meetings as required;
 - (c) collect all monies payable to the Local and deposit such funds in a financial institution approved by the Executive;
 - (d) be responsible for the disbursement of funds payable by the Local in settlement of its just debts.
5. The Executive member responsible for health and safety shall:
 - (a) receive the minutes of each workplace OSH committee in his/her Local and forward same to the National office of the Agriculture Union and the RVP in his/her region and insure that the minutes are posted at the worksites.

- (b) ensure that the Union Local has appointed OSH committee members to each OSH committee under its jurisdiction and/or OSH representatives in workplaces with less than the required number of employees as defined in the Canada Labour Code.
 - (c) be a contact person to receive and distribute information regarding health and safety issue(s).
6. The duties of officers enumerated in Section 8 (1) to (4) shall also apply to the officers of any group within the Local.
 7. Any officer of the Local, on vacating an office, shall deliver all documents, monies or other property of the Local to his successor.

Section 9 – Election of Officers

1. Election of officers shall take place at the annual meeting.
2. A Nominations Committee should be appointed by the Executive prior to the annual meeting and the Chairperson of such Committee may appoint such assistants as necessary. The Chairperson of the Nominations Committee shall normally conduct the election of officers.
3. Unless otherwise decided by an annual meeting all elections shall be for a term of one year. This shall not preclude an officer from being elected for a second or subsequent term of office.
4. Stewards shall be elected by the members in the unit concerned and shall hold office for an indeterminate period. At any time, 50% plus 1 of the members represented by a Steward may revoke the mandate of the Steward and elect a replacement in accordance with these By-Laws.
5. The election of the President, Vice President, Secretary and Treasurer shall proceed in that order.
6. The nominator of a candidate for office or in his/her stead of seconder of the nomination and the nominee may each be permitted to speak for not more than three minutes on the nominee's competence.
7. All elections shall be by secret ballot and decided by a majority of the votes cast.
8. In the event of more than two candidates for office, the candidate receiving the fewest number of votes shall be dropped from the ballot whenever a majority of the votes cast is not accorded to any candidate. This procedure shall continue on each succeeding ballot for the position until a candidate receives a majority.
9. Nominees for executive office must be in attendance at the time of election or have signified their intention in writing.
10. All officers shall take office at the end of the meeting at which they are elected.
11. The oath of office shall be administered to all officers immediately taking office.
12. This section shall also apply to the election of group officers which shall take place at their annual meeting.

Section 10 – Finances

1. Three members of the Local Executive shall be designated as signing officers, two of whom shall sign all cheques. No disbursements shall be made without authorization by a membership meeting unless such disbursements are within budgetary limits or in accordance with financial guidelines established at a membership meeting.
2. The Treasurer shall submit a financial statement to all regular meetings of the Local.
3. The Treasurer shall submit to the Administrative Officer of the Union an audited annual financial statement before March 1st of each year. Auditing may be conducted by a Local committee so identified.
4. The fiscal year of the Local may end between October 31st and January 31st.
5. All financial records of the Local shall be maintained in an approved manner as advised by the National Executive of the Union.
6. All financial records of the Local shall be retained for the legal period prescribed by the Income Tax Act.
7. The Local shall not enter into any financial contractual understanding or agreement without prior approval of the National Executive of the Union.

BY-LAW 9

Duties of Officers

Section 1

The National President shall:

1. represent this Union on the National Board of Directors of the Public Service Alliance of Canada as required by sub-section 1 of Section 12 of the Constitution of the Public Service Alliance of Canada;
2. preside at all meetings of the National Council and National Executive;
3. preside at all sessions of National Convention;
4. interpret the By-Laws of this Union for the administration and management of the Union, subject to the approval of the National Council;
5. ensure that the National Council carries out the directives and policies established by the National Conventions of the Public Service Alliance of Canada and this Union, in accordance with the authorities of each as provided by Constitution and By-Laws;
6. ensure that the Administrative Officer carries out the day to day work of this Union as provided in these By-Laws and as instructed by the National Executive;
7. call a meeting of the National Council at least twice annually or upon request by twelve (12) members of the National Council;
8. report on his activities in writing to meetings of the National Council;
9. report in writing to the Triennial National Convention on the activities of the National Council and such other committees over which he may have presided;
10. submit in writing to the National Convention such recommendations as the National Council deems necessary for the continuing pursuit of the aims and objects of the Union and the Public Service Alliance of Canada;
11. perform such other duties as are within the authority of presiding officers of deliberative bodies
12. following their election shall resign any Local office within one month of such election.

Section 2

The first National Executive Vice President shall:

1. act in the office of the President in the event of the incapacity or unavailability of the President;
2. be informed in all matters pertaining to the activities of the Agriculture Union;
3. attend all meetings of the National Executive;
4. attend all meetings of the National Council;
5. attend all sessions of the National Convention;
6. file a written report of his/her activities and recommendations during his/her tenure to the National Council six months prior to the Triennial Convention;

7. perform such other duties as may be assigned to him/her by the National President or National Council.
8. following their election resign any Local office within one month of such election.

Section 3

The National Executive Vice Presidents not identified in By-Law 9, Section 2, shall:

1. act in the office of the President and /or First Vice President in the event of the incapacity or unavailability of either officer;
2. attend all meetings of the National Executive;
3. attend all meetings of the National Council;
4. attend all sessions of the National Convention;
5. file a written report of their activities and recommendations during their tenure to the National Council six months prior to the Triennial National Convention;
6. perform such other duties as may be assigned to them by the National President or National Council;
7. act as chairperson of Standing Committees and call meetings of the Standing Committees as required by the President or the National Council.
8. following their election shall resign any Local office within one month of such election.

Section 4

Regional Vice Presidents shall:

1. attend meetings of the National Council as required;
2. attend committee meetings of the National Council when appointed to do so;
3. file a written report of their activities and recommendations during their tenure to the National Convention six months prior to Triennial National Convention and a copy be sent to the respective Locals within their region and submit annually to each Local of their respective region a financial report outlining dispersal of funds for regional seminar as per Regulation 4;
4. in general, be responsible to the National Council for the affairs of their region and perform such duties as may be required by the National Council;
5. have the authority to visit the Locals within their region annually;
6. have the authority to attend any Local meetings and to examine the records and accounts of any Local or Group of this Union within their respective region;
7. upon request, assist any Local or Group of this Union within their respective region;
8. following their election shall resign any Local office within one month of such election.

Section 5

Directors shall:

1. attend meetings of the National Council as required;
2. attend committee meetings of the National Council when appointed to do so;

3. file a written report of their activities and recommendations during their tenure to the National Convention six months prior to Triennial National Convention and a copy be sent to the respective Locals within their constituency and submit annually to each Locals of the respective constituency a financial report outlining dispersal of funds for regional seminar as per Regulation 4;
4. in general, be responsible to the National Council for the affairs of their constituency and perform such duties as may be required by the National Council;
5. following their election shall resign any Local office within one month of such election.

Section 6

The Administrative Officer shall:

1. be responsible to the National President for the proper discharge of his or her duties as listed hereunder;
2. be responsible for the management of staff at the headquarters office of this Union;
3. be responsible to the National Executive for the financial administration correspondence and all official documents of this Union;
4. keep an accurate account of proceedings:
 - (a) of meetings of the National Council and the National Executive and following the close of each National Council and National Executive meetings, prepare and circulate to all Locals of this Union within three (3) weeks following those meetings a complete report of the minutes;
 - (b) keep an accurate account of proceedings of each National Convention and following each Convention prepare and circulate to all Locals of this Union within six (6) months following such Convention a complete report of the minutes;
 - (c) all interpretations of the National President relating to By-Laws or Internal Regulations whether they are conclusive, executory or overruled shall be conveyed in the minutes at the end of the minutes of these meetings;
 - (d) send to all Locals - a copy of the minutes of the National Union Management Committee and the National Joint Health and Safety Committee meetings;
5. as directed by the National Executive, collect all monies payable to this Union and deposit such funds in a chartered financial institution to the credit of this Union and keep proper records of all transactions;
6. as directed by the National Executive, be responsible for the disbursement of funds payable by this Union in settlement of its just debts;
7. be responsible for the transmission of information and reports to the National Council and the Locals of this Union without delay;
8. carry out such other delegated duties as may be decided by the National Executive of this Union within the terms of these By-Laws;
9. send to each Local before April 1st, the names and addresses of the President of each Local.

Section 7

All officers and employees of this Union shall deal promptly and appropriately with matters submitted to them by the membership or by National Officers.

Section 8

On vacating the respective positions which they may hold, all officers of this Union shall deliver to their successors all documents, monies or other property of this Union.

BY-LAW 10

Election of Officers

Section 1

All elections shall be by secret ballot and decided by simple majority.

Section 2

All nominees for National Council office must be voting delegates to National Convention.

Section 3

In the event of more than two candidates for office, the candidate receiving the fewest number of votes shall be dropped from the ballot whenever a clear majority of the votes cast in not accorded any candidate. This procedure shall continue on each succeeding ballot for the position until a candidate receives the necessary majority.

Section 4

All officers of this Union shall take office at the end of the meeting or Convention at which they are elected. When the incumbent of a full-time office is changed, the National Executive shall make provisions for continuation of services.

Section 5

The Oath of Office shall be administered to all officers immediately before taking office.

Section 6

The election of the National President, the First National Executive Vice President, the Second National Executive Vice President, the Third National Executive Vice President, the Fourth National Executive Vice President, and the National Director Equal Opportunities shall proceed in that order. The election of Regional Vice Presidents, two Directors and Alternates shall proceed in the order listed in By-Law 6, Sections 1 and 3.

Section 7

The nominator of a candidate for office or in his/her stead the seconder of the nomination and the nominee may each be permitted to speak for not more than three minutes on the nominee's competence.

Section 8

Members of the National Council shall not be eligible for election to any position in the Union Locals.

BY-LAW 11

National Conventions

Section 1

The supreme governing body of this Union consistent with its area of jurisdiction as provided by the Constitution of the Public Service Alliance of Canada shall be the Triennial National Convention.

Section 2

1. National Conventions of this Union shall be composed of accredited delegates from Locals, the National Council Officers of this Union and one delegate from Agriculture Union Equal Opportunities Committee.

Section 3

1. The National Convention shall deal with all resolutions and matters brought before it from Local meetings, Regional Conferences and the National Council Officers of this Union;
2. All resolutions dealing with By-Laws and Finances submitted to a National Convention of the Agriculture Union will be discussed and decided upon by the said Convention before the end of the Convention;
3. That no less than 15 resolutions from each of the Collective Bargaining and General Resolutions be discussed and decided upon by the said Convention before the end of Convention;
4. All resolutions dealing with PSAC business shall be submitted directly to the said PSAC Convention where such resolutions do not contravene the objectives of the Agriculture Union. All resolutions placed on the agenda for debate at the National Convention of the PSAC shall be forwarded by the Union to said National Convention of the PSAC, if they are ratified by the Agriculture Union Convention.

Section 4

The place and date of each Triennial National Convention shall be decided by the National Council with such decision transmitted to the Locals not later than six months prior to the opening date of such Convention. The Triennial National Convention shall be held at a date consistent with the provisions of Section 10, subsection 4(b) and Section 17, subsection 5 of the Constitution of the Public Service Alliance of Canada.

Section 5

Each accredited delegate present at National Convention shall be entitled to one vote on each subject and proxy votes shall not be permitted.

Section 6

At least three months prior to the opening date of a Triennial National Convention, the National Executive shall appoint from amongst accredited

delegates such committees as may be necessary for the conduct of the business of the Convention. Delegates shall be advised of their Committee assignment by the National Executive at least two months prior to the opening of the Convention, and shall be supplied with an official copy of the agenda proposed by the National Executive.

Section 7

1. Travel, living and hotel expenses as well as compensation for the loss of salary of delegates accredited to the Agriculture Union National Convention shall be paid by the Component;
2. All Locals shall have the right to send observers to National Convention at the Local's expense. Observers shall not have the right to vote or to participate in debate at National Conventions.

Section 8

A special National Convention shall be held at the request of the National Council provided that two-thirds (2/3) of the National Council vote in favour of such special convention or on the request of 51% of the existing Locals of this Union and at a time and place to be decided by the National Executive.

Section 9

Special National Conventions shall be composed of delegates elected by Locals in accordance with Section 11 of this By-Law and the numerical table specified.

Section 10

A special National Convention of this Union shall deal with only the matter or matters for which it was called unless such Special Convention agrees by a two-third (2/3) majority vote of its assembled delegates to consider other matters of an urgent or necessary nature within the time limits set for such special National Convention.

Section 11

1. At least four (4) months prior to the opening date of Triennial National Convention, each Local shall elect from amongst its members at a general meeting of the Local accredited delegates to the Convention of this Union on the basis of the following table:

20 to 100 members - 1 delegate
101 to 240 members - 2 delegates
241 to 360 members - 3 delegates
361 to 480 members - 4 delegates
481 to 600 members - 5 delegates
601 to 720 members - 6 delegates
721 to 840 members - 7 delegates
841 to 960 members - 8 delegates
961 to 1080 members - 9 delegates

2. The membership of each Local on the last day of the month proceeding the month in which the Convention call is issued shall be used to determine delegate entitlement to any regular or special convention. Seasonal employees shall be counted for the purpose of determining the number of Convention delegates.

Section 12

Each Local shall elect alternate delegates who shall attend National Convention in place of any accredited delegates who unavoidably cannot attend Convention.

Section 13

Immediately following election of Local delegates to National Convention, the Local Secretary shall submit to the Administrative Officer the names of the Local's accredited delegates on a credential form supplied by the National Office of this Union.

Section 14

Delegates to the Triennial National Convention of the PSAC shall be elected in accordance with the requirements of the Constitution and Regulations of the PSAC.

Section 15

1. Supplementary Resolutions to a National Convention shall be submitted to the Administrative Officer 48 hours prior to the opening date of said convention and such supplementary resolutions shall be the last order of business unless otherwise decided by a two-thirds (2/3) majority of the delegates voting at convention;
2. All matters and resolutions which the Convention has not resolved will be forwarded to the National Council which will examine and take action on outstanding matters and resolutions during the first official meeting of the said National Council following the Agriculture Union Convention;
3. The status of all matters and resolutions outstanding from the Convention shall, following study and decision by the National Council, be published and distributed to all Locals of the Union in a special report and include decisions rendered and the Officers' recorded votes on the proceedings of each decision.

BY-LAW 12

Finances

Section 1

The Union's financial records will be audited every year by a firm of chartered or certified accountants approved by the National Executive. A copy of this statement will be forwarded to each Local and to the Public Service Alliance of Canada as soon as the annual audit has been completed.

Section 2

The signing officers of this Union shall be any two of the following: National President; First National Executive Vice President and one other person appointed by the National Executive of the Agriculture Union.

Section 3

The signing officers of this Union shall be bonded in an amount not less than ten thousand dollars (\$10,000).

Section 4

In the case of an emergency, the National Executive shall have the authority to designate one or more of its members as signing officers of this Union.

Section 5

The fiscal year of this Union shall be the calendar year.

Section 6

All financial records of this Union and its Locals shall be retained for the legal period prescribed by the Income Tax Act as interpreted by the Minister of National Revenue.

Section 7

Cheques and money orders shall be made payable to the "Agriculture Union - Public Service Alliance of Canada".

Section 8

The Local Secretary-Treasurer shall submit to the National Executive an annual audited statement of the Local finances and membership before March 1st of each year. In accordance with the foregoing, the Administrative Officer shall make no remittance of refundable portion of dues until such statement has been received. (Refer to Regulation 14)

Section 9

All financial records of this Union and its subordinate bodies shall be maintained in an approved manner as advised by the auditors in case of the National Office and by the National Council in case of each Local.

Section 10

Non-budgeted monetary items which are brought to the National Council for approval require a two-thirds (2/3) majority vote.

BY-LAW 13

Discipline

Section 1

The National Council of this Union shall have the authority to remove from office any officer contravening any provision of these By-Laws or the Constitution of the Public Service Alliance of Canada or for cause as listed in Section 5 of this By-Law.

Section 2

A Local of this Union shall have the authority to remove from office any officer for contravening a provision of the By-Laws of the Local, these By-Laws, the Constitution of the Public Service Alliance of Canada or the Oath of Office of the Agriculture Union.

Section 3

- (1) An officer dealt with as provided in Sections 1 or 2 of this By-Law shall have the right to appeal such decision to the next appropriate higher level and the procedures for the deposition of such matters shall be in accordance with Section 25 of the Constitution and Regulations of the Public Service Alliance of Canada;
- (2) The National President shall have the authority to appoint a committee to investigate all matters relating to discipline as defined in By-Law 13 and this committee shall report to the National Executive. The National Executive shall have the authority to carry out the recommendations of the committee.

Section 4

- (1) A Local which has not carried out the responsibilities required by these By-Laws shall be considered inactive and the National Executive shall have the authority to appoint a trustee with responsibility to manage the Local's affairs and to bring about its reactivation with minimum delay.
- (2) A Local which does not assume its responsibilities during a general strike shall be abolished for a period of two (2) years and the members of said Local shall be placed under the jurisdiction of the nearest Local in geographic terms and all dues shall be paid to this Local.

Section 5

A Local officer or member proven to have committed any of the offences listed in sub-section (1) to (14) may be penalized as provided in Sections 1 and 2 of this By-Law:

- 1) violating any provision of the Local By-Laws, the By-Laws of this Union or the Constitution of the Public Service Alliance of Canada;
- 2) obtaining membership or soliciting membership by misrepresentation;

- 3) instituting, urging or advocating that a member of any local institute action in a court against this Union or the Public Service Alliance of Canada or any of its officers or against a Local or any of its officers without first exhausting all remedies through appeal within the organization;
- 4) advocating or attempting to bring about the withdrawal from this Union of any Local or any member or group of members;
- 5) publishing or circulating among the members false reports or misrepresentations;
- 6) working in the interest of a rival organization;
- 7) harassment as defined in PSAC official policy, slandering or wilfully wronging an officer or member of this Union of the Public Service Alliance of Canada;
- 8) using abusive language or disturbing the peace of any meeting in or around any office or meeting place of this Union or its Locals;
- 9) fraudulently receiving money due to this Union or any of its Locals or misappropriating the monies of the Union or its Locals;
- 10) using the name of a Local or of this Union for soliciting funds, advertising and the like, of any kind, without the consent of the Local concerned or the National Executive of this Union respectively;
- 11) furnishing a complete or partial list of any information on the membership of this Union or any Local to any person or persons other than those whose official position entitles them to have such a list;
- 12) deliberately interfering with an official of this Union or Public Service Alliance of Canada in the discharge of his/her duties;
- 13) if a delegate is not attending Convention sessions and is not fulfilling his or her duties as a delegate without just cause, then the delegate status of such a member shall be revoked and the member shall only be entitled to return expenses to his/her home;
- 14) any other conduct prejudicial to the good order and welfare of this Union of the PSAC.

BY-LAW 14

Area Councils

Section 1

In accordance with Section 14 of the Constitution and Regulations of the PSAC, this Union shall encourage and participate in the organization and operation of Area Councils in centres where three or more Components of the Public Service Alliance of Canada exist.

Section 2

In areas where the condition set forth in Section 1 of this By-Law exist, this Union shall make application to the Public Service Alliance of Canada as required by Section 14, sub-section (2) of the Constitution and Regulations of the Public Service Alliance of Canada and upon approval of the application as specified Union Locals in such areas shall participate in the formation and operation of Area Councils within the terms and conditions of Section 14, Sub-section (1) to (13) inclusive of the Constitution and Regulations of the Public Service Alliance of Canada.

BY-LAW 15

Amendments to By-Laws

Section 1

These By-Laws may be amended by a two-thirds (2/3) majority of the voting delegates in attendance at any National Convention of the Union.

Section 2

The By-Laws also may be amended by approval of a two-thirds (2/3) majority of those voting in a membership referendum ordered by a two-thirds (2/3) majority of the National Council.

Section 3

Notwithstanding Section 1 and 2 of this By-Law, the National Council may amend By-Law 1, Section 1.

Section 4

Any amendment to these By-Laws shall become operative immediately upon adoption.

Section 5

These By-Laws and subsequent amendments shall be printed and distributed in both English and French.

BY-LAW 16

General

Section 1

Subject matter files shall be maintained for periods established by the National Executive.

Section 2

In the event of a jurisdictional dispute between Locals of this Union concerning employees eligible for membership, such disputes shall be referred to the National Council and their decision shall be binding on all Locals concerned. In such matters, the Locals concerned shall have the right to make an appeal to the Triennial National Convention of this Union.

Section 3

Unless expressly provided otherwise by these By-Laws, all decisions requiring a vote shall be decided by a simple majority.

Section 4

Unless expressly provided otherwise by these By-Laws Bourinot's "Rules of Order" shall apply at all meetings and Conventions of this Union.

Section 5

Nothing in these By-Laws shall be construed to conflict with the Constitution and Regulations of the Public Service Alliance of Canada.

Section 6

This Union shall issue such publications as are necessary to keep its members informed on matters of concern to them. The format of such publications shall be determined by the National Executive.

Section 7

The following interpretations shall apply in these By-Laws:

"Union" where used in these By-Laws shall be construed to mean "Agriculture Component of the Public Service Alliance of Canada" unless specifically indicated otherwise.

"May" is to be construed as permissive.

"Shall" is to be construed as imperative.

"He" and "she" shall be construed to include members of the opposite sex.

"National Council" shall be construed to refer to the Agriculture Union - Public Service Alliance of Canada".

"National Executive" shall be construed to refer to the

"National Executive of the Agriculture Union - Public Service Alliance of Canada".

“Local” where used in these By-Laws shall be construed to mean a Local of this Component formed under the authority of By-Law 7 Section 1.

“Sub-Local” where used in these By-laws shall have the same meaning as

“Local” except for the requirement of By-Law 7 Section 3.

OATH OF OFFICE

I.....having been elected an officer of Local....., Agriculture Union - Public Service Alliance of Canada, solemnly declare that for my term of office, I shall fulfill the duties of such office, will maintain and uphold the dignity of the Local and will always keep confidential all matters concerning the affairs of the organization that are brought to my attention.

RULES OF ORDER

1. The President, or in his/her absence or on his/her delegation, a Vice-President shall take the Chair at the time specified and shall preside at all sessions.
2. Hours of session of the Agriculture Union shall be determined by the appropriate By-Laws or Constitution. In the absence of such rule, hours of session shall be determined by the meeting itself on recommendation of the Chairperson.
3. When a member wishes to speak, he/she shall rise in his/her place. When recognized by the Chairperson, he/she shall give his/her name and the body he/she represents, state the purpose of which he/she rises and confine his/her remarks to the question at issue.
4. Speeches shall be limited to three 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 to rise to a point of order or question of privilege.
7. If a member is called to order, he/she shall at the request of the Chairperson, take his/her seat until the question of order has been decided.
8. Should a member persist in unparliamentary conduct, the Chairperson will be compelled to name him/her and submit his/her conduct to the judgement 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. When a motion has been made and seconded, the Chairperson shall state the motion and ask: "Are you ready for the question?"
10. Any member may appeal a decision of the Chairperson and the appeal shall require a seconder. Immediately and without debate, except that the appellant and the Chairperson may give their reasons for the appeal and the decision respectively, the Chairperson shall put the question: "Shall the decision of the Chair be sustained?"

11. In the event of a tie vote on any matter other than the election of officers, the Chairperson may cast the deciding vote. The Chairperson 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 disposed of.
12. When the “previous question” is moved and seconded, no discussion or amendment to the main motion to which it is proposed is permitted and the Chair must take a vote on the motion for the previous question immediately by asking “shall the question be now put”? If a two-thirds (2/3) majority vote “that the question be now put,” the main motion shall be put without debate. If the motion to put the question is not passed by a two-thirds (2/3) majority vote, discussion will continue on the main motion. The previous question cannot be proposed when there is an amendment to the main motion under consideration or by a person who has spoken on the motion. If an amendment has been proposed, it must be disposed of before a member can move the previous question.
13. Amendments
 - 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 an amendment to an amendment has been moved and seconded, the Chair will not entertain any further amendments until the amendment to the amendment has been disposed of.
 - b) Amendments are always voted on in reverse order to their introduction. That is, the amendment to the amendment must be disposed of before the amendment, and the amendment must be voted on before that main motion. Whether or not the amendments have carried, the main motion must always be voted on; otherwise the principal question remains undecided.
14. Committees may combine resolutions or prepare a composite resolution to cover the intent of the question at issue. Reports of committees are not subject to amendment by the meeting but a motion to refer back to the committee for reconsideration and direction shall be in order. Committees shall not sit while a meeting is in session unless a majority of the members approve such action. On presenting the committee’s recommendation to the meeting, the Chairperson of the Committee shall present a motion in the following form “I move, seconded by (name of Vice Chairperson of Committee) concurrence (or non-concurrence) in Resolution No....,” or “I move, seconded by (name of Vice Chairperson of Committee) concurrence in Resolution No..., as amended by the Committee” or “I move, seconded by (name of Vice Chairperson of Committee) concurrence in composite Resolution No... as prepared by the Committee” or “I move seconded by (name of Vice Chairperson) acceptance of the Committee recommendations.”

15. A motion to refer, if seconded, may be debated only as to the propriety or advisability of such referral but not as to the main question. A motion to refer may include instructions to the committee or officer to which the motion is referred.
16. The report of a Committee, when adopted, becomes the decision of the meeting which adopted it.
17. 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 lay on the table (not debatable);
 - f) to put the previous question (not debatable);
 - g) to postpone to a future time (debatable only as to propriety or advisability).
 - None of these motions shall be moved a second time until there has been an intermediate proceeding of business dealt with by the meeting.
18. 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 (2/3) majority to pass.
19.
 - a) If the results of a voice vote or a vote taken by a show of hands, as announced by the Chairperson is doubted, upon the request of any member, he shall order a standing vote.
 - b) A vote by secret ballot shall be taken only on a substantive motion at the request of any five of the members present.
 - c) 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.
 - d) Once the Chairperson has called the question, it shall not be in order to request a secret ballot.
 - e) 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. The Chairperson shall cause to have the number of members voting in the affirmative and the negative recorded.

20. When a standing vote or a vote by secret ballot has been called by the Chairperson no one, except with the permission of the Chair, shall be permitted to enter or leave the floor until the results of the vote have been announced.
21. None but accredited members of the Agriculture Union - Public Service Alliance of Canada and authorized members of the staff shall be permitted on the meeting floor during business sessions.
22. Any two members at the meeting may request a recorded vote. Upon receiving such request, the Chairperson shall require the secretary to call the roll and record the names of those members voting in the affirmative and in the negative.
23. Proposals and other matters of business submitted after the closing date of the agenda will be referred to the meeting and be dealt with as a late resolution. The meeting may refer them to the appropriate officer or committee. Late proposals will, however, be considered only after business listed on the agenda has been dealt with.
24. 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 referred to appropriate committee or officer responsible for finances for consideration before any vote is entertained thereon.
25. A motion to limit the debate shall be in order once the Chairperson has stated the question. 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 (2/3) majority to pass.
26. Election of officers shall be conducted in accordance with the provisions of By-Law 10.
27. In calling for further nominations from the floor, the Chairperson of the Nominations Committee will declare nominations closed after he/she has called "are there any further nominations?" three times without response.
28. The Chairperson of the Nominations Committee will announce after each ballot:
 - a) the number of ballots cast;
 - b) the number of ballots cast for each candidate;
 - c) the number of spoiled ballots, if any.

29. Each candidate for an office shall have the privilege of nominating a scrutineer who shall be entitled to observe all phases of the election and the counting of ballots for that particular office.
30. In the event of a close decision, it will be in order for a member to request a recount. If the Chairperson of the Nominations Committee rules against a recount his/her ruling may be appealed in the same manner as the ruling of the Chair may be appealed under rule number 10.
31. Quorums shall be determined by the appropriate By-Laws or Constitution governing the body session.
32. Bourinot's Rules of Order shall govern in all matters not regulated by the rules set out above.

ANNEX 1

Life Members of the Agriculture Union, PSAC

Burke, Albert
Coates, Fred
Leng, Larry
Parent, Claude
Prest, Charles
Sénéchal, André
Stewart, A.I.
Yost, D.K.

ANNEX 2

Index of Acronyms

AAFC – Agriculture & Agri-Food Canada
CFIA – Canadian Food Inspection Agency
CGC – Canadian Grain Commission
CLC – Canadian Labour Congress
DND – Department of National Defence
EO – Equal Opportunities
EVP – Executive Vice President
JCTC – Joint Career Transition Commission
JOSH – Joint Occupational Safety & Health
NOSH – National Occupational Safety & Health
OSH – Occupational Safety & Health
PSAC – Public Service Alliance of Canada
PSC – Public Service Commission
RVP – Regional Vice President
SECO – Former SECO Component of the PSAC