

2011

Constitution/Bylaws & Long and Short Term Goals

(With Amendments as of October 2010)

Table of Contents

Article 1:	Name	1
Article 2:	Objectives	1
Article 3:	Membership	1
Article 4:	Executive Board.....	2
Article 5:	Powers Of The Executive Board.....	3
Article 6:	Discipline Of Members.....	6
Article 7:	Reinstatement Of Membership	9
Article 8:	Meetings Of Executive Board.....	10
Article 9:	Meetings Of The UNA.....	10
Article 10:	Voting At Meetings Of The UNA	11
Article 11:	Strike Votes And Ratification Votes	11
Article 12:	Elections.....	11
Article 13:	Revenue.....	12
Article 14:	Audit	13
Article 15:	Chartered Locals	13
Article 16:	Merger And Transfer	15
Article 17:	Constitutional Amendments And Policy Resolutions	15
Article 18:	Rules Of Procedure And Order Of Business At Meetings Of The UNA.....	16
Article 19:	Dissolution Of A Chartered Local.....	16
Appendix “A”	Bylaws Governing Chartered Locals	17
Appendix “B”	Bylaws Governing Districts of the UNA	21
	Long & Short-Term Goals Of UNA.....	24

UNA Article 1: Name

- 1.01 This organization shall be known as the United Nurses of Alberta (hereinafter referred to as “UNA”).

UNA Article 2: Objectives

- 2.01 The advancement of the social, economic and general welfare of nurses and other allied personnel.
- 2.02 (a) The regulation of relations between nurses and other allied personnel and between nurses and their employers.
- (b) The negotiation of written contracts with employers aimed at implementing progressively better conditions of employment.
- 2.03 The promotion of effective communication with employers.
- 2.04 The promotion of the knowledge of nurses and other allied personnel in all things related to their social and economic welfare through education and research.
- 2.05 The promotion of the highest standards of health care.
- 2.06 The promotion of unity within the labour movement, the nursing profession(s) and other allied fields through cooperation with and support of other organizations.
- 2.07 The promotion of the occupational health & safety of the membership through research and communication with allied fields and organizations.

UNA Article 3: Membership

- 3.01 All registered, graduate or student nurses and other allied personnel who are eligible to engage in collective bargaining are eligible for membership in the UNA provided that no allied personnel shall be admitted to membership without an eighty percent (80%) vote of approval of the Executive Board.
- 3.02 Without limiting the generality of the foregoing, persons who, in the course of their employment, exercise managerial functions or who are employed in a confidential capacity in matters relating to labour relations shall be excluded from membership.
- 3.03 (a) Individuals seeking membership in the United Nurses of Alberta shall be required to sign an

application for membership which shall include an undertaking to abide by provisions of this Constitution and Bylaws and an undertaking to pay all dues, levies and assessments as required. An individual is eligible to be a member of only one Local per Bargaining Unit.

- (b) Any person meeting these requirements for membership and who is accepted by UNA will be entitled to attend meetings, hold office and receive all other benefits of UNA membership. A member who is:
- (i) on STD, LTD, WCB, or who obtains an unpaid leave of absence from employment pursuant to the provisions of a Collective Agreement shall remain a member of the UNA and shall pay no dues, levies or assessments during the period of any such absence; or
- (ii) laid off pursuant to the provisions of a Collective Agreement shall remain a member of the Union and shall pay no dues, levies or assessments for the period of the layoff for the duration of the right to recall unless in receipt of wages as a member of a UNA bargaining unit; or
- (iii) suspended or terminated and who is pursuing recourse under the grievance or arbitration procedures of a Collective Agreement, shall remain a member of the Union and shall pay no dues, levies or assessments until the grievance is resolved, withdrawn or otherwise concluded.
- (c) A person ceases to be a member upon:
- (i) suspension or termination of membership pursuant to this Constitution; or
- (ii) failure to pay all required dues, levies and assessments to the UNA or to a Chartered Local of the UNA or to a Chapter thereof for a period of fourteen (14) months.
- (d) Notwithstanding the foregoing, any person who has resigned their membership in the UNA due to their non-support of a strike or in the face of charges, or who has been expelled from membership shall only be eligible for membership upon successful application to the Executive Board for reinstatement pursuant to Article 7.

3.04 No person shall be refused membership because of nationality, race, colour, origin, sex or sexual orientation, age, physical disability or religious or political belief.

3.05 It is the obligation and responsibility of every member of UNA to refrain from revealing or otherwise disclosing, except to those who have the right to such information or unless required by law, any information acquired by virtue of membership in UNA which could disadvantage or compromise UNA or its members.

3.06 It is the obligation and responsibility of every member of UNA who is appointed or elected to an office or other position in the UNA to duly and faithfully and to the best of the member's skill and ability discharge the duties of the office or position and to refrain from disclosing or revealing to any person, except to those who have a right to such information or unless required by law, any information which could disadvantage or compromise UNA or its members that comes to the member's knowledge or possession by reason of the office or position held.

3.07 Membership in a Local Union, chartered by the UNA, shall also constitute membership in the UNA; however, no person shall act as or be deemed to be an agent of the UNA or any chartered or subordinate body of the UNA because of membership unless specifically authorized in writing signed by an appropriate official to so act.

3.08 (a) Members who retire or resign and are therefore no longer paying dues to UNA shall be eligible for Associate Membership. Annual Associate Membership fees shall be ten dollars (\$10.00).

(b) Associate Members shall not be eligible to hold elected office in UNA or vote at meetings of UNA.

(c) The criteria for Associate Membership status shall be established by the delegates at the Annual General Meeting.

Article 4: Executive Board

4.01 The affairs of the UNA shall be managed by an Executive Board which shall be composed of the following:

- 1) President;
- 2) 1st Vice-President;
- 3) 2nd Vice-President;
- 4) Secretary/Treasurer;
- 5) District Representatives.

Any member elected to a position on the Executive Board shall not hold the position of President of a UNA Local. The newly elected Board Member shall have three (3) months to vacate the position of Local President.

4.02 The number of District Representatives shall be determined on the basis of one (1) District Representative for each one thousand five hundred (1,500) duespayers or part thereof in the District as of sixty (60) days prior to the Annual General Meeting. There shall be a minimum of two (2) District Representatives for each District.

Districts that have greater than 30 Locals, but do not meet the threshold of one thousand five hundred (1500) duespayers or part thereof to increase the District Representative entitlement, shall have three (3) District Representatives.

4.03 All Officers shall be elected at an Annual General Meeting except when a vacancy occurs between Annual General Meetings. A vacancy shall be deemed to exist in any office or position if the holder of the office during the term of office dies, resigns or is unable or unwilling in the opinion of the Executive Board of the UNA to attend meetings or perform the duties of the position.

Any such vacancy shall be filled by the Executive of the body entitled to elect a member to occupy the position. The said Executive of the body entitled to elect a member to occupy the position shall report at the next meeting of the body each appointment made by it. At such meeting nominations may be made and an election shall be held if necessary to fill the said office.

4.04 Each term of office shall begin upon the adjournment of the Annual General Meeting at which the election to the office takes place and shall continue for a period of two (2) years, more or less, until the conclusion of the second Annual General Meeting thereafter except where it becomes necessary to elect an Executive Board member for a one (1) year term in order to achieve or maintain the staggering of terms of office as required by Article 12.04.

4.05 The duties of the Executive Board shall be as follows:

(a) **President**

The President shall preside at all meetings of the Executive Board and all meetings of the UNA and shall be charged with the responsibility of carrying out the policies of the UNA. The President shall be an ex-officio member on all Committees of the Executive Board.

(b) **1st Vice-President**

The 1st Vice-President shall preside at all meetings where the President is absent and shall be charged with the particular responsibility of establishing and maintaining the flow of communication between the UNA and its members, and between the UNA and other organizations.

(c) **2nd Vice-President**

The 2nd Vice-President shall preside at all meetings where the President and 1st Vice-President are absent and shall be charged with the particular responsibility of establishing and maintaining the flow of communication between the UNA and its members, and between the UNA and other organizations.

(d) **Secretary/Treasurer**

The Secretary/Treasurer shall cause to be kept such regular books and records of the UNA's finances as shall be set up under the instructions of the Executive Board, shall cause to be maintained full records of minutes of all meetings of the Executive Board and of all meetings of the UNA and shall cause to be maintained all records, documents and correspondence of the UNA.

(e) **The Duties Of The District Representatives**

The District Representatives shall carry out generally the objectives of the UNA and function as members of the Executive Board. (The terms of reference for District Representatives are as outlined in Appendix "B".)

4.06 Only members in good standing of the UNA are eligible for membership on the Executive Board.

4.07 In the event that a member of the Executive Board is absent from two (2) consecutive meetings, i.e. Executive Board, Delegate, Special, Committee, the reasons for such absences shall be delivered in writing to the President. If the reasons so delivered are found to be unsatisfactory to the Executive Board by a two-thirds (2/3) ballot vote, the office of the member shall be declared vacant. Such vacancies shall be filled in accordance with Article 8.05 or Appendix "B" I.3 as applicable. Such appointed or elected member shall hold office until the next Annual General Meeting at which time an election shall be held in accordance with Article 12.04.

4.08 Any member of the Executive Board may resign from the Executive Board by giving notice in writing to the President.

4.09 Any Executive Board member who ceases to hold office for any reason, shall, within one month, turn over to the Executive Board, all documents, assets and property of the UNA in the member's possession.

4.10 The District Representative shall designate an alternate member to attend Executive Board meetings in the District Representative's absence.

4.11 In the event that a District Representative is elected to serve on the Provincial Negotiating Committee, the District Representative shall be deemed to have resigned the District Representative position upon conclusion of the Annual General Meeting which follows the election of the Provincial Negotiating Committee.

Article 5: Powers Of The Executive Board

5.01 (a) The Executive Board shall be responsible for constitutional interpretation.

(b) In the event of a conflict between any provision of this Constitution and any provision of the standard Bylaws as set out in Appendices "A" and "B" or in the event of a conflict between any provisions of this Constitution and the approved Bylaws of any Chartered Local of the United Nurses of Alberta or in the event of conflict between this Constitution and the policies adopted by the United Nurses of Alberta then this Constitution shall be paramount and the provisions of this Constitution shall apply.

(c) The Executive Board shall be responsible for and accountable to the membership for the administration of affairs and activities of the UNA when the UNA is not meeting.

5.02 (a) The Executive Board shall be responsible for the formulation and development of the general collective bargaining objectives of the UNA and for the presentation of the said objectives to the membership at meetings for discussion and approval.

(b) The Executive Board or any person or committee to which the Executive Board delegates such authority, shall be empowered to negotiate and enter into regional, Local, provincial or area-wide collective bargaining agreements on behalf of the UNA or on behalf of any Chartered Local or Chartered Locals without the necessity of the written authorization of such Chartered Local or Chartered Locals and the Executive Board or its delegate shall coordinate activities towards this end in consultation with the Local Unions involved.

5.03 To the extent required for the proper functioning of the UNA, the Executive Board, or any person to which the Executive Board delegates such authority, shall employ, retain, direct, and compensate personnel, consultants, legal, accounting, and other professional personnel, and engage and pay for the use of premises and equipment.

5.04 No monies of the UNA shall be expended without the authorization of the Executive Board or such person or persons as the Executive Board or a meeting of the UNA may from time to time authorize for this purpose. The manner in which monies may be withdrawn or cheques issued by the UNA shall be determined from time to time by the Executive Board. All acts bona fide done by any meeting of the Executive Board or by any person acting as a member of the Executive Board, notwithstanding if it be afterwards discovered that there was some defect in the appointment of any such person acting as aforesaid or that they or any of them were disqualified, shall be valid as if every person had been duly appointed and was qualified to be a member of the Executive Board.

5.05 The Executive Board may set up committees of the UNA and may appoint or elect a Chair and members to the committees. The committees shall be subject to any restrictions or regulations imposed upon them by the Executive Board.

5.06 The Executive Board, in addition to all other powers vested in it, is hereby authorized and empowered subject to the approval and authorization of the UNA as defined in Article 5.07:

- (a) to acquire, hold, and dispose of, real and personal property or any part thereof; and
- (b) to invest monies on behalf of the UNA; and
- (c) to borrow money for the purpose of the UNA and to give security for any money so borrowed on any of the real, personal or mixed property of the UNA by way of mortgage, pledge, charge or otherwise.

5.07 Authorization for the exercise of the powers listed in Article 5.06(a) and 5.06(b) shall be by two-thirds ($\frac{2}{3}$) vote of the Executive Board subject to approval at the next Annual General Meeting. Authorization for the exercise of powers listed in Article 5.06(c) shall be gained by a two-thirds ($\frac{2}{3}$) vote of the delegates at an Annual or Special meeting prior to exercise of such powers.

5.08 The business of the UNA shall be managed by the Executive Board who shall exercise all such powers of the UNA and do on behalf of the UNA all such acts as may be exercised by the UNA and as are not by law or

by this Constitution required to be done by the UNA in an Annual or Special meeting of the UNA.

The Executive Board may in the exercise of its powers do all such things and acts which in the exercise of its sole discretion better further the objectives of the UNA.

- 5.09
1. If the conduct of an Officer of a Chartered Local is subject to consideration under this Constitution, the Executive Officers of UNA, with or without prior notice or hearing and with or without funding, may order the temporary suspension of the Officer from the duties and responsibilities of office if the Executive Officers consider the suspension warranted in the circumstances having regard to the nature of the conduct and the urgency of the matter in question.
 2. Where the Executive Officers of United Nurses of Alberta have or receive information which leads them to believe that an Officer of a Chartered Local of United Nurses of Alberta
 - (a) is incompetent, or
 - (b) is mentally incapacitated, or
 - (c) is engaging in corrupt practices, or
 - (d) is engaging in financial malpractice; or
 - (e) has undertaken activities contrary to the principles and policies of UNA, which activities are disruptive of and interfere with the performance of the duties and responsibilities of other Officers of the Chartered Local, the Executive Officers, by majority vote, may suspend such Officer from office pending an investigation.
 3. Where the Executive Officers suspend an Officer from office, they shall forthwith appoint an individual or individuals possessing whatever expertise may be required in the circumstances, irrespective of whether such persons are members of the Union, to investigate the circumstances and report back to the Executive Officers within 30 days unless the period of investigation is extended by majority vote of the Executive Officers.
 4. Where the Executive Officers determine that it is necessary to consider whether or not an Officer of a Chartered Local should be suspended from office, the said Officer, where reasonably possible, shall be provided notice that the matter is under consideration and be permitted to make oral or written submissions to the Executive Officers prior to a vote being taken.

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5. Where suspension pending investigation is ordered by the Executive Officers, the Officer of a Chartered Local is relieved of duties and responsibilities of office during an investigation and the said Officer shall have a duty to fully cooperate with the investigator(s) appointed to conduct the investigation and such investigator(s) may direct the said Officer or any other member of United Nurses of Alberta:
 - (a) to answer any inquiries the investigator(s) may have relating to the investigation;
 - (b) to produce to the investigator(s) any records or other property in the Officer's possession or under the Officer's control that are or may be related in any way to the investigation;
 - (c) to give up possession of any record referred to for the purpose of allowing the investigator(s) to make a copy of and return it within a reasonable time of receiving it;
 - (d) to attend before the investigator(s) for the purpose of complying with (a), (b) or (c) above.
 6. In the event that such Officer should neglect, fail, refuse or decline to cooperate with the investigator(s) in respect of the above, the failure to do so shall be noted by the investigator(s) in its report to the Executive Officers.
 7. The investigator(s) shall submit a report to the Executive Officers within 30 days of appointment or within such longer time as approved by the Executive Officers.
 8. The Executive Officers, on receiving the report of the investigator(s) shall provide a copy of same to the Officer who has been relieved of duties and shall provide such Officer a reasonable opportunity to make oral or written submission thereon to the Executive Officers.
 9. The Executive Officers, with respect to any of the conduct of the member that is mentioned in the report, may:
 - (a) where appropriate, initiate the disciplinary procedures pursuant to Article 6 of the United Nurses of Alberta Constitution, in which case, the suspension of the Officer from duties and responsibilities of office shall continue until such time as the disciplinary procedures are concluded; or alternatively
 - (b) provide a report to the Executive Board of the United Nurses of Alberta summarizing the results of the investigation and recommending whether, in the circumstances, the said Officer should be reinstated to office; or alternatively
 - (c) provide a report to the Executive Board of the UNA summarizing the results of the investigation and recommending whether, in the circumstances, the said Officer should be removed from office on the basis of non-culpable conduct.
 10. The Executive Officers shall forthwith provide to the Officer concerned copies of their decision to initiate disciplinary procedures or, as the case may be, their report and recommendations to the Executive Board.
 11. An Officer under investigation may, at any time during the course of the investigation, submit to the Executive Officers of UNA for their approval, a resignation in lieu of having the investigation continue. The Executive Officer's may reject the application to resign, or if they accept it, may make their acceptance of the application to resign subject to any reasonable conditions considered appropriate in the circumstances and the Executive Officers shall concurrently therewith give directions as to the information to be entered in the records of the United Nurses of Alberta and as to the handling of same in terms matters of confidentiality and privacy.
 12. Where an Officer resigns from their position in accordance with the above, the conduct that was the subject of the investigation and proceedings and to which the resignation relates, shall be discontinued.
 13. A resignation from office, in accordance with the above, does not terminate liability for discipline for acts occurring during the period the office was held.
 14. An order of suspension from office may be terminated by the Executive Officers at any time, on application or on their own motion, where it appears to the Executive Officers that the suspension from office and the investigation is no longer warranted.
 15. The Officer whose conduct is in question may appeal a suspension from office to the Executive Board of United Nurses of Alberta by filing a Notice of

Appeal with the Executive Board within 10 days after the date of the Order of the Executive Officers suspending such officer pending investigation.

16. If an appeal is taken to the Executive Board, the Executive Board shall, as soon as practicable, hear the representations of the Executive Officers and of the Officer suspended, and the Executive Board shall determine whether the suspension should be continued pending conclusion of the investigatory process or should be set aside.
17. No proceeding shall be brought before the Labour Relations Board nor any action commenced in any Court of law against any actions taken or orders given under or pursuant to this Article of the Constitution without taking reasonable efforts to exhaust all remedies available to the Officer pursuant to the Constitution of UNA.

Article 6: Discipline Of Members

6.01 Any member may be charged by another member of the following offences:

- (a) Violating any provision of this Constitution or the Bylaws of any of its Chartered Locals;
- (b) Obtaining membership through fraudulent means or misrepresentation;
- (c) Instituting, urging or advocating that a member of any of the Chartered Locals of this union should institute action;
 - i) in a court of law against the UNA; or
 - ii) against the Executive Board or any of its officers; or
 - iii) against any of the Chartered Locals or any of its members;

in respect of any matter concerning the affairs of the UNA or any of its Chartered Locals or chartered bodies without first exhausting all remedies through the forms of appeal provided in this Constitution;

- (d) Publishing or circulating either verbally or otherwise among the membership false reports or misrepresentations concerning any member of the UNA in respect to any matter connected with the affairs of the UNA or its Chartered Locals;

- (e) Working in the interest of any organization competing with the UNA in a manner which is detrimental to the UNA or any of its Chartered Locals;
- (f) Fraudulently receiving or misappropriating any property of the UNA or any of its Chartered Locals;
- (g) Using without proper authority the name of the UNA or of the Chartered Locals for soliciting funds or advertising;
- (h) Without receiving proper authority to do so, furnishing a complete or partial list of the membership of the UNA or of any Chartered Local to any person or persons other than those whose official position entitles them to have such a list;
- (i) Wrongfully interfering with any officer or accredited representative of the UNA or any of its Chartered Locals in the discharge of the duties of the Officer or Representative;
- (j) Circulating reports designed or calculated to injure or weaken the UNA or any of its Chartered Locals;
- (k) Doing any act contrary to the Constitution or to the Bylaws of any Chartered Locals. Failing to do any act required by the said Constitution or Bylaws, where such conduct has the effect:
 - i) of injuring the UNA, the Executive Board of the UNA or any of its Chartered Locals;
 - ii) or impeding the implementation of any policy constitutionally formed by either the UNA or any of its Chartered Locals.
- (l) During the course of a strike by the UNA or any of its Chartered Locals failing to give all necessary support to the said strike.

6.02 Review of Charges

- (a) Any member in good standing who considers that another member, officer or representative of UNA or of a Chartered Local of UNA has committed an offence enumerated under Article 6.01, may file charges against such person or persons.
- (b) The Executive Board of UNA or the Executive of a Chartered Local, if such body considers that any member, officer or union representative, has committed an offence enumerated under Article 6 of this Constitution, may file charges against such person or persons.

- (c) When a charge is filed by the Executive Board of UNA by the Executive of a Chartered Local of UNA, the charge shall be accompanied by a resolution of such body authorizing the filing of the charge.
- (d) Charges shall be in writing, shall contain a statement of the facts relied upon in support of the charges and shall identify the specific provisions of this Constitution which it is alleged have been contravened. The charges shall include details as to the dates, places and persons involved. Charges shall be signed by the party filing the charge and shall include a mailing address for service upon the party filing the charge.
- (e) Charges shall be filed with the Executive Administrative Assistant of UNA or designate who shall record the date of receipt of the charges and shall forthwith deliver copies of the charges to the accused and to the 1st Vice-President of UNA, or where circumstances so require, to a designate selected in accordance with Executive Board Policy.
- (f) The 1st Vice-President or designate shall review the charges to ensure that the charges comply with the following requirements:
 - (i) charges must contain a statement of the facts relied upon in support of the charges,
 - (ii) charges must set out the provisions of the Constitution which it is alleged have been contravened,
 - (iii) charges must include details as to the date or dates of the alleged contraventions, the places where the contraventions are alleged to have taken place and the identity of the persons involved in the alleged contraventions,
 - (iv) if a charge is laid by the Executive Board of UNA or by the Executive of a Chartered Local, such charge must be accompanied by a resolution of such body authorizing the filing of the charges,
 - (v) charges must be in writing, must be signed by the party filing the charges and must include a mailing address for service on the party filing the charges,
 - (vi) charges must be filed with the Executive Administrative Assistant of UNA or designate not later than sixty (60) days after the date upon which a person filing the charge should reasonably have become aware of the alleged violation of the Constitution.
- (g) Where the 1st Vice-President or designate determines that the charges filed fail to meet each of the above requirements, the 1st Vice-President or designate shall forthwith reject the charges and shall notify the member laying the charges and the person or persons charged that the charges have been rejected summarily.
- (h) Where the 1st Vice-President or designate is of the opinion that the charges as presented are without merit or are frivolous, trivial or vexatious, the 1st Vice-President or designate may reject the charges summarily and shall notify the person laying the charges and the person charged accordingly.
- (i) If the 1st Vice-President or designate is of the opinion that it is not in the best interests of UNA to proceed with the charges, the 1st Vice-President or designate may reject the charges summarily and shall forthwith notify the person laying the charges and the persons charged accordingly.
- (j) Notification of summary rejection of charges and the reasons therefore shall be in writing, shall be sent by mail to the mailing address provided in the charges and shall include instructions as to how the person laying the charges may appeal the summary rejection of the charges.
- (k) If the 1st Vice-President or designate summarily rejects the charges, the person laying the charges may appeal the summary rejection by notifying the Executive Administrative Assistant of UNA within thirty (30) days after the person laying charges has received notification from the 1st Vice-President or designate of the summary rejection of the charges.
- (l) The person laying the charges shall be deemed to have received notification of summary rejection of the charges upon the expiry of seven (7) days after such notification is sent by mail to the mailing address provided by that person.

6.03 Appeal of Summary Rejection of Charges

- (a) If the 1st Vice-President or designate summarily rejects the charges, the person filing the charges may appeal the dismissal by notifying the Executive Administrative Assistant of UNA or designate of the wish to appeal.

- (b) The notification of the wish to appeal must be received by the Executive Administrative Assistant of UNA or designate within thirty (30) days after the person who laid the charges has received or is deemed to have received notification from the 1st Vice-President or designate of the summary rejection of the charges.
- (c) Upon receipt of notice of wish to appeal, the Executive Administrative Assistant of UNA or designate shall forthwith, in accordance with Executive Board Policy, select from the members of the Trial Committee three (3) members who shall constitute an Appeal Panel and who shall hear and decide the appeal against summary rejection of the charges.
- (d) The Appeal Panel shall notify the person laying the charges and the person charged that either of them may submit written representations to the Appeal Panel which must be received by the Appeal Panel within a time frame set by the Appeal Panel.
- (e) When the Appeal Panel has decided an appeal, the Appeal Panel shall notify the person filing the charges and the person charged of the Panel's decision.
- (f) A decision of a majority of the members of the Appeal Panel is the decision of the Appeal Panel, but if there is no majority, the decision of the Chair of the Appeal Panel governs and shall be deemed to be the decision of the Appeal Panel.
- (e) The disciplinary hearing shall be convened and conducted expeditiously taking into account that the person charged is entitled to a reasonable time to prepare a defense and taking account that the person filing the charges and the person charged are to be afforded a full and fair hearing including the right to be represented by counsel.
- (f) The disciplinary hearing shall be conducted in accordance with the requirements of UNA Executive Board Policy.
- (g) The decision of the Disciplinary Hearing Board shall be rendered as soon as possible and, in any event, within thirty (30) days of the conclusion of the disciplinary hearing. The decision and the reasons therefore shall be in writing and shall forthwith be delivered to the person laying the charges and the person charged.
- (h) If the person charged is found guilty, the decision shall specify the penalty imposed by the Disciplinary Hearing Board.
- (i) A decision of the majority of the members of the Disciplinary Hearing Board is the decision of the Board, but if there is no majority, the decision of the Chair of the Disciplinary Hearing Board governs and shall be deemed to be the decision of the Disciplinary Hearing Board.

6.04 **Disciplinary Hearing Board**

- (a) Where the 1st Vice-President or designate determines that the charges filed should not be rejected summarily or where an Appeal Panel allows an appeal against summary rejection of charges, a disciplinary hearing of the charges will be conducted by a three (3) member board of the Trial Committee.
- (b) The Executive Administrative Assistant of UNA or designate shall, in accordance with Executive Board Policy, select the members of the Disciplinary Hearing Board from the remaining members of the Trial Committee, not including any members of the Trial Committee who served on the Appeal Panel hearing an appeal from a summary rejection of the charges.
- (c) The Disciplinary Hearing Board will notify the person laying the charges and the member(s) charged of the time and place of the disciplinary hearing.
- (d) The Disciplinary Hearing Board may, at any time, adjourn the hearing date to another time or place on any conditions they may impose.
- (j) The procedures to be followed at a disciplinary hearing are in the sole discretion of the Disciplinary Hearing Board. The rules of evidence need not be strictly adhered to. The onus of proving guilt is on the complainant. If the accused does not attend the disciplinary hearing, the hearing may continue in the absence of the accused, but the person filing the charges continues to bear the onus of proof. The person charged cannot be compelled to testify.
- (k) On a finding of guilt, the Disciplinary Hearing Board may expel, suspend or reprimand the person charged and may impose conditions for reinstatement.

6.05 **Appeal from the decision of a Disciplinary Hearing Board**

Either the member/members charging and/or the member/members charged may appeal the decision of a Disciplinary Hearing Board.

The member or members appealing shall file written notice of the appeal, setting out the grounds relied

upon in support of the appeal, with the Executive Administrative Assistant of UNA or designate no later than fourteen (14) days after the date that the decision of the Discipline Hearing Board is issued and received.

The Executive Administrative Assistant of UNA or designate shall immediately provide a copy of the Notice of Appeal to each of the other parties participating in the proceedings before the Disciplinary Hearing Board, and shall also provide a copy of the appeal to the Chair of the Disciplinary Hearing Board.

The Executive Administrative Assistant of UNA or designate shall forthwith appoint three members of the Trial Committee who shall serve as an Appeal Tribunal. No member of the Trial Committee who served on a Disciplinary Hearing Board or who served on an Appeal Panel hearing an appeal from summary rejection of the charges concerned shall be appointed to the Appeal Tribunal. Where possible, the members appointed to the Appeal Tribunal should represent Districts other than the Districts of the charging party and/or of the accused.

The three members of the Appeal Tribunal shall select from amongst themselves a member who shall serve as Chair of the Appeal Tribunal.

The Chair of the Disciplinary Hearing Board shall direct the person who served as the Administrative Assistant for the Disciplinary Hearing Board proceeding to prepare and forward to the Appeal Tribunal the record of the proceedings before the Disciplinary Hearing Board. Copies of the record shall also be provided to each appellant and each respondent of the appeal.

The Appeal Tribunal shall, within thirty (30) days, convene a hearing to consider the appeal and shall provide all parties to the original proceedings, including the Disciplinary Hearing Board whose decision is under appeal, with at least two (2) weeks advance notice of the hearing of the appeal.

The Appeal tribunal shall, where it so requires, have the assistance of legal counsel.

At the hearing of the appeal, the Appeal Tribunal shall permit the Disciplinary Hearing Board whose decision is under appeal, each appellant and each respondent to present arguments as to why the decision of the Disciplinary Hearing Board should be upheld or set aside in whole or in part.

The procedures to be followed at an Appeal Tribunal hearing are in the sole discretion of the Appeal Tribunal.

A decision of the majority of the members of the Appeal Tribunal is the decision of the Appeal Tribunal, but if there is no majority, the decision of the Chair of the Appeal Tribunal governs and shall be deemed to be the decision of the Appeal Tribunal. The decision shall be rendered as soon as possible and, in any event, within thirty (30) days of the conclusion of the Appeal.

In the event the Appeal Tribunal allows an appeal against either conviction or acquittal, it shall remit the matter to the Executive Administrative Assistant of UNA or designate with directions to appoint a newly constituted Disciplinary Hearing Board to re-hear the charges.

In the event the Appeal Tribunal allows an appeal against a penalty imposed, the Appeal Tribunal shall rescind the penalty imposed and shall impose such penalty as may be permissible under the Constitution and as seems just and reasonable to the Appeal Tribunal in all the circumstances.

The decision of the Appeal Tribunal is final and binding.

Article 7: Reinstatement Of Membership

- 7.01 (a) Any person who has been expelled from membership or who has resigned following the receipt of charges is not eligible to apply for membership at any Chartered Local of the UNA.

Where a person wishing to become eligible for membership in the UNA is required by the terms of Article 3.03 to apply to the Executive Board for reinstatement, application shall not be made until one (1) year from the date of expulsion or date of resignation. Prior to the Board considering such an application, the applicant shall have met the criteria for reinstatement as determined by Executive Board Policy. If a person's membership reinstatement application is rejected for any reason, the person shall not be eligible to reapply for a period of one (1) year.

- (b) The membership card of a person who has been suspended from membership shall be held at Provincial Office for the duration of the suspension. Such member shall forfeit all rights and benefits under the Constitution but shall remain bound by the terms of the Constitution.

Article 8: Meetings Of Executive Board

- 8.01 The Executive Board shall meet at the call of the President or at the request in writing of no fewer than three (3) members of the Executive Board to the President. In any event, the Executive Board shall meet at least three (3) times a year.
- 8.02 The time and place of meetings of the Executive Board shall be determined by the President, provided that any meeting requested by no fewer than three (3) members of the Executive Board, pursuant to the provisions of Article 8.01, shall be held within thirty (30) days of the receipt by the President of any such request. Every Board member shall be given at least fourteen (14) days' notice of such meetings.
- 8.03 The majority of the members or delegated alternate members of the Executive Board shall constitute a quorum for the transaction of business provided that this quorum consists of at least one (1) District Representative or delegate alternate from each District.
- 8.04 Unless otherwise provided in this Constitution, any questions arising at a meeting of the Executive Board shall be decided by a majority vote of the members present. Each member of the Executive Board shall be entitled to one (1) vote on each question which is voted upon at a meeting.
- 8.05 In the event that the President, Vice-President or Secretary/Treasurer should resign, die or otherwise cease to act, the Executive Board shall elect by and from themselves a replacement until the next Annual General Meeting at which time an election shall be held in accordance with Article 12.04 or for the unexpired term as appropriate.

A Leave of Absence may be taken by Executive Board Members. A written request for such Leave of Absence shall be made to the Executive Officers of the UNA for approval. The request shall include reasons for such application, the length of leave requested and the expected return date. This Leave of Absence shall not exceed six (6) months. This Leave of Absence will not be funded by the UNA. The interim replacement will receive the budgeted funding for that position. Thirty (30) days' prior written notice shall be made to the Executive Officers of the UNA of the expected date of return to the position. Interim replacements shall be made in accordance with Appendix "B" Bylaws I.3. In the event that the President, Vice-President or Secretary/

Treasurer should take a Leave of Absence, the Executive Board shall elect by and from themselves a replacement for the term of the Leave of Absence or until the end of the term of office.

Where an Executive Board Member is elected to replace an Executive Officer, the member shall return to the unexpired term of the member's Executive Board office, if applicable, following the next Annual General Meeting.

- 8.06 The Executive Officers, with unanimous agreement, may poll the Executive Board in emergency circumstances. Polling shall be done in accordance with Executive Board Policy.

Article 9: Meetings Of The UNA

- 9.01 (a) The UNA shall hold an Annual General Meeting in the months of September, October or November of every calendar year at such place as may be determined by the Executive Board.
- (b) All other meetings of the UNA shall be determined at the call of the President.
- 9.02 A Special Meeting of the UNA may be called at any time and place at the request in writing of at least one-third ($\frac{1}{3}$) of the members of the Executive Board or of at least one-third ($\frac{1}{3}$) of the Chartered Locals which shall represent one-third ($\frac{1}{3}$) of the membership evidenced by notice in writing signed by the President of each and shall be held within forty-five (45) days of the receipt by the President of the UNA of any such request. Any such request shall specify the subjects to be considered at such a Special Meeting.
- 9.03 Every Chartered Local shall be given at least one hundred and eighty (180) days' notice of the Annual General Meeting and as much notice as possible of Special Meetings. The President and Secretary/Treasurer of each Chartered Local shall make every reasonable effort to inform the members of the Chartered Locals of said meetings.
- 9.04 The form of notice of meetings shall specify the subject to be considered at the meeting, and, in the case of Special Meetings, only such subjects as are specified in the notice calling the meeting may be considered and acted upon at that meeting.

🏹 Article 10: Voting At Meetings Of The UNA

- 10.01 (a) At any Annual or Special Meeting of the UNA every Local is entitled to be represented by one voting delegate for every seventy-five (75) members of the Local or part thereof;
- (b) The Local President shall ensure that each voting delegate/alternate elected to represent the Local is a member in good standing of the UNA. The number of voting delegates to which each Local is entitled shall be based on the number of members in the said Local, forty-five (45) days prior to the Annual General Meeting.
- 10.02 The Local President shall ensure that each voting delegate/alternate elected to represent the Local is a member in good standing of the UNA. The number of voting delegates/alternates to which each Local is entitled shall be based on the number of members in the Local forty-five (45) days prior to the Reporting Meeting.
- (a) At Negotiation Demand Setting Meetings, every Chartered Local of the UNA shall be entitled to be represented by one (1) voting delegate/alternate for every seventy-five (75) members or part thereof. The voting delegate(s)/alternate(s) must be a member in good standing of the UNA and shall be elected at a meeting of the Chartered Local.
- (b) At Negotiations Reporting Meetings each Local shall be entitled to be represented by one (1) voting delegate/alternate for every seventy-five (75) members or part thereof. The voting delegate(s)/alternate(s) must be a member in good standing of the UNA and shall be elected at a meeting of the Chartered Local.
- 10.03 The Chair of the Meeting shall appoint scrutineers.
- 10.04 The scrutineers shall arrange for the holding of any vote; shall distribute, collect and count ballots if used; and shall report the results in writing to the meeting.
- 10.05 Two-thirds ($\frac{2}{3}$) of the registered voting delegates, including a representative from each District, shall constitute a quorum for the transaction of business.
- 10.06 Unless otherwise provided in this Constitution, any resolution presented at a meeting of the UNA or of any of its committees shall be deemed to have been carried if a majority of the voting delegates present vote in favour of it.

- 10.07 Voting shall be by show of hands unless the Chair otherwise directs or unless otherwise provided hereinafter.
- 10.08 At any Annual General Meeting or Special Meeting of UNA and Negotiations Demand Setting or Negotiations Reporting Meeting, every member of the Executive Board shall have a vote as though the member were an accredited voting delegate.
- 10.09 Unless otherwise specified, any decision adopted at a meeting shall take effect forthwith at the conclusion of the meeting.

🏹 Article 11: Strike Votes And Ratification Votes

- 11.01 Strike votes and ratification votes shall be conducted by secret ballot.
- 11.02 Only UNA members shall have the right to vote in strike and ratification votes.
- 11.03 An information meeting shall be held at least twenty-four (24) hours prior to commencement of strike and ratification votes.
- 11.04 Strike votes and ratification votes shall be conducted on all shifts within a twenty-four (24) hour period. Locals may conduct an advanced poll.
- 11.05 Ratification votes require fifty percent (50%) plus one of members voting in order to pass except in the case of merger/transfer, which requires a two-thirds ($\frac{2}{3}$) majority.

🏹 Article 12: Elections

- 12.01 All Officers, other than those deemed elected by acclamation, shall be elected at the Annual General Meeting by a majority of the voting delegates present and voting.
- 12.02 All elections shall be by secret ballot, unless otherwise provided in the Constitution.
- 12.03 The Legislative Committee or any known persons acting with its authority shall prepare nomination forms for the Annual General Meeting and shall send them to the President and Secretary of each Chartered Local at least one hundred and eighty (180) days prior to the Annual General Meeting.

- 12.04 The offices of President, Secretary/Treasurer and one-half (½) or the majority of District Representatives, in each District, shall be elected in the years ending with even numbers. The offices of 1st and 2nd Vice-Presidents and one-half (½) or the minority of District Representatives in each District, shall be elected in the years ending with uneven numbers. Each District shall elect three (3) members to the Trial Committee for a two (2) year term.
- 12.05 A District Representative who accepts a nomination for an Executive Officer position to be elected at an Annual General Meeting other than the Annual General Meeting at which that person's term of office ends:
- (a) shall be deemed to have resigned the District Representative position upon the conclusion of the Annual General Meeting at which the election takes place regardless of the outcome of the election;
 - (b) shall not be eligible to seek election as a District Representative in the election to fill the vacancy created.
- 12.06 A member shall submit their nomination for one (1) position only of the positions elected at the Annual General Meeting.
- 12.07 Each District Representative and each Member of the Trial Committee must be a member of a Chartered Local in the District the member represents. Only members from the District may nominate a member for a position and only voting delegates from said Districts are entitled to vote in the election.
- 12.08 Upon receipt of nomination forms, the Local President shall make every reasonable effort to inform the Local that the Legislative Committee will receive nominations pursuant to this Article.
- 12.09 Each nomination shall be on a proper form bearing the name of the nominee and signatures of two (2) members in good standing of the UNA.
- 12.10 Nominations shall be accepted until sixty (60) days prior to the Annual General Meeting or from the floor at the Annual General Meeting only in the absence of an official nomination. If, at the close of nominations, a single candidate has been nominated for any position, that person shall be deemed to have been elected by acclamation. A declaration of acclamation by the Chair of the Legislative Committee shall occur for all filled positions at the time of nomination deadline.
- 12.11 The Chair and two (2) members of the Legislative Committee shall send a notice regarding elections to the President of the UNA and to the Chartered Local President and delegates no later than forty-five (45) days before the Annual General Meeting. This notice shall include the list of candidates, the list of vacancies requiring elections at the Annual General Meeting, and the names of nominees declared acclaimed in accordance with Article 12.08. Every reasonable effort shall be made to inform the members of the Chartered Local.
- 12.12 If there are not enough candidates to fill all vacant positions, nominations shall be received from the floor. The Chair will declare nominations closed after three (3) calls for nominations, unless a motion to postpone nominations has been passed by the assembly.
- 12.13 In the event that any Chartered Local fails to elect Executive Officers as provided in this Constitution and the respective Bylaws, the President or designate of the United Nurses of Alberta shall call a meeting of the members of the Chartered Local for the purpose of electing the officers of the Chartered Local.

Article 13: Revenue

- 13.01 The revenue of the UNA shall be derived as follows:
- (a) Each Chartered Local shall remit to the UNA each month such sum as may be determined from time to time, subject to the restrictions in this Article, by the UNA at an Annual or Special Meeting. Any change in the dues structure must be ratified by a two-thirds (⅔) vote of the delegates at an Annual or Special Meeting. Any change in the dues structure resulting in an increase in dues must be supported by a two-thirds (⅔) vote of the delegates at an Annual or Special Meeting and shall be subject to a positive majority Membership Ratification Vote held in accordance with Article 11 of the UNA Constitution. Any dues increase must be supported by the majority of members and the majority of Locals voting.
 - (b) The charter fee to establish a new Chartered Local shall be one dollar (\$1.00).
 - (c) The UNA may accept any donation, grant, bequest or other form of transfer of funds or properties from any charitable, governmental, educational or other source and may agree with the transferer to devote the funds or proper properties so transferred to any specific purpose consistent with the objectives of the UNA without any political bias or favours.

- 13.02 (a) The UNA shall have the right to levy assessments in an urgent/crisis situation upon its duespayers, provided that any such assessment must first be approved by a two-thirds ($\frac{2}{3}$) vote at an Annual or Special Meeting of the UNA. Prior notice will be given.
- (b) The UNA shall have the right to levy assessments for special purposes upon its duespayers, provided that any such assessment is subject to the provisions in Article 13.01 (a).
- 13.03 Any funds owed to the UNA by a Chartered Local pursuant to the provisions of this Constitution shall constitute a preferred claim and must be paid promptly by the Chartered Local each month prior to the payment of any other obligations of the Chartered Local.
- 13.04 (a) UNA dues shall be one point three percent (1.3%) of gross income.
- (b) The UNA shall issue to each Chartered Local a dues rebate. In the case where a Chartered Local is a part of a Multi-Local Bargaining Unit, the rebate shall be remitted to the Local of the duespayer's home site. Rebates will be issued to the Chartered Local on a regular basis and not less frequently than monthly and shall be calculated on a prorated basis, subject to the number of pay-periods in their payroll system and based on the actual number of duespayers per pay period, as follows:
- (A) For Locals with fifty (50) duespayers or less the rebate shall be one hundred and twelve dollars (\$112.00) per duespayer per annum for the first thirty (30) duespayers. For all remaining duespayers the rebates shall be eighty-eight dollars (\$88.00) per duespayer per annum.
- (B) For Locals with more than fifty (50) duespayers, the rebate shall be eighty-eight dollars (\$88.00) per duespayer per annum for the first thirty (30) duespayers. For the next one hundred (100) duespayers, or part thereof, the rebate shall be seventy-six dollars (\$76.00) per annum. For the next one hundred (100) duespayers, or part thereof, the rebate shall be sixty-four dollars (\$64.00) per duespayer per annum. For all remaining duespayers, the rebate shall be fifty-two dollars (\$52.00) per duespayer per annum, except Locals with 51 to 59 duespayers shall receive no less than \$4,950 per annum.
- (c) Chartered Locals that have not had their annual budgets and Annual General Meeting minutes showing approval of the budget submitted to UNA Provincial Office by February 28 of the budget year, shall have their dues rebates held in trust until such time as their budgets and minutes have been received at UNA Provincial Office.
- (d) There shall be a Collective Bargaining Fund. Contributions to the Collective Bargaining Fund shall be allocated from dues revenue and determined on an annual basis by the Executive Board.
- 13.05 In the event of a strike or the approval of a loan or donation to other Trade Unions, assistance, as determined from time to time by the Executive Board, may be drawn from the Collective Bargaining Fund.
- 13.06 Any member paying dues at more than one (1) source shall, upon request with submission of pay slips, receive from Provincial Office a reimbursement of dues paid in excess of the amount set out in Article 13.04.

Article 14: Audit

- 14.01 The fiscal year of UNA shall be January 1 to December 31 unless otherwise designated by the Executive Board. There shall be an auditor of the UNA who shall not be a member, employee, or relative of an employee, of the UNA; and who shall be a Chartered Accountant. The Executive Board shall appoint an auditor annually. The auditor shall conduct an audit once every year and shall submit a written report to the Annual General Meeting and to each Chartered Local in the Annual General Meeting package.

Article 15: Chartered Locals

- 15.01 (a) The UNA may issue a Charter to any group of ten (10) members or more, eligible for membership under Article 3. The group shall thereafter be referred to as a "Chartered Local". In exceptional circumstances, UNA may maintain and continue a Charter to a group consisting of less than ten (10) members. The group shall thereafter be referred to as a Chartered Local. Alternatively, UNA may direct and require that a group of less than ten (10) members to whom a Charter has been issued, transfer their jurisdiction, membership, rights, privileges, duties and assets to a designated Local of UNA and the said Charter shall thereby be automatically revoked.

- (b) The number and jurisdiction of Locals shall be as determined by the United Nurses of Alberta.
- 15.02 (a) Subject to the provisions of Article 15.03 the Bylaws contained in Appendix “A” shall be the Bylaws of every Chartered Local.
- (b) In the event of conflict between any clause of this Constitution and any clause of the Bylaws of a Chartered Local this Constitution shall be paramount and the clause in this Constitution shall apply.
- 15.03 (a) Except as a result of amendment to Appendix “A” at a meeting of the UNA, the Bylaws of Chartered Locals may be amended only with the approval of a two-thirds ($\frac{2}{3}$) vote of those members present and voting at duly constituted meetings of the Chartered Local, and with the approval of the Executive Board of the UNA.
- (b) Bylaws of a Chartered Local which were amended or altered prior to November 8, 1984 in accordance with the Constitution of the UNA at that time shall be deemed to have been amended or altered in accordance with Article 15.03 (a).
- 15.04 All Collective Agreements shall be signed by the applicable UNA Negotiating Committee.
- 15.05 (a) If the Executive Officers of United Nurses of Alberta have or receive information which leads them to believe that any of the officers of a Chartered Local of United Nurses of Alberta are dishonest or incompetent, or that such Chartered Local is not being conducted in accordance with the Constitution and Bylaws of United Nurses of Alberta, or for the benefit of the membership, or is being conducted in such a manner as to jeopardize the interests of the United Nurses of Alberta, or if the Executive Officers believe that such action is necessary for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other bargaining representative duties, restoring democratic procedures or preventing any action which is disruptive of, or interferes with the performance of obligations of other members or Chartered Locals under collective bargaining agreements, or otherwise carrying out legitimate objectives of the United Nurses of Alberta, the Executive Officers may place the Chartered Local in immediate interim Trusteeship pending an investigation in accordance with the provisions of Article 15.05 (b). The Executive Officers shall immediately notify the Executive Board of such action, and shall arrange for a Special Executive Board Meeting to consider the matter.
- (b) In any situation in which there is reason to believe that a Chartered Local has adopted or undertaken policies or activities contrary to the principles and policies of the UNA, and where a Chartered Local has been placed in interim Trusteeship, the Executive Board shall have the power upon a two-thirds ($\frac{2}{3}$) vote of the Executive Board to conduct an investigation into the affairs of the Chartered Local and to require the Chartered Local to amend and rectify any policies or activities contrary to the principles and policies of the UNA, and the Executive Board may:
- (i) appoint Trustees for the Chartered Local, or
 - (ii) revoke the Charter of the Chartered Local on such terms and conditions as the Executive Board may see fit.
- Where the Executive Board determines that the Charter of a Chartered Local is to be revoked or Trustees are appointed pursuant to the provisions of this Article, the Chartered Local shall be entitled to a fair hearing before the Executive Board within three (3) months. Any action of the Executive Board under this Article may be appealed to the Annual General Meeting.
- If the Annual General Meeting is scheduled for three (3) months or more from the date of the decision of the Executive Board, the Chartered Local may, with at least one-third ($\frac{1}{3}$) of the Executive Board or one-third ($\frac{1}{3}$) of the Chartered Locals which shall represent one-third ($\frac{1}{3}$) of the membership, demand a Special Meeting of the UNA. This Special Meeting shall be held within two (2) months to consider the Trusteeship or suspended Charter.
- 15.06 (a) Where the Executive Board makes an order provided for in Article 15.05, the Executive Board may order that all funds and properties of any nature held by the Chartered Local shall be held in trust for the purpose of effecting a reorganization of the said Chartered Local. If such a re-organization is effected, such funds and properties of the Chartered Local shall be reinvested with the Chartered Local for its use and benefit. The period of re-organization of a Chartered Local may be extended beyond one (1) year at the discretion of the Executive Board. If the Chartered Local is not re-organized, the funds and properties of the Local shall revert to UNA.

- (b) Where the Executive Board orders that all funds and properties held by a Chartered Local shall be held in trust of the UNA, it shall be the duty of the Officers of the Chartered Local to deliver forthwith all funds and properties of any nature held by the Chartered Local to the Trustees appointed pursuant to the provisions of this Article or duly authorized agent who shall be entitled to take immediate possession of all funds, properties, books and records of the Chartered Local and shall have authority to bring appropriate legal proceedings to secure such funds, properties, books and records.

Locals, the Executive Board shall provide reasonable notice of its intention to the affected Local or Locals, shall consult with the affected Local or Locals and shall provide the affected Local or Locals with a reasonable opportunity to make representations and submissions to the Executive Board.

- (c) The Executive Board may on its own motion by a $\frac{2}{3}$ vote:
 - (i) determine the configuration of Locals;
 - (ii) determine whether existing Locals should be merged;
 - (iii) determine whether an existing Local should be divided so as to create two or more new Locals;
 - (iv) determine the allocation and assignment of duespayers and memberships to existing or new Locals.

👤 Article 16: Merger And Transfer

16.01 The United Nurses of Alberta may merge or amalgamate with another Union, may accept a transfer of jurisdiction from another Union and may transfer jurisdiction to another Union at a meeting of the UNA by adoption of a motion passed by a two-thirds ($\frac{2}{3}$) vote of those delegates present and voting.

16.02 Chartered Local Merger and/or Transfer

- (a) A Chartered Local may merge and/or transfer its jurisdiction, rights, privileges, duties and assets to one (1) or more Chartered Locals.
- (b) The Chartered Local transferring and the Chartered Local(s) receiving and the Executive Board must each approve of the merger and/or transfer.
- (c) A meeting between the parties must be held for the transfer and/or merger.
- (d) The transfer and/or merger must be approved by two-thirds ($\frac{2}{3}$) of the members voting at each Chartered Local concerned by secret ballot. The voting shall be conducted in accordance with Article 11: Strike Votes and Ratification Votes.
- (e) A Chartered Local may also merge with another bargaining agent for the purpose of acquiring its jurisdiction, rights, privileges, duties and assets.

16.03 Local Configuration

- (a) The Executive Board shall have authority to configure/reconfigure Locals in a fair and reasonable manner and in the best interests of UNA and its membership.
- (b) Where the Executive Board determines to undertake consideration of whether to configure/reconfigure

👤 Article 17: Constitutional Amendments And Policy Resolutions

17.01 This Constitution may be amended or altered only at a meeting of the UNA by a two-thirds ($\frac{2}{3}$) vote of those voting delegates present and voting.

17.02 Except where otherwise required in this Constitution a resolution shall require a simple majority to pass.

17.03 There shall be a Constitution and Resolutions Review Committee struck by the Legislative Committee of the Executive Board. The function of such Committee shall be to facilitate the processing of constitutional amendments and policy resolutions for the UNA's Annual General Meeting.

17.04 (a) Throughout the year and up to one hundred and sixty (160) days prior to the date of the Annual General Meeting, any member may submit to the Constitution and Resolutions Review Committee a resolution or constitutional amendment in writing signed by such member. The Executive Board shall have the right to submit any resolution to the Committee at any time up to the date of the meeting. Late resolutions shall be submitted to the Constitution and Resolutions Review Committee who shall consider the urgency of the resolution. Only late resolutions deemed to be of an urgent nature shall be placed before the meeting.

UNA Article 18: Rules Of Procedure And Order Of Business At Meetings Of The UNA

- (b) The proposer shall have the right to appeal the Committee's decision by having the appeal placed before the General Assembly of the meeting.
- 17.05 (a) The Constitution and Resolutions Review Committee shall:
- (i) receive and prepare constitutional amendments and resolutions for presentation to the Annual General Meeting;
 - (ii) have power to eliminate duplications in constitutional amendments and resolutions submitted, after consultation with and agreement of the proposer;
 - (iii) have the power to determine the order in which constitutional amendments and resolutions will be presented to the meeting;
 - (iv) have power to edit constitutional amendments and resolutions provided that the purpose of any such amendment or resolution is not changed and only after consultation with and agreement of the proposer;
 - (v) have the power to propose constitutional amendments up to sixty (60) days prior to the Annual General Meeting.
- (b) The proposer shall have the right to appeal the Committee's decision by having the appeal placed before the General Assembly.
- 17.06 A majority of the members of the Constitution and Resolutions Review Committee shall constitute a quorum.
- 17.07 The Constitution and Resolutions Review Committee shall prepare a report which shall be sent to the President and Secretary of each Chartered Local at least forty-five (45) days prior to the Annual General Meeting. This report shall contain all constitutional amendments and resolutions and their rationale.
- 17.08 All constitutional amendments and resolutions must:
- (a) deal with only one (1) subject;
 - (b) be submitted on the appropriate forms before respective deadlines.
- 18.01 The rules of procedure and order of business at Meetings of the UNA shall be governed by Robert's Rules of Order.
- 18.02 A Parliamentarian shall be appointed for each Annual General Meeting.
- ## **UNA Article 19: Dissolution Of A Chartered Local**
- 19.01 When a Chartered Local dissolves for any reason, including as a result of an institution closure, decertification, or charter revocation, all funds, property and books of the Chartered Local shall be turned over to and shall become the property of the United Nurses of Alberta. However, in no event shall the United Nurses of Alberta without its consent become liable for the obligations of the Chartered Local.

Appendix “A”

Chartered Local Bylaws

Bylaw I: Name

This organization shall be known as the United Nurses of Alberta (hereinafter referred to as the “Chartered Local”).

Bylaw II: Objectives

The objectives of this Chartered Local shall be:

- (a) to support the objectives and activities of the United Nurses of Alberta;
- (b) to promote effective communication between and amongst the UNA, the Chartered Local, its members and the Employer;
- (c) to advance within its jurisdiction the social, economic and general welfare of nurses and other allied personnel;
- (d) to regulate within its jurisdiction, relations between nurses and other allied personnel and their Employer;
- (e) to co-ordinate the activities of the Chartered Local; and
- (f) to participate within its jurisdiction in collective bargaining.

Bylaw III: Membership

An individual is eligible to be a member of the Chartered Local to which the individual's dues are allocated.

Bylaw IV: Executive

1. The affairs of the Chartered Local shall be administered by an Executive which shall be composed of the following:
 - 1) President
 - 2) Vice-President
 - 3) Secretary
 - 4) Treasurer

The Executive shall meet at least once every four (4) months. The Chartered Local may determine additional positions to those listed under Bylaw IV 1.

2. Throughout these Bylaws, the term “President” shall be deemed to refer to the President of the Chartered Local unless otherwise expressly stated.

Bylaw V: Representatives

An appropriate number of representatives may be elected by and from the members of the Chartered Local to represent nurses and other allied personnel employed in specific areas or functions of their employer's establishment. The said representatives may be appointed by the Executive if a majority of the members of the Chartered Local at a meeting authorizes the Executive to appoint such representatives as it sees fit.

Bylaw VI: Committees

There shall be a Grievance Committee. The Chartered Local is to decide the composition of this Committee. One of the members of the Committee shall act as the Chair. The members of the Grievance Committee shall be elected at an Annual or Special Meeting of the Chartered Local.

All standing committees of the Chartered Local shall be elected by the membership. The Executive may set up special committees of the Chartered Local and may appoint the members of each such committee from the members of the Chartered Local, the Chair to be chosen by the Executive and to be entitled to a casting vote in the case of a tie. The Executive may delegate any of its powers to any such committees. These committees shall be subject to any restrictions or regulations imposed upon them by the Executive.

Bylaw VII: Elections

1. The Executive shall be elected at Annual General Meetings. Each term of office shall begin upon the adjournment of the Annual General Meeting at which the election to the office takes place and shall continue for a period of two (2) years, more or less, until the conclusion of the second Annual General Meeting

thereafter. Where the Chartered Local so determines, some of the Executive Officers may be elected in years ending with even numbers and the remaining may be elected in years ending in odd numbers.

2. Nominations for the Executive and for any other position for which elections are held shall be accepted until seven (7) days prior to the Annual General Meeting, or from the floor at the Annual General Meeting, only in the absence of an official nomination. If at the close of nominations, a single candidate has been nominated for any position, that person shall be deemed to have been elected by acclamation.
3. Nominations shall be in written form and bear the name of the Nominee, the position the nominee is seeking, and the signature of two (2) members in good standing of the UNA.
4. Nominations shall be submitted to the Secretary of the Chartered Local or designate and shall be accepted until seven (7) days prior to the Annual General Meeting.
5. All elections shall be by secret ballot or show of hands.

Bylaw VIII: Vacancies

1. A leave of absence may be taken by Chartered Local Executive members. A written request for such leave of absence shall be made to the Chartered Local Executive and the Chartered Local for approval. The request shall include reasons for such application, the length of leave requested and the expected return date. This leave of absence shall not exceed six (6) months. This leave of absence shall not be funded by UNA.
2. In the event that a member or members of the Executive of the Chartered Local should resign, die or otherwise cease to act, the Executive shall appoint from the members of the Chartered Local a replacement until the next General Meeting. As much notice as possible will be given of this meeting and an election will be held to fill the vacancy according to Appendix "A" Bylaw VII. 2. and 3.

Bylaw IX: Election Of Voting Delegate

1. Any two (2) members of the Chartered Local may nominate a voting delegate provided that they produce satisfactory proof that the consent of the nominee to stand for election has been obtained.

2. A voting delegate and an alternate voting delegate to attend any meeting of the United Nurses of Alberta (hereinafter referred to as the UNA) shall be elected by a majority vote of those members of the Chartered Local present at a meeting of the Chartered Local. The alternate voting delegate shall act whenever the voting delegate is unable to do so. The number of alternates shall be determined by the Chartered Local.
3. Both the voting delegate and the alternate voting delegate shall be members of the Chartered Local.

Bylaw X: Meetings

1. Once in every calendar year, there shall be an Annual General Meeting of the Chartered Local. At least two (2) weeks' notice shall be given. During the Annual General Meeting, the Chartered Local budget shall be presented and approved, reports shall be presented by each member of the Executive, the affairs of the Chartered Local shall be reviewed and planned, and elections shall be held. The Chartered Local's Annual General Meeting shall be held by December 31st of each year.
2. A Chartered Local shall hold general meetings at least quarterly at the call of the President or designate.
3.
 - (a) A Special Meeting may be called at any time and place by the President of the Chartered Local. Members shall be given reasonable notice of any such meeting.
 - (b) A Special Meeting of the Chartered Local may be called at the request of at least ten percent (10%) of the members of the Chartered Local made in writing to the President. Any request for a Special Meeting of the Chartered Local shall specify the subjects to be considered at such a Special Meeting. As much notice as possible will be given and the meeting will be held within seven (7) days of the request with the exception of a Special Meeting held in reference to Appendix "A" Bylaw X. 3. (a).
 - (c) The assigned District Representative shall be invited by the Chartered Local President to attend at least one (1) Chartered Local General Meeting.
4. The rules of procedure and order of business governing meetings of the Chartered Local shall be as outlined in accordance with Article 18.01 of the United Nurses of Alberta Constitution.

Bylaw XI: Quorum

The quorum for Chartered Local meetings shall be established as follows:

1. The majority of members present at a meeting of the Chartered Local shall constitute a quorum of the Chartered Local for the transaction of business. This is the minimum requirement for quorum.
2. A Chartered Local may establish a number of members for quorum suitable for that Chartered Local, greater than the minimum.
3. The majority of the members of the Executive of the Chartered Local shall constitute a quorum for the transaction of Executive business.

Bylaw XII: Duties Of Officers

President

- (a) The President shall be the senior Executive Officer of the Chartered Local and shall act as Chair at all meetings of the Executive and the Chartered Local.

In the case of a tie in a vote of the Executive or the Chartered Local or any other committee of which the President is chair, The President shall cast the deciding vote.

- (b) The President shall be an ex-officio member of all committees.
- (c) The President or delegate shall represent the Chartered Local on the District Committee.

Vice-President

The Vice-President shall carry out duties as assigned by the Executive and act in lieu of the President when the President is absent.

Secretary

The Secretary:

- (a) shall keep a record of all meetings of the Chartered Local and of all meetings of the Executive;
- (b) shall be responsible for the correspondence of the Chartered Local;
- (c) in conjunction with the Treasurer, shall keep a record of the membership of the Chartered Local.
- (d) shall carry out duties as assigned by the Executive.

Treasurer

The Treasurer:

- (a) in collaboration with the Chartered Local Executive, shall be responsible for the development and presentation of an annual budget for adoption at the Chartered Local Annual General Meeting.
- (b) shall be responsible for the safekeeping of any monies of the Chartered Local that are not maintained in the Centralized Local Account and shall maintain records of all financial transactions.
- (c) or designate, who is authorized by the Chartered Local Executive, to initiate transactions through the Chartered Local's Centralized Account.
- (d) shall make a financial report at regular meetings, the Annual General Meeting of the Chartered Local and at meetings of the Executive;
- (e) in conjunction with the Secretary, shall keep a record of the membership of the Chartered Local.
- (f) shall carry out duties as assigned by the Executive.

Bylaw XIII: Local Documents

Any member(s) of the Executive of the Chartered Local or member(s) of any committee of the Chartered Local who cease to hold office for any reason shall within one (1) month, turn over to the current Chartered Local Executive all documents, assets and property of the Chartered Local in the member's possession.

Bylaw XIV: Finances

1.
 - (a) All Chartered Local revenues as determined by the UNA Constitution and Policies shall be processed through a UNA Provincial Centralized Local Account.
 - (b) A Chartered Local may elect to hold a petty cash fund at the Local. These monies shall be held in the manner directed by the membership at the Chartered Local Annual General Meeting. All transactions shall be reported to Centralized Accounting within thirty (30) days.
 - (c) Investment monies of the Chartered Local shall be kept in a chartered bank or credit union, or trust company, or investment firm as authorized yearly by the membership at the Chartered Local's Annual General Meeting.

2. Any two (2) designated Executive Officers of the Chartered Local may, on behalf of the Chartered Local, approve expenditures processed through the Chartered Local's accounts, including but not limited to the Chartered Local's Centralized Account.
3. If a transaction is not authorized within the Chartered Local's approved Annual Operating Budget, a motion must be passed at a membership meeting of the Chartered Local to obtain the required authorization.
4. Each Local shall have an annual audit by the United Nurses of Alberta at the end of each fiscal year. The fiscal year shall be January 1 – December 31. Upon request from UNA Provincial Office, the Local shall submit required books and annual financial return for audit.
5. Each Local shall hold an Annual General Meeting prior to December 31st. The Local budget for the next fiscal year shall be presented and approved at the Local Annual General Meeting.

- (e) A Chartered Local may also merge with another bargaining agent for the purpose of acquiring its jurisdiction, rights, privileges, duties and assets.

Bylaw XVII: Trusteeship

Whenever Trustees for a Chartered Local have been appointed pursuant to Article 15.05 of the Constitution of the UNA, such Trustees shall take over the complete direction, control and supervision of the Chartered Local.

Bylaw XVIII: Collective Bargaining

The United Nurses of Alberta shall be empowered to negotiate and enter into regional, local or area wide collective bargaining agreements on behalf of the Chartered Local.

Bylaw XIX: Amendments

The Bylaws of a Chartered Local may be amended only in accordance with Article 15 of the Constitution of the UNA.

Bylaw XV: Dues, Levies And Assessments

1. The Chartered Local may establish initiation fees and monthly dues higher than those set by the United Nurses of Alberta. Any change to the dues, levies and assessments structure must be ratified by a two-thirds ($\frac{2}{3}$) vote of the members at an Annual or Special Meeting of the Chartered Local and shall be subject to a positive Chartered Local ratification vote.

Bylaw XVI: Merger

- (a) A Chartered Local may merge and/or transfer its jurisdiction, rights, privileges, duties and assets to one (1) or more Chartered Locals.
- (b) The Chartered Local transferring and the Chartered Local(s) receiving and the Executive Board must each approve of the merger and/or transfer.
- (c) A meeting between the parties must be held for the transfer and/or merger.
- (d) The transfer and/or merger must be approved by two-thirds ($\frac{2}{3}$) of the members voting at each Chartered Local concerned by secret ballot. The voting shall be conducted in accordance with Article 11: Strike Votes and Ratification Votes.

Appendix “B”

Terms Of Reference For District Representatives And District Committees (Bylaws Governing Districts of the UNA)

Bylaw I: Organization Of Districts Of The UNA

1. The number of Districts and the area covered by each District shall be determined at the Annual General Meeting of the UNA. For only the period between the 2009 and 2010 Annual General Meetings, the Executive Board shall be responsible for and shall have the authority to determine the area covered by each District.
2. There shall be a committee to administer the affairs of the District. The committee shall be composed of:
 - (a) District Representatives;
 - (b) the President or designate from each Chartered Local in that District;
3. In the event that a District Representative should resign, die or otherwise cease to act or fills an Executive Officer vacancy in accordance with Article 8.05, a replacement shall be elected at the next District Meeting. The District Chair shall appoint an interim District Representative until such meeting. This position shall remain in effect until the incumbent returns to the position in accordance with Article 8.05 or until an election occurs at the next Annual General Meeting.
4. The District Committee has the power to appoint or elect other members of the District to committees for the purpose of recommending action to the District Committee.
5. Nominations for the positions of Chair; Vice-Chair; Secretary and Treasurer, or Secretary/Treasurer; shall be accepted until seven (7) days prior to the District Meeting or from the floor at the District Meeting only in the absence of an official nomination. If, at the close of nominations, a single candidate has been nominated for any position, that person shall be deemed to have been elected by acclamation. A declaration of acclamation by the Chair of the District Committee shall occur for all filled positions at the time of nomination deadline.

Each nomination shall be on a proper form bearing the name of the nominee and signatures of two (2) members in good standing of the applicable UNA District.

Nominations shall be submitted to Provincial Office.

Provincial Office shall notify the District Chair of the nominations received. The nomination forms shall be forwarded to the District Chair.

The Chair and Vice-Chair shall each be District Representatives. The Secretary and the Treasurer or the Secretary/Treasurer shall be elected from the District Committee.

Bylaw II: District Representatives

1. Each District Representative must be a member of a Chartered Local in the District the member represents.

In the event that a District Representative's place of employment changes from one (1) District to another or for any reason ceases to qualify for membership in the UNA, during the District Representative's term of office, the District Representative shall resign forthwith.

Bylaw III: Duties Of Officers

1. **Chair**
 - (a) The District Chair shall have the following duties and limitations:
 - (i) Call and chair the Executive and District Meetings;
 - (ii) Act as ex-officio member of all committees;
 - (iii) In association with Chartered Locals in the area, draft an agenda which shall be forwarded with notice of the meetings;
 - (iv) Present the views, concerns and direction of the District at the Executive Board Meetings;

- (v) Appoint interim District Representatives; in the Centralized District account and shall maintain records of all financial transactions.
- (vi) In conjunction with the District Treasurer, prepare a District Annual Budget; (iii) or designate, is authorized by the District Executive to initiate transactions through the District's Centralized Account.
- (vii) Conduct the business of the District;
- (viii) Prepare District Reports for Board Meetings and Annual District Report to Annual General Meeting and any further reports deemed necessary by the District Chair or the Executive Board. (iv) shall carry out duties as assigned by the Executive.

Bylaw IV: Meetings Of The Districts Of The UNA

2. **Vice-Chair**

- (a) The Vice-Chair shall carry out duties as assigned by the Executive and act in lieu of the Chair when the Chair is absent.

3. **Secretary**

- (a) The Secretary shall have the following duties:
 - (i) Shall keep a record of all meetings of the District and of all meetings of the Executive;
 - (ii) Shall be responsible for the correspondence of the District;
 - (iii) Shall maintain current phone fan-out lists for the entire District Committee. Such lists shall be forwarded to the members of the District Committee, the Representative for that District on the Provincial Negotiating Committees and the President of the UNA;
 - (iv) A copy of the minutes shall be forwarded to the Provincial Office and Chartered Locals in that District.
 - (v) Shall carry out duties as assigned by the Executive.

4. **Treasurer**

- (a) The Treasurer:
 - (i) in collaboration with the District Executive shall be responsible for the development and presentation of an annual budget for adoption at the first District Meeting following the Provincial Annual General Meeting.
 - (ii) shall be responsible for the safekeeping of any monies of the District that are not maintained

1. District Committee Meetings shall be held at least three (3) times a year.
2. The objectives of such meetings shall be:
 - (a) to increase communications between the Chartered Locals;
 - (b) to co-ordinate efforts for a common purpose;
 - (c) to act as a liaison between the Chartered Locals and the provincial body.
3. Only District Committee members shall be entitled to vote at the District Meetings.
4.
 - (a) A Special Meeting may be called at any time and place by the Chair. The District Committee members shall be given reasonable notice of any such meeting. The purpose of such meeting shall be provided with this notice.
 - (b) A Special Meeting of the District may be called at any time and place at the request in writing of at least one-third (1/3) of the members of the District Committee evidenced by notice in writing by such members and shall be held within forty-five (45) days of the receipt by the Chair of any such request. Any such request shall specify the subjects to be considered at such special meeting.
 - (c) The business of the District shall be in accordance with the UNA Constitution and its Bylaws and with the UNA Policies.
 - (d) The rules of procedure and order of business governing meetings of the District shall be as outlined in accordance with Article 18.01 of the UNA Constitution.

Bylaw V: Finances of the District

1. All District revenues, as determined by the UNA Constitution and Policies, shall be processed through a UNA provincial Centralized District Account.
2. Investment monies of the District shall be kept in a chartered bank or credit union, or trust company, or investment firm as authorized at a District Meeting.
3. Any two (2) Designated Executive Officers of the District may, on behalf of the District, approve expenditures processed through the District's accounts, including but not limited to the District's Centralized Account.
4. If a transaction is not authorized within the District's approved Annual Operating Budget, a motion must be passed at a District Meeting to obtain the required authorization.
5. Each District shall have an annual audit by the United Nurses of Alberta at the end of each fiscal year. The fiscal year shall be January 1 – December 31.
6. The Annual Audit shall be presented at the District Meeting immediately following the completion of the audit.

Long & Short-Term Goals Of UNA

Long-Term Goals

A. General

1. All UNA activity shall reflect the universal principles of trade unionism, including cooperation with other Unions.
2. The UNA shall maintain the democratic nature of the organization through:
 - (a) open and democratic Annual and Special Meetings with the authority to make major policy decisions;
 - (b) a commitment to openness, cooperation and participation of the membership at every level of the Union structure; and
 - (c) maintenance of open and democratic negotiations and ratification procedures.
3. The UNA shall continue to organize all unorganized working nurses in Alberta.
4. Every UNA member shall work in optimal working conditions achieved through a commitment to group bargaining and maintenance of contractual provisions coordinated at the provincial level.
5. There shall be an efficient, effective and well-maintained communication network between all levels of the Union structure, including maintenance of a complete and correct phone fan-out system in every District and Chartered Local.
6. The UNA shall ensure the maintenance of a Collective Bargaining Fund.
7. The UNA shall have a financial administrative structure capable of ensuring full value and full accounting for each dollar spent.
8. The UNA shall have a capital budget, and shall continue to have an operating budget, both of which shall be consistent with the goals of the UNA.
9. The UNA shall continue to promote publicly legislation and political positions favourable to UNA members and consistent with the goals of the UNA in the areas of:
 - (a) negotiations;
 - (b) matters of concern to our members as health care workers; and
 - (c) matters of concern to members as citizens and consumers.

B. Executive Board

1. The Executive Board shall continue to have the commitment, knowledge and authority to manage the business of the UNA in the best interest of the membership.

C. Chartered Locals

1. The UNA shall continue to be committed to the principle of member helping member through the development of the Chartered Local leadership in:
 - (a) processing grievances at the Chartered Local level;
 - (b) identifying and resolving Professional Responsibility issues at the Chartered Local level;
 - (c) identifying and resolving Occupational Health and Safety issues and promoting the health and safety of the Chartered Local's membership;
 - (d) promoting the principles of trade unionism and the UNA among the Chartered Local's membership.

D. Membership

1. All members shall have knowledge and commitment to the principles of trade unionism with special reference to the UNA.
2. The UNA shall encourage participation by the rank and file membership in the UNA affairs.

Short-Term Goals

1. Free collective bargaining for all UNA members.
2. Ensure that all Facility/Community Chartered Locals will have a functional Professional Responsibility Committee and Occupational Health and Safety Committee as per the Facility/Community Contract.
3. Local leadership shall be involved in all steps of the grievance procedure.
4. Ensure participation by rank and file members during negotiations by reinforcement of the process set up for collective bargaining.
5. All Chartered Local Executives, Committee Members and Ward Representatives shall have the opportunity to attend workshops, as appropriate.
6. Locals will submit an annual report to Provincial Office that outlines the numbers of and types of issues raised in regards to Professional Responsibility Committee (P.R.C.). Provincial Office shall use these reports to identify trends to be addressed in future rounds of negotiations as well as discussions at the Joint Committee.



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