

Motions Carried: AGM 2026

PEI NURSES' UNION CONSTITUTION & BYLAWS



Contents

- PEI NURSES' UNION CONSTITUTION 1
 - 1. NAME AND POWER..... 1
 - 2. OBJECTIVES 1
 - 3. AMENDMENTS..... 1
- PEI NURSES' UNION BYLAWS..... 2
 - 1. DEFINITIONS 2
 - 2. MEMBERSHIP..... 3
 - Eligibility for Membership..... 3
 - Member Rights..... 4
 - Membership Standing..... 4
 - 3. PROVINCIALY ELECTED POSITIONS..... 4
 - President..... 4
 - President Elect 5
 - Past President..... 6
 - Vice President..... 6
 - Vacancies 6
 - Elections..... 7
 - 4. LOCALLY ELECTED POSITIONS..... 7
 - Local Officers - Terms and Election..... 7
 - Local Officers and Worksite Representatives – Duties and Responsibilities..... 8
 - Local Composition and Purpose 9
 - Local Meetings 9
 - Worksite Representatives..... 10
 - Vacancies 10
 - 5. PROVINCIAL COUNCIL..... 11
 - Provincial Council Composition and Purpose..... 11
 - Meetings of the Provincial Council..... 11
 - 6. EXECUTIVE COMMITTEE 12

Executive Committee Composition and Terms.....	12
Executive Committee Duties and Responsibilities.....	12
Meetings of the Executive Committee.....	13
Vacancies	14
7. STANDING COMMITTEES	14
Other Committees.....	15
8. MEETINGS OF THE UNION	15
Annual General Meeting	15
Special Meetings.....	16
Agenda and Quorum for Union Meetings.....	17
Voting At Meetings of The Union	17
9. REMOVAL FROM OFFICE.....	18
Removal from Office for Misconduct or Non-Confidence	18
10. EXECUTIVE DIRECTOR.....	19
11. REVENUE.....	19
12. AUDIT	19
13. AMENDMENTS & WAIVERS	20
Proposed Amendments at an AGM.....	20
Proposed Amendments at a Special Meeting.....	20
Waiver	20

PEI NURSES' UNION CONSTITUTION

1. NAME AND POWER

- 1.01 This organization shall be known as the Prince Edward Island Nurses' Union (hereinafter referred to as the "Union").
- 1.02 In the interpretation of this Constitution, the singular shall include the plural and vice-versa as applicable.
- 1.03 The Headquarters of the Union shall be in the Greater Charlottetown Area, Prince Edward Island.
- 1.04 The Union shall have exclusive jurisdiction over all affairs of the Union and may enact articles, rules and regulations, for its own management and control and that of its Locals.

2. OBJECTIVES

- 2.01 The objectives of the Union shall be the advancement of the social, economic and general welfare of the members including particularly the following:
 - (a) regulating employment relations between nurses and their employers through collective bargaining and negotiation of contracts to improve conditions of employment;
 - (b) promoting the highest standards of health care;
 - (c) influencing legislation which will safeguard the rights of nurses and promote the principle of free collective bargaining;
 - (d) encouraging cooperation with other related fields and organizations;
 - (e) encouraging the education of its members in such a manner as may be deemed advisable to achieve these objectives;
 - (f) establishing, from time to time, assurance and benefit funds for the benefit of all members;
 - (g) promoting unity and respect among members.

3. AMENDMENTS

- 3.01 Amendments to this Constitution shall be conducted in accordance with **Article 13** (Amendments & Waiver) of the PEI Nurses' Union By-laws.

PEI NURSES' UNION BYLAWS

1. DEFINITIONS

In the Constitution and By-laws:

- (a) "Union" shall mean the Prince Edward Island Nurses' Union;
- (b) "AGM" shall mean Annual General Meeting;
- (c) "day" shall mean a calendar day;
- (d) "quorum" shall mean the number of members required to be present before business may be conducted;
- (e) "meeting" shall mean any meeting or conference of the Union;
- (f) "Provincial Council" shall mean the council of Local Presidents from each Local of the Union, established in accordance with Article 4 (Provincial Council);
- (g) "**Executive Committee**" shall mean the Local Presidents appointed from the Provincial Council to serve as Executive Officers in accordance with Article 3 (Executive Committee)
- (h) "Local" shall mean the recognized group of members approved by the **Executive Committee** according to Article 4 (Locals of the Union);
- (i) "Local Executive" shall mean the group of members elected to serve as Local Officers in accordance with Article 4 (Locals of the Union);
- (j) "Local President" shall be interpreted to be the member elected to be the President of that Local. The Local President is also the voting representative on the Provincial Council.
- (k) "Worksite Representative" shall mean a member who acts as a liaison between members and the Local **and may be selected by the Union to represent members. Worksites may have more than one Worksite Representative.**
- (l) "member" shall mean a member of PEINU;
- (m) "Active member" means:
 - (i) a member who pays union dues, or
 - (ii) a member who is not paying dues, but is on an approved leave of absence (i.e. maternity, parental, sick, union, compassionate).
 - (iii) a casual member who is not paying dues, but is asked to work within the PEINU Office
 - (iv) **is a member in good standing (as defined in 2.07)**

- (n) "Inactive member" means:
 - (i) a member who is not paying dues except as provided in Article 1.01 (m)(ii);
 - (ii) a member who is on unpaid "general" leave of absence for greater than three (3) months;
 - (iii) a casual member who has not paid dues in the previous three (3) months;
 - (iv) an employee who holds an excluded position, and also works casually within the bargaining unit; or
 - (v) a member who retires, resigns, or who is suspended or terminated by the Employer, and who continues to be represented by the Union through the grievance and/or arbitration procedure of the Collective Agreement
- (o) "member-at-large" refers to a member who does not hold a position within the Executive or Provincial Councils
- (p) "member in good standing" shall mean any member of the Union, subject to Article 2 (Membership Standing);
- (q) "excluded position" shall mean a position outside of the bargaining unit;
- (r) the singular shall include the plural and vice versa as applicable;
- (s) "Ex-Officio member" shall mean a member of the Union who holds office and is a member of a particular Council or Committee by virtue of their position within the Union. They are active participants and have full voting rights on the Council or Committee.
- (t) "Non-Voting member" shall mean an individual who is part of the Union but does not have voting rights within the Union. Their participation in the Council or Committee is typically linked to their employment, area of expertise, or past experience.
- (u) Co-President shall mean that a Local has divided the President responsibilities between two members of the Local.
- (v) Non-Confidence shall mean the feeling or belief that one can no longer rely or trust on someone or a governing body.

2. MEMBERSHIP

Eligibility for Membership

- 2.01 All individuals who are employed in a bargaining unit for which the Union is the authorized representative are eligible for membership in the Union.

Member Rights

- 2.02 An active member in good standing shall have the right to attend meetings, to hold office and to be a candidate for office, subject to these By-laws.
- 2.03 Inactive members shall not be eligible to hold office or be a candidate for office in the Union or any Local of the Union.
- 2.04 A member who is temporarily laid off or on an approved leave of absence pursuant to the Collective Agreement in effect, shall continue to be a member without payment of dues for the period of such layoff or leave of absence. Such member shall have all rights and privileges that membership entails unless otherwise stated.
- 2.05 Any member of the Union with casual status who has not paid dues at least once in a period of six (6) months shall cease to be a member of the Union.
- 2.06 A member who retires, resigns, or who is suspended or terminated by the Employer, and who continues to be represented by the Union through the grievance and/or arbitration procedure of the Collective Agreement shall be considered an inactive member of the Union until such time as the grievance is resolved, withdrawn or otherwise concluded.

Membership Standing

- 2.07 (a) A member of the Union shall cease to be a member in good standing if found guilty of conduct which, in the opinion of a majority of the **Executive Committee**, is contrary to the objectives of the Union as set out in Article 2 of the Constitution.
- (b) A member not in good standing may submit a request in writing to the **Executive Committee** for reinstatement.
- (c) Members who are not in good standing shall not be permitted to hold any office, participate in Union activities, benefit from Union activities (i.e., bursaries), or have the right to vote on Union matters, other than the right to vote on the ratification of a collective agreement.

3. PROVINCIALLY ELECTED POSITIONS

President

- 3.01 The term of office for the **President** shall be three (3) years;

- 3.02 A member may be elected to the office of President for no more than two (2) consecutive terms, or six (6) years, as President. They shall step back for at least one (1) full term before running for re-election.
- 3.03 The President shall:
- (a) be the Head of the Union and official spokesperson of the Union;
 - (b) preside at all meetings of the Union and shall be charged with the responsibility of carrying out the policies of the Union;
 - (c) be an ex-officio member of all committees of the Union;
 - (d) be the Canadian Federation of Nurses Unions National Officer and shall be the senior member of all Union delegations to nursing and health related organizations outside the Province; and
 - (e) be one (1) of the signing officers of the Union.
 - (f) provide orientation and mentorship to the President Elect.

President Elect

- 3.04 When the incumbent of the office of “President” of the Union is in their second (2nd) and final term of office according to **3.02** above, or the President is not running again the **Executive Committee** may proceed with the election for the next President of the Union up to one (1) year in advance. The individual elected in the early election process shall be known as the “President Elect”.
- 3.05 The intent of having a “President Elect” is to facilitate the smooth and orderly transition of leadership, ensuring that the Union continues to effectively represent the interests of its members.
- 3.06 The “President Elect” is intended to improve the continuity of the Union’s operations by allowing for the peaceful transition of power.
- 3.07 Notwithstanding **3.17** of the by-laws, a “President Elect” shall only take office as the “President” of the Union on the date upon which the incumbent President completes their term in office.
- 3.08 **The “President Elect” shall** participate in the orientation and mentorship outlined in the governance policies of the Union; and

3.09 The “President Elect” shall participate as a non-voting member of the **Executive Committee**, Provincial Council, and Committees of the Union, except where such participation may be disruptive to the members of the Councils or Committees, the operations, or the business of the Union.

3.10 The “President Elect” may continue to hold office as an existing member of the **Executive Committee**, Provincial Council, Local Union Executive, or Member-at-large of a Committee.

Past President

3.11 The intent of appointing a “Past President” is to facilitate the smooth and orderly transition of leadership, ensuring that the Union continues to effectively represent the interests of its members.

3.12 At the request of **Executive Committee**, the Past President shall:

- (a) act in an advisory capacity to the **Executive Committee** and newly elected President; and
- (b) may participate as a Non-Voting Member of the **Executive Committee**, Provincial Council, and Committees of the Union.

3.13 The “Past President” may hold office as a member of the **Executive Committee**, Provincial Council, Local Union Executive, or Member-at-large of a Committee.

Vice President

3.14 The term of office for all **Vice President** shall be three (3) years;

3.15 **The Vice President shall:**

- (a) be one of the signing officers of the Union; and
- (b) be responsible to assume some or all of the duties of the President during an extended period of absence and/or in accordance with relevant Union policies.
- (c) **Be voting member of Executive Committee for the entirety of term**
- (d) **Chair the Executive Committee**

Vacancies

3.16 If the **President or Vice President** should resign or otherwise permanently cease to act, a replacement may be elected or appointed to serve for the remainder of the term as follows:

- (a) where the remainder of the term is less than eighteen (18) months, a replacement may be appointed by the **Executive Committee** from the Provincial Council; or
- (b) where the remainder of the term is greater than eighteen (18) months, there shall be a Provincial election called within sixty (60) days.

Elections

- 3.17 The election for **provincially elected positions** shall occur on a date set by the **Executive Committee**, in accordance with the relevant Union governance policy, and posted according to the guidelines set out in this Article.
- (a) Their term shall commence immediately following the election at which they are elected. The transfer of office shall be completed within thirty (30) days of the election.
 - (b) Notwithstanding Article **3.17 (a)**, when **the candidate** will be acclaimed, the acclaimed **candidate** may commence the transfer of office prior to the election date in accordance with the relevant Election Policy.

4. LOCALLY ELECTED POSITIONS

Local Officers - Terms and Election

- 4.01 Each Local shall elect a “Local Executive” from among its membership. The Local Executive shall be composed of the following positions (“Local Officers”):
- (a) Local President (or Co-Presidents)
 - (b) Local Vice-President
 - (c) Local Secretary
 - (d) Local Treasurer
- 4.02 Notwithstanding **4.01** If a Local has **two-hundred and fifty (250)** or more members, they shall have two Local Presidents.
- 4.03 Notwithstanding Article **4.01 (a)**, a Local may choose to elect two (2) members to share the duties and responsibilities of the President and act as Co-Presidents.
- (a) Only one (1) of these individuals shall be entitled to attend and vote at meetings of the Provincial Council.
 - (b) Co-Presidents shall serve the same term and if one chooses not to complete the term, the position shall be posted as per Article **4.24 or 4.25** to serve the remainder of the term.

- 4.04 Locals shall be permitted to combine any two (2) of the Local Officer positions such that the Local Executive would consist of not less than three (3) Local Officers.
- 4.05 The term of office for Local Officers shall be **three (3)**. Every effort shall be made to stagger the terms of Local Officers to avoid all positions transitioning in the same year.
- 4.06 No later than November 30, the membership within each Local shall meet to elect or appoint the Local Officers. The results of which shall be reported to the Executive Director, who will then notify the **Executive Committee** and Provincial Council.
- 4.07 If members of the Local are unable to elect or appoint a Local President (or Co-Presidents), the **Executive Committee** may dissolve the Local or take such other action as may be advisable or necessary to ensure appropriate representation of the members and fulfill the objectives of the Union.

Local Officers and Worksite Representatives – Duties and Responsibilities

- 4.08 A Local President (or Co-President) shall:
- (a) be the head of the Local and the official spokesperson of the Local;
 - (b) be responsible for internal communication with Local members, Local Officers and the Union;
 - (c) preside at all meetings of the Local;
 - (d) be an ex-officio member of all committees of the Local;
 - (e) be a signing officer of the Local;
 - (f) be a voting member of the Provincial Council subject to **Article 4.02**; and
 - (g) fulfill such other duties and responsibilities that may be outlined in the policies of the Union.
- 4.09 A Local Vice-President shall:
- (a) carry out duties as assigned by the Local President and act in lieu of the Local President in their absence
 - (b) be one of the signing officers of the Local.

- 4.10 A Local Treasurer shall:
- (a) ensure regular books and records of the Local's finances are kept as instructed by the **Executive Committee** (through the Finance Committee);
 - (b) be one of the signing officers of the Local;
 - (c) prepare and submit an annual financial statement to the **Executive Committee** (through the Finance Committee)

- 4.11 A Local Secretary shall:
- (a) be responsible to maintain a full record of minutes of all meetings of the Local Executive and Local membership;
 - (b) be responsible to maintain all records, documents and correspondence of the Local

Local Composition and Purpose

- 4.12 The **Executive Committee** may approve a group of not less than thirty (30) members, identifiable by a common workplace and/or shared community of interest within a bargaining unit to form a Local of the Union
- 4.13 Notwithstanding Article **4.12**, the **Executive Committee** shall have the authority to alter the membership composition of the Locals, taking into consideration recommendations from the Provincial Council.
- 4.14 The purpose of the Locals shall be to support the objectives of the Union, provide representation for members of the Local, advocate for adherence to the terms of the Collective Agreement, and act as a liaison for the Union and the Local membership.
- 4.15 The Locals shall operate in accordance with the Constitution, Bylaws, and governance policies of the Union.

Local Meetings

- 4.16 The members of the Local shall meet:
- (a) At least three (3) times a year;
 - (b) At the request of at least five (5) Local members;
 - (c) At the call of the Local President or at the request of at least two (2) Local Officers; and

(d) At the call of the **Executive Committee** of the Union.

4.17 Quorum for a meeting of Local membership shall be 50% of the Local Officers and at least three (3) members-at-large.

4.18 A Local Executive shall meet:

(a) At least three (3) times a year;

(b) At the call of the Local President or at the request of at least two (2) Local Officers; and

(c) At the call of the **Executive Committee** of the Union.

4.19 Quorum for a Local Executive Meeting shall be 50% of the Local Officers.

Worksite Representatives

4.20 The Local Officers may serve as Worksite Representatives.

4.21 The duties of Worksite Representatives shall be outlined in the governance policies of the Union.

4.22 Members-at-large within a Local may be elected by a vote of the Local membership, or appointed by the Local Executive, to serve as Worksite Representatives.

Vacancies

4.23 If a Local president is absent from two (2) consecutive meetings, notification will be sent to the Local Executive of the absence and alternate Local representation requested.

4.24 Where the remainder of the term is less than eighteen (18) months, a replacement may be appointed by the Local Executive; or

4.25 Where the remainder of the term is greater than eighteen (18) months, there shall be a Local election called within sixty (60) days.

5. PROVINCIAL COUNCIL

Provincial Council Composition and Purpose

- 5.01 The Provincial Council shall be composed of the following members:
- (a) The President of the Union;
 - (b) If a Local has **two hundred and fifty (250)** or more members, they shall be entitled to have two Local Presidents who shall attend meetings of the Provincial Council.
 - (c) Such other members as may be determined by the governance policies of the Union.
- 5.02 The purpose of the Provincial Council is:
- (a) To identify and discuss local, common, or persistent issues between the Union's Locals;
 - (b) To elevate issues to the **Executive Committee** that are provincial in nature; and
 - (c) For the Local Presidents to share knowledge and support one another in representing their members.
- 5.03 The Provincial Council shall, in collaboration with the **Executive Committee**, assist the Negotiating Committee in the formulation and development of bargaining proposals and strategies to be used in the interest of obtaining the best possible proposed agreement for submission to the membership.

Meetings of the Provincial Council

- 5.04 The Provincial Council shall meet:
- (a) At least four (4) times a year (exclusive of the Annual General Meeting);
 - (b) At the call of the President; and
 - (c) At the call of at least 50% of the voting members of the Provincial Council.
 - (d) The time and place of meetings of the Provincial Council shall be determined by the President. Any meeting requested pursuant to the provisions of Article **5.04 (a) – (d)**, shall be held within fifteen (15) days of the receipt by the President of any such request. Provincial Officers shall be given at least three (3) days' notice of such meeting.
 - (e) Unless otherwise provided in these Bylaws, any questions arising at a meeting of the Provincial Council shall be decided by a majority vote of the

members present. Voting shall be by a show of hands unless a secret ballot is requested.

- 5.05 A majority of the members of the Provincial Council shall constitute a quorum.
- (a) Each Provincial Officer, excluding the President, shall be entitled to one vote on each question which is voted upon at the meeting. In the case of a tie, the President shall be entitled to cast a deciding vote.
 - (b) When it is necessary that the Provincial Council take action and it is not possible or feasible to hold a meeting, the President or anyone acting with their authority may contact the Provincial Officers by phone or other means of communication to decide on the action to be taken. Any action taken shall constitute a decision of the Provincial Council as if it had been acted in formal meetings and shall be reviewed at the next meeting the Provincial Council and shall be part of the minutes. Meeting agendas will be posted to the “Provincial Council only” area of the Union website.
- 5.06 Subject to Article **5.04**, in the event a Local President is unable to attend a Provincial Council meeting, the affected Local is entitled to send a substitute delegate with the voting privileges.

6. EXECUTIVE COMMITTEE

Executive Committee Composition and Terms

- 6.01 The **Executive Committee** shall be composed of the following positions (“Executive Officers”):
- (a) President
 - (b) **Vice-President (Chair of Executive Committee)**
 - (c) Chair of Finance Committee
 - (d) Chair of Nominations Committee
 - (e) Chair of PR Committee
 - (f) Chair of Constitution Committee
- 6.02 The term of office for all **Executive Committee** positions shall be three (3) years;

Executive Committee Duties and Responsibilities

- 6.03 The **Executive Committee** shall be responsible for the oversight and management of the affairs and activities of the Union, in accordance with the Constitution, Bylaws and Policies of the Union. The **Executive Committee** shall be responsible to review and amend the Provincial Policy Manual of the Union on an annual basis.

- 6.04 The **Executive Committee** shall be responsible for the recruitment and performance management of the Executive Director, who shall be responsible for the day-to-day management and operations of the Union.
- 6.05 In the event the Executive Director is on an extended leave of absence or the position is vacant, the **Executive Committee** will assist the President until a replacement is in place.
- 6.06 The **Executive Committee** shall, in collaboration with the Provincial Council, assist the Negotiating Committee in the formulation and development of bargaining proposals and strategies to be used in the interest of obtaining the best possible proposed agreement for submission to the membership.
- 6.07 In addition to Articles **6.04 – 6.07**, the roles and responsibilities of all **Executive Committee** Officers shall be outlined in governance policies of the Union.

Meetings of the Executive Committee

- 6.08 The **Executive Committee** shall meet:
- (a) At least **(3) three** times a year (exclusive of the Annual General Meeting);
 - (b) At the call of the President;
 - (c) At the request of at least three (3) Executive Officers; or
 - (d) At the request of at least 50% of the members of the Provincial Council.
- 6.09 The time and place of meetings of the **Executive Committee** shall be determined by the President. Any meeting requested pursuant to the provisions of Article **6.09 (a) – (d)**, shall be held within fifteen (15) days of the receipt by the President of any such request. Executive Officers shall be given at least three (3) days' notice of such meeting.
- 6.10 A majority of the **Executive Committee** shall constitute a quorum.
- 6.11 Unless otherwise provided in these Bylaws, any questions arising at a meeting of the **Executive Committee** shall be decided by a majority vote of the members present. Voting shall be by a show of hands unless a secret ballot is requested.

- 6.12 Each Executive Officer, excluding the President, shall be entitled to one vote on each question which is voted upon at the meeting. In the case of a tie, the President shall be entitled to cast a deciding vote.
- 6.13 When it is necessary that the **Executive Committee** take action and it is not possible or feasible to hold a meeting, the President or anyone acting with their authority may contact the Executive Officers by phone or other means of communication to decide on the action to be taken. Any action taken shall constitute a decision of the **Executive Committee** as if it had been acted in formal meetings and shall be reviewed at the next meeting of the **Executive Committee** and shall be part of the minutes. Meeting agendas will be posted to the “**Executive Committee only**” area of the Union website.

Vacancies

- 6.14 Any Executive Officer who is absent from two (2) consecutive meetings without reason satisfactory to the **Executive Committee** shall no longer be a member of the **Executive Committee**, and such office shall be declared vacant. A replacement may be appointed by the **Executive Committee** to serve until the next election in accordance with **Article 3.16**.
- 6.15 If an Executive Officer should resign or otherwise permanently cease to act, a replacement may be elected or appointed from the Provincial Council to serve for the remainder of the term on **Executive Committee** as follows:
- (a) where the remainder of the term is less than eighteen (18) months, a replacement may be appointed by the **Executive Committee** from the Provincial Council; or
 - (b) where the remainder of the term is greater than eighteen (18) months, there shall be a provincial election called within sixty (60) days.

7. STANDING COMMITTEES

- 7.01 Each Committee shall adopt Terms of Reference.
- 7.02 No member who holds an excluded position or is an inactive member shall be a member of a committee of the Union.
- 7.03 The standing committees shall include the:
- (a) Constitution and Resolutions Committee;

- (b) Finance Committee;
- (c) Nominations Committee;
- (d) Public Relations Committee.

7.04 Unless otherwise stated in these bylaws or approved by a resolution of the **Executive Committee**, the Chair of each standing committee shall be a member of the **Executive Committee**.

7.05 The members of each Committee shall include but may not be limited to:

- (a) **The Chair shall be chosen by Provincial Council for a term of three (3) years.**
- (b) two (2) members-at-large elected in alternating years and their term shall be for two (2) years; and
- (c) the President of the Union.

7.06 If a Member-at-Large is unable to complete their term on a committee, a member may be elected at the next AGM or appointed by the **Executive Committee** for the remainder of the term.

Other Committees

7.07 The Negotiating Committee shall be composed of a Chief Negotiator and representatives from the particular bargaining unit appointed by the **Executive Committee**. The President of the Union shall be the Chair of the Negotiating Committee.

7.08 The **Executive Committee** may establish ad hoc committees of the Union as deemed necessary and may appoint a Chair and members to these committees. These committees shall adopt the Terms of Reference and policies established by **Executive Committee**.

8. MEETINGS OF THE UNION

Annual General Meeting

8.01 The Union shall hold an Annual General Meeting (AGM) each year.

8.02 Members shall be given at least sixty (60) days' notice of the Union's AGM.

Special Meetings

- 8.03 A Special Meeting of the Union may be called:
- (a) by the President through written notification to the **Executive Committee** and the Provincial Council;
 - (b) by written request of at least 50% of the members of the **Executive Committee**;
 - (c) by written request of at least 50% of the members of the Provincial Council;
or
 - (d) by written request of at least thirty (30) members evidenced by their signatures.
- 8.04 Notwithstanding Article **8.03**, a Special Meeting called to address Constitution and Bylaw changes, may be called by:
- (a) written request of at least 50% of the members of the **Executive Committee**;
or
 - (b) written request of at least 50% of the members of the Provincial Council
- 8.05 A Special Meeting shall be held within fifteen (15) days of the receipt of the call for the Special Meeting and members shall be given at least seven (7) days' notice of the meeting.
- 8.06 Notwithstanding Article **8.05**, for a Special Meeting called to address Constitution and Bylaw changes, the Special Meeting shall be held within forty-five (45) days of the receipt of the call for the Special Meeting and members shall be given at least thirty (30) days' notice of the meeting.
- 8.07 Requests for Special Meetings shall specify the purpose of the meeting and any proposed amendments to the Constitution and Bylaws (if applicable).
- 8.08 Notice of a Special Meeting shall be provided in writing to the **Executive Committee** and Provincial Council and posted on the Union's website. The notice shall include the date, location, and business to be discussed at the meeting and any proposed amendments to the Constitution and Bylaws (if applicable).

- 8.09 Members shall only discuss the business that was stated in the Notice of the Special Meeting. Emergency business for which no notice was given shall be deferred to the next regular meeting or another Special Meeting may be called in accordance with these Bylaws.

Agenda and Quorum for Union Meetings

- 8.10 An agenda shall be presented at the beginning of every meeting for approval by the members in attendance.
- 8.11 A quorum at an AGM or Special Meeting shall be thirty (30) voting members. If a special meeting has been requested to address non-confidence of the Executive Leadership, the quorum shall be one hundred (100) voting members.
- 8.12 If quorum is not met for an AGM or Special Meeting, the **Executive Committee** shall have authority to make decisions related to the purpose for which the meeting was called.

Voting At Meetings of The Union

- 8.13 Any active member in good standing may attend, participate and vote at any AGM or Special Meeting of the Union.
- 8.14 Unless otherwise provided in these Bylaws, any resolution or motion presented at an AGM or Special Meeting of the Union shall be deemed to have been carried if a majority of the members present vote in favor of it.
- 8.15 Each member in attendance shall be entitled to one vote and there shall be no proxy voting. The President shall only vote in the event of a tie.
- 8.16 Unless otherwise provided in these Bylaws or by a resolution of the membership, any decision made at an AGM or Special Meeting shall be effective immediately and shall be implemented as soon as reasonably practical following the meeting.

9. REMOVAL FROM OFFICE

Removal from Office for Misconduct or Non-Confidence

- 9.01 Any Executive Officer, **Local Officer or Committee Member** who has a pending discipline complaint under the Regulated Health Professions Act, or criminal charge shall be suspended from serving as **Executive Officer, Local Officer or Committee Member** until the outcome of the complaint or charge is known.
- 9.02 An Executive Officer, **Local Officer or Committee Member** shall be removed from office where:
- (a) their conduct has been found to be Professional Misconduct or Incompetence in accordance with Section 58 (1) of the Regulated Health Professions Act; or
 - (b) they have been convicted of an indictable offence or sentenced to a term of imprisonment.
- 9.03 An Executive Officer, **Local Officer or Committee Member** who is suspended from or ceases to hold office for any reason, including as a result of a suspension in accordance with Article 9.02 and 9.04, shall immediately turn over all documents, records, books, assets and all other property and equipment of the Union in their possession to the **Executive Committee**. All signing authority shall be terminated, suspended and/or transferred immediately.

Member Misconduct

- 9.04 The **Executive Committee** (excluding the member in respect of whom the vote is being called for the purposes of determining quorum or majority), may suspend or remove any Executive Officer, Local Officer, or Committee Member from office, before the expiration of their term, if their conduct is found to be in violation of any Union code of conduct, workplace policies regarding safe and harassment-free workplaces, or for any other reason that the **Executive Committee**, acting in the best interests of the Union, may determine constitutes misconduct.
- 9.05 Non-Confidence
- (a) Any **Executive Officer** may be removed from office by a motion of non-confidence provided that seventy-five percent (75%) of the entire **Executive Committee** votes in favor of such a motion; or if two thirds (2/3) of the members in attendance at an AGM or Special Meeting vote in favor of the motion.

- (b) Any Local Officer may be removed from office by a motion of non-confidence provided that two thirds (2/3) of the members in attendance at a Local meeting held for that purpose vote in favor of such a motion.

10. EXECUTIVE DIRECTOR

10.01 The Executive Director of the Union, or their delegate, shall be:

- (a) a non-voting member of the **Executive Committee**, Provincial Council, and all Committees of the Union; and
- (b) one of the signing authorities for the Union.

10.02 The Executive Director shall report to the **Executive Committee**.

10.03 The duties and responsibilities of the Executive Director shall be established in accordance with the governance policies of the Union and outlined in the employment agreement.

11. REVENUE

11.01 The revenue of the Union shall be derived as follows:

- (a) from the bi-weekly Union dues remitted on behalf of members in amounts that are

established in accordance with direction from the members through a vote at an AGM; or

- (b) through any donation, grant, bequest or other form of transfer of funds or properties from any charitable, governmental, educational or other source that is consistent with the objectives of the Union.

11.02 Any funds owed to the Union by a local pursuant to the provisions of these By-Laws shall constitute a preferred claim and must be paid promptly by the local each month prior to the payment of any local obligations.

12. AUDIT

12.01 The fiscal year of the Union shall be January 1st to December 31st unless otherwise designated by the **Executive Committee**.

12.02 There shall be an Auditor of the Union who shall be an accountant and shall not be a member or employee of the Union.

- (a) The Auditor shall conduct an audit once every year and shall present it at the AGM.
- (b) In the event that the Auditor should resign or otherwise be unable to carry out the duties, the **Executive Committee** shall appoint a new Auditor until the following AGM or Special Meeting.

13. AMENDMENTS & WAIVERS

13.01 Throughout the year and up to ninety (90) days prior to the date of the AGM, Constitution and By-Law amendments and resolutions may be submitted in writing to the Constitution and Resolutions Committee in accordance with the relevant policies of the Union.

13.02 Members shall be provided with the details of any proposed amendments to the Constitution and Bylaws at least thirty (30) days in advance of an AGM or Special Meeting.

Proposed Amendments at an AGM

13.03 The Constitution and Bylaws may be amended when a majority of the membership attending an AGM vote in favor of the proposed amendment(s).

Proposed Amendments at a Special Meeting

13.04 The Constitution and Bylaws may be amended when two-thirds (2/3) of the membership attending a Special Meeting vote in favor of the proposed amendment(s).

Waiver

13.05 Procedural and/or notice requirements of these Bylaws may be waived or varied at any meeting of the Union provided two-thirds (2/3) of the membership attending the meeting vote in favor of the waiver or variation.