

**BYLAWS AND REGULATIONS OF LOCAL 00013 OF THE
UNION OF TAXATION EMPLOYEES OF THE PUBLIC
SERVICE ALLIANCE OF CANADA**

Bylaws and Regulations of UTE Local 00013

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Bylaw 1	Name
Section 1	This Local was chartered on October 5, 1970 under Bylaw 7 of the Component Bylaws adopted at the Founding Convention of the Taxation Component (now known as the Union of Taxation Employees), November 8 th , 1966, held in Ottawa, Ontario.
Section 2	The name of this Local shall be “Local 00013 of the Union of Taxation Employees of the Public Service Alliance of Canada”.
Bylaw 2	Aims and Objectives
Section 1	To unite all members in good standing in UTE in a single democratic organization in all classification and locations of employment with the Toronto-Central areas;
Section 2	To support fully the PSAC in the furtherance of its constitutional responsibility for the improvement and protection of wages, salaries and other conditions of employment of all employees of the Federal Government;
Section 3	Obtain through democratic means for all members the best possible standards of wages, salaries, and other conditions of employment, and to protect the interests, rights, and privileges of the members; and
Section 4	Subscribe unconditionally to the aims and objectives outlined in the Constitution of the PSAC
Bylaw 3	Membership
Section 1	Regular Membership- All members in good standing of UTE assigned to this Local by the National Executive Council shall be members of this Local.
Section 2	Honorary, & Life Membership- This Local may retain as honorary, or life members of this Local, such individuals so designated by the UTE. Such members shall not be eligible to hold office on the Executive Council of this Local nor vote at any meeting of the Local but may be accorded such other privileges of membership as may be provided by regulation.

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Bylaw 4 Membership Responsibility

Section 1 Upon being granted membership in this Local and for the term of such membership, each member of this Local is deemed to have agreed to abide by and be bound by the provisions of the Bylaws of the Local and the Bylaws of the UTE and the Constitution of the PSAC.

Section 2 Each member of this Local is deemed to nominate, constitute and appoint the UTE and the PSAC as their agents to negotiate with their employer on their behalf.

Bylaw 5 Membership Dues

Section 1 The monthly dues in Local 00013 shall be set at the Regular Annual General Meeting or any Special General Meeting called for that purpose.

Section 2 Dues shall be paid by payroll deductions pursuant to an agreement between the Union and the Canada Revenue Agency.

Bylaw 6 Discipline Procedures

Section 1 As per Regulation 26 of the By-Laws and Regulations of the Union of Taxation Employees of the Public Service of Canada the locals shall follow the procedure as stated.

Section 2 A Local Officer or any member is guilty of an offence against these Bylaws who:

- (a) Violates any provision of the Constitution, the Bylaws of the Union of Taxation Employees, or these Bylaws.
- (b) Obtains membership or solicits members by misrepresentation;
- (c) Institutes, urges or advocates that a member institute action in a court of law against the Alliance, any of its constituent parts or any of its officers without first exhausting all remedies through appeal within the Alliance or the Union.
- (d) Other than through proper channels, advocates or attempts to bring about the withdrawal from the Alliance, the Union, or Locals of any member or group of members;

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- (e) Willfully publishes or circulates among the member's false reports or misrepresentation;
- (f) Works in the interests of a rival organization against the Alliance, the Union, or Locals;
- (g) Slanders, libels or willfully wrongs an officer or member of the Alliance, the Union or Locals;
- (h) Uses abusive language or disturbs the peace of any meeting or around any office or meeting place of the Alliance, the Union or Locals;
- (i) Fraudulently receives or misappropriates any monies due to the Alliance, the Union or Locals;
- (j) Uses the name of the Local, the Union of Taxation Employees or the Public Service Alliance of Canada for the purpose of soliciting funds, advertising and the like of any kind without the consent of the Local or the National Executive of the Union of Taxation Employees or Public Service Alliance of Canada respectively;
- (k) Furnishes without prior authority a list of any information on the membership of the Alliance, the Union, or Locals, to any person or persons;
- (l) Deliberately interferes with an official of the Alliance, the Union, or the Locals, in the discharge of duties;
- (m) engages in any other conduct prejudicial to the good order and discipline of the Alliance, the Union, or Locals;
- (n) If a non-designated employee crosses the picket line of his own bargaining group; or
- (o) Sexually or personally harasses another member.

Bylaw 7

Executive Council

Section 1 The Officers and Directors of the Local shall constitute its Executive Council.

Section 2 The Executive Council shall:

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- (a) Be vested with the authority to deal with all and have control of matters affecting the policy, business, and objectives of the Local; it shall discharge all duties and obligations imposed on it at its general meeting and shall carry on all necessary activities of the Local between general meetings;
- (b) Have control of the business of the Local subject at all times to the direction of the membership at its general meeting; and
- (c) Have the power to spend funds of and for the benefit of the Local in any matter in keeping with these Bylaws and Regulations and motions adopted at the Annual General meeting.

Section 3 The Executive Council shall provide each member with a copy of the Local Bylaws and Regulations, Union of Taxation Employees Bylaws and Regulations and the Constitution of the Public Service Alliance of Canada and their respective website addresses upon request by the member.

Section 4 The Executive Council shall meet monthly at a time to be specified by the Council. If a simple majority of those eligible to vote, request a meeting, the President will call a meeting within 7 days of receipt of the request.

Section 5 The Executive Council shall recommend to the Annual General Meeting or any Special Meeting called for that purpose, the amount of Local dues to be paid by the members.

Section 6 The Executive Council shall have the power to call into conference or consultation or invite to attend an Executive Council Meeting, Annual General Meeting or Special Meeting, any person, who by reason of experience or general knowledge, may be able to assist the Local in carrying out its objectives.

Section 7 The Executive Council shall fill vacancies as provided in Regulation 7 and shall appoint delegates to represent the Local at any convention or meeting to which it may send such delegates.

Section 8 The President, the Vice Presidents, the Treasurer, and the Chief Steward shall provide a written monthly activity report at each regularly scheduled Executive Council meeting.

Bylaw 8 Conventions

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Section 1 The President of the Local shall be a delegate unless the President chooses to pass on delegate status to the Vice-President.

Section 2 The Vice President will be the second delegate unless the Vice-President chooses to pass on the delegate status to the Chief Steward.

Section 3 All other delegates and alternates shall be selected by the Executive Council.

Bylaw 9 Annual or Other Regular Meeting

Section 1 The Annual General Meeting of Local 00013 Union of Taxation Employees shall be held in the months of March, April or May each year. The Annual General Meeting shall be the supreme policy making-body.

Section 2 Quorum at any Annual General Meeting, other regular General Meeting, or Special General Meeting shall be 25 members in good standing at the start of the meeting.

Section 3 No business may be legally transacted at a meeting unless the required quorum is present.

Section 4 Motions presented at the Annual or Regular General Meeting which require or direct the expenditure of funds shall require a two-thirds majority unless notice of such motion was presented to Executive Council at, or prior to, the regularly scheduled Executive Council meeting immediately preceding the Annual or Regular General Meeting.

Bylaw 10 Special General Meeting

Section 1 A special General Meeting may be called by the Executive Council to deal with any special problem if such Special General Meeting is deemed to be in the best interest of the members. This meeting notice shall be posted not less than 6 days prior to such meeting.

Section 2 The Executive Council shall call a Special General Meeting on a written request of fifty-five members of the Local. Such request shall specify in writing the purpose for calling the meeting.

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Section 3 A Special General Meeting shall have power to deal only with the matters specified in the notice of the meeting.

Bylaw 11 Regulations

Section 1 The Executive Council may adopt, amend, or delete such Regulations as it deems necessary and consistent with the Bylaws of the Local provided that such changes are submitted to the first succeeding Annual General Meeting for ratifications, and that the membership shall be advised of all such changes within 30 calendar days.

Bylaw 12 Amendments

Section 1 Subject to the Constitution of PSAC and subject to the Bylaws of the UTE these Bylaws and regulations may be amended at any Annual General Meeting of Local 00013 by a two-thirds majority provided that notice of such change has been given to the Executive Council on or before the third Friday in March and such proposed changes have been published and circulated to the members at least seven days before the Annual General Meeting.

Section 2 The Executive Council shall issue written notice for a call for proposed amendments to the Local Bylaws and Regulations and shall post such notice in each work area not later than 30 days prior to the Annual General Meeting.

Section 3 Where the Bylaws and Regulations are amended, they shall be renumbered in an appropriate manner where required.

Section 4 The Executive Council shall notify the membership of all actions that have been taken as a result of Section 2, within 30 days of such action.

Section 5 All previous changes by Executive Council that affect the Bylaws and Regulations that have not been brought before the Annual General Meeting shall be declared null and void at the Annual General Meeting and shall not be reenacted again without first being brought before a general meeting.

Bylaw 13 Interpretation, Definitions and General Rules

Bylaws and Regulations of UTE Local 00013

- Section 1 The following definitions apply to the Local Bylaws, Regulations and administrative rules:
- (a) “Branch office” means the non-contiguous work locations of the Employer where members of the Local are employed.
 - (b) “Component Bylaws” or “National Bylaws” means the bylaws of the Union of Taxation Employees.
 - (c) “CRA” or “Employer” means the Canada Revenue Agency;
 - (d) “Local” or “Local 00013” means Local 00013 of the Union of Taxation Employees chartered on October 5, 1970 by the Union of and referred to in Bylaw 1;
 - (e) “National Executive Council” refers to the Executive Council of the Union of Taxation Employees;
 - (f) “PSAC” or “Alliance” means the Public Service Alliance of Canada;
 - (g) “UTE” or “Union” means the Union of Taxation Employees.
 - (h) Nominations are when valid members of the Local can submit a nomination form to the Nominations and Elections Committee to stand for an executive council position.
 - (i) The campaign period is the period of time a candidate can run for office to an executive position.
 - (j) Balloting is the period when polling stations are set up for voting at locations within or near all Branch offices of UTE Local 00013.
- Section 2 Interpretation of any Local bylaw, regulation, or rule shall be consistent with the Bylaws, Regulations, Rules and practices of the Union and the Constitution and Regulations of the Alliance.
- Where the Bylaws and Regulations of the Local are silent on a matter or are in conflict with the Bylaws, Regulations, Rules, and practices of the Union, the Bylaws, Regulations, Rules and practices of the Union shall govern.
- Section 3 The rules of procedure at all meetings of the Local except as specifically provided by the Bylaws and Regulations of the Local,

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shall be according to the Rules of Order for meetings as published by the Union of Taxation Employees.

Bylaw 14

Finances

Section 1 FISCAL YEAR- The fiscal year of the Local shall be the calendar year.

Section 2 AUDIT- The Local financial affairs shall be audited annually and the Audit Report shall be tabled before the Annual General Meeting of the Local immediately following the fiscal year end and shall be filed with the National Executive Council of UTE immediately after.

Bylaw 15

Dissolution

Section 1 The Local may be dissolved by a two-thirds majority of the membership by way of a secret ballot supervised by the National Executive Council.

Section 2 All assets of the dissolved local immediately become the property of the Union of Taxation Employees.

Section 3 Members of the dissolved local will be re-allocated to another Union of Taxation Employees local by direction of the National President or the National Executive Council.

END OF BY-LAWS

Regulation 1

Form or Organization

Section 1 The Local shall elect from its membership an Executive Council to conduct its affairs, namely:

- (a) a President;
- (b) a Vice-President
- (c) a Secretary;

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- (d) a Treasurer;
- (e) Chief Steward; and
- (f) a Director for every one hundred and twenty-five members or fraction thereof.

Section 2 The Chief Steward is an ex officio member of the Executive Council having voice and vote.

Section 3 The Regional Vice-President is an ex officio member of the Executive Council having voice but no vote.

Section 4 The officers and directors shall exercise all the powers and perform all the duties vested in them by these Bylaws and Regulations.

Regulation 2 Duties and Powers of the Officers

Section 1 President

The President is the chief executive officer of the Local. In addition to all the duties and responsibilities incidental to the office of the President, the duties of the President include:

- (a) upholding, at all times, the Bylaws and Regulations of the Local, the UTE and the Constitution of the PSAC
- (b) The general administration of the affairs of the Local;
- (c) presiding at all meetings of the Executive Council, meetings of the general membership, and meetings of Local committees unless:
 - (i) the President appoints another member to chair;
 - (ii) two-thirds vote of the Executive Council members present, at a particular meeting, elect an alternate chair; or
 - (iii) the meeting is of a committee having its own chair.
- (d) chairing or co-chairing all meetings held under the National Union-Management Meeting Agreement or its equivalent; and
- (e) Liaising with senior Management to discuss general matters directly affecting the Local's membership.

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Section 2 Vice-President

The Vice-President is the senior executive officer of the Local. In addition to the duties incidental to the office of Vice-President, the duties of the vice-president include:

- (a) presiding at all meetings of the Local on matters directly affecting the membership at their branch office;
- (b) liaising with Management to discuss matters directly affecting the membership at their branch office; and
- (c) such other duties as may be assigned by the President.

In the absence of the President, the Vice President shall exercise the duties of the President. In the absence of the President and the Vice-President, a designated executive member shall be chosen by the current executive council to succeed to the Presidency.

Section 3 Local Secretary

The Secretary is the Local's chief administrative officer. In addition to all duties and responsibilities incidental to the office of Secretary, the duties of the Secretary include;

- (a) custody and control of the official records of the Local
- (b) keeping minutes of all meetings of the Executive Council and meetings of the general membership;
- (c) managing the administration of the Local; and
- (d) such other duties as may be assigned by the President.

Section 4 Treasurer

The Treasurer is the chief financial officer of the Local. In addition to all the duties and responsibilities incidental to the office of Treasurer, the duties of Treasurer include:

- (a) Keeping and maintaining the financial accounts of the Local;

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- (b) receiving and depositing all moneys of the Local with a regulated financial institution to the credit of the Local;
- (c) paying all proper accounts owing by the Local;
- (d) recommending to the Executive Council and implementing necessary fiscal rules to properly manage the financial affairs of the Local; and
- (e) reporting the financial condition of the Local to
 - (i) The Executive Council at every fiscal quarter at its regular monthly meeting and;
 - (ii) The Annual General Meeting, including an audited Balance Sheet and Statement of Revenue and Expenditure.

Section 5

Chief Steward

The Chief Steward is the chief officer of the Local responsible for the fair representation of members in conflict with the Employer. In addition to all the duties and responsibilities incidental to the office of Chief Steward, the duties of Chief Steward include:

- (a) establishing and administering qualified stewards on all matters related to representation of members in conflict with the Employer;
- (b) approving all grievances or other formal complaints where UTE is to be the representative;
- (c) representing members in conflict with the Employer to senior Management; and
- (d) to perform all other duties, which the Executive Council deems appropriate.

Regulation 3

Stewards

Section 1

The Executive Council may select from the general membership such qualified members in good standing and by resolution, appoint them to serve as stewards and assign such specific duties and

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responsibilities as necessary to advance the objectives of the Local.

Section 2 Stewards shall, as directed by the Chief Steward, advise and assist members in those matters relating to complaints, grievances, and appeals.

Section 3 A Steward who in the opinion of the Chief Steward, has failed to carry out the duties of their office as directed, or has acted in a manner detrimental to the Local may be subject to a disciplinary review hearing. If, at that hearing held by the Executive Council as which the Steward has the right to represent themselves or to be represented, it is found that the Steward has failed to carry out their duties as directed, they shall be subject to discipline, which may include removal or suspension from office. If a Steward is removed or suspended from office, they shall have the right to appeal to the general membership at the next Annual Meeting or Special Meeting of the general membership called for that purpose.

Regulation 4 Financial and Business Control

Section 1 The books and records of the Local shall, at all material times, be kept in the possession of the President or designate.

Section 2 Signing Officers

The signing officers of the Local shall be any of two of the President, the Vice-President, the Treasurer, and may include such person as may be expressly designated by the Executive Council.

Section 3 The signing officers of the Local shall be any of two of the President, the Vice-President, the Treasurer, and may include such person as may be expressly designated by the Executive Council.

Section 4 The Treasurer and the signing officers may be bonded, in such amounts as designated by the Executive Council and at their discretion.

Section 5 Local Property

Any property not registered in the name of the Local, shall be held in Trust by a Board of three Trustees appointed by the Executive Council from its members.

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- Section 6 The Executive Council may invest any funds of the Local, not required for current expenses, in the custody of a regulated financial institute that is a Chartered Bank, Trust Company or Credit Union.
- Section 7 Expenses and Expenditure Accountability
- The Executive Council may authorize payment of expenses claimed by an office, a director, a steward, or a member on Local business provided such expenses are authorized, reasonable, reflecting actual out-of-pocket costs and where possible, supported by receipts.
- Notwithstanding these provisions, the Executive Council may establish a scheme of allowances in lieu of receipted claims where such allowances reflect actual out-of-pocket costs customarily incurred for routine expenses such as, but not limited to, per diem, food allowances, loss of pay, and local transit costs.
- Such schemes of allowances must be consistent with UTE National policies and are to be published locally under the authority of the Treasurer.
- Section 8 Officers, directors, stewards, or other members on Local business shall not claim expenses against the Local that have otherwise already been reimbursed or may be claimable elsewhere.
- Section 9 Any group receiving funds for a special event as a result of an adopted motion of the Executive Council or an adopted motion at the Annual General Meeting must provide an accounting of revenue and expenses to the Treasurer within 3 months from the date of the event for which the funds have been advanced unless that amount has been fully repaid.
- Regulation 5 Vacancies**
- Section 1 Vacancy on Executive Council
- Between elections, an office within the Executive Council will become vacant if the incumbent dies, resigns, or is otherwise removed from office.

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In the case of Vice-President or director, the office will become vacant where the incumbent is absent from employment at that branch for a period longer than 90 days.

Section 2 If a vacancy, other than President is determined pursuant to Section 1 or 2 above, notice of the vacancy will be posted among the membership at least 10 working days before the election calling for nominations. The notice will specify that date of the next regularly scheduled monthly meeting of the Executive Council by which meeting; any nominations must reach the Executive Council. At that meeting, the Executive Council will vote to fill the vacancy from among those nominated in due form.

Section 3 Vacancy in Office of President

Notwithstanding Section 3, should there be a vacancy in the office of President; the Vice-President shall succeed to the Presidency. Where the Vice-President is unable or unwilling to succeed to the Presidency, a member of the executive council shall be chosen by the current executive council to succeed to the Presidency.

Notice of the succession and the resulting vacancy in the Office of Vice-President will be posted among the membership at least 10 working days before the election calling for nominations. The notice will specify the date of the next regularly scheduled monthly meeting of the Executive Council by which meeting; any nominations must reach the Executive Council.

At that meeting, the Executive Council will vote to fill the vacancy from among those nominated in due course.

Section 4 Notwithstanding the above sections, should there be a major reorganization of the Local, which reduces the total membership by at least 10%, and which also results in any vacancies of the positions of President, Vice-President, Secretary, or Treasurer, these vacancies shall be filled by a Special Election of the general membership, conducted in the style of the General Election, as outline in Regulation.

Regulation 6 Committees

Section 1 Standing Committees of the Local

Bylaws and Regulations of UTE Local 00013

The Executive Council shall, at its inaugural meeting following a general election, appoint a chair and members for each standing committee of the Local.

The following shall sit as standing committees of the Local:

- (a) Finance Committee
- (b) Nominations and Elections Committee
- (c) Bylaws and Regulations Committee
- (d) Grievances, Complaints, and Conflicts Committee

Section 3

Finance and Audit Committee

The Executive Council shall appoint a committee of at least three and not more than five members in good standing of the Local to serve on an oversight committee of the Local to:

- (a) periodically review the financial affairs of the Local and report its findings to the Executive Council and, if appropriate, the Local;
- (b) advise the Executive Council on financial matters; and
- (c) advise and assist the Treasurer on budgetary and financial matters.

The Treasurer shall be an ex officio member of the Committee with voice and vote.

Section 4

Nominations and Elections Committee

The Executive Council shall appoint a committee of at least three and not more than five members in good standing of the Local who are not members of the Executive Council and who shall forfeit the right to be candidates for election to the Executive Council.

The President shall nominate one of the members of the Committee to serve as chair and Chief Electoral Officer. Other committee members shall serve as Deputy Electoral Officers.

The duties and responsibilities of the Committee shall be outlined in Section 2 of Regulation 9.

Section 5

Bylaws and Regulation Committee

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The Executive Council shall appoint a committee of at least three and not more than five members of the Executive Council.

The duties and responsibilities of the Committee is to:

- (a) advise the Executive Council on matters affecting Local Bylaws and Regulations;
- (b) recommend amendments to Local Bylaws and Regulations;
- (c) administer the provisions of Bylaw respecting amendments to the Bylaws.

Section 6 Grievances, Complaints, and Conflicts Committee

The committee shall comprise all representative stewards, the President ex officio, the Vice-Presidents ex officio and shall be chaired by the Chief Steward.

The duties and responsibilities of the Committee include:

- (a) evaluation of all complaints against the Employer made by members of the Locals and recommending such corrective action as it may deem appropriate; and
- (b) advising the Executive Council on matters affecting formal and informal complaint resolution procedures within the jurisdiction of the Employers' offices where the Local membership works.

Section 7 Powers of Standing Committees

Standing committees of the Local shall:

- (a) meet at the call of their chair and keep their own minutes;
- (b) operate in accordance with their own mandates;
- (c) make written reports of all their activities as requested by Executive Council; and

Members at large appointed on standing committees shall be deemed to be resource stewards.

Regulation 7 Audit

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An auditor shall be appointed by the Treasurer, in Council, at least one month before the Annual General meeting to audit the Local's accounts and report therein to the members at the Annual General Meeting. They shall certify the Annual Financial Statements issued by the Treasurer in accordance with Bylaw 5, Section 4.

Regulation 8 Voting

Section 1 At any Executive Council meeting, any Steward Council meeting, or any committee meeting each member shall have one vote only. Business may be transacted in person, by telephone, or by email provided that each member can be readily identified by the other members.

Section 2 At any Annual General meeting, Regular General meeting or Special General meeting, each member in good standing who is present shall have one vote only.

Regulation 9 Elections and Nominations

Section 1 Length of term

- (a) The officers of the Local as constituted by Regulation 1 of these regulations shall be elected for a period of three (3) years by secret ballot prior to the Annual General Meeting.
- (b) The Local Executive Council can postpone elections for up to one (1) calendar year with a two-third (2/3) majority vote of those present at any scheduled executive council meeting.

Section 2 The duties of the Nominations and Elections Committee shall be:

- (a) to post notice of the Executive Council offices to be filled;
- (b) to receive nominations for all offices from members entitled to vote;
- (c) to determine the eligibility of such nominees;
- (d) to request from the nominee a brief history or presentation;
- (e) to publish a list of nominees or positions for which acclamation was received for each office, including a brief history or presentation of each nominee (where submitted) and to place such lists on UTE Bulletin Boards in the office;

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- (f) to prepare ballots listing the Executive Offices to be filled;
- (g) to tabulate and summarize the ballots after the closing date for balloting and submit the summary, tabulation sheets, and ballots to the Chair of the committee;
- (h) to determine from the summaries, the successful candidates, which shall be based upon the greatest number of votes cast for each candidate.
- (i) to announce the results of the election to the membership within one week of the tabulation including the number of votes cast for each candidate for president and treasurer per branch and the number of votes cast for each candidate for vice-president and director for each branch.

Section 3 All nominations submitted to the committee shall be in writing, signed by the nominator, and signed by the nominee signifying that the nominee will accept the office and related duties if elected.

Section 4 Nominations shall take place for thirty (30) days only within the months of October, November, December, January or February, set out by the Nominations and Elections Committee.

Section 5 The campaign period shall be a minimum of seven (7) days and a maximum of twenty-one (21) days following the nomination period. Balloting shall take place within a fourteen (14) day period, following the campaign period.

Section 6 Each member is entitled to vote for the office of President, Treasurer, Vice-President, Chief Steward and Director as nominated as set out in Regulation 1. Members shall vote on the election dates.

Section 7 Ballots, tabulation sheets and summaries shall be retained until a formal motion for destruction is approved at the Annual General Meeting.

Section 8 No member may run for more than one elected position in the Local.

Section 9 No person running for Executive Office shall hand out, collect, deliver or count any ballots.

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Section 10 As the last order of business at the Annual General Meeting following their election, the officers shall be installed into their elected offices. In the event that there is no Annual General Meeting, they shall be installed into their offices on May 1st.

Regulation 10 Linda Collins Volunteer Award

A payment of \$500.00 given to Toronto Centre CRACC Committee Staff for the CRACC annually in honor of former President Linda Collins, these funds will be used by the TCTSO to give prizes to fellow Toronto Centre Employees.