



national
union

CONSTITUTION

***NATIONAL UNION OF
PUBLIC AND GENERAL
EMPLOYEES***

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**CONSTITUTION
OF THE
NATIONAL UNION OF PUBLIC AND GENERAL EMPLOYEES**

ARTICLE I – Name

This organization shall be known as the National Union of Public and General Employees (hereinafter referred to as the National Union) and shall be affiliated with the Canadian Labour Congress.

ARTICLE II – Headquarters

The headquarters of the National Union shall be located in a place that best serves the needs of the Union's membership and that the location be determined by the National Executive Board.

ARTICLE III – Seal and Crest

The National Union shall have an official seal and crest which shall be adopted by the National Executive Board.

ARTICLE IV – Purposes and Aims (Objectives)

1. The National Union shall be devoted and dedicated to promoting, protecting and pursuing by all means at its disposal the achievement of the economic well-being, the general welfare and the rights of its members as workers and citizens.
2. In working toward the achievement of this goal the National Union shall strive to bring the benefits of full free collective bargaining to all its members.
3. The National Union shall have as a primary objective the formation of a strong, unified organization representing workers of provincial governments and other employers from coast to coast. This organization shall provide all possible aid and assistance to its members in the areas of social, economic and legislative concern.

4. The National Union shall inform, advise and educate its members in:
 - a) the principles and policies of the National Union;
 - b) the accomplishments of its members through an understanding of the growth and development of the labour movement and its position in our modern economic society; and
 - c) by placing in proper perspective before the general public the vital role played by its members in that society.
5. The National Union shall represent its members, and pursue its goals, internationally through such international organizations as may be appropriate and through its own direct international work.
6. The National Union shall represent its members nationally with respect to the federal government and its agencies, and with respect to other national organizations, and will as appropriate, work in coalitions and alliances with organizations that are pursuing similar or complementary goals as the National Union.

ARTICLE V – Principles and Standards of Conduct

In working towards the foregoing general objectives the National Union shall adhere to the following principles and standards of conduct:

1. It shall give full recognition to the autonomy of its components, subject to the overriding principle that components will not act in ways that are damaging to the National Union collective. All powers other than those that may be delegated to the National Union by this Constitution shall remain with its components whose fundamental autonomy and freedom shall be maintained by the National Union as a first principle;
2. The National Union through its components shall remain committed to the goal of organizing workers;
3. It shall speak for and represent its members on all matters of national significance;
4. It shall promote desirable legislation in the interests of its members and the labour movement in general;
5. It shall be committed to achieving full and free collective bargaining for all workers;

6. It shall provide upon request, services and support as directed by the National Executive Board including, but not limited to, campaigns, research, legislative, public relations, educational and collective bargaining services to its components;
7. It shall not affiliate to any political party;
8. It shall promote the rights of its members to be free from all forms of harassment in the workplace and in all union activities.

ARTICLE VI – Membership

1. Founding membership in the National Union shall include the provincial government employee organizations which are parties to the founding of the National Union.
2. All bona fide members of components shall be members of the National Union through their respective organizations.
3. Based on recommendations from the National Executive Board, delegates to a Convention of the National Union may elect to life membership for meritorious service, without voting rights, any member of the National Union.
4. The National Union may by majority decision of its National Executive Board accept into membership the members of other organizations representing provincial government employees or other workers, where such workers have indicated their desire to be represented by a union for the purpose of collective bargaining who make application to join where such application(s) are supported by satisfactory evidence that it is the majority wish of their respective members to do so.
5. Charters in suitable form shall be issued by the National Union to all its founding member organizations and to any organizations subsequently admitted in accordance with this article.
6. The Constitutions of components shall not contain provisions which conflict with the Constitution of the National Union.
7. The National President may approve changes in the Constitutions of components when strong and compelling reasons have been given by the organizations concerned for partial non-compliance with the Constitution of the National Union, but such exceptions shall be submitted to the National Executive Board for final ratification.

8. No component may give notice of its intention to withdraw from the National Union without first having presented a recommendation to this effect to its Convention and receiving approval thereof.
9. Two (2) or more components of the National Union, that have a majority of their members employed within the same sector, may request that the National Executive Board recognize them as a sectoral grouping of unions provided that their combined membership is 10,000 or more.
10. Once recognized by the National Executive Board, the sectoral grouping of components will be represented by a National Vice-President in accordance with Article X, Section 6.

ARTICLE VII – Jurisdiction

The jurisdiction of the National Union shall extend to all those who meet the membership eligibility requirements of its Constitution.

ARTICLE VIII – Conventions

1. The Regular Convention of the National Union shall be held every three years and shall be the supreme governing body of the National Union. The time and place of the Regular Convention shall be determined by the National Executive Board.
2. Components in possession of a valid charter with the National Union shall be entitled to representation at National Union Conventions by duly accredited delegates elected by their respective organizations. All delegates to Convention must be members of the component they represent. Honourary or life members of components shall not be eligible as delegates to National Union Conventions, but may attend as solidarity delegates without voice or vote in Convention deliberations.
3.
 - a) Each component of the National Union shall at Conventions be entitled to one delegate for the first 1,000 dues paying members or less, and one additional delegate for each additional 1,000 dues paying members or major fraction thereof. Before each Convention, components will report to the National Executive Board their average dues paying membership for the year preceding the Convention.
 - b) The National Executive Board may assign the Finance Committee the responsibility of reviewing the member numbers of a component to ensure they are considered to be a true and accurate reflection of the component's dues paying membership. In those cases, the Finance Committee will make

a recommendation to the National Executive Board as to what dues paying membership should be considered valid.

- c) Any component whose dues paying membership numbers have been referred to the Finance Committee shall be given a full opportunity to make representation to the Board when the Committee's report is being considered.
 - d) Membership numbers from a component must be accepted by the Board, on a simple majority, as valid for the purpose of delegate entitlement.
4. Full-time employees of components shall be granted delegate status to National Union Conventions at the discretion of the organization which employs them.
 5. Members of the National Executive Board of the National Union shall have full status as delegates to Conventions by virtue of office provided they are otherwise qualified.
 6. Except as provided in Section 7 of this Article components shall bear the expenses of their own delegates including those of their respective members of the National Executive Board and any full-time employees they choose to credential.
 7. The expenses of the President and Secretary-Treasurer of the National Union to Conventions shall be borne by the National Union.
 8. Not less than ninety (90) days prior to the opening of each Regular Convention, the Secretary-Treasurer of the National Union shall furnish each component with credential blanks electronically, or hard copy if requested by the component. Component presidents are to attest to the validity of the electronic credentials received by the National Union. The Convention credential form shall provide space for the name of an alternate delegate. A copy shall be retained by the delegate for presentation to the Registration Desk at Convention. A second copy is to be returned to the Secretary-Treasurer thirty (30) days prior to the opening date of the Convention with the appropriate registration fee. Credentials received contrary to this provision may be considered by the Credentials Committee on the understanding that acceptance is dependent upon two-thirds (2/3) majority consent of the Convention.
 9. Resolutions to be accepted by a Convention of the National Union must be submitted by the National Executive Board or a component and signed by the President and dated. A resolution shall not deal with more than one subject and shall refer to the action which is proposed. The section of the resolution that calls on the National Union to take specific action or adopt a specific policy position shall not contain more than one hundred and fifty (150) words. (Multi-part names of organizations, legislation, publications or such shall be considered

to be one word. For example, the National Union of Public and General Employees shall be considered one word for the purposes of this section.) Resolutions to amend the Constitution of the National Union shall not be subject to any limitations as to the number of words. Resolutions must be received by the Secretary-Treasurer at least sixty (60) days before the opening date of the Convention to be considered.

10. Resolutions, petitions, appeals received or submitted contrary to Section 9 shall be referred to the National Executive Board and the Board may refer such proposal or proposals to the Convention with the understanding that consideration is dependent upon two-thirds (2/3) majority consent of the Convention.
11. Copies of resolutions, petitions and appeals properly received in accordance with this Article shall be distributed to delegates from whom proper credentials have been received no later than twenty (20) days prior to the opening date of the Convention.
12. Any component which, at the opening date of the Convention, is in arrears of its dues revenues owing to the National Union for three months or more, shall not be entitled to recognition or representation in the Convention.
13. Any organization which has not applied for and obtained a charter at least one month prior to the Convention shall not be allowed representation.
14. Prior to the opening date of the Convention, the President in consultation with the National Executive Board, shall appoint such Committees as are deemed necessary for the efficient conduct of the Convention and assign duties to them. The President shall appoint the Chairperson of such Committees.
15. A majority of delegates present and voting, unless otherwise specified in this Constitution, shall be sufficient to pass resolutions or make decisions for the Convention.
16. Fifty percent (50%) of the registered delegates shall constitute a quorum at Conventions of the National Union.
17. One (1) vote per delegate shall be the rule of the Convention. Proxy voting shall not be allowed.
18. The rules of order of business governing Conventions shall be:
 - 1) The President, or in his/her absence or at his/her request, the Secretary-Treasurer or an Officer of the National Union shall take the chair at the time specified, at all Regular and Special Conventions. In the absence of both

the President and his/her designated representative, a Chairperson shall be chosen by the Convention.

- 2) No question of a sectarian character shall be discussed.
- 3) When a delegate wishes to speak, he/she shall proceed to one of the microphones provided for that purpose. When recognized by the Chairperson he/she shall give his/her name and the organization he/she represents and shall confine his/her remarks to the question at issue.
- 4) Speeches shall be limited to five (5) minutes except in moving a resolution, when the delegates shall be allowed ten (10) minutes.
- 5) A delegate shall not speak more than once upon a subject until all who wish to speak have had an opportunity to do so.
- 6) A delegate shall not interrupt another except if it be to call a point of order.
- 7) If a delegate be called to order he/she shall, at the request of the Chairperson, take his/her seat until the question of order has been decided.
- 8) Should a delegate persist in unparliamentary conduct, the Chairperson will be compelled to name him/her and submit his/her conduct to the judgement of the Convention. In such a case the delegate whose conduct is in question should explain and then withdraw, and the Convention will determine what course to pursue in the matter.
- 9) When a question is put, the Chairperson, after announcing the question, shall ask:

"Are you ready for the question?" If no delegate wishes to speak, the question shall be put.
- 10) Questions may be decided by a show of hands, or a standing vote on the basis of one (1) vote per delegate. A roll call vote may be demanded by one-third (1/3) of the delegates present. In a roll call vote each delegate shall be entitled to one (1) vote.
- 11) Any delegate may appeal the decision of the Chair. The Chairperson shall then put the question thus: "Shall the decision of the Chair be sustained?" The question shall not be debatable except that the delegate appealing may explain his/her reasons for so doing and the Chairperson may make an explanation of his/her decision.
- 12) The Chairperson shall have the same rights as other delegates to vote on any question. In a case of a tie vote, he/she shall cast the deciding vote.

- 13) When the previous question is moved, no discussion or amendment of either motion is permitted. If the majority votes that "the question be now put", the original motion has to be put without debate. If the motion to put the question is defeated, discussion will continue on the original motion.
 - 14) Committees may combine resolutions or prepare a composite to cover the intent of the question at issue. Reports of Committees are not subject to amendment except such as is acceptable to the Committee, but a motion to refer back to the Committee for reconsideration shall be in order.
 - 15) A delegate shall not move a motion to refer back after he/she has spoken on the question at issue.
 - 16) A motion to refer back is not debatable and when properly seconded the question shall be immediately put to the Convention.
 - 17) If the report of a Committee is adopted it becomes the decision of the Convention. If defeated it may be referred back to the Committee for reconsideration or the subject matter of the report may be dealt with directly by the Convention.
 - 18) When a motion has been moved, no other motion is in order until the motion on the floor has been dealt with, except a motion to refer the original motion, or a motion to table the debate for a set time period. If any of the foregoing motions are negated, it cannot be renewed until after an intermediate proceeding.
 - 19) A motion may be reconsidered provided the mover of the motion to reconsider voted with the majority, and notice of motion is given for reconsideration at the next sitting, and said notice of motion is supported by two-thirds (2/3) of the delegates qualified to vote.
 - 20) The National Executive Board is empowered to establish the hours of Convention.
 - 21) In all matters not regulated by these rules of order, Bourinot's Rules of Order shall govern.
19. Unless otherwise specified, any decision taken by the Convention shall take effect immediately upon adjournment of the Convention.

ARTICLE IX – Special Conventions

1. A Special Convention shall be convened in the event of any one of the following:

- a) a specific direction of a Regular Convention; or
 - b) an order of the National Executive Board; or
 - c) a written request of not less than seven (7) National Executive Board members from five (5) provinces; or
 - d) upon the petition of a majority of the general membership of the National Union as evidenced by the records of the Secretary-Treasurer as reported to the last Regular Convention.
2. In the event a Special Convention becomes necessary as provided in Section 1 the National Executive Board shall issue the call for the Special Convention within thirty (30) calendar days of the decision of the Board or the receipt of the required request or petition and shall give all components sixty (60) calendar days' notice of the time and place for holding the Special Convention, together with a statement of the business to be considered at such Special Convention.
 3. Representation to Special Conventions shall be on the same basis as Regular Conventions.
 4. Except as provided in sub-section 2 of this Article, a Special Convention shall exercise the same authority as Regular Conventions.

ARTICLE X – Officers

1. There shall be a National Executive Board which shall be the governing body of the National Union when a Regular or Special Convention is not in session.
2. The National Executive Board shall be comprised of:
 - a) a President;
 - b) a Secretary-Treasurer;
 - c) National Vice-Presidents representing:
 - i) the largest component in a province with a membership of 5,000 or more; or
 - ii) a sectoral grouping of components with a combined membership of 10,000 or more members.
 - d) Board Members representing:

- i) the largest component in each province with a membership of over 10,000; or
 - ii) components which are not represented by a National Vice-President on the National Executive Board.
3. The President and the Secretary-Treasurer shall be elected at each Regular Convention from among the accredited delegates present and voting.
4. In recognition of the fact that the PEI Union of Public Sector Employees was a founding member of the National Union and is the largest union in Prince Edward Island, the President of the PEI Union of Public Sector Employees shall be a National Vice-President
5. A National Vice-President representing a component of 5,000 or more members shall be the President of that component.
6. A National Vice-President representing a sectoral grouping of components with a combined membership of 10,000 or more shall be designated by the respective unions forming the sectoral grouping of components.
7. A Board Member representing a component that is not represented by a National Vice-President on the National Executive Board shall be the component President.
8. When components are eligible for both a National Vice-President and a Board Member, the Board Member shall be designated by the respective component. At least one (1) of the two (2) representatives must be a woman.
9. If after all National Vice-Presidents and Board Members are named, the National Executive Board does not include members of each of the four designated groups (Aboriginals; persons with disabilities; visible minorities; and gay, lesbian, bisexual and transgendered {GLBT}) then the National Executive Board shall have the authority to appoint a person from those designated groups which are not already represented on the National Executive Board.
10. The National Executive Board shall designate a female member of the Board as the National Union's CLC Vice-President-at-Large within four (4) months after a Regular Convention.
11. To be eligible for election to the positions of President and Secretary-Treasurer, a person must be a member in good standing of a component of the National Union and a duly credentialed delegate to a Convention during which elections take place.

12. The election of the President and Secretary-Treasurer of the National Union shall be by secret ballot. A majority of votes cast shall be required before any candidate can be declared elected and second and subsequent ballots shall be taken if necessary to obtain such a majority. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In case of a final tie vote the presiding officer may cast the deciding vote.
13. The election of the President shall be completed before the election of the Secretary-Treasurer takes place.
14. The terms of office of members of the National Executive Board shall commence not later than the sixtieth (60) day following the adjournment of the Convention.
15. In the event of a vacancy in the office of the President, the Secretary-Treasurer shall perform the duties of the President until a President is elected. The Secretary-Treasurer shall within fifteen (15) days of the date of his/her becoming aware of the vacancy, call a meeting of the National Executive Board upon ten (10) days' notice, for the purpose of filling the vacancy for the unexpired term from among the members of the Board. Should the Secretary-Treasurer be unable to act in this matter the members of the National Executive Board shall jointly perform the duty of electing a person to fill the vacancy.
16. In the event of a vacancy in the office of Secretary-Treasurer, the President shall perform the duties of the vacant office until a successor is elected. The President shall follow the same procedure as outlined in Section 15 of this Article for filling the vacancy for the unexpired term.
17. (a) The National Executive Board shall, by virtue of office, hold title to the real estate of the National Union as trustees for the National Union. They shall have the right to purchase, sell, convey or encumber any real estate for the benefit of the National Union and its Components; and

(b) to take all necessary actions required by the land registry/land titles legislation governing in the jurisdiction where said real estate is located, including the creation of a corporation or other legal entity.
18. The number of terms an elected member of the National Executive Board may serve shall not be limited.
19. Subject to appeal to the Regular Convention the National Executive Board shall be empowered to:
 - 1) Take such action and render such decisions as may be necessary to carry out fully the decisions and instructions of the Conventions of the National Union and to enforce the provisions contained in this Constitution.

- 2) Conduct an investigation of any situation in which there is reason to believe that any component may be dominated, controlled or substantially influenced in the conduct of its affairs by any corrupt influence, or that its policies or activities are contrary to the principles and policies of the National Union. Upon completion of such an investigation, including a hearing if requested, the National Executive Board shall have the authority to make recommendations to the organization involved. It shall have the further authority upon a two-thirds (2/3) vote of the Board to suspend any chartered organization.
 - 3) To establish such advisory committees as may be deemed appropriate and feasible. The President shall appoint the chairperson of such committees.
20. The National Executive Board except when the National Union is in Convention session shall be recognized by components as the governing body under the terms of the Constitution and no component, or any officer or member thereof, shall have the power to act as an agent for the National Union or otherwise bind the National Union except insofar as authorized by the President, or in his/her absence, the Secretary-Treasurer and/or the National Executive Board.
 21. Each member of the National Executive Board shall be entitled to one (1) vote at Board meetings and a quorum for such meetings shall be a majority of the members of the Board.
 22. Nominees allowing their names to go forward for election to the offices of President and Secretary-Treasurer shall accept the following obligation: "In accepting nomination, I swear or affirm that I will faithfully support the Constitution, principles and policies of the National Union."
 23. All members of the National Executive Board, before assuming office in this National Union, shall take the following oath:

"I, do hereby pledge my word and honour to perform my duties as an officer of the National Union. I will attend, when able to do so, all meetings of the Board of which I shall be a member. I commit myself to pursuing with vigour the objectives and principles of the National Union including: solidarity, the promotion and protection of full and free collective bargaining for all workers, and the promotion and protection of the economic and social well-being of the members of the National Union, both as workers and as citizens. Furthermore, I recognize the right of all members to be free from all forms of harassment in the workplace and in union activities."

24. The National Executive Board shall meet at least four (4) times each year. Additional meetings may be called by the Chair or at the request of not less than seven (7) members of the National Executive Board.
25. It shall be the duty of the National Executive Board to initiate legislative action in the interest of members of the National Union.
26. The National Executive Board shall present to the Conventions of the National Union, in printed form, a report of the activities of the National Union between Conventions.
27. The National Executive Board is authorized to reimburse members of the Board for necessary expenses in performing their duties for the National Union.
28. a) Any member of the National Executive Board wishing to table a motion dealing with the following subjects:
 - i) financial expenditures in excess of \$2,000.00 other than financial expenditures contained in the budget;
 - ii) interpretation of the Constitution of the National Union, other than those interpretations made pursuant to Article XI, Section 2 of the Constitution;
 - iii) change of an established policy set by the National Executive Board,must at least thirty (30) days prior to a Board meeting submit to the President the text of the motion in the form of a written notice of motion.
- b) The National President upon receiving a notice pursuant to (a) above shall send copies to all Board members within seven (7) days of the receipt of the motion.

ARTICLE XI – Duties of the President

1. The President shall be the Chief Executive Officer of the National Union. He/she shall exercise supervision over the affairs of the National Union, sign all official documents and preside at Regular and Special Conventions, and at meetings of the National Executive Board. He/she shall assign responsibilities to members of the National Executive Board. He/she shall call meetings of the Board at least four (4) times each year.

2. The President shall have authority to interpret the Constitution and his/her interpretation shall be conclusive and in full force and effect unless reversed or changed by the National Executive Board or a Convention.
3. The President shall engage such officials and representatives as are necessary and he/she shall call meetings of the Board at least four (4) times each year.
4. The President shall be designated as the Canadian Labour Congress Vice-President representing the National Union on the Executive Committee of the Canadian Labour Congress.
5. The President shall be required to devote full time in the interest of the National Union and shall be paid a salary plus expenses as set from time to time by the National Executive Board.
6. The President shall report on the administration of his/her office and on the affairs of the National Union in writing to the Convention.
7. The President shall be bonded to an amount approved by the National Executive Board.

ARTICLE XII – Duties of the Secretary-Treasurer

1. The Secretary-Treasurer shall be the Chief Financial Officer of the National Union. He/she shall countersign with the President all cheques drawn on the National Union accounts. He/she shall be in charge of books, documents, files and effects of the National Union which shall at all times be subject to inspection by the President and the National Executive Board.
2. The Secretary-Treasurer shall prepare a financial statement of the National Union for each meeting of the National Executive Board. He/she shall have the books of the National Union audited each year by a registered firm of chartered accountants selected by the President in consultation with the Secretary-Treasurer and approved by the National Executive Board. Such audits shall be furnished to the Board, and to the Convention.
3. The Secretary-Treasurer shall, subject to the approval of the National Executive Board, invest the surplus funds of the National Union in securities or deposit them in banks or credit unions in the name of the National Union in accordance with the relevant laws of Canada and its Provinces.
4. The Secretary-Treasurer shall be bonded in such amount as may be determined by the National Executive Board.

5. The Secretary-Treasurer is empowered to require components to provide statistical data in their possession relating to the membership of such organizations.
6. The Secretary-Treasurer shall issue the call for and act as Secretary at Conventions, and shall cause the proceedings of all Conventions and all sessions of the National Executive Board to be recorded.
7. The Secretary-Treasurer shall, with the approval of the President, employ, direct and fix compensation for all support staff necessary for the proper functioning of the National Union.
8. The Secretary-Treasurer shall be required to devote full time in the interest of the National Union and shall be paid a salary plus expenses as set from time to time by the National Executive Board.
9. The Secretary-Treasurer shall report on the administration of his/her office to the Convention.

ARTICLE XIII – Duties of National Vice-Presidents and Board Members

The National Vice-Presidents and Board Members shall aid the President in his/her duties as Chief Executive Officer of the National Union and act on his/her behalf when requested to do so. Each National Vice-President and Board Member shall administer those responsibilities assigned to him/her by the President.

ARTICLE XIV – Revenue

1. The revenue of the National Union shall be derived from a percentage of the gross dues revenues of components, as established at Convention.
2. Temporary or special assessments will not be calculated as part of the gross dues revenue of components. The National Executive Board will have full and binding authority to rule as to whether an assessment is to be included, and if the National Executive Board rules that an assessment is to be included as gross dues revenue, components will pay the established percentage on such revenue.
3. There will be a conversion period and formula for conversion from the per capita system to a percentage dues based system.
4. Components shall pay to the National Union, on a monthly basis, the established percentage of their gross dues revenues, plus the amount required to pay Canadian Labour Congress dues on behalf of the membership of components.

The National Union shall be responsible for submitting per capita tax to the Canadian Labour Congress on behalf of its components.

5. At the fiscal year end of a component, the amount paid to the National Union will be reconciled with the amount of the established percentage of audited dues revenues for that year and the total adjusted to the audited figure. Each component shall forward to the Secretary-Treasurer of the National Union, annually, an audited financial statement.
6. Any component which does not submit an annual audited financial statement to the Secretary-Treasurer of the National Union, or does not pay the established percentage of its total dues revenues to the National Union and/or the per capita dues to the Canadian Labour Congress as specified in Section 4, shall be notified of that fact by the Secretary-Treasurer. Any component failing to submit its audited financial statement or is six (6) months in arrears in payment of the established percentage of its gross dues revenues to the National Union and/or the per capita dues to the Canadian Labour Congress, may become suspended from membership in the National Union and can be reinstated only after the audited statement is provided or arrears are paid in full.
7. The dues payable by a component to the National Union may be suspended during the time a component is involved in a major strike which creates financial difficulties for the component. Dues revenues that would have been paid to the National Union during the time of the major strike will be paid over time after the component's financial difficulties are resolved. The President and the Secretary-Treasurer, in consultation with the component concerned, may determine if the reason for non-payment is acceptable and may determine the time over which repayment of arrears shall be made.

ARTICLE XV – Amendments

This Constitution may be amended by the Convention by a two-thirds (2/3) vote. Amendments to the Constitution can be submitted only by the National Executive Board and/or chartered organizations. Amendments must be submitted to the National Union at least sixty (60) days prior to the opening day of the Convention. All constitutional amendments shall take effect immediately when they are adopted unless otherwise specified.

ARTICLE XVI – Code of Union Citizenship

The components of the National Union of Public and General Employees vary substantially in their size, internal structures, and the geographic distribution of their membership.

Every union develops in a way which is appropriate to the employers in which they operate and the collective bargaining situations with which they have to deal. Taking into consideration the important differences of structure, circumstances and size, all components recognize the following objectives in providing service to their membership and promoting the principles and practice of trade unionism according to the Constitution and policies of the National Union of Public and General Employees.

1. a) To guarantee that there will be no discrimination exercised or practiced with respect to a member by reason of race, colour, age, national or ethnic origin, political or religious affiliation, sex, sexual orientation or physical or mental disability.
- b) Section 1 (a) does not preclude any affirmative action programs.
2. To fully protect and ensure the application of all legislative rights which workers may have in the industrial, public and community environments.
3. To provide whatever assistance is necessary to ensure that their membership receive their full entitlement to social insurance benefits which may be available to them by reason of layoff, unemployment, disability, retirement or any other legitimate cause.
4. To provide the best available information as to wage levels, fringe benefits and contract language and such other negotiating services as are necessary to achieve the maximum and most suitable benefits through collective bargaining.
5. To press for such legislative changes as are necessary to protect and enhance the welfare and rights of their members.
6. To provide education to members in the duties and responsibilities of officers and representatives, structure and important issues within their own union, the National Union of Public and General Employees, and the movement as a whole and in the principles and practices of trade unionism.
7. To ensure that all its members can exercise their fundamental trade union rights.
8. To coordinate collective bargaining or any other activities with other unions where such cooperation will be to the mutual aid of the members of each union involved.
9. To promote the active participation of their membership in local Labour Councils and Federations of Labour.
10. To encourage the full participation of their membership in the political life of this country.

11. To provide the means whereby all members will have an equal opportunity to participate actively and effectively in determining the policies of the component and directing its affairs.
12. To ensure its members freedom from all forms of harassment in all union activities.

Appendix A

Protocol Between National Union Components

AUTONOMY WITH RESPECT

The National Union of Public and General Employees represents diverse provincial components nationally. Our diversity has strengthened each of us as we collectively work to improve the lives of working people and citizens both at home and around the globe.

Each of the National Union's components is governed by its own constitution, convention and Executive Board. The autonomy of components has been one of our fundamental principles. But that autonomy is not absolute.

Within the National Union there is a commitment by components not to do harm to each other. The Constitution provides: "It (the National Union) shall give full recognition to the autonomy of its components, subject to the overriding principle that components will not act in ways that are damaging to the National Union Collective."

In fact at NUPGE's 2001 Convention, delegates adopted a policy paper, *Values and Visions*, which explicitly states that components "... will support and defend each other to the best of their ability."

COMMITMENT OF THE PARTIES

Parties to this protocol agree to foster better inter-union cooperation to further increase the strength of labour at the bargaining table and in our society. The National Union encourages components to work cooperatively:

- with respect to union education and public policy initiatives;
- on campaigns to defend social, economic and labour rights;
- regarding negotiating strategies and bargaining communications.

MUTUAL RESPECT AND FAIRNESS

The National Union recognizes that, from time to time, differences may arise between our components, particularly where more than one component is present in a province.

In situations such as this, the parties to this agreement pledge to treat each other's organization with mutual respect and fairness.

The parties further agree that every effort will be made to resolve differences between the parties through open communications and a genuine problem-solving approach.

ROLE OF THE NATIONAL UNION

The National Union recognizes the autonomy of the parties and acknowledges that the parties are governed by their own constitutions in addition to the National Union Constitution.

The National Union accepts it has an important role to play in reducing and resolving conflicts among our components that have the potential to be destructive to the goals of building greater solidarity with the National Union and the labour movement in Canada.

Where the parties to this agreement are unable to resolve conflicts at a provincial level, the National Union will take appropriate actions with a view to:

- identifying the issue(s) in dispute; and
- seeking a resolution through consensus; and/or
- making recommendations to resolve the matter(s).

It is understood that early intervention holds the most promise for a successful resolution of differences.

It is further understood that this dispute resolution mechanism is a voluntary process. Recommendations are not binding on the parties unless the affected parties agree. In all cases the process will be conducted and presented in good faith in an attempt to mediate a resolve and foster good relations between the parties.

Adopted by the National Executive Board
April 29, 2003
Winnipeg

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NATIONAL UNION OF PUBLIC AND GENERAL EMPLOYEES

- B. C. Government and Service Employees' Union (BCGEU)
- Health Sciences Association of British Columbia (HSABC)
- Health Sciences Association of Alberta (HSAA)
- Saskatchewan Government and General Employees' Union (SGEU)
- Manitoba Government and General Employees' Union (MGEU)
- Ontario Public Service Employees Union (OPSEU)
- Canadian Union of Brewery and General Workers (CUBGW)
- New Brunswick Union of Public and Private Employees (NBU)
- Nova Scotia Government and General Employees Union (NSGEU)
- PEI Union of Public Sector Employees (PEI UPSE)
- Newfoundland & Labrador Association of Public and Private Employees (NAPE)

The National Union of Public and General Employees is an affiliate of the Canadian Labour Congress and a member of Public Services International.

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