

BY-LAWS

**ENGINEERING AND FIELD COMPONENT
NEW BRUNSWICK UNION OF PUBLIC AND PRIVATE EMPLOYEES**

ARTICLE I – NAME

1.01 This organization shall be known as the Engineering and Field component of the New Brunswick Union of Public and Private Employees (the Union), and shall consist of the members of the Component thereof in the Province of New Brunswick.

ARTICLE II – PURPOSE

2.01 It shall be the purpose of this Component:

- (a) to assist the Union in regulating relations between the Employer and the employees;
- (b) to recommend to the Negotiating Committee appropriate wages, fringe benefits, training and other conditions of employment for the members of the Component;
- (c) to elect a number of Union Activists, sufficient in number on a workplace, area or regional basis to serve the interest of the membership;
- (d) to take such other action as may tend to conserve and promote the welfare and interests of the Component and its members; and
- (e) to comply with the principles of the New Brunswick Union Constitution/By-Laws, Code of Solidarity and all other Union policies;
- (f) to establish, in conjunction with NBU, Workplace / Regional Committees to strengthen our voice in the workplace.

ARTICLE III – ORGANIZATION

3.01 The Component shall have an Executive Committee composed of the following members listed hereunder, who shall also act as Union Activists:

- (a) Director
- (b) President

- (c) Vice-President
- (d) Recording-Secretary

3.02 The responsibilities of these Officers shall be as follows:

(a) Director:

The term of office for Component Director shall be for two years and elections shall be held in even numbered years. The term of office shall expire on the date of the Annual Meeting in the year that his/her term of office is due to expire.

- (i) shall assist in managing the affairs of the Union by way of being a member of the Board of Directors;
- (ii) shall attend and represent the Component at all Board meetings;
- (iii) shall prepare and present a Director's Report at the Component Annual Meeting. This report should include activities of the Board of Directors;
- (iv) shall forward the minutes of all Board of Directors' Meetings or teleconference meetings to the members of the Component Executive;
- (v) shall ensure that communication is maintained with the Component Executive;
- (vi) shall assist the Component Executive to prepare the agenda for the Component Annual Meeting;
- (vii) shall assist the Component Executive as needed;
- (viii) Shall attend union activist training;
- (ix) Be a member of the Employer-employee Relations Committee and an Accredited Delegate to the Annual General Meeting of the Union.

Where the Component's Director's office becomes vacant, the President shall automatically assume the duties thereof for the remainder of the term of office.

(b) President:

The term of office for the President shall be for two years and elections shall be held in odd numbered years. The term of office shall expire on the date of the Annual Meeting in the year that his/her term of office is due to expire.

- (i) shall act as Chairperson at all meetings of the Component and exercise all the authority and responsibility of such Chairperson;
- (ii) will ensure the Component elects a member of the Component to sit as Director of the Component on the Union's Board of Directors;
- (iii) will ensure the Component has sufficient Union Activists to serve the interests of the Component;
- (iv) will ensure the Component elects Accredited Delegates to the Biennial Meeting of the Union, as set forth in the Union's Constitution and By-Laws;
- (v) shall ensure that contact is maintained with the Head Office of the Union on all matters directly or indirectly affecting the operation or well being of the Component;
- (vi) in the absence of the Director, perform the duties of the Director;
- (vii) shall assist the Component Executive to prepare the agenda for the Component Annual Meeting;
- (viii) shall prepare and give a President's Report at the Component Annual Meeting;
- (ix) shall assist the Component Executive as needed;
- (x) Be a member of the Employer-employee Relations Committee and an Accredited Delegate to the Annual General Meeting of the Union;
- (xi) Shall attend union activist training.
- (xii) Shall be a member of the Negotiations Committee.

Where the office of President becomes vacant, the Vice-President shall automatically assume the duties thereof for the remainder of the term of office.

(c) Vice-President:

The term of office for the Vice-President shall be for two years and elections shall be held in even numbered years. The term of office shall expire on the date of the Annual Meeting in the year that his/her term of office is due to expire.

- (i) shall assist the President in the discharge of her/his duties and;

- (ii) in the absence of the President, perform the duties and functions of the President;
 - (iii) shall assist the Component Executive to prepare the agenda for the Component Annual Meeting;
 - (iv) shall assist the Component Executive as needed;
 - (v) Shall attend union activist training.
- (d) Recording-Secretary:

The term of office for Recording-Secretary shall be for two years and elections shall be held in odd numbered years. The term of office shall expire on the date of the Annual Meeting in the year that his/her term of office is due to expire.

- (i) shall keep an accurate record of minutes of all meetings;
- (ii) all records within the Component shall be in the custody of the Recording-Secretary;
- (iii) shall sign documents, together with the President or Vice-President, as required;
- (iv) shall forward, to the Head Office of the Union, the names of the elected officers of the Component;
- (v) shall forward copies of the minutes of all meetings of the Component to the Head Office of the Union and Component Executive within twenty (20) days of such meeting being held;
- (vi) shall assist the Component Executive to prepare the agenda for the Component Annual Meeting;
- (vii) shall assist the Component Executive as needed;
- (viii) shall provide the Union staff and Component President with the list of elected Delegates and the list of Alternates;
- (ix) shall attend union activist training

Where the office of the Recording-Secretary becomes vacant an election may be held at the Component Annual Meeting to fill the position for the remainder of the term of office.

- 3.03 (i) any member elected to the Component Executive that has not received training as a Union Activist shall attend the education accreditation program of the Union to obtain a minimum level 1 certification;
- (ii) the Component Executive shall ensure the Annual Component Meeting minutes are posted on the Union Website or distributed to the Component Members in a timely manner;
- (iii) the Component Executive shall ensure the package for the Component Annual meeting is forwarded to all Component members no less than thirty (30) days prior to the meeting, via regular and/or electronic mail;
- (iv) the Component Executive shall send notice of all meetings, when such are required;
- (v) Shall attend union activist training.

ARTICLE IV – COMMITTEES (Negotiations)

- 4 (a) The Component shall elect from its membership the required number of representatives prescribed in Schedule B to the Negotiating Committee/Team.

SCHEDULE B

Number of Members in Component/Bargaining Unit	Number of Members to be elected to Negotiating Committee/Team
0-300	3 maximum
301-500	5 maximum
501-1000	7 maximum
Over 1000	9 maximum

- (b) The Negotiating Committee/Team shall be responsible to:
 - (i) develop the membership questionnaire to determine the bargaining agenda priorities.
 - (ii) formulate the bargaining agenda to be used as the basis of negotiations with the Employer.
 - (iii) maintain a communication system relating to progress at the negotiating table amongst the Union Activists and the membership.
- (c) The Negotiating Team shall:
 - (i) bargain collectively with the Employer using as a basis for bargaining, the agenda drafted by the Negotiating Committee/Team;

- (ii) determine the best settlement which the Employer is prepared to offer;
- (iii) refer the settlement offered by the Employer to the membership of the Component/Bargaining Unit for acceptance or rejection.

ARTICLE V – ELECTIONS

- 5.01 In order to hold any office of the Component, a member must be covered by the collective agreement of the Component and a member in good standing of the Union.
- 5.02 All elections shall be by secret ballot and in accordance with the Union's Constitution & By-Laws.
- 5.03 The elected Officers shall take office immediately after being elected & sworn into office at the end of the Component Annual Meeting and/or the NBU Biennial Convention.
- 5.04 Nominations shall be accepted from members in attendance at the meeting, or from members who have submitted their intention to stand for office, delegate or committee in writing, and such intention has been accepted by a motion at the meeting.

ARTICLE VI – UNION ACTIVISTS

- 6.01 All new Union Activists must participate in the education accreditation program of NB Union as a condition of remaining a Union Activist;
- 6.02 Duties and Responsibilities of the union activist:
 - (a) to welcome and inform new members about their Union
 - (b) to inform members of Union activities
 - (c) to act as a communication link
 - (d) to represent the Union
 - (e) to assist handling grievances

ARTICLE VII – DELEGATES

- 7.01 Accredited Delegates to the Biennial Meeting of the Union shall be elected on a per capita basis at the rate of two delegates for the first 100 members and one delegate for each 100 members or fraction thereof.
- 7.02 In the event that there is not sufficient number of delegates elected or the alternate list has been exhausted, the Component President may appoint members as delegates.
- 7.03 Any person who is elected as a Component Delegate to the Biennial Meeting of the Union shall attend, and participate in, all matters of required business.

ARTICLE VIII – COMPONENT EXECUTIVE MEETINGS

- 8.01(i) The component may form a Component Management Committee, composed of the Component Executive and Union Activists. The President of the Union shall be an ex-officio member.
- (ii) The Executive Committee of the Component may meet during the calendar year to consider matters of business of the Component. The President of the Union shall be an ex-officio member.

ARTICLE IX – MEETINGS

9.01 Annual Meeting

- (a) The Component Annual Meeting shall be held at such time and place as determined by the Union.
- (b) The call to the Annual Meeting shall be communicated to each member by regular and/or electronic mail thirty (30) days prior to the date of the meeting.
- (c) The Annual Meeting shall include the election of Officers along with Component business.
- (d) A duly constituted Component Annual Meeting shall have a quorum for the transaction of business. A quorum shall consist of not less than ten (10) members of the Component in good standing.

9.02 Special Meetings

- (a) The Component President and/or Director may, with the approval of the Union President, call a meeting of the Component’s membership for the purpose of conducting a strike or contract ratification vote, or due to any special or emergency circumstances.
- (b) The Component of the Union may request the Board of Directors to authorize a Special Meeting of the Component.

The Board of Directors shall grant a Special Meeting and provide Union funding for such if the following three criteria are met with the satisfaction of the majority members of the Board of Directors.

- (i) The request is supported, in writing, by at least 10 percent of the Component’s membership.
- (ii) That the purpose of the Special Meeting is for a particular “special circumstance” agenda item. Special Meetings will not be authorized to consider amendments to the Component By-Laws, decertification from the Union, or the removal of Component officers.

- (iii) That the members in the Component receive notice and agenda for the Special Meeting at least twenty one (21) days in advance of the meeting.

Once the Special Meeting is authorized by the Board of Directors, the meeting shall be scheduled at a location established by the Board of Directors. A Board of Directors' commissioned Parliamentarian shall preside at the meeting.

- (c) A duly constituted Special Membership Meeting of the Component shall be one which shall have a quorum of a minimum of ten (10%) percent of the membership present, and for which proper notice has been given.

- 9.03 In all matters and order of business not regulated by these By-Laws, Robert's Rules of Order shall govern. Should a question arise respecting the procedures and conduct of any meeting, the question shall be settled by reference to the latest edition of the Robert's Rules of Order.

ARTICLE X – MEMBER DISCIPLINE

- 10.01 Any member complained of violating any provisions of the By-Laws or the provisions of the Union's Member Discipline Policy may be subject to a hearing as deemed appropriate under the New Brunswick Union Member Discipline Policy, Article IX of the New Brunswick Union Policy Manual.

ARTICLE XI – AMENDMENTS

- 11.01 Amendments to the By-Laws must be approved by a 2/3 majority vote of Members attending the Component Annual Meeting prior to written submission to the Board of Directors. Upon ratification by the Board of Directors, any amendments to these By-Laws, unless otherwise provided, shall go into effect immediately.
- 11.02 These By-Laws shall not conflict with the Constitution/By-Laws of the Union.
- 11.03 The By-Laws of the Component may be changed by a 2/3-majority vote at any special membership meeting if proper notice has been forwarded to the Component Executive Committee.
- 11.04 Amended by-laws shall be posted on the NBU Website within a timely manner.
- 11.05 Proposed amendments to the Component By-Laws must be submitted to the Component Executive sixty (60) days prior to the Component Annual Meeting. The proposed amendments will be sent out with the call to the Component Annual Meeting thirty (30) days prior to the date of the meeting.

ARTICLE XII – VOTING

- 12.01 All members in good standing of the Union in the Component may attend any Annual or Special meeting of the Component with voting rights.
- 12.02 In case of an equality of votes the Component President shall have a tie breaking vote in addition to his/her own vote as a member. (Roberts Rules)
- 12.03 All ballots shall be counted unless spoiled. The percentage of votes as either “ya” or “na” will then be communicated to the members.
- 12.04 All Officers, delegates and committee members shall be elected by a simple majority of votes cast. In the event that no nominee gets a majority (50% plus 1), the nominee receiving the lowest number of votes shall be dropped from the next ballot. The scrutineers shall not report the number of votes received by any nominee. They shall only state the name of the nominee receiving a majority or being dropped from the next ballot, as the case may be.

ARTICLE XIII – DISPOSITION OF PROPERTY

- 13.01 All books, assets, papers and other records or documents of the Component shall be turned over to the President of the Union when the Union ceases to represent the Component as a Bargaining Agent.

ARTICLE XIV - STAFF REPRESENTATIVES

- 14.01 Staff representatives may attend meetings of the Component and/or Executive Committee with voice but without vote. Notification of attendance shall be given to the chair of meeting prior to attending.