

B Y L A W S
A N D
R E G U L A T I O N S

Teaching and Research Assistants of Concordia

Local 12500 of the Public Service Alliance of Canada
2130 rue Bishop, MI-207, Montreal, QC, H3G 1M8

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Article 1: Name, Affiliation, and History

- 1.1 The name of the union local is the Teaching and Research Assistants of Concordia (TRAC).
- 1.2 TRAC is local 12500 of the *Public Service Alliance of Canada* (PSAC). PSAC is in turn affiliated with the Canada Labour Congress and the *Fédération des travailleurs et travailleuses du Québec* (the Quebec Federation of Labour, FTQ).
- 1.3 TRAC may be affiliated with various labour councils in locations where such organizations have been established.
- 1.4 TRAC was founded on August 2006 in Montreal and certified on November 27, 2006.

Article 2: Head Office

- 2.1 The Head of Office of the TRAC is located at 2130 Rue Bishop, Montreal, Quebec.

Article 3: Jurisdiction

- 3.1 All employees of Concordia University who are included in the bargaining unit described in the Accreditation Certificate fall within the jurisdiction of TRAC jurisdiction.

Article 4: Goals of TRAC

- 4.1 The goals of TRAC shall be:
 - (a) to study, protect and develop the professional, socioeconomic, cultural, and political interests of its members and workers in general. Moreover, the TRAC shall promote values of social solidarity, equity, tolerance and sharing to build a fairer society free of discrimination, violence, oppression and exploitation, a society that shall make it possible to ensure that everyone develops to their fullest and be respectful of the environment;
 - (b) to promote and support an adequate, positive and safe studying and working environment and to ensure the respect and the protection of knowledge produced;
 - (c) to actively protect the quality and accessibility of education at Concordia University and in Canada;
 - (d) to encourage the resolution, through mediation, negotiation, and other means of all conflicts between the members and their Employer.
- 4.5 Furthermore, TRAC affirms that the primary objective of the University must be to convey and develop knowledge so that it can contribute to the achievement of the aforementioned objectives.
- 4.6 The policies and positions of TRAC shall be consistent with those of the PSAC.

Article 5: Means of Achievement

- 5.1 TRAC proposes to achieve these goals by:
 - (a) developing and maintaining a well-organized membership to support the objectives of the union local;
 - (b) developing action and education programs to improve Member training and awareness of the trade union movement and principles;
 - (c) regulating relations between the Employer and the Members by means of collective bargaining;
 - (d) obtaining a higher standard of living and better working conditions for Members;
 - (e) encouraging the participation and involvement of its Members in other PSAC structures and other popular organizations and organizations established by TRAC or affiliated with it;
 - (f) establishing close links with the public we serve and the communities in which we live;
 - (g) providing a responsible administration of the local;
 - (h) negotiating and enforcing the Collective Agreement.

Article 6: Definitions

- 6.1 *Active Members*: Active members are those who exercise the rights conferred by the Bylaws and Regulations and which relate to the benefits of the local.
- 6.2 *Regulations*: The Bylaws and Regulations of the local.
- 6.3 *Employer*: Concordia University
- 6.4 *Employees*: All employees eligible to become members of the local (according to the Labour Relations Board certifications issued on October 2nd, 2006 and November 27, 2006 or any amendment thereto)
- 6.5 *Local*: Local 12500 of PSAC
- 6.6 *PSAC*: Public Service Alliance of Canada
- 6.7 *FTQ*: Fédération des travailleurs et travailleuses du Québec.
- 6.8 *CLC*: Canadian Labour Congress.
- 6.9 *General Assembly*: Meeting which all members of the union may attend.
- 6.10 *Labour Council Meeting*: Meeting which all department delegates may attend.
- 6.11 *Executive Committee Meeting*: Meeting to which the Executive Officers have the right to attend, speak, putforward motions, and vote.
- 6.12 *Department Delegates*: A member representing the employees of a specific department.
- 6.13 *Department*: Any department as defined by Concordia University.
- 6.14 *Executive Committee Member*: Member in good standing elected to one of the offices of the local.
- 6.15 *Auditors*: Elected Non-Executive Officers who annually audit the finances of the local.
- 6.16 *Committee Member*: Member in good standing elected to one or several offices of the local, or appointed by the Executive Committee.
- 6.17 *Election Officer*: An Election Officer from PSAC, supervising any election in TRAC

Article 7: Members

In a manner consistent with the definition of membership in the PSAC Constitution:

- 7.1 All Employees whose employment is covered by the accreditation certificates issued on October 2nd, 2006 and November 27, 2006 by the Labour Relations Board or any amendment thereto may become a member of the local. Furthermore:
 - (a) all Employees whose contracts have expired may retain their rights and responsibilities as a member for a period of twelve (12) months. However, they must always be enrolled at the University or on a temporary absence authorized by the regulations of the University;
 - (b) all persons who can prove that they have been offered a contract that will be starting within the following month can become members, where the contract deals with employment subject to accreditation certificates issued on October 2nd, 2006 and November 27, 2006 by the Labour Relations Board;
 - (c) all Employees who upon graduation continue to hold a valid contract with the University, covered by the accreditation certificates issued on October 2nd, 2006 and November 27th, 2006 by the Labour Relations Board may remain Members for the duration of their contract;
 - (d) employees who have been laid off from a position under the local's jurisdiction, yet still maintain the right to be recalled may remain Members.
- 7.2 In order to become a Member an employee must complete and sign a union membership card and be accepted as Members of the Local Union.
- 7.3 In order to become a Member an employee must pay initiation dues and sign a dues deduction authorization on the form provided for this purpose.

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- 7.4 A Member shall receive a card attesting that they are Members of the Local, and electronic copies (or hard copies if circumstances warrant) of the collective agreement, the Bylaws and Regulations, and the PSAC Constitution and Regulations upon request.
- 7.5 Employees whose TRAC membership request has been rejected may exercise their rights of appeal stipulated in the PSAC Constitution and Regulations.
- 7.6 Members must abide by the provisions of these Bylaws, the PSAC Constitution and Regulations, as well as any legal agreement entered into by TRAC on their behalf.

Article 8: Membership Rights and Privileges

- 8.1 Only Members in good standing shall enjoy the rights and privileges conferred by the local's Bylaws and Regulations, specifically the rights:
 - (a) to file a complaint with the Executive Committee or PSAC if they believe any of their rights defined in these Bylaws has been violated by any member or body of TRAC or the Employer;
 - (b) to be nominated for and to hold office, and to vote in elections of officers of TRAC;
 - (c) to view the financial account books and meeting minutes upon request.

Article 9: Resignation from the Local Union

- 9.1 All Members who resign lose their entitlements to benefits and privileges of the local effective the date their resignation has been forwarded in writing to the Secretariat of the Local, as defined in the Quebec Labour Code.
- 9.2 Regardless of their membership status, Employees of Concordia University who are included in the bargaining units (Teaching and Research Assistants) described in the accreditation certificates and who resigned from the local still fall within the jurisdiction of the local or any successor thereof and shall pay union dues accordingly.

Article 10: Suspension or Exclusion

- 10.1 Any Members who does serious harm to the local, refuses to comply with the commitments made with the local, or fails or refuses to comply with the decisions of general meetings, is liable to being charged with a violation of these Bylaws and the PSAC Constitution.
- 10.2 Any Member who has been suspended or excluded shall lose all entitlements to local privileges or benefits, until the suspension has been lifted.
- 10.3 Exclusion and suspension of Members shall be dealt with in accordance with the provisions of the relevant sections of the PSAC Constitution and Regulations.

Article 11: Dues

- 11.1 The General Assembly sets the amount of the union dues.
- 11.2 The notice of the General Assembly must mention the planned change to the amount of the union dues
- 11.3 Two-thirds (2/3) of the votes recorded at that meeting are required to change the amount of the union dues.
- 11.4 The established amount is as follows:
 - (a) regular dues of 1.7% of gross pay;
 - (b) the amount of the contribution to the PSAC Emergency Fund set by PSAC.

Article 12: Financial Provisions

- 12.1 The local's fiscal year runs from 1 June to 31 May 31.

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- 12.2 A complete financial report approved by the Auditors must be presented at the first General Assembly following the end of the fiscal year.
- 12.3 Complete budget forecasts must be presented at the general assembly at the beginning of the fiscal year or at the end of the preceding fiscal year.
- 12.4 The Executive Committee cannot authorize any single expense or set of related expenses exceeding \$3,000 without the approval of the General Assembly.
- 12.5 Auditors:
 - (a) shall be two in number;
 - (b) shall not be selected from among Members of the Executive Committee and shall be elected at the first General Assembly of the year;
 - (c) shall audit and approve the Financial Report prepared by the Executive Committee before the latter presents it to the General Assembly;
 - (d) shall be given access to all the financial records necessary for their purpose.

Article 13: Decision-Making Bodies

- 13.1 The Local is made up of, governed and administered by the following bodies:
 - (a) General Assembly
 - (b) Executive Committee
 - (c) Labour Council

Article 14: General Assembly

- 14.1 The General Assembly shall consist of all Members of the local in good standing. All Members are entitled to speak, put forward motions, and vote.
- 14.2 The General Assembly is the supreme authority of the local. It shall:
 - (a) resolve any matter concerning the organization and internal functions of the local;
 - (b) elect members of the Executive Committee;
 - (c) elect Auditors;
 - (d) train all Committees it deems useful to its work, particularly the Collective Agreement Bargaining Committee;
 - (e) strike Committees and appoint members thereto;
 - (f) appoint delegates and representatives of Members and the Local to offices of the University and organizations that TRAC is affiliated with;
 - (g) take all the steps it feels are advisable to ensure the effective operation of the Local;
 - (h) amend these Bylaws, including the amount of union dues;
 - (i) vote on budgets presented by the Executive Committee and express an opinion on the report of the Auditors;
 - (j) vote to accept or reject all tentative agreements in draft format;
 - (k) vote to decide on any pressure tactics;
 - (l) vote on whether or not to strike;
 - (m) adhere to the principle to the effect that, no collective agreement can be considered completed with respect to the specific clauses of faculties without the majority consent of the Members of each of those faculties;
- 14.3 A General Assembly is ordinarily convened at least twice a year as near the beginning of the fall semester and as near the end of the winter semester as practicable.
- 14.4 Voting shall proceed by show of hands and a motion receiving a majority of the votes shall be deemed resolved. Furthermore:

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- (a) the right to vote is not transferable: if a member does not attend a meeting, the member shall not vote at that meeting;
 - (b) secret ballot shall be used in case of:
 - (i) elections
 - (ii) the ratification of a collective agreement;
 - (iii) a strike vote;
 - (iv) setting the amount of union dues.
- 14.5 The Executive Committee must call all General Assemblies fourteen (14) calendar days before a General Assembly takes place. The Executive Committee will use posters, electronic means and internal media at Concordia University whenever possible, to communicate the date, the agenda and location of the General Assembly.
- 14.6 Special General Assemblies can be called as often as the local requirements dictate. The Executive Committee or a petition by at least thirty (30) Members can call a Special General Meeting at any time. The agenda for assembly Special General Meeting shall be sent to members at least three (3) days before the meeting is held. However, in case of emergency, the Special General Assembly can be called with shorter but reasonable notice. Members must be informed of the agenda and the reasons for calling the assembly when it is called. The assembly must be publicized in at least two (2) different ways. Any decisions made at the Special General Assembly shall pertain only to the reason for the meeting as contained in the notice calling the meeting.
- 14.7 Quorum for all General Assemblies shall be thirty (30) members.
- 14.8 Documents pertaining to the General Assembly must be made available to Members to the greatest extent possible prior to the meeting.
- 14.9 Elections of elected Executive Officers and elected Non-Executive Officers conducted during a General Assembly shall be dealt with in accordance with PSAC election procedures.

Article 15: Executive Committee

- 15.1 The Executive Committee consists of six (6) members. The Executive Committee should reflect the various demographics of the membership, *i.e.* faculties, departments, gender, *etc.*
- 15.2 In order to be eligible for election to the Executive Committee a Member must:
- (a) be in good academic standing based on Concordia University regulations;
 - (b) be eligible to maintain the membership of the local for at least twelve (12) months following the election;
 - (c) demonstrate to an Election Officer, if necessary, that he/she meets the above mentioned criteria, upon penalty of immediate and automatic dismissal if the candidate is shown to have misrepresented himself/herself or presented false information;
 - (d) if in the last term of his/her program, must prove that he/she has got an acceptance for another program at Concordia University and may enter that program subsequently to graduation.
- 15.3 Members of the Executive Committee are elected for a twelve (12) month mandate at the spring General Assembly corresponding to the fiscal year (1 June to 31 May). When a position is vacated, the General Assembly must fill this position as quickly as possible.
- 15.4 Quorum for a meeting of the Executive Committee shall be four (4) members of the Executive Committee.
- 15.5 Meetings of the Executive Committee take place as often as required, but in any case at least once per month.
- 15.6 The Executive Committee shall:
- (a) prepare and call General Assemblies;
 - (b) see to it that policy positions of TRAC local officials are implemented and enforced;
 - (c) look after the internal administration, organization, and effective operation of the Local;
 - (d) administer the day-to-day business and assets of the Local;
 - (e) ensure that the collective agreement is enforced;
 - (f) invite student employees to participate in Local offices and university committees;
 - (g) support and develop inter-union relations;

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- (h) gather and distribute relevant information to Members;
 - (i) fill vacant positions on the Executive Committee on an interim basis, if required, until the next General Assembly;
 - (j) prepare TRAC policies subject to approval by the General Assembly;
 - (i) provide support with the negotiation of the collective agreement and ensure that it is enforced;
 - (j) anticipate grievances of a general nature that are likely to be referred to arbitration;
 - (k) authorize disbursements not in the budget, the maximum amount of which is decided by the General Assembly;
 - (l) comply with the decisions of the General Assembly;
 - (m) appoint and hire employees of the local and determine their functions;
 - (n) coordinate in cooperation with Department Delegates the signing of membership cards by new members;
 - (o) ensure that the rules and regulations adopted by the General Assembly are respected;
 - (p) name representatives to represent the local to the various bodies to which the local participates;
 - (q) authorize all the procedures and legal acts necessary for the best interest of the local.
- 15.7 Resignations
- (a) Should the president resign from his/her position, the Vice President shall replace the President if the resignation takes place less than three (3) months before the election take place. If the time period in question is longer, a new President shall be elected by a special General Assembly and shall be in accordance with any of the election regulations outlined in these Bylaws;
 - (b) If any members resign from or leave the Executive Committee, a General Assembly shall be called for the purpose of holding an election.
- 15.8 All members of the Executive Committee who are absent from three (3) consecutive meetings without sufficient grounds may be relieved of his/her duties by the Executive Committee and replaced in accordance with the procedures set out in the preceding article.

Article 16: The Labour Council

- 16.1 The Labour Council is an advisory body to the local.
- 16.2 The Labour Council is made up of one Departmental Delegate from each department, elected by the Members enrolled in each department.
- 16.3 The Labour Council will meet as deemed necessary by the Labour Council itself.
- 16.4 The Labour Council shall deliberate upon:
- (a) regulations pertaining to the finances and administration;
 - (b) interests and concerns of each of the departments;
 - (c) establish any committee to study, discuss, promote or achieve the goals of the local
- 16.5 The role of a Departmental Delegate is to:
- (a) defend the rights and interests of members he/she is representing by monitoring the application of the collective agreement, receiving complaints from the members and forwarding them to the Executive Committee, if necessary;
 - (b) report the weaknesses in the agreement detected by members in his/her department or by himself/herself such that they can be corrected during the next round of negotiations;
 - (c) ensure that the members are kept abreast of the local's activities and take all steps to ensure their active participation.

Article 17: Duties of Members the Executive Committee

- 17.1 The President shall:
- (a) represent the Local in its official business and in dealing with the media;

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- (b) call meetings;
 - (c) sign checks jointly with the treasurer;
 - (d) sign the minutes of General Assemblies and Executive Committee meetings, and Financial Reports;
 - (e) sit *ex officio* on all committees;
 - (f) monitor compliance with the regulations and ensure that each member of the Executive Committee diligently carries out the duties of her/his position;
 - (g) monitor the Local's activities;
 - (h) hand over his/her successor, at the end of his/her mandate, all Local property in his/her custody;
 - (i) keep abreast of all documents produced by bodies that have direct or indirect relevance to the activities of the Local;
 - (j) share responsibility with the Representative & Grievance Officer on all grievances submitted to the Local;
 - (k) handle all matters related to TRAC's relations with PSAC;
 - (l) sit as an *ex officio* member of the Bargaining Committee;
 - (m) sit *ex officio* as the TRAC representative on the Inter Union Council (IUC).
- 17.2 The Vice-President shall;
- (a) sit on the Executive Committee and second the President in his/her duties
 - (b) perform all of the Chair's duties in the President's absence;
 - (c) hand over to his/her successor, at the end of his/her mandate, all Local property in his/her custody;
 - (d) be responsible for writing articles, press releases, e-mails and at the request of various offices, memoranda, notices, etc.
 - (e) support all other Executive Members in their functions;
 - (f) be responsible for logistics.
- 17.3 The Secretary-Treasurer shall;
- (a) record the minutes of the General Assemblies, and the Executive Committee meetings, and shall forward the minutes of General Assemblies to all members;
 - (b) read all documents that must be passed on to the meetings of the Executive Committee and General Assemblies;
 - (c) be responsible for keeping the list of Members up to date;
 - (d) file any necessary legal documents;
 - (e) ensure that all communications are accurate, current and kept on file;
 - (f) ensure that all amendments to the Bylaws are recorded and forwarded to PSAC;
 - (g) handle the money and do the accounting;
 - (h) provide the Executive Committee upon request and at least every four (4) months an exact account of the Local's finances;
 - (i) make all disbursements authorized by the Executive Committee or the General Assembly;
 - (j) provide access to the financial records of TRAC upon request within seven (7) calendar days;
 - (k) deposit all TRAC funds in his/her possession into the TRAC bank account;
 - (l) prepare the Financial Reports, which, after approval by the Auditors, are submitted to the Executive Committee and the General Assembly;
 - (m) report in writing on his/her activities to the Executive Committee or the General Assembly;
 - (n) receive all revenues, fees, and dues and ensure that all money is promptly deposited in the Local's bank account;
 - (o) ensure all financial transactions are recorded in an acceptable manner;
 - (p) sign, jointly with the President, all checks and financial reports;
 - (q) provide receipts as necessary;

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- (r) provide Auditors with any information they may need to complete their Audit Report;
 - (s) respond in writing within a reasonable time to recommendations and concerns raised by the Auditors;
 - (t) prepare the budget with members of the Executive Committee that is submitted to the General Assembly;
 - (u) hand over to his/her successor, at the end of his/her mandate, all Local property in his/her custody.
- 17.4 The Representation and Grievance Officer shall:
- (a) cooperate with the President in the processing of grievances
 - (b) ensure compliance with deadlines in processing grievances and updating and filing records;
 - (c) be responsible for the negotiation of grievance settlements;
 - (d) act as an intermediary between members and PSAC when a grievance is referred to arbitration;
 - (e) report to the Executive Committee and the General Assembly, at the end of the year, a complete summary of any issues pertaining to grievances;
 - (f) hand over to his/her successor, at the end of his/her mandate, all Local property in his/her custody.
- 17.5 The Communication and Mobilization Officer shall:
- (a) ensure that new members of the local come in contact and become aware of the existence of the Local;
 - (b) ensure that there is good coordination between the Executive Committee and the various delegates;
 - (c) make note of the weaknesses detected in the collective agreement as noticed by members and ensure the Bargaining Officer is aware of them;
 - (d) be responsible for gathering, compiling, disseminating and distributing information to members;
 - (e) work in close cooperation with the Vice-President;
 - (f) implement, coordinate, and review, when required, the information distribution system and updates of the local publications, internet sites, and other means of communication;
 - (g) be responsible for both the visibility and communications of the Local;
 - (h) report on his/her activities to the Executive Committee and the General Assembly;
 - (i) create, maintain, and update the Member database;
 - (j) hand over to his/her successor, at the end of his/her mandate, all of Local property in his/her custody.
- 17.6 The Bargaining Officer shall:
- (a) be the representative of the Executive Committee at the negotiation table with the Employer;
 - (b) be the chair of the Bargaining Committee;
 - (c) inform the Executive Committee of the status of negotiations with the Employer;
 - (d) ensure that any demands approved by the General Assembly are the core of any negotiation with the Employer;
 - (e) suggest the negotiation strategy including any pressure tactics, in consultation with the PSAC representation and the Bargaining Committee;
 - (f) consult with the Representation and Grievance Officer to ensure that all elements of the Collective Agreement are implemented and upheld;
 - (g) make note of weaknesses detected in the Collective Agreement noted by the Members so that they can be corrected in the next round of negotiations;
 - (h) report on his/her activities to the Executive Committee and to the General Assembly
 - (i) hand over to his/her successor, at the end of his/her mandate, all Local property in his/her custody.

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Article 18: Committees

- 18.1 The General Assembly and Executive Committee shall strike committees to respond to specific requirements or emerging issues.
- 18.2 The body that created the committee shall decide on its composition and, if required, appoint its members and chair.
- 18.3 All committees so created are responsible to the office that created them.

Article 19: Codes of Rules of Procedure

- 19.1 The General Assembly, the Labour Council, and the Executive Committee and all other committees are offices of the local and are governed by PSAC's Constitution and Regulations.

Article 20: Amendments to these Bylaws

- 20.1 All proposed amendments must be formulated as a motion placed in the notice of meeting in order to be put to a vote at the General Assembly.
- 20.2 All amendments to these Bylaws require a two-thirds (2/3) vote of Members who are present.
- 20.3 The PSAC Constitution and Regulations shall govern in all matters that are not regulated by these Bylaws.
- 20.4 In case of conflict between these Bylaws and the PSAC Constitution or Regulations, the PSAC Constitution and Regulations shall take precedence.