

# The Professional Institute of the Public Service of Canada

## PROCEDURAL CLERKS, ANALYSIS AND REFERENCE GROUP CONSTITUTION AND BY-LAWS

### PREAMBLE

These By-Laws, in general, pertain to matters of Group organization not covered by the By-Laws and Policies of The Professional Institute of the Public Service of Canada and are made pursuant to those By-Laws and Policies.

*This consolidated version of the Group Constitution is based on the original version adopted at the founding general meeting held on Tuesday, April 26, 1988, and subsequently amended at the Annual General Meeting held on Monday, March 20, 1989, following a review of the Constitution by the By-laws Committee of The Professional Institute of the Public Service of Canada (PIPSC). On Wednesday, April 3<sup>rd</sup>, 2024, this consolidated version was modified by a General Meeting to reflect the standard formatting of PIPSC. All amendments made at later Annual General Meetings have been incorporated, and where the amendment was substantive, a note follows the amended clause indicating when and how it was amended.*

### DEFINITIONS

**"Institute" and/or "PIPSC"** means The Professional Institute of the Public Service of Canada".

**"Members"** means those who meet the requirements of By-Law 3 (Membership).

**"Employer"** shall be as defined in the Group's collective agreement.

**"Group"** means the **Procedural Clerks, Analysis and Reference** Group

**"President"** means President of the Group unless otherwise specified.

**"Vice-President"** means Vice-President of the Group unless otherwise specified.

### BY-LAW 1 NAME

The name of this Group shall be the PIPSC **Procedural Clerks, Analysis and Reference** Group, hereinafter referred to as the "Group".

### BY-LAW 2 GROUP AIM

The aim of the Group shall be to further the professional interests of its members; to protect the status and standards of their professions; to formulate and express the views of the members on matters affecting them, and to ensure that the interests of the Group are represented in all proceedings of the employer and of the Institute that may affect the Group and participate in the collective bargaining and consultations with the employer. The Group Executive shall speak for the Group in dealing with the Institute. This in no way infringes on the right of an individual to approach the Institute on their own behalf.

### BY-LAW 3 MEMBERSHIP

**3.1** Every member who belongs to the Group and who is a Regular member of the Institute shall also be a Regular member of the Group.

**3.2** Every Regular member of the Group who becomes a Retired member of the Institute shall also become a Retired member of the Group.

### BY-LAW 4 RIGHTS OF MEMBERS

**4.1** All members shall be eligible to hold office, nominate members for positions on the Group Executive, propose amendments to the Constitution and By-Laws of the Group, and vote in Group affairs.

**4.2** All members shall be eligible to attend

and speak at General Meetings of the Group.

**4.3** Only Regular members shall be eligible to vote on matters related to collective negotiations, including the method of dispute resolution and the ratification of proposed collective agreements.

## **BY-LAW 5 FINANCES**

**5.1 Group Finances:** Group finances shall be consistent with Institute policies.

**5.2 Fiscal Year:** The fiscal year of the Group shall be the calendar year.

**5.3 Expenditures:** The Group Executive shall expend such monies as it considers necessary for the conduct of the business of the Group.

**5.4 Group Funds:** Group funds will be maintained in an account assigned by the Institute.

**5.5 Signing Officers:** Signing officers are elected or appointed by the Group executive with the decision being recorded in the appropriate minutes. There should be a minimum of three signing officers.

**5.6 Signatures:** All cheques shall have the signatures of two signing officers. A signatory cannot also be the payee. If applicable, authorization by any of two of the three signing authorities, will be sent to PIPSC finance to process the payment.

**5.7 Records:** A written account shall be kept of all expenditures.

**5.8 Reviewing:** As required, reviewing and verification procedures shall be carried out by members of the Institute who are not responsible for the administration of Group funds.

## **BY-LAW 6 GROUP EXECUTIVE**

**6.1 Role:** The Group Executive shall exercise the authority of and act on behalf of the Group on all matters subject to this constitution between general meetings of the Group.

**6.2 Composition:** The Group Executive shall be elected by and from the Group members. The Group Executive shall be composed of a President, a Vice-President, a Secretary-Treasurer and Members-at-Large up to the maximum permitted by Institute By-Laws. At least one member shall belong to the Analysis and Reference Subgroup.

**6.3 Term of Office:** The term of office shall be two (2) years, with the exception of the first election, when half the members shall be elected for a two (2) year term and the remainder for a one (1) year term.

**6.4 Meetings:** The Group Executive shall meet as frequently as is required, but at least twice a year.

**6.4.1 Special Meetings:** A Group Executive meeting shall be called within one week following the request of three executive members.

**6.5 Quorum:** A quorum shall consist of a majority of the members of the Group Executive.

**6.6 Voting:** Decisions shall be by majority vote.

### **6.7 Vacancies:**

**6.7.1** If the position of the President becomes vacant for any reason, the Vice-President shall become President until the next election.

**6.7.2** If a position, other than that of the President, becomes vacant for any reason, the remaining members of the Group Executive may select an eligible member of the Group to fill that vacancy until the next election.

**6.7.3** Any member who is absent from two (2) consecutive meetings of the Group Executive without valid reason shall be considered to have resigned from the Group Executive.

### **6.8 Duties**

**6.8.1 President:** The President shall call and preside at all meetings of the Group and

of the Group Executive, and shall present to the Annual General Meeting a report on Group activities.

**6.8.2 Vice-President:** The Vice-President shall assist the President in the performance of their duties, and in the absence of the President, perform the duties of that position.

**6.8.3 Secretary-Treasurer:** The Secretary-Treasurer shall be responsible for sending notices of all meetings of the Group and of the Group Executive. They shall record minutes of meetings, including attendance, maintain records and correspondence of the Group and of the Group Executive, and shall ensure that a copy of minutes is filed with the Institute. They shall be responsible for submitting reports as required by the relevant Institute By-Laws and Policies. They shall also maintain the financial records of the Group as required by Institute policy, prepare a financial report for each meeting of the Group Executive and each General Meeting of the Group, submit a detailed financial statement to the Institute as required, and prepare the request for the annual allowance of the Group. Copies of the financial report shall be available to all Group members.

**6.8.4 Members-at-Large:** Members-at-Large shall perform such duties as may be assigned by the Group Executive.

**6.8.5 Committees:** The Group Executive may establish committees as necessary, with terms of reference and membership to be decided by the Group Executive. Copies of Committee reports shall be filed with the Group Secretary. Committees shall be dissolved by majority vote of the Group Executive.

## **BY-LAW 7 ELECTIONS**

**7.1 Elections Committee:** The Group Executive shall appoint an Elections Committee (of a minimum of one person) to receive nominations for positions on the Group Executive, and to conduct the elections. Any member of the Elections Committee who becomes a candidate in the

election shall resign from the Elections Committee.

### **7.2 Procedure for Nominations**

**7.2.1** A call for nominations for election to the Group Executive shall be included with the notice of the Group Annual General Meeting.

**7.2.2** Nominations may be submitted in writing or may be made from the floor of the Group Annual General Meeting. Nominated members must give their consent to this nomination in order for their name to be entered as a candidate.

**7.2.3** In the event that insufficient nominations are received to fill the vacancies, the Elections Committee shall attempt to obtain the names of additional persons willing and able to serve sufficient to fill the remaining vacancies. If none are forthcoming, the Executive may appoint someone to that position.

**7.2.4** The Elections Committee shall scrutinize the nominations for eligibility and, if necessary, arrange for ballots to be distributed to all members eligible to vote in the election.

### **7.3 Election Procedure**

**7.3.1** The election shall be held at the Group Annual General Meeting.

**7.3.2** The Elections Committee shall serve as Returning Officers and shall establish procedures for the efficient conduct of an election, call for any Declaration of Proxies, the counting and tabulating of ballots and all matters directly related thereto not otherwise specified in these By-Laws.

**7.3.3** The candidate receiving the highest number of votes for a position shall be declared elected.

**7.3.4** The results of the election shall be announced at the Group Annual General Meeting and subsequently distributed.

**7.3.5** The newly elected Group Executive shall take office at the close of the Group Annual General Meeting.

## **BY-LAW 8 GENERAL MEETINGS OF THE GROUP**

### **8.1 Annual General Meeting**

**8.1.1** The Annual General Meeting of the Group is its governing body. All members are entitled to attend.

**8.1.2** The Group Executive shall call an Annual General Meeting of the Group once each calendar year. The interval between such meetings shall not exceed fifteen (15) months. Members shall be notified of the meeting, the notice of elections and of any proposed changes to this constitution at least four (4) weeks prior to the date of the meeting.

**8.1.3 Quorum:** Fifty percent (50%) of the members in attendance at the beginning of the meeting shall constitute a quorum.

**8.1.4 Agenda:** The agenda shall include the following items:

Approval of the Agenda  
Adoption of the Minutes of the previous Annual General Meeting  
Business Arising from the Minutes  
Report of the President  
Annual Financial Report  
Approval of Budget  
New Business, including Proposed By-Law Amendments  
Elections and Report of the Elections Committee

**8.1.5 Voting:** All members present at the Annual General Meeting are eligible to vote. Voting shall normally be by a show of hands and each member shall have one (1) vote, unless identified as holding proxies (See 8.1.6). Decisions shall be by a simple majority vote.

#### **8.1.6 Proxies**

**8.1.6.1 Delegation:** A member may delegate his general voting right to one (1) member attending the Annual General Meeting or a Special General Meeting of the Group by means of a proxy.

**8.1.6.2 Form:** The member delegating his voting right should complete and sign the proxy form in Appendix A. The proxy form or a printed electronic authorization that serves as a proxy shall be given to the meeting's presiding officer when the Declaration of Proxies is called. All proxy forms not provided to the presiding officer in due course shall be declared null and void.

**8.1.6.3 Validity:** To be valid, a proxy form must be completed and signed (see Appendix A). In the absence of a proxy form, an electronic proxy authorization is permitted and shall be valid if it comes from the member's email account and contains all the elements in Part A of the proxy form (Appendix A) except for a signature.

**8.1.7 Filing of Documents:** Each year, following the Annual General Meeting, the Group Executive shall submit a copy of the draft Annual General Meeting minutes, the annual financial report, the approved budget and the elections report to the Office of the Executive Secretary of the Institute prior to the end of the calendar year.

### **8.2 Special General Meetings**

**8.2.1** A Special General Meeting of the Group shall be called by the Group Executive or at the written request of at least 10% of the Group members. This meeting shall be held within six (6) weeks of such call or request.

**8.2.2** Only the matter(s) for which the Special General Meeting was called shall appear on the agenda.

**8.2.3** Members shall be notified of the meeting at least one (1) week prior to the date of the special meeting.

**8.2.4** The same requirements shall apply to quorum, governance, attendance and voting at Special General Meetings as are prescribed for the Annual General Meeting.

## **BY-LAW 9 RULES OF PROCEDURE**

At any meeting of the Group Executive or any Special or General Meeting, the Chair shall decide all questions of procedure based on this Constitution, on any relevant

decisions of the Group Executive or previous General Meetings and on any relevant practices of the House of Commons and its Committees. Decisions of the Chair may be appealed to the Group Executive at meetings of that body or to the membership at General Meetings.

#### **BY-LAW 10 CONSTITUTION AND BY-LAWS**

**10.1** These By-Laws may be amended at a General Meeting of the Group. Approval of proposed amendments requires a simple majority of those voting.

**10.2** All proposals for amendments to these By-Laws shall be submitted, in writing, to the Group Executive. Proposed amendments may be submitted by any member of the Group. The notice of the Group meeting at which the amendments will be considered, shall include:

- a) the article to be amended; and
- b) the new wording.

**(See 8.1.2)**

**10.3** New Constitutions and By-Laws, as well as any amendments, shall be submitted to the Institute By-Laws and Policies Committee for review.

**10.4** This Constitution and By-Laws and any amendments thereto shall take effect upon ratification by the Group membership and approval by the Institute.

**10.5** These Constitution and By-Laws are adopted simultaneously in both English and French, each version being equally authoritative.

#### **BY-LAW 11 REGULATIONS**

**11.1** The Group Executive may make such Regulations if any, and any amendments thereto, not inconsistent with these By-Laws, as it deems necessary or convenient for the operating of the Group.

**11.2** All proposed Regulations, if any, and amendments thereto shall be submitted to the Institute for review and approval. They shall take effect on a date determined by the

Group Executive, but not earlier than the date they were approved by the Institute.

**11.3** Each such Regulation shall be presented to the next General Meeting of the Group and may be rescinded or amended by such meeting. These constitute changes to the Regulations and shall be subject to Article 11.2.

#### **BY-LAW 12 COLLECTIVE BARGAINING**

##### **12.1 Negotiating Team**

**12.1.1** The Group Executive shall appoint a Negotiating Team to act on behalf of the Group. The Negotiating Team shall normally be composed of the President, the Vice-President, the Secretary-Treasurer and at least two other members of the Group, provided that at least one of the members of the Team shall belong to the Analysis and Reference Subgroup.

**12.1.2** The Negotiating Team is responsible for establishing the bargaining demands after consulting the membership and the executive.

**12.1.3** During bargaining the Negotiating Team shall provide status updates to the Executive and to the membership.

**12.2 Spokesperson:** The spokesperson in negotiations shall be an assigned staff member of the Institute.

**12.3 Ratification of the Collective Agreement:** Every tentative Collective Agreement shall be submitted to the Group Executive for its approval, following which it shall be submitted to the members for ratification.

**Approved by the Board of Directors  
May 4, 2024**



**PROCEDURAL CLERKS AND ANALYSIS AND REFERENCE GROUP  
PROXY FORM**

PART A

I, the undersigned, \_\_\_\_\_, being a member in good standing of the Procedural Clerks and Analysis and Reference Group of the Professional Institute of the Public Service of Canada (hereinafter referred to as the "Group"), hereby appoint \_\_\_\_\_ (name of appointed person), who is also a member in good standing of the Group as my proxy to vote on my behalf at the meeting of the Group to be held on \_\_\_\_\_ (date of meeting).  
Signed \_\_\_\_\_ (date of signing)

\_\_\_\_\_  
Signature

.....  
PART B

**Declaration of Proxy holder**

I, the undersigned, \_\_\_\_\_ shall to the best of my ability vote and express the approval or disapproval of the member I represent.

Signed \_\_\_\_\_ (date of signing)

\_\_\_\_\_  
Signature

.....  
PART C

Received by: \_\_\_\_\_ (Signature of meeting presiding officer)  
Date: \_\_\_\_\_ Time: \_\_\_\_\_

**Approved by the Board of Directors  
May 4, 2024**