

# Nav Canada

## Constitution and By-Laws

### PREAMBLE

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

### 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.

"NAVCAN" means the Nav Canada 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 organization shall be the PIPSC Nav Canada Group of the Professional Institute of the Public Service of Canada 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.

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 his own behalf.

### BY-LAW 3 MEMBERSHIP

**3.1** Any 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** Any 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** 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.

**4.2** All members, including retired 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.

**4.3** All members shall be eligible to attend and speak at General Meetings of the Group.

## **BY-LAW 5 FINANCES**

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

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

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

**5.4 Signatures:** Financial transactions shall require the signatures of any two (2) of the President, Vice-President, Secretary and Treasurer of the Group.

**5.5 Auditing:** As required, auditing and verification procedures shall be carried out by members of the Group who are not responsible for the administration of Group funds.

**5.6 Statement:** A detailed financial statement and budget shall be filed with the Executive before being presented to the AGM for approval by the members at the AGM.

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

**6.1 Composition:** The Group Executive shall be composed of a President, a Vice-President, a Secretary, a Treasurer and Members-at-Large to the maximum permitted by Institute By-Laws, elected by and from the Group members.

**6.2 Term of Office:** The term of office shall be three (3) years, with the exception of the first election, when half the members shall be elected for a three (3) year term and the remainder for a one (1) year term.

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

**6.3.1 Guest Invitation:** The President may invite other persons to attend meetings of the Executive in a non-voting capacity.

**6.3.2 Location:** Subject to Institute policy.

**6.3.3 Extraordinary Meeting:** Any four (4) executive members, or the President, can call an extraordinary meeting of the Group Executive provided that forty-eight (48) hours' notice is given to the executive members.

**6.3.4 Invitation of Negotiating Member:** When members of the outgoing Executive are continuing in an active role related to the negotiation of the Groups Collective Agreement, they may be invited to all Executive meetings until a new Collective Agreement is signed. Additional costs not covered by the Institute will be paid out of Group funds.

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

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

**6.5.1 Criteria:** Decisions shall be by a simple majority of the executive members present, with the President only being entitled to cast a vote to break a tie if wanted.

**6.6 Vacancies:**

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

**6.6.2 Executive:** If a position, other than that of the President, becomes vacant for any reason, the remaining officers of the Executive may, at their next meeting, act to fill the vacancy until the next AGM.

**6.6.3 Absence:** Any officer who is absent from two (2) consecutive meetings of the Executive without valid written reason shall be considered to have resigned from the Executive.

**6.6.4 Alternate:** An Executive member that is from the Regions and who is unable to attend a Group Executive meeting may designate another member of that Region to attend. This member shall be an "Alternate".

**6.7 Duties**

**6.7.1 President:** The President shall call and preside at all meetings of the Group and of the Group Executive. The President of such meeting shall first rule on any matter of procedure or order and shall, in the absence of any By-Law to the contrary, rely upon and be governed by the latest edition of Sturgis' Standard Code of Parliamentary Procedure available at the meeting. The President will preside on all committees or may request that the group executive select an alternate.

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

**6.7.3 Secretary:** The Secretary shall be responsible for sending notices of all meetings of the Group and of the Group Executive. The Secretary 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 are filed with the Institute.

**6.7.4 Treasurer:** The Treasurer shall maintain the financial records of the Group as required by Institute policy, prepare a financial report for 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.

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

**6.7.6 Committees:** The Executive may establish committees as necessary, with terms of reference and membership to be decided by the Executive. Committees shall be dissolved by majority vote of the Executive.

## **BY-LAW 7 ELECTIONS**

**7.1** The Group Executive shall appoint an Elections Committee 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. The elections committee will inform voting members as soon as possible but no later than five business days after the elections committee member becomes a candidate.

**7.2** The Elections Committee shall distribute a request for nominations to all members of the Group at least four (4) weeks prior to the closing date for nominations.

**7.3** Nominations must be supported by at least two (2) members of the Group and the nominee must indicate a willingness to serve if elected.

**7.4** Nomination forms, including a biography, must be received by the Elections Committee by the close of business on the last business day of March. 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.

**7.5** 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.

**7.6** Ballots must be distributed by the first business day in May.

**7.7** Ballots must be received at the National Office of the Institute by the close of business on the last Thursday of May.

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

**7.9** The Elections Committee shall ensure the membership is informed of the results of the election as soon as possible. Results of the election will be distributed to members no later than five business days after the votes have been counted. The Election Committee shall publish the election results on the organization's website, and those results shall include the names of candidates and the number of votes cast for each candidate.

**7.10** The newly elected Executive shall take office on the first Monday in June.

**7.11** An election will be held on the floor of the AGM for any executive positions that have become vacant. The term of the newly elected executive member shall be for the remainder of the original term of office for the position being filled.

## **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 supreme governing body. All members are entitled to attend.

**8.1.2** The Executive shall call a General Meeting of the Group at least once each calendar year. The interval between such meetings shall not exceed fifteen (15) months. Members shall be notified at least four weeks prior to the date of the meeting.

**8.1.3 Quorum:** Quorum at Annual General Meetings shall constitute fifty percent (50%) of the members in attendance at the beginning of the meeting.

**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

Roll Call (members of the Group Executive)

Business Arising from the Minutes

Report of the President

Annual Financial Report

Report of the Elections Committee

New business, including proposed By-Law amendments.

**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. Decisions shall be by a simple majority vote.

**8.1.6 Filing of Documents** Each year, following the Annual General Meeting, the Group Executive shall submit a copy of the draft AGM minutes, the annual financial report 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 voting members of the Group. This meeting shall be held within six (6) weeks of such call or request. Only the matter(s) for which the Special General Meeting was called shall appear on the agenda.

**8.2.2** The same requirements shall apply to the notice, quorum 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 or Group Executive, matters of procedure, insofar as they are not specifically provided for, shall be governed by a majority vote of the members present and voting on the matter of procedure. The Chair of such meeting shall first rule on any matter of procedure or order and shall, in the absence of any By-Law to the contrary, rely upon and be governed by the latest version of Sturgis' Standard Code of Parliamentary Procedure available at the meeting.

## **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.

**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 approval by the Institute and ratification by the Group membership of the same wording.

## **BY-LAW 11 REGULATIONS**

**11.1** The Group Executive may make such Regulations, not inconsistent with these By-Laws, as it deems appropriate for the operation of the Group.

**11.2** All proposed Regulations 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 CONTEXT AND GENDER**

In this Constitution and By-Laws, expressions in the masculine or feminine gender, in plural or in singular, may be substituted to give effect to the true meaning of the Constitution and By-Laws.

**Approved by the Board of Directors  
May 3, 2010**

**Approved by the Board of Directors  
June 10, 2016**

**Approved by the Board of Directors  
December 14, 2022**