



Policy on the Structure and Function of Constituent Bodies

Effective Date: June 2019

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- 1. Purpose and Scope** The purpose of this policy is to outline roles, responsibilities, and procedures related to constituent bodies not covered in By-Laws and policies. It applies to Regions and Branches, and Groups and Sub-groups.
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- 2. Constituent Body Constitutions** Every constituent body is governed by a constitution made up of By-Laws and regulations. Constitutions must be consistent with Institute By-Laws and Policies, and must be approved by the PIPSC Board of Directors.
- Newly formed constituent bodies approved by the Executive Committee of the Institute shall automatically have the model constitution updated to add their name and this becomes their constitution. Constituent bodies are encouraged to use the language included in the relevant model constitution. Any constituent body that does not have a specific constitution in place shall be governed by the relevant model constitution until they develop their own.
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- 3. Naming of Constituent Bodies** Constituent bodies will be named in accordance with the following conventions:
- **Regions:** the name is predefined in by-laws.
 - **Branches:** the name syntax shall consist of the geographic location and/or department reference (if applicable) (in that order).
 - **Groups:** the name is predefined by the bargaining unit certificate or equivalent.
 - **Sub-Groups:** the name syntax will consist of the Group acronym or name, and the geographic location and/or department reference (if applicable) (in that order).
- Name changes to constituent bodies must be approved by the Executive Committee of the Institute. Once approved, the constituent body constitution will be automatically updated to reflect the new name.
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4. Authorities

The authority of constituent bodies is delegated by the Institute and may be amended from time to time.

The Executive of constituent bodies shall exercise the authority of and act on behalf of the constituent body on all matters subject to the constituent body constitution between general meetings of the constituent bodies.

The constituent body Executive shall speak for the constituent body in dealing with the Institute. This in no way infringes on the right of an individual to approach the Institute on his or her own behalf.

5. Executive Meetings (AGM 2015)

The Executive shall meet as frequently as is required, keeping in mind the maximum allowed in the Institute By-laws and Policies.

Meetings will be scheduled in accordance with the availability of the members of the Executive, recognizing the frequency of meetings and the requirement to permit a balance between union activities and family life.

In the case of Regions or Groups, if an elected Executive member is unable to attend a meeting, the Executive may invite a member or a Steward as an observer to the meeting. The funds for the absent Executive member will be used to cover the observer's expenses, at no extra cost. Observers shall not have the right to vote at these meetings.

Executive meetings, other than Closed Sessions, are open to any member of the constituent body.

6. Constituent Body Elections

The specific nomination and election procedure for the constituent bodies shall be as defined in their constitution.

There shall be no additional cost to the Institute.

In all other respects, constituent body elections shall be conducted in accordance with the Guidelines on Constituent Body Elections.

7. Periods of Extended Leave

Members on periods of extended leave (30 days or more) from the workplace may seek and hold office on a constituent body executive provided they are considered by the President to be able and available to carry out their duties.

8. Document Filing and Retention

Approved minutes of constituent body Executive Meetings and Annual General Meetings shall be filed with the Institute for long-term storage.



9. Mergers of Constituent Bodies

Mergers of constituent bodies must be approved by the Institute Executive Committee.

The constituent bodies affected by a merger, or the Executive Committee of the Institute if the constituent bodies are unable to conclude a voluntary agreement, shall within the first thirty (30) days after formal merger:

- issue new constituent body by-laws which will apply;
- initiate elections for a new Executive pursuant to these by-laws; and
- appoint an interim Executive as necessary.

On merger of a Region or a Group, existing Branches or Sub-Groups shall cease to exist. A new system of Branches or Sub-Groups may then be re-composed pursuant to the relevant Institute By-Law.

10. Revocation of Certification

It is recognized that members of occupational Groups have a legitimate right to choose their bargaining agent. Accordingly, any individual or group of individuals may investigate the possibility of alternative representation.

A decision to seek certification with an alternate bargaining agent lies with the majority of the Group, not the Executive of the Group. Any member who is actively promoting revocation of certification has an obligation to resign from any elected or appointed office or position of any constituent body of the Institute.

Institute funds, facilities, offices or other resources shall not be used to promote revocation of certification.

11. References

PIPSC By-Laws 10 and 11

Model Constitutions

Appendix A: Guidelines on Constituent Body Elections



Appendix A to the Policy on Structure and Function of Constituent Bodies:

Guidelines on Constituent Body Elections

Background

The following are guidelines to assist constituent bodies in conducting fair and transparent elections. It is recommended that a process for conducting elections, including procedures for handling complaints and appeals, be included in the constitution or by-laws and regulations of all Constituent Bodies.

A motion was carried at the 2009 PIPSC AGM which makes it possible Constituent Bodies to seek assistance from the PIPSC National Elections Committee when conducting elections (By-Law 17.3.2.1).

For additional assistance, an excellent reference for an election process is found in the *Standard Code of Parliamentary Procedure*, formerly the *Sturgis Standard Code of Parliamentary Procedure*.

PIPSC National Elections Committee

The PIPSC National Elections Committee is available to provide advice and will assist a Constituent Body in writing election procedures. If the Constituent Body by-laws and regulations do not adequately deal with an issue that arises, the overarching by-laws and policies for PIPSC will govern.

The PIPSC National Elections Committee will only become involved in a Constituent Body election or to conduct the Constituent Body election if requested by:

- A locally appointed Elections Committee
- A Constituent Body Executive
- The Board of Directors

Election Process

1) Committee

- At the start of each election, an Elections committee (including Committee Chair) will be appointed by the Executive of the Constituent Body which is conducting the election. An Elections committee, comprised of at least three (3) members not seeking election, will be constituted to conduct the elections, including the collection and tabulation of any ballots. The Elections committee may be partly or wholly made up of members of that body's Executive providing none involved are seeking election.



- Should a member of the Elections committee decide to run for a position, they must resign from the Elections committee and a replacement will be designated by the Executive of Constituent Body conducting the election.

2) Campaigning

- The Elections Committee should determine, prior to the election, where, when and how candidates may campaign.
- Executives should ensure that all candidates have an equal opportunity to present their platform to members.

For example: If speeches or material distribution is allowed at an AGM, all candidates will be given time and opportunity

For example: If a candidate for a group election is allowed to attend a Sub-Group AGM, all candidates should be given the same opportunity.

- Candidates should not use the services of PIPSC staff for election purposes.
- Candidates should not use PIPSC letterhead/Logo or otherwise imply support or endorsement by the Institute or any Constituent Body.
- Constituent Body funds and resources of any type should not be used to support the candidacy of any person or for campaigning purposes.
- The Elections Committee should review the list of [Administrative Procedures](#) published for the National Elections. It offers valuable advice when conducting an election.

3) Procedures

- Elections must be held as per the Constituent Body's By-Laws.
- Rules regarding the election process and campaigning should be distributed with the call for nominations.
- Where feasible, the Elections Committee should review material distributed by candidates seeking election to ensure accuracy and fairness. This would include resumes or biographies.
- Nominations for elections must be received and reviewed by the Elections Committee.
- Ballots must be produced by or under the direction of the Elections Committee. However, ballots for national groups are typically done by the PIPSC national office, including electronic ballots.
- The Elections Committee shall be responsible for the tabulation of all ballots (including verification) and will release results per the wishes of the relevant Constituent Body.
- Candidates declared unsuccessful who wish a verification of the results must submit a formal request to the Elections Committee within five (5) working days from the date the candidate is notified of the results of the election. A recount would only apply to paper ballots and only if the



number of paper ballots exceeds the margin of victory. If electronic logs have been used, then a verification of the logs can be done with candidates present.

- In case of a tie, a winner will be determined by a coin-toss.
- It would be a good practice for the Constituent Body to keep the ballots for thirty (30) days to wait for any appeals period to end before the ballots are destroyed. PIPSC can store ballots up to 30 days upon request.
- If there are no requests for a recount or appeals, the elections committee shall destroy any paper ballots or request that electronic ballots be deleted.

4) Complaints

- Complaints regarding the activities of a member, a candidate or their supporters should go to the Elections Committee. The Elections Committee will investigate the complaint and render a decision as soon as possible.
- Complaints regarding the activities of the Elections Committee go to the PIPSC National Elections Committee which will investigate the complaint and render a decision as soon as possible.
- Any candidate may challenge the election process no later than one (1) day after the election results are released.
- The Elections Committee or the Executive of the Constituent Body may request advice from the PIPSC National Elections committee during any stage of the complaint process.

5) Appeals

- Appeals of all elections complaint decisions by Group Election Committees will be heard by the PIPSC Elections Appeals Committee (PIPSC By-Law 17.4.2.4) and all such complaints shall be governed by Institute By-Laws 17.4.2, 17.4.2.1, 17.4.2.2 and 17.4.2.3.
- The appeal of all other elections complaint decisions should be made to the respective Constituent Body Executive. That Executive may request assistance from the PIPSC Elections Appeals Committee.