

AUDIT, FINANCIAL and SCIENTIFIC (AFS) GROUP

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).

"Bargaining Unit" means those persons classified by the Public Service Labour Relations Board as being employees of the Canada Revenue Agency (CRA), within the AFS Group, for the purpose of the Public Service Labour Relations Act.

"AFS" means the Audit, Financial and Scientific Group.

"Group composition" - the Group is composed of AU, CS, MG, AC, CH, CO, ES, ED, EN, FI, LS, PS, SE, SI and PC members working within CRA.

"Classification" – members' classification for these by-laws will be the classification on record at PIPSC National Office.

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

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

"Regions" The boundaries of each Region are as described in By- Law 4 of the By-Laws and Regulations of the Institute except as modified by these By-Laws.

BY-LAW 1 NAME

The name of this Group shall be "The Audit, Financial and Scientific Group" of The Professional Institute of the Public Service of Canada, 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.

BY-LAW 3 MEMBERSHIP

Every member of the **AFS Bargaining Unit**, who is a Regular member of the Institute shall be a member of the Group.

BY-LAW 4 RIGHTS OF MEMBERS

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

4.3 All members of the Group 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 Constituent Body

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 signing officer cannot also be the payee.

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

5.8 Auditing: As required, auditing 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 is composed of the following officers:

1. President
2. Vice-President (effective July 1, 2024)
3. CS National Consultation Representative
4. CS Regional Representative
5. Atlantic Region AFS Representative
6. Québec Region AFS Representative
7. NCR IT Region AFS Representative
8. Headquarters Region AFS Representative
9. Ontario Region AFS Representative
10. Toronto Region AFS Representative
11. Prairie/NWT Region AFS Representative
12. BC/Yukon Region AFS Representative

The Secretary and Treasurer positions shall be filled from the elected Officers as the first order of business at the first meeting of the new Executive every year. Until June 30, 2024, the Vice-President position shall be filled from the elected Officers as the first order of business at the first meeting of the new Executive every year.

6.2.1 Any member of the AFS National Executive shall not be a member of an AFS Sub-Group Executive.

6.3 Term of Office: The term of office shall be three (3) years.

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

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 The President may invite other persons to attend meetings of the Executive in a non-voting capacity.

6.8 Any three (3) Officers, or the President, can call an extraordinary meeting of the Group Executive provided forty-eight (48) hours' notice is given to the Officers.

6.9 Vacancies:

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

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

6.9.3 Any member who is absent from three (3) consecutive meetings of the Executive without valid reason shall be considered to have resigned from the Executive.

6.10 Duties of the Group Executive

6.10.1 To speak for the Bargaining Unit in dealing with the Institute. This in no way infringes on the right of an individual member to approach the Institute on the member's own behalf.

6.10.2 To participate in the collective bargaining process on behalf of the Group including the approval of bargaining proposals prepared by the Bargaining Committee.

6.10.3 To refer and make recommendations to the Group at large concerning ratification or rejection of any and every contract as a whole.

6.10.4 To take a leading role in representing the Bargaining Unit in dealings involving:

- the Commissioner
- Deputy and/or Assistant Commissioners

6.10.5 To recommend steward appointments to the President of the Institute.

6.10.6 To establish committees as required.

6.10.7 To recommend members for appointment to standing committees of the Board of Directors.

6.10.8 To assist in the designation of Sub-Groups and in the arrangement of their elections.

6.10.9 To ensure the members are informed of matters and issues affecting the Group through a periodic Group newsletter and by any other means if appropriate.

6.10.10 To represent the interests of the Bargaining Unit as required.

6.10.11 Duties of the President

6.10.11.1 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.

6.10.11.2 To attend meetings of the various committees of the Group or the Institute as necessary.

6.10.11.3 To perform any related duties that may be necessary as the chief elected Officer of the Group.

6.10.11.4 To file an annual report to the Institute at the end of each calendar year.

6.10.11.5 To serve as Chair of the Negotiating team.

6.10.12 Duties of the Vice-President

6.10.12.1 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.

6.10.12.2 To be responsible for the Group By-Laws and Regulations.

6.10.12.3 To be responsible for advising the President, as required, on parliamentary procedure.

6.10.12.4 Other duties as determined by the President and approved by the Group Executive.

6.10.13 Duties of the Secretary

6.10.13.1 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 Institute¹⁰.

6.10.14 Duties of the Treasurer

6.10.14.1 The Treasurer shall 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.

6.10.15 Duties of the AFS Regional Representatives

6.10.15.1 To represent the interests of the members of the Region at the meetings of the Group Executive.

6.10.15.2 To represent the Group Executive in the Region.

6.10.15.3 To perform such duties as may be required by the Group Executive.

6.10.15.4 To call and chair regional meetings as detailed in By-Law 8.3.

6.10.15.5 To take a leading role at regional consultation meetings and ensure that the interests of all affected classifications are represented.

6.10.16 Duties of the CS National Consultation Representative

6.10.16.1 To represent the interests of the CS members at the meetings of the Group Executive.

6.10.16.2 To represent the interests of the CS members at national consultation.

6.10.16.3 To assist the regional Representatives by ensuring that someone is available to represent the CS point of view at any consultation where that is required if the IT Regional Chair is not available and he has not appointed an alternate.

6.10.16.4 To perform such duties as may be required by the Group Executive.

6.10.17 Duties of the CS Regional Representative

6.10.17.1 To represent the interests of the CS members who are not part of the ITB / ITS NCR Region at the meetings of the Group Executive.

6.10.17.2 To perform such duties as may be required by the Group Executive.

6.10.18 Group Committees

6.10.18.1 General:

6.10.18.1.1 The Executive may establish committees as required in order to support the aims of the Group. The Executive shall, at the time of establishment, appoint the Committee Chair and specify the term of Office of the Committee Chair. The terms of reference for that committee shall also be determined at that time and are subject to the approval of the Executive.

6.10.18.1.2 A quorum of any committee shall be a simple majority of the total membership of that committee.

6.10.18.1.3 A committee shall remain in existence as long as the Executive deems that the requirement for it continues. The term of the members of a committee shall normally be the term of the Committee Chair.

6.10.19.2 Duties of Committee Chairs:

6.10.19.2.1 To chair all meetings of their respective committees, to convene such meetings, and to report on these meetings to the Executive.

6.10.19.2.2 Each Committee Chair shall provide to the Executive the names of members who are willing to serve on that committee. The

Executive shall appoint what they deem to be an appropriate number of these members to the committee.

6.10.19.2.3 Each Committee Chair shall report and make recommendations based upon the committee's findings to the Executive.

6.10.19.3 Bargaining Committee:

This committee shall normally prepare a bargaining questionnaire for mailing to the members. The results of the questionnaire and other information shall be used to formulate demands and set priorities to be approved by the Group Executive and used by the Negotiating team in contract negotiations with the employer.

6.10.19.3.1 The Bargaining Committee shall consider the diversity of specializations of the Group's members in formulating demands.

6.10.19.3.2 The Bargaining Committee shall perform such other duties as may be required by the Group Executive.

6.10.19.3.3 The Bargaining Committee shall normally be **the Group Executive**.

6.10.19.4 Negotiating Team:

6.10.19.4.1 The Negotiating Team is a committee of the Group Executive which shall normally be chaired by the Group President.

6.10.19.4.2 The Chair may nominate members of the Team from the Executive, the Bargaining Committee and the Regular members. The Chair will try to ensure equitable representation keeping in mind the regional and classification makeup of the Group. The membership of the Team is subject to the approval of the Executive.

6.10.19.4.3 Notwithstanding by-law 4.2.3, there will be no substitutes for Negotiating Team members. Replacement of Negotiating Team members can be done with the approval of the Group Executive.

6.10.19.4.4 The Negotiating Team is responsible for bargaining the Group's contract with the employer and presenting tentative agreements to the Group Executive.

6.10.19.5 Consultation Representatives / Teams Consultation Representatives shall be Stewards.

BY-LAW 7 ELECTION OF OFFICERS

7.1 Elections Committee

The 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.

7.2 Procedure for Nominations

7.2.1 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.

7.2.2 Nomination forms must be received at the National Office of the Institute by the close of business on a date to be determined by the Elections Committee. 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.

7.2.3 Nominations must be supported by at least five (5) members of the Group and the nominee must indicate a willingness to serve if elected.

7.3 Eligibility to Hold Office

7.3.1 To be a candidate for or to remain an AFS Regional Representative, the member must be employed in that Region.

7.3.2 To be a candidate for the CS National Consultation Rep position, the member must be substantively classified as a CS member.

7.3.3 To be a candidate for the CS Regional Representative position, the member must be substantively classified as a CS member and not part of the NCR IT Region.

7.3.4 A member cannot be a candidate for more than one (1) Office in the same election.

7.3.5 Because all members of the Group and Sub-Group Executive are required to consult with the employer on behalf of the members, then, to be a candidate or remain an Officer, the person must be a member and must be or become a Steward.

7.3.6 A member of an AFS Sub-Group Executive is eligible for election as a member of the AFS Executive however, upon election, must immediately resign their AFS Sub-Group Executive position in accordance with By-Law 6.2.1.

7.3.7 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.

7.4 Election Procedure

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

7.4.2 Ballots must be distributed at least three (3) weeks prior to the date set as the deadline for the return of ballots.

7.4.3 Effective 2024, all members may vote for the President and Vice-President.

7.4.4 Only those members belonging to a Region may vote for the AFS Representative for their Region.

7.4.5 To vote for the CS National Consultation Rep position, the member must be classified as a CS member.

7.4.6 To vote for the CS Regional Representative position, the member must be classified as a CS member and not part of the NCR IT Region.

7.4.7 Ballots must be received at the National Office of the Institute by the date and time specified by the Elections Committee.

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

7.4.9 The Elections Committee shall ensure the membership is informed of the results of the election as soon as possible.

7.4.10 Successful candidates will take Office on July 1 of the year of the election.

7.5 Election Years

7.5.1 Effective 2024, the year before the year divisible by three (3), an election will be held for the President and Vice-President.

7.5.2 The year after the year divisible by three (3), elections will be held for following Officers: Headquarters Regional Representative, Toronto Regional Representative, Quebec Regional Representative, Prairies/Northwest Territories Regional Representative and the CS Regional Representative

7.5.3 The year divisible by three (3), elections will be held for following Officers:

CS National Consultation Representative, NCR IT Region AFS Representative, Atlantic Region AFS Representative, B.C./Yukon Region AFS Representative and the Ontario Region AFS Representative

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, except that it has no jurisdiction in the following areas:

- the ratification or rejection of contract
- choice of method for dispute resolution in collective bargaining
- the selection of members of the Group Executive
- the selection of members of the Bargaining Committee or Negotiating Team
- Composition of the CS positions on the Group Executive

8.1.2 The Group Executive shall cause an Annual General Meeting of the membership to be convened once every calendar year and not more than fourteen (14) months apart, with a minimum three (3) months' notice.

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
- Report of the Elections Committee
- New Business, Including Proposed By-Law Amendments

8.1.5 The Annual General Meeting shall be held in a location, determined by the Group Executive, in accordance with the Institute policies.

8.1.6 Delegates: Each member of the Group may attend and speak at Annual General Meetings. Only delegates shall be entitled to move or second motions or resolutions and to vote at Annual General Meetings. Delegates shall be apportioned as follows:

8.1.6.1 Group Executive: Each member of the Group Executive shall be a delegate.

8.1.6.2 Region: The Region shall be allocated, by the Executive, a total of one (1) delegate per 200 members. These shall be apportioned to each Region according to the population of that Region relative to the total number of members in the AFS Group.

8.1.6.3 The number of members in each Region and the total number of members shall be the number determined from the total number of members at the time of the last Executive meeting preceding the three (3) months' notice of the Annual General Meeting.

8.1.6.4 Substitutes: Any delegate may be represented by a substitute, who shall be authorized, in writing, by the delegate and the highest elected Officer available from the Region represented by the delegate and, upon filing such authorization with the Group Executive, the substitute shall be entitled to vote and take part as though he were a delegate. No person shall carry more than one (1) vote.

8.1.6.5 Resolutions: Any Annual General Meeting shall consider and vote on resolutions presented to it. Resolutions shall be referred to the Group Executive for action or to the appropriate Institute committee for consideration.

8.1.6.6 Any change to the proposed agenda of an Annual General Meeting shall require the approval of the majority of the members present and voting at the meeting.

8.1.6.7 Resolutions in writing must be received by the Group Executive not less than three (3) weeks prior to a General Meeting.

8.1.6.8 Resolutions submitted contrary to the procedure outlined in these By-Laws may be dealt with by a General Meeting only after all regularly submitted resolutions have been dealt with, except that a General Meeting may accept a resolution as an emergency and deal with it immediately.

8.1.7 Voting on Motions: Only Delegates (as defined in 8.1.6) present at the Annual General Meeting are eligible to vote. Voting shall normally be by a show of hands and each Delegate shall have one (1) vote. Decisions shall be by a simple majority vote.

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

8.3 Regional Meetings

8.3.1 Each AFS Regional Representative shall cause a meeting of the Presidents of the sub-groups and IT Regional Chair within the Representative's Region to be convened at least once every calendar year. This meeting shall be held in a city within the said Region.

8.3.2 The regional meeting referred to in By-Law 8.3.1 shall be held in a city within the Region unless two (2) geographically adjoining Regions agree to hold a joint regional meeting, in which case, the regional meeting shall be held in any city within the two (2) affected Regions.

8.3.3 The function of Regional Sub-Group Presidents and IT Regional Chair's meetings shall include the selection of delegates from the said Region to the Group Annual General Meeting. Delegate selection will take into consideration the membership classification and geographic location of the members. Numbers may not allow all membership classifications and locations to attend at one time, so priority at the next Annual General Meeting should be given to those not represented at the previous meeting.

BY-LAW 9 RULES OF PROCEDURE

At any meeting of the Group or Group Executive, or Committees thereof, 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 edition of the American Institute of Parliamentarians Standard Code of Parliamentary Procedure or "Le code des procédures des assemblées délibérantes" 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:

- the article to be amended
 - 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.

BY-LAW 11 REGULATIONS

11.1 The Group Executive may make such Regulations 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 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 any gender shall include all genders, in plural or in singular, may be substituted to give effect to the true meaning of the Constitution and By-Laws.

BY-LAW 13 DISCIPLINARY MEASURES

13.1 Disciplinary measures may be taken in accordance with the By-Laws and Regulations of the Institute.

BY-LAW 14 REFERENDA

14.1 A resolution shall be put to the members for a vote if five percent (5%) of the members in each of the Regions so request.

14.2 A resolution is binding on the Group Executive if passed by a majority of the members voting.

BY-LAW 15 SUPPLEMENTARY FEE LEVY

15.1 A request for a supplementary levy shall require a majority vote of the members.

15.2 The results of the vote, whether passed or defeated, shall be disclosed to the members in a group newsletter.

15.2.1 Disclosure shall include the number of votes cast for, the number cast against, as well as the total number of members eligible to vote.

BY-LAW 16 CHANGE TO GROUP EXECUTIVE COMPOSITION

16.1 The composition of the Group Executive as defined in by-law 6.2 can only be changed after a majority vote at the Group Annual General Meeting.

BY-LAW 17 REGIONS

17.1.1 Ontario Region - includes those locations that are deemed to be part of the Ontario and National Capital Region including the Ottawa TSO and excludes the Greater Toronto Area, Outaouais, NCR IT Region and Headquarters.

17.1.2 Toronto Region - Greater Toronto Area.

17.1.3 Québec Region includes those locations that are identified as part of the Québec Region plus the Outaouais TSO and excludes NCR IT Region and Headquarters.

17.1.4 Headquarters Region includes those locations that are identified as part of the Headquarters of the Agency excluding the NCR IT Region.

17.1.5 **NCR IT Region includes** the NCR-IT, NCR-IT Billings, NCR-IT Fitzgerald, and NCR Trainyards sub-groups.

REGULATIONS

R6.10.18.5.2 AU and CS will normally be considered to be major components of the Group or Region.

R6.10.18.5.3 Regional IT Representation Structure

Regional IT specific issues will normally be dealt with through an IT representation structure. The IT representation structure will be composed of:

- IT Regional Stewards at the local level
- IT Regional Zone Presidents
- IT Regional Presidents
- CS Regional Representative
- CS National Consultation Representative

The IT Regional Zone Presidents and the IT Regional President positions will normally be held by IT Stewards who are elected by IT Regional Stewards in their area of responsibility. Elections will be held in the year prior to the CS Regional Representative election. The term of office for each IT Regional President shall be three (3) years.

R6.10.18.5.3.1 Transition Term - The current term for the Quebec IT Region President will be four (4) years. All IT Region President terms will expire in 2019 with elections taking place in that year.

REGULATION R13 DISCIPLINE

R13.3.1 The penalty for non-participation by an AFS member in a legal and authorized job action directed by the Group Executive will be the loss by the member of that member's right to vote on the contract agreement under negotiation or any other sanction determined by the Group Executive.

R13.3.2 The Group Executive shall authorize Sub-Group Executives to make and issue scab lists of AFS members of the bargaining unit who either crossed Group picket lines or hid in the field during a Group strike order.

**Approved by the Board of Directors
November 4, 2015**

**Approved by the Board of Directors
January 23, 2016**

**Approved by the Board of Directors
March 10, 2017**

**Approved by the Board of Directors
October 14, 2017**

**Approved by the Board of Directors
September 14, 2018**

**Approved by the Board of Directors
June 16, 2022**

**Approved by the Board of Directors
October 04, 2022**

**Approved by the Board of Directors
January 23, 2024**