

CONSOLIDATION OF NUNAVUT EMPLOYEES UNION ACT
R.S.N.W.T. 1988,c.U-1

(Current to: August 23, 2012)

AS AMENDED BY NORTHWEST TERRITORIES STATUTES:

S.N.W.T. 1995,c.11

S.N.W.T. 1996,c.1

AS AMENDED BY STATUTES ENACTED UNDER SECTION 76.05 OF NUNAVUT ACT:

S.N.W.T. 1999,c.9

In force April 1, 1999

This consolidation is not an official statement of the law. It is an office consolidation prepared for convenience only. The authoritative text of statutes can be ascertained from the *Revised Statutes of the Northwest Territories, 1988* and the Annual Volumes of the Statutes of the Northwest Territories (for statutes passed before April 1, 1999) and the Statutes of Nunavut (for statutes passed on or after April 1, 1999).

A copy of a statute of Nunavut can be obtained from the Territorial Printer at the address below. The Annual Volumes of the Statutes of Nunavut and this consolidation are also available online at <http://www.justice.gov.nu.ca/english/legislation.html> but are not official statements of the law.

Any certified Bills not yet included in the Annual Volumes of the Statutes of Nunavut can be obtained through the Office of the Clerk of the Legislative Assembly.

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GLOSSARY OF TERMS USED IN CONSOLIDATIONS

Miscellaneous

- c. means "chapter".
- CIF means "comes into force".
- NIF means "not in force".
- s. means "section" or "sections", "subsection" or "subsections", "paragraph" or "paragraphs".
- Sch. means "schedule".
- SI-005-98 means the instrument registered as SI-005-98 in 1998. (*Note: This is a Northwest Territories statutory instrument if it is made before April 1, 1999, and a Nunavut statutory instrument if it is made on or after April 1, 1999 and before January 1, 2000.*)
- SI-012-2003 means the instrument registered as SI-012-2003 in 2003. (*Note: This is a Nunavut statutory instrument made on or after January 1, 2000.*)

Citation of Acts

- R.S.N.W.T. 1988,c.D-22 means Chapter D-22 of the *Revised Statutes of the Northwest Territories, 1988*.
- R.S.N.W.T. 1988,c.10(Supp.) means Chapter 10 of the Supplement to the *Revised Statutes of the Northwest Territories, 1988*. (*Note: The Supplement is in three volumes.*)
- S.N.W.T. 1996,c.26 means Chapter 26 of the 1996 Annual Volume of the Statutes of the Northwest Territories.
- S.Nu. 2002,c.14 means Chapter 14 of the 2002 Annual Volume of the Statutes of Nunavut.

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NUNAVUT EMPLOYEES UNION ACT

Definitions

1. In this Act,

"by-law" means a by-law of the Union made under subsection 8(1); (*règlement administratif*)

"Executive" means the Executive Committee referred to in subsection 4(1); (*bureau*)

"Union" means the Nunavut Employees Union established by section 2. (*Syndicat*)
S.N.W.T. 1999,c.9,Sch.B,s.1,2.

Union of Northern Workers

2. An association called the Nunavut Employees Union is established.
S.N.W.T. 1999,c.9,Sch.B,s.3.

Membership

3. Every person, other than a teacher, who is eligible for membership in a bargaining unit under section 41 of the *Public Service Act* is eligible for membership in the Union.
S.N.W.T. 1996,c.1,s.13.

Executive committee

4. (1) The affairs of the Union shall be administered by an Executive Committee.

Composition

(2) The Executive shall be composed of the number of members of the Union fixed by the by-laws.

Election of Executive

(3) The members of the Executive must be elected in the manner provided by the by-laws.

Seal

5. (1) The Union must have a seal.

Facsimile

(2) A facsimile of the seal must be filed with the Registrar of Societies.

Use of seal

(3) All documents executed and all by-laws passed by the Union must be under the seal attested to by the president and secretary of the Union.

Objects of Union

6. The objects of the Union are benevolent, philanthropic, charitable, provident, social, educational, sporting, or other useful purpose other than the carrying on of a trade or business, and without restricting the generality of these objects, are

- (a) to develop the training, skill and efficiency of the members of the Union;
- (b) to promote harmony between members of the Union and the Government of Nunavut;
- (c) to unite the members of the Union for their mutual improvement, socially, mentally and physically and for their protection and common and individual welfare;
- (d) to consider and act on any matter or issue of common interest to the members of the Union; and
- (e) to enter into collective bargaining negotiations for the purpose of concluding collective agreements with the Government of Nunavut. S.N.W.T. 1999,c.9,Sch.B,s.4.

Powers of Union

7. The Union may

- (a) acquire and hold real property and sell, lease or otherwise dispose of it at pleasure;
- (b) borrow money for the purposes of the Union and mortgage or charge property of the Union, but not its source of funds, as security for moneys borrowed;
- (c) invest all moneys of the Union in securities that trustees are permitted to invest in under the *Trustee Act*;
- (d) enter into association or affiliation with any other union or association with similar objects and purposes and pay dues to that union or association; and
- (e) bargain collectively and enter into collective agreements with the Government of Nunavut. S.N.W.T. 1999,c.9,Sch.B,s.5.

By-laws

8. (1) The Union, in regular convention or in special convention called by the Executive on 30-day notice to the members, may, subject to this Act, make by-laws respecting

- (a) membership fees and the termination of membership;
- (b) categories of membership, including categories based on profession or vocation, and the rights and privileges of different categories of members;
- (c) the general organization and administration of the Union;
- (d) the time, place and conduct of regular conventions and special conventions, including the procedures for voting on by-laws;
- (e) the administration of the Union by the Executive and its functions, powers and duties;

- (f) the formation of branches and subbranches of the Union, including branches on regional, professional, vocational or other bases, and their dissolution;
- (g) the jurisdiction, administrative powers, duties and activities of branches and subbranches;
- (h) the election of branch delegates to Union conventions;
- (i) the election or appointment and replacement of members and officers of the Executive and the powers and duties of those members and officers;
- (j) the conduct and the appointment, powers and duties of the Executive;
- (k) the financing of the Union and the administration of its funds;
- (l) the management of the property and affairs of the Union;
- (m) the conduct of the affairs of the Union in connection with collective bargaining and negotiations of agreements;
- (n) a code of ethics for the guidance of members; and
- (o) all other matters that are considered necessary or convenient for the management of the Union and the promotion of its welfare or the conduct of its business.

Filing and approval of by-laws

(2) The Union shall file a copy of each by-law with the Registrar of Societies under the *Societies Act*. S.N.W.T. 1995,c.11,s.65.

Notice of regular convention

9. (1) The Executive shall, on 30-day notice to the members, convene the regular convention of the Union so that not more than 36 months intervenes between the last day of the previous regular convention and the first day of the next regular convention.

Attachments to notice

- (2) The following must be attached to the notice mentioned in subsection (1):
- (a) a copy of any by-law to be presented to the convention for passage;
 - (b) the annual report and the annual financial statements referred to in section 12 attached to the annual report and certified by the secretary of the Union as a true copy of the annual financial statements that were produced since the last regular convention.

Certificate of membership

10. Any person who is eligible for membership in the Union, unless the person has been suspended or expelled from the Union for contravention of the by-laws pursuant to a discipline procedure established by the by-laws, shall, on payment of an annual membership fee, be entitled to receive a certificate evidencing that the holder named in the certificate is a member in good standing of the Union for the term specified in the certificate.

Register

11. (1) A register must be kept at the central office of the Union in which shall be entered

- (a) the name and address of every member;
- (b) whether the member is in good standing; and
- (c) any other information that the Executive considers appropriate.

Inspection

(2) The register may be inspected by any member of the Union but is not open to inspection by the public.

Audit

12. The Executive shall prepare the annual financial statements and cause the books and accounts and financial statements of the Union to be audited once annually by a chartered accountant.

13. Repealed, S.N.W.T. 1999,c.9,Sch.B,s.6.