

NEWS BULLETIN

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UNITED NURSES OF ALBERTA

WINTER 1996

UNA Annual General Meeting Report



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About My Local

By Marilyn Coady



It used to be called the Wetaskiwin General Hospital, Auxiliary Hospital and Nursing Home District 81 —now it's the Wetaskiwin Health Centre. It belongs in Crossroads Region 9 and is part of UNA's North Central District, with approximately 114 UNA members. The facility has 250 beds (classed as a medium size local), 105 of which are long term care.

Our facility is new (1990) and has a Star Trek spaceship-like appearance. Our Emergency Department deals with approximately 45,000 patients each year. We have a busy 32-bed pediatric ward and a 3-bed special care unit. We currently have a dialysis unit but the plan is that Capital Health Authority make Wetaskiwin a satellite unit out of the U of A. Nearly 20 specialists come from Edmonton to do surgery and hold out patient clinics in Wetaskiwin.

Our PRC has been very active in addressing concerns as staff shortages, the nurse to patient ratio — especially in LTC — and LPN's giving meds. Through restructuring/downsizing, we had 14 people on our recall list. Our local had a dozen nurses go to the States (including one who went to New Mexico, won a lottery and for the last year has been sending us postcards from all over the world). Now we have only one employee on recall. The Local continues to monitor restructuring concerns relative to patient care and staffing levels. Visit us on Hwy 2A just past Leduc where "Cars cost less in Wetaskiwin". 🚗

"About My Local" will be a regular feature in UNA's NewsBulletin. Please send comments and photos to Melanie Chapman, Editor.

1997 Nurses' Planner

Have you received your 1997 UNA Nurses Planner and Purchasing Guide? All UNA members will be given a Planner by their Local's Executive. Contact your ward rep or Local President if you are still looking for your copy!

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NewsBulletin Deadlines

UNA members will now be receiving 10 shorter NewsBulletins each year. Any article, letter or comments for the UNA NewsBulletins must be received by the Provincial Office no later than the 3rd of each month. Please include your name, Local number and phone number with the text. UNA reserves the right to edit any copy received and to make all final decisions on material published by the Union.



1996 Annual General Meeting President's Speech

by Heather Smith, President

was
wrong
about
one thing

in my speech to you last year—I said that I believed there would be a provincial election in 1995; in fact, all signals now point to 1996.

Actually, I was wrong about two things last year and the second thing perhaps is more difficult. I believed that we could achieve unification with SNAA by January 1997. This was a major element of discussions throughout last year's annual meeting. I do not believe that I was wrong in my conviction that unification would benefit all nurses in this province. I still believe a unified body would strengthen our voices and amplify our ability to advocate for the goals and objectives important to the members of both unions. The goals of promoting the highest standards of health care and quality patient care, safe working conditions, advancing social and economic conditions are common to all nurses.

But - it has not come to pass. Just two months after our meeting last November, events started to spiral in an entirely different direction. Regrettably, my optimism of 1995 has been replaced by resignation that both unions will experience many lost opportunities and suffer the diversion of precious resources during the adversity that will lie ahead.

Bargaining has been central to UNA's activities throughout this entire year with 139 of 143 contracts in negotiations. Our contract proposals address the deterioration and demoralization of our work-

place; we are trying to fight back against the ravages of political and economic agendas which have pitted worker against worker and which have robbed all Albertans of their right to have their health care needs met in a caring, timely fashion without financial barriers.

Nearly 6000 members responded to our negotiations survey this summer. Their responses validated the importance of the proposals we set at our Demand Setting Meeting nearly one year ago. The necessity of pushing forward with our proposals is reinforced almost daily by new stories or events such as the story about a hospital in Halifax contracting-out all part-time and casual nursing services or by another professional responsibility form documenting inadequate staffing.

We have been in bargaining now for close to ten months for hospitals, health units and long term care. While the process has been longer than ever before, we will persevere to achieve what our members say is important. It is not our intent to enter into an agreement which does not address the needs of UNA's membership.

This morning I provided you with a summary of some of the political activities which have been carried out throughout the year by United Nurses of Alberta and its members. I say "some" of activities because I can't even begin to itemize the hundreds of individual efforts, conversations, letters and challenges that also deserve recognition—some of these activities have taken a



personal toll on the individual involved.

At this time last year, a total of seventy-eight (78) professional responsibility issues had been documented on official UNA forms. In the first ten months of this year, we have received one hundred and thirty-four (134) forms. Those numbers don't even begin to reflect a larger number of issues addressed at professional responsibility committee meetings.

I want to talk about one specific "political action", a very recent political action that occurred last week when David Harrigan [Director of Labour Relations] and Bev Dick [Vice-President] and I met with Halvar Jonson, Alberta's new Minister of Health.

We spent about one hour and twenty minutes with Mr. Jonson. He really didn't have much to say—we, on the other hand, had a lot. I just want to give you a idea of some of the topics—many of which we have raised with other politicians including Federal Health Minister Dingwall—that were raised at this meeting. Our comments to Minister Jonson were specific to concerns about the chaos this province's health care system is in more than 18 months after the regionalization.

In fact, fundamental questions such as "who is the employer" can't even be adequately answered today as organizational structures continue to alter. Mental health, in particular, is in limbo due to the recent change of status of the Provincial Mental Health Board.

We asked the Minister about the

(continued on page 4)

boundaries in health care—seventeen region with geographical boundaries plus the two provincial Boards based on type of service [the Cancer Board and Mental Health Board]. We wanted to know if the rumour that we're going to seven regions was fact. If the rumour is true, we wanted to know when that change would occur. We also questioned him about the implications for the entire province if population-based funding is implemented.

Mr. Jonson said that the government is undertaking a complete review of boundaries; in fact, some changes occurred this year in Region 10. The Minister wants to implement a complete new set of regional boundaries by March 1998.

We talked to Mr. Jonson about DATA—basic, simple information. I suggested to him that I thought it was ironic that the Minister of Health will no longer have ready access to basic data regarding as something as fundamentally important as the workforce in health care.

Some of you may recall that there is annual employer survey done in March of each year by Alberta Health. The Department of Health collates and identifies what health care workers exist in this province in all health-service facilities including physicians' offices.

Well, that annual survey was not done this year. It may be just coincidental that the last report of this survey clearly indicated that 40% of the permanent jobs for registered nurses disappeared over a two-year period in Alberta. I found out in September that it is never going to be done again. I indicated to Mr. Jonson that this survey, in addition to vital information for employers, government and unions, is an imperative part of a 6-year project to bring together databases of the employers and professional associations in Alberta. The irony is that this infor-

mation may well be collected in the future, most likely by an organization such as PHAA, and the Minister of Health is going to have to pay to obtain the basic information he needs to plan the future of health care services.

The Minister of Health did not know anything about the change in the collection of data but he believes that he would get the information from an employer association free of charge; I don't think so.

We talked about the changes that have negatively impacted on quality of patient care such as the increasing use of unskilled and unregulated workers. We told Mr. Jonson that we are not opposed to an appropriate mix of staff—in fact, we would dearly love to achieve appropriate mix of staff in health care. UNA is not opposed to RNs working with LPNs but we made it clear to the Minister that we do not believe that there is a place for unskilled workers in acute care.

A public opinion survey conducted by United Nurses of Alberta, Canadian Health Care Guild and Health Sciences Association earlier this year indicated that 94.4% of Albertans wanted licensing and regulation of anyone providing direct health care services to patients inside or outside hospitals.

The use of unskilled and unregulated workers in long term care must be reevaluated because of the increasing acuity that has taken place throughout the health care system. We pointed out that although long term care has a minimum staffing requirement [the 22%

RN staffing], most for-profit employers have opted to fill the remaining 78% with unskilled workers.

We indicated that the absence of standards for acute care settings is inexplicable. How can we have a minimum standard in a nursing home but in a more acute setting such as an auxiliary hospital or acute care hospital, no minimum requirements exist? In this last year, we have seen auxiliary hospitals with lower levels of skilled staff than nursing homes have.

We did suggest to Mr. Jonson that he has to address both long-term and acute-care levels of staffing and emphasized that the answer is NOT to eliminate the standards in long-term care. We will watch very closely any attempts by the government to remove those standards.

Mr. Jonson would not make a commitment to establishing standards in auxiliary and acute facilities but he did say that his first priority is the standard of care in day homes as the public has been raising concerns about the lack of appropriate skilled staff in those settings.

We talked to the Minister about rising levels of workplace tension related to the continued changes in health care and the resulting anger and frustration from the inability of nurses to meet patient needs.

UNA recently polled nurses in the Capital Health Authority: 94% of the nurses said that the quality of care has deteriorated in the past two years. The nurses also indicated high

levels of workplace abuse. In a survey of nearly 400 people, 60% reported they had suffered physical and or verbal abuse at work. Half of this group stated they had experienced between 2 and 5

"94% of the nurses said that the quality of care has deteriorated in the past two years. The nurses also indicated high levels of workplace abuse. In a survey of nearly 400 people, 60% reported they had suffered physical and or verbal abuse at work. Half of this group stated they had experienced between 2 and 5 incidents of abuse in the last three years."

incidents of abuse in the last three years—yet another symptom of an inability to provide care due to insufficient resources.

We wanted to leave Mr. Jonson with a very basic understanding: this workforce must be stabilized. Until we are able to alleviate the fear of job loss and are able to provide adequate resources to provide care, we're never going to get quality outcomes in this system.

I also suggested to Mr. Jonson that it wasn't appropriate to have 62% of the nurses surveyed in Edmonton admitting that they have worked overtime without claiming for it. It's time that the government stopped running the health care system on our goodwill and volunteer efforts.

Of course, we asked the minister to answer some basic questions like: What does he see as the role of RNs both now and in the future?

He said that RNs have a very significant role but that he has concerns about who has what scope of practice and the rivalry between the various groups of health care providers. He made the comment that nurses seem to think that they should be back where there should be only registered nurses in the hospital and noted that every group wanted more for their people. He suggested that unskilled, unregulated workers are now asking government for regulatory approval for their work. And he says that the "government's role is to see that people doing the work are qualified to do so."

UNA requested that any potential changes to regulations governing the practice of LPNs be circulated for discussion prior to the government's con-

sideration of these changes.

What we tried to get out of Mr. Jonson was a solid commitment that nothing would go to the cabinet until such time as there had been an opportunity for input and review by UNA, by professional associations such as the AARN and RPNAA, and by others who have interest in this including the public. Mr. Jonson did a lot of walking around in terms of answering the question but finally agreed to circulate the proposals prior to submission to the cabinet.

Meeting face-to-face with politicians is just one of the political actions that we constantly do to raise awareness of

the concerns of registered nurses. When we meet with them, we provide them with reading material such as the public opinion survey we conducted with Health Sciences and the Guild, the survey we did recently in Region #10 and some of our

wonderful publications. We keep telling them of the same issues and problems: casualization, exploitation, fear, under funding, and overworked, understaffed facilities. The politicians can't say that they are not aware of our concerns!

I'd like to move now to a slightly different topic.

I want speak to you with very high regards of the AARN's President, Barb Shellian. Although we have not always felt supported by the AARN, I do believe Barb has worked hard to bring the concerns of **all** registered nurses to the forefront of the health care debate. But a statement by the AARN's President-Elect, Lorraine Way, gives me cause for great concern and serves to reinforce the need to continue to prompt the AARN to understand our concerns and advocate



both with us and on our behalf. This summer a former UNA member many of you will remember, Bev Leney, researched and authored a paper on nurse abuse as part of her Masters degree requirements. In Bev's paper, Lorraine Way, President-elect of the AARN made the following comment:

"As president-elect, I have never heard about nurse abuse being discussed during collective agreements negotiations, nor am I aware of anything in either the UNA or SNA collective agreements on nurse abuse. As such, if there is not direct addressing of the issue in the collective agreements, then I wonder if they see it as a significant problem."

I think we do.

Some of our efforts with our professional associations and other groups have been very positive including working with other health care unions, assisted by Audrey Cormack, President of the Alberta Federation of Labour. Dale Fior had the opportunity to attend, and certainly enjoyed, the Alberta Teachers Association's Annual Meeting this spring. We have worked well with the Canadian Health Care Guild and the Health Science Association of Alberta; you are aware of the jointly-sponsored group Home and Auto Insurance Plan offered earlier this summer. You soon will be receiving information on a group health benefits plan that Canadian Health Care Guild, Health Sciences Association and United Nurses of Alberta are jointly sponsoring. This plan will provide health benefits for members who currently are not eligible for benefits through collective agreements.

We have dealt with a lot of issues this year and because of the efforts of our

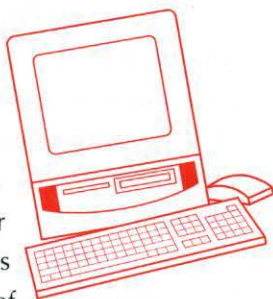
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staff and our members we have done well in meeting those challenges. I want to thank our all of our staff: labour relations, education, communications, administration, finance, senior management and our legal counsel. I also want to thank the Executive Board and, especially, my fellow Executive Officers, Vice President Bev Dick and Secretary Treasurer Dale Fior. I want to thank the Local Executives and this organization's membership for their work on behalf of all registered nurses.

I am extremely proud of our

accomplishments this past year including the completion of computerization for all of our Locals. UNA has a long history of

rising to meet challenges. This has been true at all levels of the organization in the past, current times and, I'm sure, the future. Our history testifies to our ability to analyze and adapt to changing circumstances. Government and others, who may have designs on this organization and the future of this organization, should take heed: UNA's membership does not shrink from adversity, we are strengthened by it. We know where we must go and what we must do. We will not be deterred. 🍷



New Secretary-Treasurer for UNA

Karen Craik, a long time UNA activist and South Central District Representative, was elected by the Executive Board as UNA's Secretary-Treasurer following the death of Dale Fior. 🍷



Hospital Negotiations Update

After only three days of informal mediation, the Provincial Health Authorities of Alberta abruptly cancelled further talks and applied to the government for formal mediation. The identity of the mediator and dates for mediation will be confirmed within the next few weeks. Both PHAA and UNA have several issues outstanding; UNA's proposals focus on professional concerns while PHAA remains focused on remuneration.

UNA Position

Employer Position

Professional Issues

🍷 UNA has proposed that there must be an RN (or RPN) in charge and present on each ward or unit during all hours of operation where nursing services are being provided.

Nurse In Charge

- The employers have refused to agree to UNA's proposal. They have stated that it may be appropriate to have an individual other than an RN/RPN in charge of a nursing unit.

Staffing

🍷 **Workforce stabilization.** The current contract requires that all vacancies be posted. However, many employers have chosen to not post vacancies, and instead to fill vacancies with casual or recall staff. As a result, many casual and recall staff who are regularly working are unable to move into regular positions and thus excluded from health care benefits. In addition, the continuity of patient care is compromised. UNA has proposed a Letter of Understanding requiring the parties to review the actual amount of nursing hours being performed, and where possible, create regular positions from these hours. [NB: there will always be a need for casual employees.]

🍷 **The staff/patient ratio.** UNA has raised concerns about the effects of short staffing on patient care. UNA has proposed that the employer be required to establish, with input from nurses, minimum nurse/patient ratios. In addition, UNA has proposed that where patient care concerns exist as a result of the minimum nurse/patient ratio, nurses would have the right to present those concerns to the Regional Health Authority.

- In response to the concerns raised by the union, the employers have proposed that a committee would be struck to talk about staffing issues. The employers refuse to agree to set minimum staffing and has suggested only that if nurses were concerned about staffing, they would have the right to write a letter to the CEO. After three days of mediation, the employers amended their position to agree that the CEO would send a letter of response back.
- PHAA is also refusing to agree to a "no-contracting out" clause claiming that they intend to have a "flexible" nursing staff.



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Job Security Issues

UNA has agreed that if the employers address the professional concerns, we would agree to a modified form of bumping where an employee would displace the least senior employee on a unit with identical shift pattern and FTE to that of the selected position.



Layoff And Recall

- The employers are seeking major changes to the layoff and recall provision including:
 - During downsizing, the employer wants the right to unilaterally transfer employees to another similar unit rather than providing employees with displacement rights
 - The employer demands effectively eliminate recall rights. The employers want to post all vacancies and fill those vacancies through the provisions of Article 14 (Promotions, Transfers, Vacancies)
 - The employers want to place a one-year time limit on the red-circling of basic rates of pay.

Severance

The union proposes that severance, with a maximum severance pay of 52 weeks, would be offered if it became necessary to reduce the workforce. The employers would have the right to deny severance based on actual operational requirements. (The union's proposal is identical to the severance package offered by the Grace, Foothills, and Holy Cross Hospitals.)

- The employers demand that the maximum severance be 40 weeks. In addition, the employers do not want any appeal process for any employee denied severance.



Compensation Issues

Workers Compensation

UNA has proposed to maintain the current provisions which include a top-up of WCB payment. (This top-up comes from the employee's sick leave bank.)

- The Employer is demanding deletion of the WCB top-up—a 10% rollback in compensation for nurses injured on the job.

Salaries

UNA is proposing a return of the 5.38% rollback accepted in 1994. UNA has also asked for a 50¢ per hour increase in January 1997, and a 50¢ per hour increase in April 1997.



- The employers refuse to agree to a return of the rollback. [NB: Health unit nurses represented by UNA and employed by the Regional Health Authorities have received a return of the rollback, effective April 1, 1996. Other nurses represented by UNA have also received a return of the rollback.]
- The employers have provided two options. The first provides one increase of 3% for all nurses, effective April 1, 1997. Their second option also has no increase in the first year of the contract. In the second year, the amount of increase would vary amongst nurses with no increase for those at step 2, an increase of about 13¢ at step 6, and an additional 9th step of the salary scale. The average increase in this option is 1.793% over a 2-year agreement.

Health Unit Negotiations

The parties met on November 15. UNA provided the Provincial Health Authorities of Alberta with a counter-proposal. The employers said that they would get back to us the following day. However they later phoned and said they would get back to us in two months. UNA filed a complaint with the Labour Relations Board, alleging that the Provincial Health Authorities of Alberta is not making every (or any) effort to reach a collective agreement. We also sent a copy of the complaint, along with a covering letter to each Regional Health Authority, expressing concern with the continual delays. PHAA responded by filing a complaint with the Labour Relations Board, alleging that UNA interfered with the administration of an employer organization! A hearing on both complaints was originally scheduled for December 11 but PHAA has been successful in seeking a postponement of the hearing until December 18.

"The factory of the future will have only two employees, a man and a dog. The man will be there to feed the dog. The dog will be there to keep the man from touching the equipment."
— Dr. Warren Bennis

United Nurses of Alberta:

Nearly 450 people packed into a meeting room for UNA's 1996 Annual General Meeting held in Edmonton at the end of October. Changes to UNA's constitution and policies were debated by 264 voting delegates and 168 observers from UNA Locals. UNA welcomed its newest Locals: Peace Health Region - Community Health (Local #197); Castor - Our Lady of the Rosary Hospital (Local #198); Peace River Auxiliary Hospital (Local #199); and Willow Creek Auxiliary Hospital and Nursing Home (Local #202). On a sadder note, UNA bid adieu to Locals which have disappeared as a result of regionalization: Salvation Army Grace - Calgary (#47); Minburn-Vermilion Health Unit (#88); Holy Cross Hospital (#121-H); and Charles Camsell (#129). Amongst the guests and staff also in attendance were representatives from Health Sciences Association of Alberta, Canadian Health Care Guild, Alberta Federation of Labour and the Alberta Teachers' Association.

Elections

Secretary / Treasurer

Dale Fior, a registered nurse at the Rockyview Hospital in Calgary, was re-elected as the Secretary-Treasurer for the provincial organization. Dale has been an active UNA member since 1981 and has held many elected positions over the years. Dale also filled in for a maternity leave of a UNA Labour Relations Officer in 1989.

District Representatives

South: Diane Poynter was acclaimed as a South District Rep for the next 2 years.

South Central: Holly Heffernan, Kathy James and Karen Craik return for another two years on UNA's



Executive Board.

Central: Brent Smith joins Andy LeBlanc as a representative of Central District. Brent has been the President of Local #15 (Camrose) for several years.

North Central: Jackie Boisvert, Tom Kinney and Marilyn Coady have all been elected to two-year terms as North Central District Reps. Beryl Scott, President of Local #79, will replace Chandra Clarke, who has taken an LOA, for one year.

North: Bridget Faherty makes her debut on UNA's Executive Board as a North District Rep. Darlene Wallace, a long-time UNA activist, was elected to a one-year term as North District Representative.

Trial Committee

UNA has a new Trial Committee. The Committee, which hears complaints filed under UNA's Constitution, has representatives from each of UNA's five districts: Michael Perry (North District); Glenda Paisley (North Central); Janice Gill (Central); Wendy Brigham (South Central); and, Linda Bridge (South District).



Policy Resolutions

Delegates debated diverse issues from negotiations to solidarity amongst nursing unions in the province.

Unity of Alberta's Nurses

Delegates voted overwhelmingly in support of a policy resolution which would see all of Alberta's nurses in one union. UNA's Position Statement #53 says:

Whereas the Constitution of the UNA lists the Advancement of the social, economic and general welfare of nurses and other allied personnel



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as well as the promotion of unity within the labour movement, as objectives of the organization; and

Whereas the delivery of nursing services is being altered by a fiscal agenda;

Whereas the attacks on our membership by Employers and Governments represent a very serious threat and an agenda to permit the development of a two tier health care system in Alberta is evident; and

Whereas it is our belief that nurses in Alberta should be as united as possible; and

Whereas the needs and goals for all nurses in the province are similar;

Therefore be it resolved that UNA continue to seek opportunities to discuss unity of nursing within the Province of Alberta.

Constitutional Amendments

UNA Organizational Review

UNA's Executive Board, Local Executives and members face a huge task in the

new year: the organizational review. A comprehensive review of UNA's organizational structure, constitution and funding will take place throughout the year. As a result, several pending motions to change the Constitution were tabled to the 1997 Annual General Meeting.



Director of Labour Relations (David Hammigan)

The impact of regionalization on labour relations was the focus of the Director of Labour Re-



lations. The process of regionalizing the health care system has resulted in confusion and chaos as employers and unions try to sort out what the rules will be in the new environment. David predicted a return of dollars to the system as a result of pressure by groups such as UNA and noted that there were other positive signs that UNA will continue to flourish in the new health care system.

Systems Coordinator (Florence Ross)

It's official! All 143 of UNA's Locals are now connected to one another via computers. The enhancement of communication between Alberta's nurses and a strengthening of UNA's democratic structure were behind the Executive Board's decision to computerize UNA staff, Board members and Local Executives. UNA members with access to computers and modems will also be able to participate in UNA's mailing system and its conferences on professional issues. UNA is the first nursing union in Canada to achieve this level of participatory democracy.



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Nurse Abuse

Workplace Violence: UNA Examines Nurse Abuse

By Trudy Richardson, Education Officer

Part One

In part one of a three-part story on the issue of workplace violence, UNA looks at the definition of abuse and the prevalence of physical and verbal abuse in the health care setting. Parts Two and Three will examine the institutional factors which contribute to workplace violence, the effects of abuse on registered nurses and registered psychiatric nurses and how to stop acts of aggression at work. If any UNA member believes that she/he has been the victim of workplace abuse, contact UNA's Local Executives or Labour Relations Officers for assistance.

"The word abuse is a painful one—almost shameful. It conjures up images of victims and perpetrators of crimes. It implicates society, and forces awareness of wrong doing. It is accusatory." So begins a new book entitled *Nurse Abuse: Impact and Resolution*. So begins a story most nurses know all too well—abuse in the workplace.

In nursing, nurses are abused. They know it and have always known it. Called by different names, or more commonly, not called at all, the history of abuse is threaded into the long and glorious tradition of service to the sick. Nursing's dilemma has always been that "the order to care in a society that refuses to value caring" has resulted in abuse. Only recently have nurses, their unions and their professional associations begun to name this reality and to examine ways to eradicate it. Researchers are starting to examine health care workplaces and are producing literature which names the problem and suggests solutions to address abuse.

There is current legislation in the province of Alberta which dictates that workers and employers must work together to protect the health and safety of employees, including protection from abuse and violence. UNA Collective Agreements contain provisions which will also



contribute towards this goal. In addition, the Alberta Health Care Industry Staff Abuse Task Force put out a manual in 1994 entitled *Abuse in the Workplace: A Program Development Guide for Health Care Facilities*. This manual was sent to all UNA Locals in 1994 and is in a white ringed-binder for easy use. We encourage all UNA Locals to refer to this manual for details and program specifics. And finally, UNA member Bev Leney from the Foothills Hospital in Calgary, has just completed a Master's thesis in Industrial Relations at Queen's University in Kingston and her topic was nurse abuse. Bev has generously made her findings and her analysis available for

UNA use and we include many of her survey results in this article.

II. Background

Before examining possible responses and developing appropriate procedures to deal with the problem of nurse abuse and violence in the workplace there is a need to provide some basic background information on what the hazard is, how often it happens, who the perpetrators are, the amount of under-reporting and why abuse is so under-reported.

A. Hazard

What do we mean when we use the terms "nurse abuse", "harassment" and "workplace violence"? In some cases, such as criminal offenses, the terms are narrowly defined. In other cases, a wider definition applies. Studies that have been undertaken have typically examined one dimension of staff abuse more than all others—physical abuse. It is only in the last few years that society has permitted abuse to be explored, and it is only in the very recent past that abuse is seen to be more than physical. Abuse is now recognized to be multi-faceted. Webster's Dictionary says that abuse means; "to put to bad or improper use; to treat without compassion and usually in a hurtful manner; to indicate one's low

opinion of something; to take unfair advantage of".

When searching for information on nurse abuse one can now expect to look under such headings as: assault, battery, violence, verbal abuse, physical abuse, sexual abuse, violation, menacing behaviour and harassment.

To understand how abuse takes place in the field of health care, one must examine the workplace itself in order to grasp the full reality of occupational violence:

"Violence is a generic work behaviour deviled by the lack of a universally accepted definition, and it always needs to be described in its social and environmental setting." (Fottrell, 1980)

For the most part, such terms as violence, nurse abuse and harassment are used interchangeably by health care workers and occupational health and safety researchers alike. For our purposes, we will work with a broad definition of nurse abuse. In order to understand the full scope of a broad definition it is helpful to look at different definitions which we would include in our overall general definition.

1. In the *Abuse in the Workplace: A Program Development Guide for Health Care Facilities* (1994), abuse is defined as:

- "physical assault and aggression; unsolicited and unwelcome conduct, comment, gestures or contact which causes offense or humiliation; or physical harm to any individual which engenders fear or mistrust, or which compromises an individual's dignity or sense of self-worth."

2. Leney defines nurse abuse as: "any physical, verbal or sexual behaviour that is perpetrated against nurses from a variety of sources". She

goes on to define these three types of abuse:

- **"verbal abuse"** includes inappropriate communication, usually by a person in power, through words, manner or other nonverbal cues, with a perception on the part of the nurse of an intent to cause harm; or that which does result in personal or professional harm, and which reflects a lack of respect for the nurse."
- **"physical abuse"** includes any hostile, injurious or destructive behaviour which either puts a nurse at risk of battery, threatens to put a nurse at risk of battery or results in a nurse being battered."
- **"sexual harassment"**, which is recognized by all the provincial human rights commissions, but which has not yet received specific attention in health care literature, can be defined as physical or non-physical, and may or may not include unwanted touching; verbal abuse about matters related to sex or physical appearance; and patronizing language which is meant to be a put-down."

3. The Glenrose Rehabilitation Hospital in Edmonton has provided a more succinct definition of staff abuse adapted from that used at the Grace General Hospital in Winnipeg: "staff abuse is the violation of a staff member by another person through intimidating behaviour, physical attack and/or coarse and insulting language".

In recent times, however, the tendency to include all of the above-quoted behaviours within the definitions of nurse abuse has proven to be too narrow still. Today, more and more nurses, their unions and their professional organizations are beginning to include some of the effects of health care downsizing and restructuring in the defi-

nition of nurse abuse.

UNA agrees with this trend and for the purposes of this article includes layoffs; short staffing; the replacement of Registered Nurses (RNs) and Registered Psychiatric Nurses (RPNs) with lesser-skilled and/or unlicensed personnel; the erosion of high quality health care services; increasing work loads and responsibility; and the dismantling of the nursing profession as important factors to be included in the definition of nurse abuse. Rather than being perpetrated by a single individual these kinds of changes have been brought about by governments' administrative and funding changes which have contributed to the worsening of conditions of work and to the erosion of nurses' well-being.

As *Nurse Abuse: Impact and Resolution* says on its front cover:

"Replacement of nurses with unlicensed personnel, short staffing, floating to areas foreign to practice, the erosion of health care, the wholesale dismantling of our profession and the exploitation of our patients in the name of profit is Nurse Abuse."

B. Prevalence

In any background discussion of nurse abuse it is important to indicate what the frequency level of the abuse is.

Obviously there is as yet little if any statistical data from studies on what the effects of downsizing and restructuring have been on nurses. This entire area requires many more years of examination and study to determine how both the federal and provincial governments' cost-cutting actions have led to increased workplace abuse of nurses.

What we do have more accurate statistics on is the prevalence of the more traditional kinds of nurse abuse—harass-

(continued on page 12)

ment, violence, physical abuse, verbal abuse, sexual abuse, battery etc. However, even here a review of the literature identifies that the data sources are inadequate; that the under-reporting of abuse incidence is a significant and serious problem; that the available statistics underestimate the importance and frequency of abuse; and that by all predictions the problems of abuse and violence in the workplace are getting progressively worse.

A 1981 study reported that only about **20% of incidents of assault were being reported**. A 1991 Ontario Nurses' Association Assault Survey found that 59% of 808 nurses surveyed had been physically assaulted at some point in her/his career, 35% from within the preceding year. A Manitoba study found that 51.8% of acute care nurses had been physically attacked by patients. Another study reported that over a two year period, 33% of nurses in a long term care facility suffered injuries caused by residents. In Ontario, nursing home staff suffered a rate of on-the-job injuries close to double the rate of that of police officers.

As the definition of abuse widens to include actions intended to cause physical or emotional harm, in one study, psychiatric nurses reported the highest abuse rate.

Defining abuse as verbal, one researcher found that 33% of nurses had experienced abuse in the last five working days and close to 75% had experienced abuse at some point working in their present hospital workplace. A 1992 Ontario study revealed that the majority (59%) of nurses reported having been physically assaulted sometime during their nursing career (with 35% reporting physical assault during the past twelve months), and almost all nurses (92%) had experienced harsh or insult-

ing language. In Nova Scotia, 80% of nurses surveyed had suffered some sort of job abuse in their careers, with most of it being verbal.

Leney reports that nurses are assaulted just as often as police officers but that nurse abuse is **"a carefully-guarded secret"**. Many of the published reports identify the **low level of recognition** of nurse abuse by nurses themselves, administrators, patients, patients' families, visitors, the public, the judicial system and nursing organizations. A ministerial committee on abuse of health care staff in Manitoba found that **"health care facility administrators, the police and the judiciary showed a profound lack of knowledge about the extent and seriousness of the abuse"** (Lett, 1992). A Saskatchewan study found that only 24.6% of the nurses responding to a survey thought that administration viewed abuse as an important issue (Pekrul, 1992).

Leney also reports that "this low level of recognition is also seen as being a reflection of society's lack of recognition of the abuse of women". It has been suggested that the abuse of nurses, and society's response to these abuses, parallel violence against women and society's responses to that violence.

From a more hopeful perspective, one survey of nurse assault reported that 96% of nurses themselves felt that assaults against them are totally unacceptable and supported a zero tolerance approach. More and more nurses' unions, nurses' professional associations and nursing employers are beginning to recognize abuse as a serious workplace problem. The International Council of Nurses states that "personal safety—freedom from abuse, threats or intimidation—is the right of every nurse".

The data available in Alberta from the

Workers' Compensation Board's claims reflect only those incidents where a worker suffered a direct physical injury from an act of violence in the workplace, filed a claim, had the claim accepted and lost more than one day of work. The emergency room nurse at the Royal Alexandra who was attacked by a patient and nearly strangled took one sick day and returned to work—a serious case of violence that did not show up in the WCB statistics. In fact, acts of violence claims constituted less than 1% of all Alberta WCB claims between 1987 and 1991.

Recognizing the serious deficiencies of WCB abuse statistics, nonetheless these statistics show that a serious problem exists—in the area of 400 claims per year of workplace acts of violence resulting in lost work days.

The health care industry ranks right up there with police and correctional facilities and service industries such as convenience stores, security agencies, taxi services and gasoline service stations. Between 1987 and 1991 the health care industry had 37% of all "acts of violence" WCB claims, with police and correctional facilities having 28% and all others mentioned above combined having 28%. Health care professionals, guards and police officers have more claims arising from violence than other occupations in Alberta.

Yet in regards to nurses, only 7% of all nurses' WCB claims stem from violence. Although claims for violence are a small fraction of all claims filed by health care workers, health care workers are the group that file the largest number of claims from acts of violence in Alberta workplaces.

In Alberta in 1992, the WCB reported lost time claims caused by acts of violence in health care institutions as follows:

| | |
|----------------------------|------------------|
| Active Treatment Hospitals | 49 cases |
| Auxiliary/Nursing Homes | 45 cases |
| Psychiatric Hospitals | 39 cases |
| TOTAL | 133 cases |

In contrast, during this same time period, WCB reports that **56 cases** of acts of violence were reported by police departments within the province.

The rate of nurse abuse varies with definition, location, time loss and clinical area of practice. Despite these variances, however, one researcher (McCaskell) says that "it would be difficult to find an experienced, practicing nurse in Canada today who at some time has not been struck, punched, pushed, insulted, threatened, kicked or had something thrown at her or him by a patient". The risk of workplace violence for police and health care workers is more than double the risk of violence for workers in all other occupations.

One British Columbia study found that "overwhelming workplace violence claims came from women within the health care industry, particularly from nurses" and that while these claims doubled for the rest of the work force from 1982 to 1991, the rates for nurses quadrupled.

There is undisputed verification that the incidence of nurse abuse in Canada has increased in past years and continues to escalate. The effects of federal and provincial governments' cuts which have resulted in downsizing, restructuring, deskilling and understaffing will only serve to increase these already alarming abuse statistics.

Why are nurses reluctant to report abuse? What factors in our workplaces lead to an environment where abuse is not uncommon? These questions will be investigated in our next NewsBulletin. ♡

Plans for 1997

♡ Budget

UNA's financial outlook remains bright after delegates voted resoundingly in favour of the Finance Committee's proposed budget. UNA continues to have a surplus in its operating budget each year.

♡ Platinum Year

1997 will be a platinum year for United Nurses!

In May of 1977, Provincial Staff Nurses

Council members broke away from the Alberta Association of Registered Nurses and formed their own organization—the United Nurses of Alberta. The first hospitals' strike took place just weeks later—before the fledgling union had a chance to hold its founding meeting! Sandie Rentz, a former UNA Vice-President, will be heading up the Anniversary Planning Committee. Watch the NewsBulletin for announcements about upcoming activities! ♡



In Memory of... Penny Turner

By Wendy Brigham, President 121-R



Penny Turner graduated in 1978 from Mount Royal College with her Diploma in Nursing. From 1978 to 1992, she worked predominantly in critical care areas such as ICU/CCU and the Recovery Room. After working at Foothills Hospital in Calgary, Penny left for the sunny climate of Southern California where she resided in Oceanside while working in the San Diego area.

Before returning to Calgary, Penny traveled even further afield and was employed as a Club Med nurse in Tahiti. When she returned to Calgary she resumed her employment at Foothills Hospital in Coronary Care/ICU. While there, she became active in UNA and held positions on the Local Executive and PRC.

In 1992, due to difficulty returning to work following an injury, Penny enrolled in the B.N. program at University of Lethbridge, from which she graduated in 1994. Part of her course focused on Labour Relations and she spent her practicum working in UNA's Provincial Office.

With Alberta in the throes of downsizing in health care in 1994, Penny found employment with a U.S. company, Saudi Aramco, and left for Dhahrain. She remained employed with Aramco as a Critical Care Instructor until her death.

Penny had a zest for life that all who knew her appreciated. Her particular areas of enjoyment included golf (avid), skiing, travel and music. Penny was a compassionate nurse and was committed to improving patient care as well as working conditions for nurses. Penny was 39 years old when she died in a car accident in Saudi Arabia. UNA has donated \$500.00 to Penny's Memorial Fund. ♡



Found on the UNA Net

The following discussion is taken from UNA's latest communications tool, the UNA Net – a provincially linked network of computers. This is the forum for discussion of professional issues, a place to get feedback from your fellow UNA members, and a place to raise issues important to you and your facility. If you have a computer and modem and would like to be part of this network, contact Rena or Florence at Provincial Office.

Head Nurses

- Do any locals have a head-nurse in their membership .What are their job descriptions, hours of work, responsibilities?
- Local 96 currently has 3 head nurses at our hospital: 1 in ER, 1 for OR/ICU, and 1 part time on mat/child. These nurses have responsibilities which agree with the contract.
- Local #31, Ponoka... We have three head nurses in-scope: 1 in LTC, 1 on AC, 1 in the OR/OPD. They are team leaders Monday to Friday and answer to the DON for unit management.

OR On Call

- In Slave Lake we have one RN on call for the OR. She lives in town and is only 5 minutes away. We do have a LPN in the OR who has just taken her ORT course. I believe that when they are called in, it's the RN on call who is the only one that comes in and if she needs someone else, she calls in the LPN. It is not mandatory that we have ACLS in our hospital, though it would probably help if it was—then we'd get funded for it!

Syntocinon Drips

- Recently at our hospital an RN was asked to do a syntocinon drip for 2 maternity patients. Our policy specifically stated that these should be a 1:1 ratio. She refused to do 2 drips at the same time (I supported her in this). We do not do electronic fetal monitoring at our hospital. The next day the policy was changed to a 1:3 ratio. I feel this is unsafe and would like to know what the policy is at other rural hospitals regarding staff:patient ratio's for syntocinon drips.
- At Local #10 Lac La Biche, our policy is for 1:1 for syntocinon drips for induction but has been stretched by 2:1 if both patients are in the same room and augmented not induced.
- In the Central Peace General Hospital in Spirit River(Local #41), when we did have an OR, we did do drips but the ratio was 1:1. Now that we no longer have an surgeon, we can not do syntocinon drips. We are still allowed to do the Prostin E gel or the Prepidil gel but the drip and the Prostin E tabs are no longer used here. From what I can gather, the ratio is supposed to be 1:1.

Obstetrics on Acute Care

- As part of our changes (adding 6 more LTC beds) the ER is proposing to move post partum to acute care. We are told (by guess who?) that this is being done in many places in Region 1 and throughout the province. Is this true??? HELP!!
- Greeting from Lac La Biche. I am just curious, where was post partum before? Until October of this year, we had OBS and Paeds on a separate unit but now have a "Heinz-57" unit, more properly know as the "Multi-Nursing Focus Acute Unit", with all acute care on one unit.

We hate it, nursing staff have to be Jack of all trades, master of none!

We have 20 acute beds, with 10 more slated to be open in January post renovation. In our renovation plans, one end is supposed to be Post Partum and Paeds (under 3 years. and in cribs) but depending on what kinds of patients are admitted it might not happen. Post Partum patients now can be placed close to anyone (respiratory, cardiac, GI bleeds) We try to put them in a private room but not always—one night we had two in our ICU unit because we had no beds!

- In Lacombe we have a 20 bed acute care unit now with mats put wherever they will fit. Sometimes they stay in the labour room after they deliver because there is no bed for them on the unit. Last week we had a man overnight in the labour room because there were no open beds on the unit. This is not an isolated incident—it has happened before! The mats do get a private room or if we have 2 mats they share.

Home Care Safety

- There has been much improvement since the episode reported when the nurse first started (and changes in management):

I was warned that there had been a problem with drunken behaviour in one client's home and upon arriving there early one morning, I found the client ready for a dressing change and a couple of his buddies sitting at the kitchen table drinking and very curious about the client's care. I quickly did the dressing with a myriad of thoughts running through my head - mostly about how close I was to the door - and got out of there. On returning to the office, I reported to the Supervisor, who immediately notified the doctor that no Home Care Nurse would be returning to the client as this had been a problem in the past supposedly resolved with a promise of never having a recurrence. Services have now been completely withdrawn and the client will have to go to the hospital for any further care. We now decide ahead of time, in any questionable situation, if two nurses should go together or not at all and the doctor is informed.

ACLS

- In Lac Biche, ACLS is mandatory for all acute areas (emerg and our newly created 30 bed multi nursing focus unit) Yes, we do get paid to attend and our tuition is paid by our facility. Study time has not been paid for.
- Any course that the employer decides is mandatory for current employees must be paid for by the employer. This includes study time. If the employer does not provide dedicated study time during working hours, then all study time outside of working hours should be compiled and submitted as overtime. (Arbitration decision #2.5, United Nurses of Alberta Local # 115 -July 1981.)

In Memory of... Dale Fior - Secretary / Treasurer United Nurses of Alberta

By Heather Smith, President

Heather Smith presented the following tribute to Dale Fior at Dale's funeral in Calgary on November 22.

Four weeks ago Dale said to the membership of United Nurses of Alberta

"Do not think of me as you see me, think of me for what I am and what I have accomplished."

The membership did see a woman who in her own words "has an illness from which I will not recover".

They saw Dale Fior as:

- ♥ Generous
- ♥ Loving
- ♥ Caring
- ♥ Dedicated

Registered Nurse, Union Advocate, Friend
...our Secretary/Treasurer

The membership gave Dale the greatest tribute - an overwhelming mandate to remain the Secretary/Treasurer of United Nurses of Alberta.

Today I do not see Dale as she is here in this Church.

I believe Dale would want us to think of her as each of us knew her, allow each of our thoughts to weave together to create the total of what Dale is.

To those in UNA, Dale was known in many roles:

- ♥ Local President
- ♥ District Representative
- ♥ Negotiating Committee Member and Chairperson
- ♥ Labour Relations Officer
- ♥ Secretary/Treasurer

Dale's dedication to enhance our profession and better our workplaces began early in her career with the Ontario Nurses Association.



Dale came to Alberta a seasoned warrior and immediately joining UNA - a union in its infancy. For 15 of our 20 years, Dale has been part of the construction crew.

The road our organization has traveled has been adventurous. Throughout our travels - Dale the bridge builder and mediator - has been highly respected for her sense of the right path to take, the right decision to make - not to benefit one - but for the betterment of the entire Union - the collective good.

A commitment of such magnitude is not without sacrifice, it was not possible without the support of Dale's first love - her family. Ad, Liana and Michelle, I thank you on behalf of United Nurses of Alberta for sharing your precious gift with us.

Individuals such as Dale never leave us. We will all hear Dale's voice and laughter - at the bargaining table, at District Meetings, in our Boardroom.

If we walk a picket line - I know Dale will be walking beside us. Her legacy lives on in the hearts of UNA - Dale's extended family.

A personal piece I contribute to the total of what Dale is - is her fondness for red tulips. This fall as I chatted about planting bulbs, Dale said that red tulips were her favorite. I planted lots of red tulips. When Spring comes, and in each Spring hereafter, I will see Dale and think of Dale as she wants to be seen.

Dale enriched each one of us, our organization and our profession.

Be at rest dear Friend. ♥

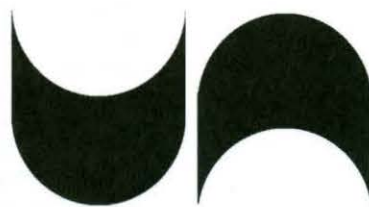


What can Johnnie get at school,
daycare, and even the swimming pool?
**The security of established
standards for staffing.**

**Ask your
nurse manager
why your hospital
does not want to
establish standards
for staffing.**

But if Johnnie falls and
injuries his head and has
to go to the hospital for
a few days, there is
no guarantee that
he will be cared
for by
qualified
staff.

United Nurses of Alberta
Contact Provincial Office for further information.



United Nurses of Alberta

1996 • 1997

**CONSTITUTION / BYLAWS
&
LONG AND SHORT
TERM GOALS**

(With amendments as of October, 1996)

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☛ ARTICLE 1: NAME

- 1.01 This organization shall be known as the United Nurses of Alberta (hereinafter referred to as "U.N.A.").
- 1.02 In the interpretation of this Constitution, the feminine gender used herein shall mean and include the masculine, and the singular shall include the plural and vice versa as applicable.

☛ ARTICLE 2: OBJECTIVES

- 2.01 The advancement of the social, economic and general welfare of nurses and other allied personnel.
- 2.02 (a) The regulation of relations between nurses and other allied personnel and between nurses and their employers.
- (b) The negotiation of written contracts with employers aimed at implementing progressively better conditions of employment.
- 2.03 The promotion of effective communication with employers.
- 2.04 The promotion of the knowledge of nurses and other allied personnel in all things related to their social and economic welfare through education and research.
- 2.05 The promotion of the highest standards of health care.
- 2.06 The promotion of unity within the labour movement, the nursing profession and other allied fields through cooperation with and support of other organizations.
- 2.07 The promotion of the occupational health & safety of the membership through research and communication with allied fields and organizations.

☛ ARTICLE 3: MEMBERSHIP

- 3.01 All registered or graduate nurses and other allied personnel who are eligible to engage in collective bargaining are eligible for membership in the U.N.A. provided that no allied personnel shall be admitted to membership without an eighty percent (80%) vote of approval of the Executive Board.

- 3.02 Without limiting the generality of the foregoing, persons who, in the course of their employment, exercise managerial functions or who are employed in a confidential capacity in matters relating to labour relations shall be excluded from membership.
- 3.03 Any person who is eligible to be a member of the United Nurses of Alberta and pays such dues or assessments as may from time to time be required, and who applies for membership, shall be accepted as a member in good standing of the United Nurses of Alberta and the Chartered Local of the United Nurses of Alberta. Any member who shall be in arrears in the payment of dues or assessments for a period of six (6) months shall be automatically suspended from membership in the United Nurses of Alberta and the Chartered Local except when on an approved leave of absence, layoff or grieved dismissal. Notwithstanding the foregoing, any person who has resigned her membership in the U.N.A. due to her non-support of a strike or in the face of charges, or who has been expelled from membership shall only be eligible for membership in the U.N.A. or its Chartered Locals upon successful application to the Executive Board for reinstatement pursuant to Article 7.
- 3.04 No person shall be refused membership because of nationality, race, colour, origin, sex or sexual preference, age, physical disability or religious or political belief.
- 3.05 Membership in a Local Union, chartered by the U.N.A., shall also constitute membership in the U.N.A.; however, no person shall act as or be deemed to be an agent of the U.N.A. or any chartered or subordinate body of the U.N.A. because of her membership unless specifically authorized in writing signed by an appropriate official to so act.
- 3.06 (a) Members who retire or resign and are therefore no longer paying dues to U.N.A. shall be eligible for Associate Membership. Annual Associate Membership fees shall be ten dollars (\$10.00).
- (b) Associate Members shall not be eligible to hold

elected office in U.N.A. or vote at meetings of U.N.A.

- (c) The criteria for Associate Membership status shall be established by the delegates at the Annual General Meeting.

WA ARTICLE 4: EXECUTIVE BOARD

- 4.01 The affairs of the U.N.A. shall be managed by an Executive Board which shall be composed of the following:

- 1) President;
- 2) Vice-President;
- 3) Secretary-Treasurer;
- 4) District Representatives.

Any member elected to a position on the Executive Board shall not hold the position of President of a U.N.A. Local. The newly elected Board Member shall have three (3) months to vacate her position as Local President.

- 4.02 The number of District Representatives shall be determined on the basis of one (1) District Representative for the first one thousand (1,000) duespayers or part thereof in the District as of sixty (60) days prior to the Annual General Meeting, and an additional District Representative for every additional one thousand (1,000) duespayers or part thereof in the District as of sixty (60) days prior to the Annual General Meeting. There shall be a minimum of two (2) District Representatives for each District.

- 4.03 All Officers shall be elected at an Annual Meeting except that a vacancy occurring between Annual Meetings shall be filled in accordance with 8.05, Appendix "B" or 12.11 (iv) as appropriate.

- 4.04 Term of Office shall mean two (2) years or until their successors are elected. The Term of Office shall begin upon adjournment of the Annual General Meeting of the U.N.A.

- 4.05 The duties of the Board shall be as follows:

(a) PRESIDENT

The President shall preside at all meetings of the Executive Board and all meetings of the U.N.A. and shall be charged with the responsibility of carrying out the policies of the U.N.A. The President shall be an ex-officio member on all Committees of the Executive Board.

(b) VICE-PRESIDENT

The Vice-President shall preside at all meetings where the President is absent and shall be charged with the particular responsibility of establishing and maintaining the flow of communication between the U.N.A. and its members, and between the U.N.A. and other organizations.

(c) SECRETARY-TREASURER

The Secretary-Treasurer shall cause to be kept such regular books and records of the U.N.A.'s finances as shall be set up under the instructions of the Executive Board, shall cause to be maintained full records of minutes of all

meetings of the Executive Board and of all meetings of the U.N.A. and shall cause to be maintained all records, documents and correspondence of the U.N.A.

(d) DUTIES OF THE DISTRICT REPRESENTATIVES

The District Representatives shall carry out generally the objectives of the U.N.A. and function as members of the Executive Board. (The terms of reference for District Representatives are as outlined in Appendix "B".)

- 4.06 Only members in good standing of the U.N.A. are eligible for membership on the Executive Board.

- 4.07 In the event that a member of the Executive Board absents herself from two (2) consecutive meetings, i.e. Executive Board, Delegate, Special, Committee, the reasons for such absences shall be delivered in writing to the President. If the reasons so delivered are found to be unsatisfactory to the Executive Board by a 2/3 ballot vote, the office of the member shall be declared vacant. Such vacancies shall be filled in accordance with Article 8.05 or Appendix "B" 1.3 as applicable. Such appointed or elected member shall hold office until the next Annual General Meeting at which time an election shall be held in accordance with Article 12.04.

- 4.08 Any member of the Executive Board may resign her office by giving notice in writing to the President.

- 4.09 Any Executive Board member who ceases to hold office for any reason, shall, within one month, turn over to the Executive Board, all documents, assets and property of the U.N.A. in her possession.

- 4.10 The District Representative shall designate an alternate member to attend Executive Board meetings in her absence.

WA ARTICLE 5: POWERS OF THE EXECUTIVE BOARD

- 5.01 (a) The Executive Board shall be responsible for constitutional interpretation.
- (b) The Executive Board shall be responsible for and accountable to the membership for the administration of affairs and activities of the U.N.A. when the U.N.A. is not meeting.
- 5.02 (a) The Executive Board shall be responsible for the formulation and development of the general collective bargaining objectives of the U.N.A. and for the presentation of the said objectives to the membership at meetings for discussion and approval.
- (b) The Executive Board or any person or committee to which the Executive Board delegates such authority, shall be empowered to negotiate and enter into regional, Local, provincial or area-wide collective bargaining agreements on behalf of any Local or Locals without the necessity of the written authorization of such Local or Locals and the Executive

Board or its delegate shall coordinate activities towards this end in consultation with the Local Unions involved.

- 5.03 To the extent required for the proper functioning of the U.N.A., the Executive Board, or any person to which the Executive Board delegates such authority, shall employ, retain, direct, and compensate personnel, consultants, legal, accounting, and other professional personnel, and engage and pay for the use of premises and equipment.
- 5.04 No monies of the U.N.A. shall be expended without the authorization of the Executive Board or such person or persons as the Executive Board or a meeting of the U.N.A. may from time to time authorize for this purpose. The manner in which monies may be withdrawn or cheques issued by the U.N.A. shall be determined from time to time by the Executive Board. All acts bona fide done by any meeting of the Executive Board or by any person acting as a member of the Executive Board, notwithstanding if it be afterwards discovered that there was some defect in the appointment of any such person acting as aforesaid or that they or any of them were disqualified, shall be valid as if every person had been duly appointed and was qualified to be a member of the Executive Board.
- 5.05 The Executive Board may set up committees of the U.N.A. and may appoint or elect a Chair and members to the committees. The committees shall be subject to any restrictions or regulations imposed upon them by the Executive Board.
- 5.06 The Executive Board, in addition to all other powers vested in it, is hereby authorized and empowered subject to the approval and authorization of the U.N.A. as defined in Article 5.07:
- (a) to acquire, hold, and dispose of, real and personal property or any part thereof; and
 - (b) to invest monies on behalf of the U.N.A.; and
 - (c) to borrow money for the purpose of the U.N.A. and to give security for any money so borrowed on any of the real, personal or mixed property of the U.N.A. by way of mortgage, pledge, charge or otherwise.
- 5.07 Authorization for the exercise of the powers listed in Article 5.06(a) and 5.06(b) shall be by two-thirds (2/3) vote of the Executive Board subject to approval at the next Annual General Meeting. Authorization for the exercise of powers listed in Article 5.06(c) shall be gained by a two-thirds (2/3) vote of the delegates at an Annual or Special meeting prior to exercise of such powers.
- 5.08 The business of the U.N.A. shall be managed by the Executive Board who shall exercise all such powers of the U.N.A. and do on behalf of the U.N.A. all such acts as may be exercised by the U.N.A. and as are not by law or by this Constitution required to be done by the U.N.A.

in an Annual or Special meeting of the U.N.A.

- 5.09 The Executive Board may in the exercise of its powers do all such things and acts which in the exercise of its sole discretion better further the objectives of the U.N.A.

ARTICLE 6: DISCIPLINE OF MEMBERS

- 6.01 Any member may be charged by another member of the following offences:
- (a) Violating any provision of this Constitution or the Bylaws of any of its Chartered Locals;
 - (b) Obtaining membership through fraudulent means or misrepresentation;
 - (c) Instituting, urging or advocating that a member of any of the Chartered Locals of this union should institute action in a court of law against the U.N.A. or against the Executive Board or any of its officers or against any of the Chartered Locals or any of its members in respect of any matter concerning the affairs of the U.N.A. or any of its Chartered Locals or chartered bodies without first exhausting all remedies through the forms of appeal provided in this Constitution;
 - (d) Publishing or circulating either verbally or otherwise among the membership false reports or misrepresentations concerning any member of the U.N.A. in respect to any matter connected with the affairs of the U.N.A. or its Chartered Locals;
 - (e) Working in the interest of any organization competing with the U.N.A. in a manner which is detrimental to the U.N.A. or any of its Chartered Locals;
 - (f) Fraudulently receiving or misappropriating any property of the U.N.A. or any of its Chartered Locals;
 - (g) Using without proper authority the name of the U.N.A. or of the Chartered Local for soliciting funds or advertising;
 - (h) Without receiving proper authority to do so, furnishing a complete or partial list of the membership of the U.N.A. or of any Chartered Local to any person or persons other than those whose official position entitles them to have such a list;
 - (i) Wrongfully interfering with any officer or accredited representative of the U.N.A. or any of its Chartered Locals in the discharge of his or her duties;
 - (j) Circulating reports designed or calculated to injure or weaken the U.N.A. or any of its Chartered Locals;
 - (k) Doing any act contrary to the Constitution or to the Bylaws of any Chartered Local, or failing to do any act required of her by the said Constitution or

Bylaws, where such conduct has the effect of injuring the U.N.A., the Executive Board of the U.N.A. or any of its Chartered Locals, or impeding the implementation of any policy constitutionally formed by either the U.N.A. or any of its Chartered Locals;

- (l) During the course of a strike by the U.N.A. or any of its Chartered Locals failing to give all necessary support to the said strike.

6.02 CHARGES

1. (a) Charges for an offence enumerated under Article 6 of the Constitution may be laid by a member, or by a member on behalf of a Local, in writing to the President. Charges are to include specific references to sections and articles allegedly violated and must include a plain, factual statement of the circumstances alleged.
- (b) Charges must be filed with the President within one hundred and twenty (120) days of the date the complainant first became aware of or reasonably should have become aware of the alleged violation of the U.N.A. Constitution.
- (c) The Executive Officer (the President or a designate) shall review the charges to see if they comply with the above requirements. If the charges do not comply, the Executive Officer may reject them and provide written notice to the complainant.

A complainant may refile a charge in proper form provided that in no circumstance shall a charge be refiled 130 days after the complainant first became aware of or reasonably should have become aware of the alleged violation.

EXECUTIVE OFFICER REVIEW

1. The Executive Officer must then advise the accused by forwarding a copy of the complaint in person or by double registered mail. The accused will at that time be afforded the opportunity to respond in writing to the complaint, within 30 days of notification of charges.
2. The Executive Officer must then review the charges and the accused's reply to determine if the complaint is frivolous or trivial and to determine if it is in the best interest of the Union to proceed with a Disciplinary Hearing. The Executive Officer at this time may also act as a facilitator or mediator to attempt to resolve this matter before hearing by a Trial Committee.
3. If the Executive Officer decides not to proceed, the complainant has a right to appeal this decision to the Executive Board. The Executive Board shall examine the charge and the accused's reply to determine if it is in the best interest of the Union to proceed. The Executive Officer shall not be entitled to discuss the merits or vote on the

appeal of her decision.

4. If the Executive Board determines it is not in the best interest of the Union to proceed, the charge will be dismissed. If the Executive Board decides it is in the best interest of the Union to proceed, the matter will go to a Disciplinary Hearing.

DISCIPLINARY HEARING

1. A Disciplinary Hearing will be conducted by a Trial Committee whose cost will be borne by the U.N.A. The complainant and the accused must each select a member in good standing as their nominee on the Trial Committee. The two nominees will choose a Chair of the Trial Committee from a list of Trial Chairs. The list is to be composed of five members, one chair being nominated from each of the five Districts. Current Executive Board members are prohibited from being Trial Chairs and nominees.
 - (a) Nominations and elections shall be in accordance with Article 12 of the Constitution of the U.N.A.
2. If the two nominees cannot determine which of the five Trial Chairs to appoint, each nominee can remove one name from the list of Trial Chairs and a random draw of the three remaining Trial Chairs is to be made.
3. The Disciplinary Hearing shall be convened and conducted expeditiously. It shall be fair and impartial and both sides may be represented by counsel. The Trial Committee shall also be entitled to have counsel. The costs of the counsel for the Trial Committee shall be paid by the U.N.A.
4. Procedures to be followed at the Disciplinary Hearing are in the Trial Committee's sole discretion. The rules of evidence need not be strictly adhered to. Hearsay is admissible. The onus of proving guilt is on the complainant. If the accused does not show for the Disciplinary Hearing, the hearing may continue in her absence, but the complainant must still prove guilt. The accused cannot be compelled to testify.
5. On a finding of guilt, the Trial Committee may expel, suspend or reprimand the accused, and impose conditions prior to reinstatement. The decision of the Trial Committee is final and binding. There is no appeal. For the purpose of this article the Arbitration Act shall not apply.

WA ARTICLE 7: REINSTATEMENT OF MEMBERSHIP

- 7.01 (a) Any person who has been expelled from membership or who has resigned following the receipt of charges is not eligible to apply for membership at any Local of the U.N.A.

Where a person wishing to become eligible for membership in the U.N.A. is required by the terms

of Article 3.03 to apply to the Executive Board for reinstatement, application shall not be made until one (1) year from the date of expulsion or date of resignation. Prior to the Board considering such an application, the applicant shall have met the criteria for reinstatement as determined by Executive Board Policy. If a person's membership reinstatement application is rejected for any reason, she shall not be eligible to reapply for a period of one (1) year.

- (b) A person who has been suspended from membership shall have her membership card held at Provincial Office for the duration of the suspension. Such member shall forfeit all rights and benefits under the Constitution but shall remain bound by the terms of the Constitution.

🏹 ARTICLE 8: MEETINGS OF EXECUTIVE BOARD

- 8.01 The Executive Board shall meet at the call of the President or at the request in writing of no fewer than three (3) members of the Executive Board to the President. In any event, the Executive Board shall meet at least once in every four (4) months.
- 8.02 The time and place of meetings of the Executive Board shall be determined by the President, provided that any meeting requested by no fewer than three (3) members of the Executive Board, pursuant to the provisions of Article 8.01, shall be held within thirty (30) days of the receipt by the President of any such request. Every Board member shall be given at least fourteen (14) days' notice of such meetings.
- 8.03 The majority of the members or delegated alternate members of the Executive Board shall constitute a quorum for the transaction of business provided that this quorum consists of at least one (1) District Representative or delegate alternate from each District.
- 8.04 Unless otherwise provided in this Constitution, any questions arising at a meeting of the Executive Board shall be decided by a majority vote of the members present. Each member of the Executive Board shall be entitled to one (1) vote on each question which is voted upon at a meeting.
- 8.05 In the event that the President, Vice-President or Secretary/Treasurer should resign, die or otherwise cease to act, the Executive Board shall elect by and from themselves a replacement until the next Annual General Meeting at which time an election shall be held in accordance with Article 12.04 or for the unexpired term as appropriate.

A Leave of Absence may be taken by Executive Board Members and Local Executive. A written notification of

such Leave of Absence shall be made to the Executive Officers of the U.N.A. This Leave of Absence shall not exceed one-half (1/2) the length of the term of the position affected. This Leave of Absence will not be funded by the U.N.A. The interim replacement will receive the budgeted funding for that position. Thirty (30) days' prior written notice shall be made to the Executive Officers of the U.N.A. of the expected date of return to the position. Interim replacements shall be made in accordance with Appendix "B" Bylaws I.3 and Appendix "A" Bylaws VI. In the event that the President, Vice-President or Secretary/Treasurer should take a Leave of Absence, the Executive Board shall elect by and from themselves a replacement for the term of the Leave of Absence or until the end of the term of office.

Where an Executive Board Member is elected to replace an Executive Officer, she shall return to the unexpired term of her Executive Board office, if applicable, following the next Annual General Meeting.

- 8.06 The Executive Officers, with unanimous agreement, may poll the Executive Board in emergency circumstances. Polling shall be done in accordance with Executive Board Policy.

🏹 ARTICLE 9: MEETINGS OF THE U.N.A.

- 9.01 The U.N.A. shall hold an Annual General Meeting in the months of September, October or November of every calendar year at such place as may be determined by the Executive Board.
- 9.02 A Special Meeting of the U.N.A. may be called at any time and place at the request in writing of at least one-third (1/3) of the members of the Executive Board or of at least one-third (1/3) of the Chartered Locals which shall represent one-third (1/3) of the membership evidenced by notice in writing signed by the President of each and shall be held within forty-five (45) days of the receipt by the President of the U.N.A. of any such request. Any such request shall specify the subjects to be considered at such a Special Meeting.
- 9.03 Every Chartered Local shall be given at least thirty (30) days' notice of the Annual General Meeting and as much notice as possible of Special Meetings. The President and Secretary-Treasurer of each Chartered Local shall make every reasonable effort to inform the members of the Chartered Locals of said meetings.
- 9.04 The form of notice of meetings shall specify the subject to be considered at the meeting, and, in the case of Special Meetings, only such subjects as are specified in the notice calling the meeting may be considered and acted upon at that meeting.

☞ ARTICLE 10: VOTING AT MEETINGS OF THE U.N.A.

- 10.01 (a) At any Annual or Special Meeting of the U.N.A., each Chartered Local is entitled to be represented by one (1) voting delegate for seventy-five (75) members or part thereof.
- (b) The Local President shall ensure that each voting delegate chosen to represent her Local is a member in good standing of the U.N.A. The number of voting delegates to which each Local is entitled shall be based on the number of members in the said Local, thirty (30) days prior to the Annual General Meeting.
- 10.02 At Negotiations Demand Setting Meetings and Negotiations Reporting Meetings each Chartered Local shall be entitled to be represented by one (1) voting delegate. The voting delegate must be a member in good standing of the U.N.A. and shall be elected at a meeting of the Chartered Local.
- 10.03 The Chair of the meeting shall appoint scrutineers.
- 10.04 The scrutineers shall arrange for the holding of any vote; shall distribute, collect and count ballots if used; and shall report the results in writing to the meeting.
- 10.05 Two-thirds (2/3) of the registered voting delegates, including a representative from each District, shall constitute a quorum for the transaction of business.
- 10.06 Unless otherwise provided in this Constitution, any resolution presented at a meeting of the U.N.A. or of any of its committees shall be deemed to have been carried if a majority of the voting delegates present vote in favour of it.
- 10.07 Voting shall be by show of hands unless the Chair otherwise directs or unless otherwise provided hereinafter.
- 10.08 At any Annual General Meeting or Special Meeting of U.N.A. and Negotiations Demand Setting or Negotiations Reporting Meeting, every member of the Executive Board shall have a vote as though she were an accredited voting delegate.
- 10.09 Unless otherwise specified, any decision adopted at a meeting shall take effect forthwith at the conclusion of the meeting.
- 10.10 For the purpose of this Article the two (2) units of U.N.A. Local #121 shall be regarded as separate Chartered Locals, and Local #121 shall not be regarded as a Chartered Local.
- 10.11 For the purpose of this Article, the two (2) units of U.N.A. Local #1 shall be regarded as separate Chartered Locals and Local #1 shall not be regarded as a Chartered Local.

☞ ARTICLE 11: STRIKE VOTES AND RATIFICATION VOTES

- 11.01 Strike votes and ratification votes shall be conducted by secret ballot.
- 11.02 Only U.N.A. members shall have the right to vote in strike and ratification votes.
- 11.03 An information meeting shall be held at least twenty-four (24) hours prior to commencement of strike and ratification votes.
- 11.04 Strike votes and ratification votes shall be conducted on all shifts within a twenty-four (24) hour period.

☞ ARTICLE 12: ELECTIONS

- 12.01 All Officers, other than those deemed elected by acclamation, shall be elected at the Annual General Meeting by a majority of the voting delegates present and voting.
- 12.02 All elections shall be by secret ballot, unless otherwise provided in the Constitution.
- 12.03 The Legislative Committee or any known persons acting with its authority shall prepare nomination forms for the Annual General Meeting and shall send them to the President and Secretary of each Local at least sixty (60) days prior to the Annual General Meeting.
- 12.04 The offices of President, Secretary/Treasurer and one-half (1/2) or the majority of District Representatives, in each District, shall be elected in the years ending with even numbers. The offices of Vice-President and one-half or the minority of District Representatives in each District, shall be elected in the years ending with uneven numbers. Each District shall elect their Trial Chairs annually.
- 12.05 Each District Representative and each Chair of the Trial Committee must be a member of a Chartered Local in the District she represents. Only members from the District may nominate her and only voting delegates from said Districts are entitled to vote in her election.
- 12.06 Upon receipt of nomination forms, the President of each Local shall make every reasonable effort to inform the Local that the Legislative Committee will receive nominations pursuant to this Article.
- 12.07 Each nomination shall be on a proper form bearing the name of the nominee and signatures of two (2) members in good standing of the U.N.A.
- 12.08 Nominations shall be accepted until forty-five (45) days prior to the Annual General Meeting or from the floor at the Annual General Meeting only in the absence of an official nomination. If, at the close of nominations, a single candidate has been nominated for any position, that person shall be deemed to have been elected by acclamation. A declaration of acclamation by the Chair of the Legislative Committee shall occur for all filled positions at the time of nomination deadline.

- 12.09 The Chair and two (2) members of the Legislative Committee shall send a notice regarding elections to the President of the U.N.A. and to the President of each Local and delegate no later than thirty (30) days before the Annual General Meeting. This notice shall include the list of candidates, the list of vacancies requiring elections at the Annual General Meeting, and the names of nominees declared acclaimed in accordance with Article 12.08. Every reasonable effort shall be made to inform the members of the Local.
- 12.10 If there are not enough candidates to fill all vacant positions, nominations shall be received from the floor. The Chair will declare nominations closed after three (3) calls for nominations, unless a motion to postpone nominations has been passed by the assembly.
- 12.11 (i) A motion to rescind the election of an Executive Officer of the U.N.A. may only occur at a Special Meeting of the U.N.A., referred to in Article 9 or at an Annual General Meeting of the U.N.A. provided that thirty (30) days' notice of such motion has been given.
- (ii) A motion to rescind the election of a District Representative of the U.N.A. may only occur at a Special Delegate Meeting of that District of the U.N.A. provided that thirty (30) days' notice of such motion has been given. At the Special Delegate Meeting each Chartered Local of that District is entitled to be represented by one (1) voting delegate for seventy-five (75) members or part thereof.
- (iii) Any motion to rescind the election of a member of the Executive Board of the U.N.A. must be passed by a two-thirds (2/3) vote of the voting delegates present and voting.
- (iv) Election for such resultant vacancy for the unexpired term shall occur at this same meeting. Nominations shall be received from the floor.

UNA ARTICLE 13: REVENUE

- 13.01 The revenue of the U.N.A. shall be derived as follows:
- (a) Each Chartered Local shall remit to the U.N.A. each month such sum as may be determined from time to time, subject to the restrictions in this Article, by the U.N.A. at an Annual or Special Meeting. Any change in the dues structure must be ratified by a two-thirds (2/3) vote of the delegates at an Annual or Special Meeting. Any change in the dues structure resulting in an increase in dues must be supported by a two-thirds (2/3) vote of the delegates at an Annual or Special Meeting and shall be subject to a positive majority Membership Ratification Vote held in accordance with Article 11 of the U.N.A. Constitution. Any dues increase must be supported

by the majority of members and the majority of Locals voting.

- (b) The charter fee to establish a new Chartered Local shall be one dollar (\$1.00).
- (c) The U.N.A. may accept any donation, grant, bequest or other form of transfer of funds or properties from any charitable, governmental, educational or other source and may agree with the transferor to devote the funds or proper properties so transferred to any specific purpose consistent with the objectives of the U.N.A. without any political bias or favours.

- 13.02 The U.N.A. shall have the right to levy assessments for special purposes upon its duespayers, provided that any such assessment must first be approved by a two-thirds (2/3) vote at an Annual or Special Meeting of the U.N.A. Prior notice will be given.

- 13.03 Any funds owed to the U.N.A. by a Chartered Local pursuant to the provisions of this Constitution shall constitute a preferred claim and must be paid promptly by the Chartered Local each month prior to the payment of any other obligations of the Chartered Local.

- 13.04 (a) U.N.A. dues shall be one point one percent (1.1%) of gross income, with a minimum of ten dollars and eighty-three cents (\$10.83) per duespayer per month or five dollars (\$5.00) per bi-weekly pay period.
- (b) The U.N.A. shall issue to each Chartered Local a monthly rebate. The monthly rebate of dues to the Chartered Locals shall be as follows:
- (A) For Locals with fifty (50) duespayers or less the rebate shall be five dollars (\$5.00) per duespayer per month for the first thirty (30) duespayers. For the next ten (10) duespayers or part thereof the rebate shall be three dollars (\$3.00) per duespayers per month. For all remaining duespayers the rebate shall be two dollars (\$2.00) per duespayer per month.
- (B) For Locals with more than fifty (50) duespayers the rebate shall be three dollars (\$3.00) per duespayer per month for the first thirty (30) duespayers. For the next one hundred (100) duespayers or part thereof the rebate shall be two dollars (\$2.00) per duespayer per month. For all remaining duespayers the rebate shall be one dollar (\$1.00) per duespayer per month.
- (c) Locals that have not had their books audited as per Appendix "A," Bylaw XII Finances for a period in excess of 24 months without authorization of the Finance Committee subject to Appendix "A" - Bylaw XII - Finance, shall have their dues rebates held in trust until such time as their books have been audited by U.N.A. Provincial Office.

- (d) There shall be an Emergency Fund. When the Emergency Fund reaches the amount of three million dollars (\$3,000,000), U.N.A. will cease to make any contributions of dues revenue to this fund.

- (e) The Executive Board of United Nurses of Alberta shall have the authority to transfer a maximum of five hundred thousand dollars (\$500,000) from the Emergency Fund to the operating budget. This authority to transfer monies from the Emergency Fund shall expire with the fiscal period ending December 31, 1997.

- 13.05 In the event of a strike or the approval of a loan or donation to other Trade Unions, assistance, as determined from time to time by the Executive Board, shall be drawn from the Emergency Fund.

- 13.06 Any member paying dues at more than one (1) source shall, upon request with submission of pay slips, receive from Provincial Office a reimbursement of dues paid in excess of the amount set out in Article 13.04.

- 13.07 For the purpose of this Article the two (2) units of U.N.A. Local #121 shall be regarded as separate Chartered Locals, and Local #121 shall not be regarded as a Chartered Local.

- 13.08 For the purpose of this Article, the two (2) units of U.N.A. Local #1 shall be regarded as separate Chartered Locals and Local #1 shall not be regarded as a Chartered Local.

UNA ARTICLE 14: AUDIT

- 14.01 The fiscal year of U.N.A. shall be January 1 to December 31 unless otherwise designated by the Executive Board. There shall be an auditor of the U.N.A. who shall not be a member, employee, or relative of an employee, of the U.N.A.; and who shall be a Chartered Accountant. The Executive Board shall appoint an auditor annually. The auditor shall conduct an audit once every year and shall submit a written report to the Annual General Meeting and to each Local at least one hundred and twenty (120) days prior to the Annual General Meeting.

UNA ARTICLE 15: CHARTERED LOCALS

- 15.01 The U.N.A. may issue a Charter to any group eligible for membership under Article 3, and the group shall thereafter be referred to as a "Chartered Local".
- 15.02 (a) Subject to the provisions of Article 15.03, the Bylaws contained in Appendix "A" shall be the Bylaws of every Chartered Local.
- (b) In the event of conflict between any clause of this Constitution and any clause of the Bylaws of a Chartered Local, this Constitution shall be paramount and the clause in this Constitution shall apply.
- 15.03 (a) Except as a result of amendment to Appendix "A" at a meeting of the U.N.A., the Bylaws of a Chartered

Local may be amended only with the approval of a two-thirds (2/3) vote of those members present and voting at a meeting of the Chartered Local, and with the approval of the Executive Board of the U.N.A.

- (b) Bylaws of a Chartered Local which were amended or altered prior to November 8, 1984 in accordance with the Constitution of the U.N.A. at that time shall be deemed to have been amended or altered in accordance with Article 15.03 (a).

- 15.04 All Collective Agreements with employers of members shall be signed by two (2) Executive Officers of the Chartered Local as the contracting party on behalf of the members affected.

- 15.05 (a) If the Executive Officers of United Nurses of Alberta have or receive information which leads them to believe that any of the officers of a Chartered Local of United Nurses of Alberta are dishonest or incompetent, or that such Chartered Local is not being conducted in accordance with the Constitution and Bylaws of United Nurses of Alberta, or for the benefit of the membership, or is being conducted in such a manner as to jeopardize the interests of the United Nurses of Alberta, or if the Executive Officers believe that such action is necessary for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other bargaining representative duties, restoring democratic procedures or preventing any action which is disruptive of, or interferes with the performance of obligations of other members or Chartered Locals under collective bargaining agreements, or otherwise carrying out legitimate objectives of the United Nurses of Alberta, the Executive Officers may place the Chartered Local in immediate interim Trusteeship pending an investigation in accordance with the provisions of Article 15.05 (b). The Executive Officers shall immediately notify the Executive Board of such action, and shall arrange for a Special Executive Board Meeting to consider the matter.

- (b) In any situation in which there is reason to believe that a Chartered Local has adopted or undertaken policies or activities contrary to the principles and policies of the U.N.A., and where a Chartered Local has been placed in interim Trusteeship, the Executive Board shall have the power upon a two-thirds (2/3) vote of the Executive Board to conduct an investigation into the affairs of the Chartered Local and to require the Chartered Local to amend and rectify any policies or activities contrary to the principles and policies of the U.N.A., and the Executive Board may:

- (i) appoint a Trustee or Trustees for the Chartered Local, or
- (ii) revoke the Charter of the Chartered Local on such terms and conditions as the Executive Board may see fit.

Where the Executive Board determines that the Charter of a Chartered Local is to be revoked or a Trustee or Trustees are appointed pursuant to the provisions of this Article, the Chartered Local shall be entitled to a fair hearing before the Executive Board within three (3) months. Any action of the Executive Board under this Article may be appealed to the Annual General Meeting.

If the Annual General Meeting is scheduled for three (3) months or more from the date of the decision of the Executive Board, the Chartered Local may, with at least one-third (1/3) of the Executive Board or one-third (1/3) of the Chartered Locals which shall represent one-third (1/3) of the membership, demand a Special Meeting of the U.N.A. This Special Meeting shall be held within two (2) months to consider the Trusteeship or suspended Charter.

- 15.06 (a) Where the Executive Board makes an order provided for in Article 15.05, the Executive Board may order that all funds and properties of any nature held by the Chartered Local shall be held in trust for the purpose of effecting a reorganization of the said Chartered Local. If such a reorganization is effected, such funds and properties of the Chartered Local shall be reinvested with the Chartered Local for its use and benefit. If the Chartered Local is not re-organized within a period of one (1) year, such funds and properties shall revert to the provincial funds of the U.N.A.
- (b) Where the Executive Board orders that all funds and properties held by a Chartered Local shall be held in trust of the U.N.A., it shall be the duty of the Officers of the Chartered Local to deliver forthwith all funds and properties of any nature held by the Chartered Local to the Trustee or Trustees appointed pursuant to the provisions of this Article or duly authorized agent who shall be entitled to take immediate possession of all funds, properties, books and records of the Chartered Local and shall have authority to bring appropriate legal proceedings to secure such funds, properties, books and records.

15.07 For the purpose of this Article the two (2) units of U.N.A. Local #121 shall be regarded as separate Chartered Locals, and Local #121 shall not be regarded as a Chartered Local.

15.08 For the purpose of this Article the two (2) units of U.N.A. Local #1 shall be regarded as separate Chartered Locals. Local #1 shall not be regarded as a Chartered Local.

ARTICLE 16: MERGER AND TRANSFER

16.01 LOCAL MERGER AND/OR TRANSFER

- (a) A Chartered Local may merge and/or transfer its jurisdiction, rights, privileges, duties and assets to one (1) or more Chartered Locals.
- (b) The Chartered Local transferring and the Chartered Local(s) receiving and the Executive Board must each approve of the merger and/or transfer.
- (c) A meeting between the parties must be held for the transfer and/or merger.
- (d) The transfer and/or merger must be approved by two-thirds (2/3) of the members voting at each Local concerned by secret ballot. The voting shall be conducted in accordance with Article 11: Strike Votes and Ratification Votes.
- (e) A Chartered Local may also merge with another bargaining agent for the purpose of acquiring its jurisdiction, rights, privileges, duties and assets.

16.02 EMPLOYER MERGER

Where more than one Employer, the Employees of which are represented by U.N.A. merge, and as a result one U.N.A. Local is formed for certification purposes, the successor Local will be issued a new Charter effective the day of the merger. From that time forward the predecessor Locals will survive as units and will be treated as separate Locals for internal U.N.A. purposes.

ARTICLE 17: CONSTITUTIONAL AMENDMENTS AND POLICY RESOLUTIONS

- 17.01 This Constitution may be amended or altered only at a meeting of the U.N.A. by a two-thirds (2/3) vote of those voting delegates present and voting.
- 17.02 Except where otherwise required in this Constitution a resolution shall require a simple majority to pass.
- 17.03 There shall be a Constitution and Resolutions Review Committee struck by the Legislative Committee of the Executive Board. The function of such Committee shall be to facilitate the processing of constitutional amendments and policy resolutions for the U.N.A.'s Annual General Meeting.
- 17.04 (a) Throughout the year and up to one hundred (100) days prior to the date of the Annual General Meeting, any member may submit to the Constitution and Resolutions Review Committee a resolution or constitutional amendment in writing signed by such member. The Executive Board shall have the right to submit any resolution to the Commit-

- tee at any time up to the date of the meeting. Late resolutions shall be submitted to the Constitution and Resolutions Review Committee who shall consider the urgency of the resolution. Only late resolutions deemed to be of an urgent nature shall be placed before the meeting.
- (b) The proposer shall have the right to appeal the Committee's decision by having her appeal placed before the General Assembly of the meeting.
- 17.05 (a) The Constitution and Resolutions Review Committee shall:
- (i) receive and prepare constitutional amendments and resolutions for presentation to the Annual General Meeting;
 - (ii) have power to eliminate duplications in constitutional amendments and resolutions submitted, after consultation with and agreement of the proposer;
 - (iii) have the power to determine the order in which constitutional amendments and resolutions will be presented to the meeting;
 - (iv) have power to edit constitutional amendments and resolutions provided that the purpose of any such amendment or resolution is not changed and only after consultation with and agreement of the proposer;
 - (v) have the power to propose constitutional amendments up to forty-five (45) days prior to the Annual General Meeting.
- (b) The proposer shall have the right to appeal the Committee's decision by having her appeal placed before the General Assembly.

- 17.06 A majority of the members of the Constitution and Resolutions Review Committee shall constitute a quorum.
- 17.07 The Constitution and Resolutions Review Committee shall prepare a report which shall be sent to the President and Secretary of each Chartered Local at least thirty (30) days prior to the Annual General Meeting. This report shall contain all constitutional amendments and resolutions and their rationale.
- 17.08 All constitutional amendments and resolutions must:
- (a) deal with only one (1) subject;
 - (b) be submitted on the appropriate forms before respective deadlines.

ARTICLE 18: RULES OF PROCEDURE AND ORDER OF BUSINESS AT MEETINGS OF THE U.N.A.

- 18.01 The rules of procedure and order of business at Meetings of the U.N.A. shall be governed by Robert's Rules of Order.
- 18.02 A Parliamentarian shall be appointed for each Annual General Meeting.

ARTICLE 19: DISSOLUTION OF A CHARTERED LOCAL

- 19.01 When a Chartered Local dissolves for any reason, including as a result of an institution closure, decertification, or charter revocation, all funds, property and books of the Chartered Local shall be turned over to an shall become the property of the United Nurses of Alberta. However, in no event shall the United Nurses of Alberta without its consent become liable for the obligations of the Chartered Local.

APPENDIX "A" **BYLAWS GOVERNING CHARTERED LOCALS**

BYLAW I: NAME

This organization shall be known as the United Nurses of Alberta (hereinafter referred to as the "Chartered Local").

BYLAW II: EXECUTIVE

1. The affairs of the Chartered Local shall be administered by an Executive which shall be composed of the following:
 - 1) President
 - 2) Vice-President
 - 3) Secretary
 - 4) Treasurer

The Executive shall meet at least once every four (4) months.

2. Throughout these Bylaws, the term "President" shall be deemed to refer to the President of the Chartered Local unless otherwise expressly stated.

BYLAW III: REPRESENTATIVES

An appropriate number of representatives may be elected by and from the members of the Chartered Local to represent nurses and other allied personnel employed in specific areas or functions of their employer's establishment. The said representatives may be appointed by the Executive if a majority of the members of the Chartered

Local at a meeting authorizes the Executive to appoint such representatives as it sees fit.

☞ **BYLAW IV: COMMITTEES**

There shall be a Grievance Committee. The Local is to decide the composition of this Committee. One of the members of the Committee shall act as the Chair. The members of the Grievance Committee shall be elected at an Annual or Special Meeting of the Chartered Local.

All standing committees of the Chartered Local shall be elected by the membership. The Executive may set up special committees of the Chartered Local and may appoint the members of each such committee from the members of the Chartered Local, the Chair to be chosen by the Executive and to be entitled to a casting vote in the case of a tie. The Executive may delegate any of its powers to any such committees. These committees shall be subject to any restrictions or regulations imposed upon them by the Executive.

☞ **BYLAW V: ELECTIONS**

1. The Executive shall be elected at each Annual General Meeting or where the Chartered Local wishes, the term of office may be for two (2) years with alternate Executive elected at each Annual General Meeting.
2. Nominations for the Executive and for any other positions for which elections are held shall be received from the floor.
3. All elections shall be by secret ballot or show of hands.
4.
 - (i) A motion to rescind the election of an Officer of a Local may only occur at an Annual or Special Meeting of the Local, referred to in Bylaw VIII provided that at least fourteen (14) days' notice of such motion has been given.
 - (ii) Any motion to rescind the election of an Officer of a Local must be passed by a two-thirds (2/3) vote of the members present and voting at such meeting.
 - (iii) Elections for such resultant vacancy shall occur at this same meeting.

☞ **BYLAW VI: VACANCIES**

In the event that a member or members of the Executive of the Chartered Local should resign, die or otherwise cease to act, the Executive shall appoint from the members of the Chartered Local a replacement until the next General Meeting. As much notice as possible will be given of this meeting and an election will be held to fill the vacancy according to Appendix "A" Bylaw V 2 & 3.

☞ **BYLAW VII: ELECTION OF VOTING DELEGATE**

1. Any two (2) members of the Chartered Local may nominate a voting delegate provided that they produce satisfactory proof that the consent of the nominee to stand for election has been obtained.
2. A voting delegate and an alternate voting delegate to attend any meeting of the United Nurses of Alberta (hereinafter referred to as the U.N.A.) shall be elected by a majority vote of those members of the Chartered Local present at a meeting of the Chartered Local. The alternate voting delegate shall act whenever the voting delegate is unable to do so. The number of alternates shall be determined by the Local.
3. Both the voting delegate and the alternate voting delegate shall be members of the Chartered Local.

☞ **BYLAW VIII: MEETINGS**

1. Once in every calendar year, there shall be an Annual General Meeting of the Chartered Local. At least two (2) weeks' notice shall be given. During the Annual General Meeting, reports shall be presented by each member of the Executive, the affairs of the Chartered Local shall be reviewed and planned, and elections shall be held. The Chartered Local's Annual General Meeting shall be held by June 30th of each year.
2. A Chartered Local shall hold general meetings at least quarterly on the call of the President or her designate.
3.
 - (a) A Special Meeting may be called at any time and place by the President of the Chartered Local. Members shall be given reasonable notice of any such meeting.
 - (b) A Special Meeting of the Chartered Local may be called at the request of at least ten percent (10%) of the members of the Chartered Local made in writing to the President. Any request for a Special Meeting of the Local shall specify the subjects to be considered at such a Special Meeting. As much notice as possible will be given and the meeting will be held within seven (7) days of the request with the exception of a Special Meeting held in reference to Appendix "A" Bylaw V.4.
 - (c) The assigned District Representative shall be invited by the Local President to attend at least one (1) Local General Meeting.
4. The rules of procedure and order of business governing meetings of the Chartered Local shall be as outlined in accordance with Article 18.01 of the United Nurses of Alberta Constitution.

🦋 BYLAW IX: QUORUM

1. The majority of members present at a meeting of the Chartered Local shall constitute a quorum of the Chartered Local for the transaction of business.
2. Three (3) members of the Executive shall constitute a quorum of the Executive for the transaction of business.

🦋 BYLAW X: DUTIES OF OFFICERS

PRESIDENT

- (a) The President shall be the senior Executive Officer of the Chartered Local and shall act as Chair at all meetings of the Executive and the Chartered Local.
In the case of a tie in a vote of the Executive or the Chartered Local or any other committee of which she is Chair, the President shall have the casting vote.
- (b) The President shall be an ex-officio member of all committees.
- (c) The President or delegate shall represent the Chartered Local on the District Committee.

VICE-PRESIDENT

The Vice-President shall carry out duties as assigned by the President and act in lieu of the President in her absence.

SECRETARY

The Secretary:

- (a) shall keep a record of all meetings of the Chartered Local and of all meetings of the Executive;
- (b) shall be responsible for the correspondence of the Chartered Local;
- (c) in conjunction with the Treasurer, shall keep a record of the membership of the Chartered Local.

TREASURER

The Treasurer:

- (a) shall be responsible for arranging for the collection and forwarding of members' dues to the United Nurses of Alberta;
- (b) shall be responsible for the safekeeping of the monies of the Chartered Local and shall keep a record of all financial transactions;
- (c) shall make a financial report at regular meetings, the Annual General Meeting of the Chartered Local and at meetings of the Executive;
- (d) in conjunction with the Secretary, shall keep a record of the membership of the Chartered Local.

🦋 BYLAW XI: LOCAL DOCUMENTS

Any member(s) of the Executive of the Chartered Local or member(s) of any committee of the Chartered Local who cease to hold office for any reason shall within one (1) month, turn over to the current Local Executive all

documents, assets and property of the Chartered Local in her possession.

🦋 BYLAW XII: FINANCES

1. Monies of the Chartered Local shall be kept in a chartered bank or credit union or trust company.
2. Transactions shall be by cheque.
3. The Treasurer and the President or signing officer shall co-sign cheques.
4. The Chartered Local shall submit to Provincial Office, a completed Financial Return after each fiscal year.
5. Each Local shall have an annual audit by the United Nurses of Alberta at the end of each fiscal year.
6. The Financial Return and Annual audit shall be presented to the membership at the next Annual General Meeting of the Chartered Local.

🦋 BYLAW XIII: DUES AND ASSESSMENTS

1. The Chartered Local may establish initiation fees and monthly dues higher than those set by the United Nurses of Alberta.
2. The Chartered Local may levy assessments for special purposes upon its members, provided that any assessment must first be approved at a meeting of the Chartered Local.

🦋 BYLAW XIV: MERGER

A Chartered Local may merge with another bargaining agent for the purpose of acquiring its jurisdiction, rights, privileges, duties and assets.

The Chartered Local may, by a two-thirds (2/3) vote of those present at a meeting of the Chartered Local called for that purpose of which notice has been given to the members, merge with and transfer its jurisdiction, rights, privileges, duties and assets to one (1) or more other Chartered Locals.

1. One or more Chartered Locals must be willing to transfer.
2. Another Chartered Local or Locals must be willing to receive the Local.
3. The Local wishing to merge must call a meeting for the purpose of merger and transfer. Notice must be given of this meeting. At the meeting a motion is made to "merge and transfer its jurisdiction, rights, privileges, duties and assets to the transferee". The motion must be passed by a two-thirds (2/3) vote of those present at the meeting. The vote on this motion shall be in accordance with Articles 11 and 16 of the Constitution.
4. A meeting of the receiving Local or Locals must be called for the purpose of approving the merger and transfer. Notice must be given of this meeting. At this meeting a motion is made to "approve the merger and transfer".

The motion must be passed by a two-thirds (2/3) vote of those present at the meeting. The vote on this motion shall be in accordance with Articles 11 and 16 of the Constitution.

5. A meeting of both parties is called by the President of each. Two (2) weeks' notice must be given of this meeting. At the meeting a motion is made to approve the merger and transfer.
6. Election for Officers of the Chartered Local which has resulted from the merger will be held.
7. The Chartered Local may amend the Bylaws governing the Chartered Local as set out in Appendix "A". The amendments must be approved by the Executive Board of the United Nurses of Alberta.
8. The merger must be approved by the Executive Board of the U.N.A.
9. Once the Secretary-Treasurer of the U.N.A. receives notice and documents pertaining to the merger, a new or amended Charter shall be issued.

BYLAW XV: TRUSTEESHIP

Whenever a Trustee for a Chartered Local has been appointed pursuant to Article 15.05 of the Constitution of the U.N.A., such Trustee shall take over the complete direction, control and supervision of the Chartered Local.

BYLAW XVI

The United Nurses of Alberta shall be empowered to negotiate and enter into regional, local or area wide collective bargaining agreements on behalf of the Chartered Local.

BYLAW XVII: AMENDMENTS

The Bylaws of a Chartered Local may be amended only in accordance with Article 15 of the Constitution of the U.N.A.

APPENDIX "B"

TERMS OF REFERENCE FOR DISTRICT REPRESENTATIVES & DISTRICT COMMITTEES (Bylaws Governing Districts of the U.N.A.)

I. ORGANIZATION OF DISTRICTS OF THE U.N.A.

1. The number of Districts and the area covered by each District shall be determined at the Annual General Meeting of the U.N.A.
2. There shall be a committee to administer the affairs of the District. The committee shall be composed of:
 - (a) District Representatives;
 - (b) the President or designate from each Chartered Local in that District and in the case of Local #121 and Local #1, the President or designate of each unit;
3. In the event that a District Representative should resign, die or otherwise cease to act or fills an Executive Officer vacancy in accordance with Article 8.05, a replacement shall be elected at the next District Meeting. The District Chair shall appoint an interim District Representative until such meeting. This position shall remain in effect until the incumbent returns to the position in accordance with Article 8.05 or until an election occurs at the next Annual General Meeting.
4. The District Committee has the power to appoint or elect other members of the District to committees for the purpose of recommending action to the District Committee.
5. The Chair, Vice-Chair, Secretary and the Treasurer, or the Secretary-Treasurer, shall be elected by the District

Committee at the first District Committee Meeting following the Annual General Meeting. The Chair and Vice-Chair shall each be District Representatives. The Secretary and the Treasurer or the Secretary-Treasurer shall be elected from the District Committee.

II. DISTRICT REPRESENTATIVES

1. Each District Representative must be a member of a Chartered Local in the District she represents.
In the event that a District Representative shall change her place of employment from one (1) District to another or for any reason ceases to qualify for membership in the U.N.A., during her term of office, she shall resign forthwith.

III. DUTIES OF OFFICERS

1. CHAIR

- (a) The District Chair shall have the following duties and limitations:
 - (i) Call and chair the Executive and District Meetings;
 - (ii) Act as ex-officio member of all committees;
 - (iii) In association with Locals in the area, draft an agenda which shall be forwarded with notice of the meetings;
 - (iv) Present the views, concerns and direction of the District at the Executive Board Meetings;

- (v) Appoint interim District Representatives;
- (vi) In conjunction with the District Treasurer, prepare a District Annual Budget;
- (vii) Conduct the business of the District;
- (viii) Prepare District Reports for Board Meetings and Annual District Report to Annual General Meeting and any further reports deemed necessary by the District Chair or the Executive Board.

2. **VICE-CHAIR**

- (a) The Vice-Chair shall carry out duties as assigned by the Chair and act in lieu of the Chair in her absence.

3. **SECRETARY**

- (a) The Secretary shall have the following duties:
 - (i) Shall keep a record of all meetings of the District and of all meetings of the Executive;
 - (ii) Shall be responsible for the correspondence of the District;
 - (iii) Shall maintain current phone fan-out lists for the entire District Committee. Such lists shall be forwarded to the members of the District Committee, the Representative for that District on the Provincial Negotiating Committees and the President of the U.N.A.;
 - (iv) A copy of the minutes shall be forwarded to the Provincial Office and Locals in that District.

4. **TREASURER**

- (a) The Treasurer shall have the following duties:
 - (i) Shall hold the monies of the District in safekeeping and shall keep a record of all financial transactions;
 - (ii) Shall make a financial report at regular meetings of the District and at meetings of the District Executive;
 - (iii) In conjunction with the District Chair, prepare the Annual District Budget;
 - (iv) Shall present the necessary documentation to the U.N.A. for an Annual Audit at the end of the fiscal year.
 - (v) Shall submit to Provincial Office, a completed District Financial Return after each fiscal year.
 - (vi) Shall present the Financial Return and Annual Audit to the District Committee.

IV. MEETINGS OF THE DISTRICTS OF THE U.N.A.

1. District Committee Meetings shall be held at least quarterly.
2. The objectives of such meetings shall be:
 - (a) to increase communications between the Locals;
 - (b) to co-ordinate efforts for a common purpose;
 - (c) to act as a liaison between the Chartered Locals and the provincial body.
3. Only District Committee members shall be entitled to vote at the District Meetings.
4.
 - (a) A Special Meeting may be called at any time and place by the Chair. The District Committee members shall be given reasonable notice of any such meeting. The purpose of such meeting shall be provided with this notice.
 - (b) A Special Meeting of the District may be called at any time and place at the request in writing of at least one-third (1/3) of the members of the District Committee evidenced by notice in writing by such members and shall be held within forty-five (45) days of the receipt by the Chair of any such request. Any such request shall specify the subjects to be considered at such special meeting.
 - (c) At a Special Meeting of the District, for the purpose of making a motion to rescind the election of a District Representative:
 - (i) representation of Locals at such meeting shall be as per Article 10 of the U.N.A. Constitution;
 - (ii) such motion must be passed by a two-thirds (2/3) vote of the voting delegates present and voting at such meeting;
 - (iii) elections for such resultant vacancy shall occur at this Special Meeting. Nominations shall be received from the floor.
 - (d) The business of the District shall be in accordance with the U.N.A. Constitution and its Bylaws and with the U.N.A. Policies.
 - (e) The rules of procedure and order of business governing meetings of the District shall be as outlined in accordance with Article 18.01 of the U.N.A. Constitution.

1996/97 LONG & SHORT-TERM GOALS OF U.N.A.

LONG-TERM GOALS

A. GENERAL

1. All U.N.A. activity shall reflect the universal principles of trade unionism, including cooperation with other Unions.
2. The U.N.A. shall maintain the democratic nature of the organization through:
 - (a) open and democratic Annual and Special Meetings with the authority to make major policy decisions;
 - (b) a commitment to openness, cooperation and participation of the membership at every level of the Union structure; and
 - (c) maintenance of open and democratic negotiations and ratification procedures.
3. The U.N.A. shall continue to organize all unorganized working nurses in Alberta.
4. Every U.N.A. member shall work in optimal working conditions achieved through a commitment to group bargaining and maintenance of contractual provisions co-ordinated at the provincial level.
5. There shall be an efficient, effective and well-maintained communication network between all levels of the Union structure, including maintenance of a complete and correct phone fan-out system in every District and Local.
6. The U.N.A. shall ensure the maintenance of an Emergency Fund.
7. The U.N.A. shall have a financial administrative structure capable of ensuring full value and full accounting for each dollar spent.
8. The U.N.A. shall have a capital budget, and shall continue to have an operating budget, both of which shall be consistent with the goals of the U.N.A.
9. The U.N.A. shall continue to promote publicly legisla-

tion and political positions favourable to U.N.A. members and consistent with the goals of the U.N.A. in the areas of:

- (a) negotiations;
- (b) matters of concern to our members as health care workers; and
- (c) matters of concern to members as citizens and consumers.

B. EXECUTIVE BOARD

1. The Executive Board shall continue to have the commitment, knowledge and authority to manage the business of the U.N.A. in the best interest of the membership.

C. LOCALS

1. The U.N.A. shall continue to be committed to the principle of member helping member through the development of the Local leadership in:
 - (a) processing grievances at the Local level;
 - (b) identifying and resolving professional responsibility issues at the Local level;
 - (c) identifying and resolving Occupational Health and Safety issues and promoting the health and safety of the Local's membership;
 - (d) promoting the principles of trade unionism and the U.N.A. among the Local's membership.

D. MEMBERSHIP

1. All members shall have knowledge and commitment to the principles of trade unionism with special reference to the U.N.A.
2. The U.N.A. shall encourage participation by the rank and file membership in the U.N.A. affairs.

SHORT-TERM GOALS

1. Free collective bargaining for all U.N.A. members.
2. Ensure that all Hospital Locals will have a functional Professional Responsibility Committee and Occupational Health and Safety Committee as per the Hospitals Contract. Monthly minutes shall be sent to Provincial Office.
3. Ensure that Local leadership is processing grievances at the Local level up to Step 3 of the grievance procedure.
4. Ensure participation by rank and file members during negotiations by reinforcement of the process set up for collective bargaining.
5. All Local Executives, Committee Members and Ward Representatives shall have the opportunity to attend workshops, as appropriate.
6.
 - (a) Ensure that financial expenditures of the U.N.A. reflect the budgetary allotments.
 - (b) Proper documentation of expenditures.
 - (c) Ensure the implementation of a documentation system for expenditures.