

Newfoundland & Labrador Association of
Social Workers

BY-LAWS

Adopted: June 17, 2013; Amended: December 2, 2016; May 4, 2018; May 8, 2020

BY-LAWS
OF
THE NEWFOUNDLAND AND LABRADOR ASSOCIATION OF SOCIAL WORKERS

Note 1

These by-laws are made pursuant to Section 17 of An Act Respecting the Practice of Social Work (2010) (Short title Social Workers Act) CHAPTER S-17.2 2010.

Note 2

All references to the Act in these By-laws refer to the Act Respecting the Practice of Social Work (2010).

Note 3

All references to the Association means the Newfoundland and Labrador Association of Social Workers.

Note 4

All references to the Board means the Board of Directors of the Newfoundland and Labrador Association of Social Workers.

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1.0. SEAL

The Association shall have a seal as approved by the Board.

The seal of the Association shall be held at the provincial office of the Association and shall not be affixed to any instrument without a resolution of the Board and in the presence of such officer or officers of the Board shall from time to time appoint.

The seal shall be affixed upon registration certificates for individuals who have been approved by the registrar for inclusion on the roster of social workers practicing in Newfoundland and Labrador.

2.0. HEAD OFFICE

The head office of the Association shall be located in the City of St. John's in the Province of Newfoundland and Labrador.

3.0. GENERAL MEMBERSHIP

The general membership shall be limited to social workers duly registered to practice according to the Act and to non-practicing members both categories of individuals who have met the criteria for the current registration year.

A member holding a practicing registration

- a) may use the designation "registered social worker" (RSW) and may practice within the scope of the social work profession in Newfoundland and Labrador;
- b) is expected to adhere to the Code of Ethics and Standards of Practice as identified in the by-laws;
- c) is eligible for professional liability insurance in accordance with the Canadian Association of Social Workers insurance program;
- d) has full voting rights;
- e) is eligible to be nominated for election on the Board if they are in good standing;

- f) is eligible to receive Association publications and communications;
- g) is eligible to receive publications and benefits of the Associations membership with the Canadian Association of Social Workers; and
- h) is eligible to elect the members of the Board as required by the Act and By-laws.

4.0. MEMBERSHIP CATEGORIES

The Association membership is as follows:

- a) Active Registrant pertains to a person who is duly registered to practice the profession of social work under Section 18 of the Act. Individuals granted active registration have full voting rights.
- b) Temporary Registrant pertains to a person who is granted temporary registration under Section 19 of the Act. Individuals granted temporary registration have full voting rights.
- c) Non-practicing member pertains to a person who is eligible to practice social work in the province of Newfoundland and Labrador under the Act but who is currently not practicing the profession and has paid a membership fee. The purpose of which is to maintain an affiliation with the profession. Non-practicing members are non-voting members but enjoy other rights and privileges of membership.
- d) Student membership pertains to a person who has been accepted into an accredited School of Social Work as approved by the Board and has paid the Association membership fee for the current academic year. The student cannot use the title social worker, nor practice social work for remuneration.
 - i. The membership year for a student shall be from September to August, in accordance with the academic year. Upon payment of the prescribed fee in September, and proof of admission to an accredited School of Social Work, a student can become a non-voting member.
 - ii. Students, who graduate in May of a given year, may be carried to the end of that calendar year as a student member of the Association. However, registration is required as soon as the student commences to practice the profession of social work as defined by the Act.

4.1 Registration Certificates

As per Section 18 (5) of the Act, every certificate of registration issued under Section 18 and 19 of the Act expires on February 28 of the year following the date of issue unless revoked at an earlier date.

Individuals who fail to remit all requirements for registration renewal including the annual renewal fee on or before February 28 following the date of issue of their certificate of registration shall have their name removed from the register and will not be entitled to practice social work until such time as a new application for registration has been processed and accepted.

5.0. FEES

- a) The fees shall be set by the Board in accordance with Section 15 of the Act.
- b) Fees for registered and non-practicing members are due no later than February 28 of each calendar year.
- c) Individuals who become eligible for initial registration after October 1st pay a prorated fee of 50% of the annual registration fee.

6.0. TERMINATION/RESIGNATION OF MEMBERSHIP

- a) A member may resign his/her membership and terminate his/her registration upon giving notice in writing thirty (30) days in advance to the Registrar.
- b) A member who resigns her/his registration is listed as inactive and is not eligible to practice social work in the province of Newfoundland and Labrador.
- c) A member who resigns shall not receive a refund in whole or part of any fees that have been paid to the Association.
- d) A member who resigns registration is subject to the provisions of the legislation as a former member.

7.0. BOARD OF DIRECTORS

7.1. Composition

The composition of the Board is in accordance with Section 10 of the Act. The board shall consist of:

- a) A president
- b) A president-elect
- c) The immediate past president of the association
- d) Five directors who hold regional representative positions
- e) A board member at large
- f) An executive board member at large
- g) Four persons who are appointed by the Minister to represent the public interest.

All members of the Board shall have full voting rights.

7.2 Term of Office

The term of office of board members is two (2) years except for the position of president who shall serve two (2) years as president elect, two years as president and two (2) years as past president for a total of six (6) years.

7.3. Duties

Pursuant to Section 9 of the Act, the Association shall be governed by a Board that shall manage and conduct the business and affairs and exercise the powers of the Association for and on behalf of the Association. The duties are as follows:

- a) to represent the Association in the acquisition and holding of real and personal property by way of purchase, lease, grant, hire, exchange or otherwise and dispose of that property;
- b) to represent the Association in the borrowing of money and giving security by way of mortgage, pledge, charge or otherwise for borrowed money, in order to carry out the objects of the Association;
- c) to invest money of the Association as determined by the Association to be for its benefit;
- d) to appoint delegates and experts to act on behalf of the Association when necessary;
- e) to establish committees or commissions as may be deemed necessary to conduct the business of the Association;
- f) to oversee that the Registrar carries out the duties set out in the by-laws;

- g) to approve the budget;
- h) to make such other decisions as may be necessary to further the activities of the Association; and
- i) members of the Board may chair committees of the Board.

7.4 Role of Regional Directors

In addition to the duties in Section 7.3 of the by-laws, the duties of regional directors shall be as follows:

- a) to promote awareness of the objectives of the Association;
- b) to encourage active participation in professional activities; and
- c) to provide liaison with members and the Board on issues of local and provincial concern.

7.5. Board Liaison Positions

7.5.1 Association of Social Work Liaison

ASWS Representative Appointment and Term

One student representative shall be appointed from the School of Social Work, Memorial University. The Executive shall contact the School of Social Work in September of each year to request the appointment of the student representative. The student serves a one year term as a liaison between the ASWS and the Association.

Duties

- a) to represent the students and act as a liaison between the students and the Association; and
- b) to provide regular reports of ASWS activities.

7.5.2 Canadian Association of Social Workers (CASW) Liaison

CASW Representative Appointment and Term

The CASW representative is appointed at the time of the Association's Annual General Meeting as the Association's representative on the Board of Directors of The Canadian Association of Social Workers. The length of the mandate shall be in conformity with the regulations of CASW.

Duties of the CASW Representative

- a) to serve as national director on the CASW Board;
- b) to act as liaison between the CASW Board and the provincial Association; and
- c) to provide regular reports of CASW activities at Association Board meetings.

8.0. BOARD MEETINGS

- a) The Board shall meet to conduct the business of the Association not less than 4 times per year or quarterly.
- b) Board members may participate in meetings in person or by telephone or other electronic means that permit all persons participating in the meeting to communicate with each other.
- c) Notice of Board meetings to Board members shall be given at least 6 days in advance of the meeting stating place and time.
- d) In the case of emergency Board meetings, these notices shall be distributed to each Director at least 48 hours before the meeting takes place.

8.1. Quorum

The quorum of the Board shall be 8 members which constitutes a majority of the members of the Board and must include either the President, Past President or President Elect and at least one appointed member in accordance with Section 10 (11) of the Act.

8.2. Voting

- a) All questions brought to the Board must be decided by a majority vote. Voting shall normally be in person by show of hands, oral vote or by secret ballot, if requested.
- b) A Board member shall be permitted a proxy vote by notifying the Association office in writing on the prescribed form in advance of the date of the meeting. Proxy forms shall be available at the Association office and will be sent to the member upon request. Completed forms shall be received at the Association office preceding the meeting.

- c) The appointed proxy must be a voting member of the Board.
- d) No person shall hold more than one (1) proxy.

8.3. Rules of Order

The rules of order shall be the parliamentary procedure.

8.4. Minutes

The minutes of all meetings of the Board shall be kept at the provincial office of the Association.

Minutes shall be distributed to all members of the Board prior to the next meeting.

8.5. Non-attendance at meetings

Board members who miss 3 consecutive Board meetings, without prior authorization from the Board, shall be declared to have vacated that Board position.

8.6. Removal from the Board

Any officer or member of the Board shall only be removed for just cause upon recommendation by the Executive Committee at a special meeting of the Board. The affected Board member must be notified of cause and recommendation for removal at least one (1) week prior to the Board meeting where the removal of the Board member will be addressed.

9.0. EXECUTIVE COMMITTEE OF THE BOARD

9.1. Composition

The Executive Committee consists of the Past President, President, President Elect and the Executive Member at Large.

9.2. Duties

The duties are as follows:

- a) to put into effect the decisions and directions of the Board;
- b) to exercise any other function instructed to it by the Board;
- c) to make urgent decisions on behalf of the board when it is not feasible to convene the entire board in person or by electronic means;
- d) to engage and dismiss employees and to determine their salaries, duties and working conditions; and
- e) to establish and maintain sound personnel practices for employees of the Association.

9.3. Meetings

- a) Minutes shall be kept of all Executive Committee meetings.
- b) Between the Board meetings, the Executive Committee meets for the purpose of:
 - i. preparing the agenda for the Board meeting;
 - ii. reviewing correspondence;
 - iii. determining ways to implement directions from the Board; and
 - iv. planning annual and special meetings of the association.

9.4. Roles of Members of the Executive Committee

President

- a) to preside at all meetings of the Executive Committee, Board or general membership;
- b) to ensure observance of by-laws;
- c) to be responsible for the carrying out of decisions of the Board and the annual meetings;
- d) to generally supervise the business and affairs of the Association and perform all other duties incidental to his/her office; and
- e) to be a member of the Association.

President Elect

- a) to assist the President in his/her duties, and to represent the President when necessary;

- b) to be a member of the Association; and
- c) to serve as a member of the Board and Executive Committee.

If the office of President becomes vacant prior to the expiration of the term of office, the President Elect will assume the position of President for the duration of the term; the Board may appoint an interim President Elect from the general membership.

If the office of President Elect becomes vacant prior to the expiration of the term of office, the Board may appoint an interim President Elect.

Past President

- a) to serve on the Board and Executive Committee;
- b) to be a member of the Association; and
- c) to assist the President in his/her duties, and to represent the President when necessary.

Executive member at Large

- a) to serve on the Board and Executive Committee; and
- b) to be a member of the Association.

10.0. THE EXECUTIVE DIRECTOR & REGISTRAR

- a) shall be appointed and held accountable as an employee of the Association according to the terms and conditions set out by the Board for a specific period of time;
- b) shall supervise staff of the Association;
- c) shall conduct the correspondence of the Association and keep a record of such correspondence;
- d) shall perform the duties of the Executive officer of the Association and other such duties as may be required by the Board;
- e) shall keep or cause to be kept all books and records which by law or otherwise are required, and prepare or cause to be prepared all necessary statements and related reports;

- f) attends all Board meetings, special meetings and annual meetings and shall act as a non-voting member of the Board or Committees;
- g) Pursuant to Section 13 of the Act, the Registrar shall:
 - i. keep and maintain the records that the board may direct;
 - ii. maintain a website for the board;
 - iii. act as a member of the board;
 - iv. perform the duties of the registrar in respect of discipline under Part III; and
 - v. perform other functions and duties that the board assigns to him or her.

11.0. ANNUAL GENERAL MEETING

- a) The Annual General Meeting of the Association shall be held within six months of the end of the fiscal year which is no earlier than February 28 and no later than August 31 of each calendar year.
- b) All members shall receive notice of any meeting and the agenda at least twenty one (21) days in advance. The accidental omission to give notice to any member shall not invalidate the proceedings at any meeting.
- c) The minutes of the annual general meeting shall be filed with the Board within one month after the date of the annual general meeting and shall be available to all members upon request.
- d) A quorum shall consist of two thirds of those who vote.
- e) The rules of order shall be the parliamentary procedure.

12.0. VOTING

Voting shall occur as follows:

- a) At annual and special meetings of the Association, by registered members who are in good standing.
- b) Decisions shall be reached by a simple majority.
- c) Voting shall be by a show of hands, teleconference/ oral vote, or if requested, by a secret ballot.

12.1. Proxy Vote

- a) A voting member shall be permitted a proxy vote.
- b) The member appointing a proxy shall notify the Association office in writing on the prescribed form in advance of the date of the annual general meeting. Proxy forms shall be available at the Association office and will be distributed to the member upon request. Completed forms shall be received at the Association office by the Friday preceding the annual meeting.
- c) The appointed proxy must be a voting member.
- d) No person shall hold more than one (1) proxy.

13.0. ELECTIONS

All registered members in good standing are eligible to hold office.

- a) Elections for designated positions of the Board shall be held every year in advance of the Annual General Meeting. Designated positions are those positions of the Board that are scheduled for election in a given year.

Designated positions are rotated in the following manner:

Group 1:

President Elect
Board Member at Large
Labrador/Grenfell Representative
Avalon East Representative

Group 2:

Executive Member at Large
Western Representative
Central Representative
Eastern Representative

- b) Board members shall be elected individually and no one may hold more than one office at any given time.
- c) Terms of office shall be two years and no person may serve more than four consecutive terms. This person shall be eligible for re-election to the Board after a one year absence.
- d) The Board shall fill any vacancy by appointment between elections in accordance with Section 10 of the Act.

14.0. SPECIAL MEETINGS OF THE ASSOCIATION

- a) Special meetings of the Association shall be called at the request of the President or Executive Committee.
- b) Special meetings of the Board shall be held at a locality and time chosen by the Board.
- c) All members shall receive a notice of any special meeting and the agenda at least one (1) week in advance.
- d) Minutes of special meetings are distributed to all members who have attended the special meeting.

15.0. COMMITTEES

- a) In addition to legislative committees established under the Act, the Board shall establish committees to fulfil the objects and mandate of the Association.
- b) Each committee shall establish a terms of reference to be filed with the Board.

15.1. Accountability

- a) Each of the committees shall be accountable to the Board for its actions. Major deliberations, activities and recommendations shall be included in the Association's Annual Report.
- b) Each committee shall confine its activities to those matters for which it was constituted.
- c) No committee may act on any matter inconsistent with the policy of the Association and/ or that of the Board.

15.2. Duties of Chairpersons of Committees

- a) to chair committee meetings;
- b) to ensure minutes are taken at meetings; and
- c) to provide committee reports at annual general meetings or to the board by request.

15.3. Legislative Committees

Legislative committees are established by the Act, and may only be abolished by an amendment to the Act. These include:

- a) Complaints Authorization Committee
- b) Disciplinary Panel

16.0. FINANCIAL YEAR

The financial year of the Association shall be from March 1 - February 28

17.0. SIGNING OFFICERS

The signing officers for the Association shall be at least two Executive members and the Executive Director/Registrar. The signature of any two signing officers are required on all cheques and other similar instruments.

18.0. EXPENSES

Members of the Board, committees and employees shall be paid necessary travelling and other expenses incurred in connection with the business of the Association, as approved by the Board and outlined in the Association's Travel Policy.

19.0. CODE OF ETHICS

The Code of Ethics to be adhered to by members of the Association is the Canadian Association of Social Workers Code of Ethics (2005) and the Canadian Association of Social Workers Guidelines for Ethical Practice (2005).

20.0 STANDARDS OF PRACTICE

The standards of practice to be adhered to by members of the Association is the NLASW Standards of Practice for Social Workers in Newfoundland and Labrador 2018.