

# **Chapter G**

## **Women's Council**

May 2017

In pursuance of the powers conferred on it by Rule 33 the Central Council of the Public Service Association of New South Wales hereby approves the following By-Laws prescribed by the Women's Council:

- (a) This By-Law shall apply to the Women's Council of the PSA of NSW formed under Rule 32.
- (b) All women members of the Association are members of the Women's Council.
- (c) The function of the Women's Council shall be to watch the interests of the Association's Women members and to consider any question which affects women members.

It shall be competent for the Women's Council to discuss salary matters in order that their attitude, as a body, may be known.

The Women's Council and the Women's Council Committee shall not exercise any functions of management of the Association, as defined in Rule 151(d).

### **1. Organisation**

Subject to the control of women members at a General Meeting assembled, the affairs of the Women's Council shall be conducted by a Women's Council Committee.

The Women's Council Committee shall exercise all the powers specially conferred on it by the Association's Rules and these By-Laws, and may exercise all such powers and do all such acts and things as may be done by the Women's Council and as are not hereby required to be exercised or done by the members of the Women's Council in General Meeting assembled, and in addition shall, subject to the decisions of General Meetings, be the governing body of the Council.

The Women's Council Steering Committee shall exercise all the powers specifically conferred on it under these By-Laws, and may exercise all such powers, and do all such acts and things as may be done by the Council and as are not hereby required to be exercised or done by the Women's Council Committee, or by the members of the Council in General Meeting assembled, subject to the decisions of the Women's Council Committee, and of General Meetings.

### **2. Women's Council Committee**

Preamble: The aim of Women's Council is to watch the interests of the Association's women members and to consider any question which affects women members.

As such it is important that the Women's Council Committee has as broad a representation as possible. This includes representing women from male dominated workplaces as well as those with even gender balance and those dominated by women. It should also take into account the diversity of roles that women fill in the public service both in positions and wide ranging Government agencies and employers.

The Women's Council Committee should also represent the range of workplace locations, including representing workplaces in the city, large metropolitan centres and the country. While many issues are similar, many are different, so to effectively "watch the interests" of all women members these basic philosophies need to be reflected in the forming of electorates for the Women's Council Committee.

- (a) The Women's Council Committee shall consist of:
- (i) 20 – 24 members elected by financial women members in the manner provided in these by-laws.
  - (ii) Women members of the Executive or Central Council who shall be ex – officio members of Women's Council Committee, as per Rule 32 (d) (ii). (It is noted Rule 35(b) reserves Central Council positions for members who work in School Education, that will lead to Schools having extra representation through their Central Councillors.)
  - (iii) An Aboriginal woman selected by the members of the PSA's Aboriginal Council.
- (b) Women members will be grouped into 10 -12 electorates in accordance with the guiding principles outlined in the preamble. The electorates shall be determined by the Executive after consideration of any recommendations of the Women's Council Committee. The Executive and Women's Council Committee, in determining the electorates, shall have regard to the following guidelines:
- (i) Women members are split into 10 – 12 electorates based on departments. These electorates will be based on diversity and not on the numbers of women members in each electorate.
  - (ii) No electorate to have less than 350 female financial members.
  - (iii) There will be one electorate for Higher Education, including Universities and TAFE.
  - (iv) There will be one electorate for members employed by National System Employers other than those identified in 2 (b) (iii).
  - (v) Each electorate will have 2 councillors to be elected to the Women's Council Committee. These electorates may be subdivided into two sub electorates if deemed necessary for a broader representation (e.g., 1 electorate Universities, one electorate TAFE).
  - (vi) A quota will be reserved on the council for women from regional areas with a percentage that reflects the number of women members from regional areas as stipulated by PSA Regional office boundaries. May 2017
- (c) Additional electorates may be determined at any time by the Executive after consideration of any recommendations of the Women's Council Committee in order to provide representation for new departments, changes in the Super Departments or employers.
- (d) Where the number of members in an electorate has grown to such an extent that it warrants additional delegates the Executive may approve the election of further delegates, subject to the approval of Central Council.
- (e) Where the number of members in an electorate has declined it shall not be necessary for any delegate to vacate their position, but any vacancies from an electorate will not be filled unless the number of continuing delegates is less than the number to which it would be entitled under the formula in the By-Laws.
- (f) In the year of an election of Women's Councillors, the General Secretary shall report to the Women's Council Committee and the Executive on the number and disposition of financial women members as at 31 December of the year proceeding in sufficient time to enable the Executive to make any decision required under this By-Law, not later than 31 March.

- (g) The method of voting shall be that provided in Schedule 2 attached Preferential Voting. Such elections will be conducted by the Association's Returning Officer, and shall be in accordance with Association Rules 81 to 84 inclusive, 85(a), 86 to 90 inclusive and 93 to 100 inclusive or their successors governing the conduct of elections within the Association.
- (h) Elections for the members of the Women's Council Committee shall be held every two (2) years and such elections will be held by 31 October of the Election year.

### **3. Women's Council Steering Committee Election**

At the first meeting following the taking of office of the newly elected Women's Council Committee, the Committee shall elect the Women's Council Steering Committee, from amongst its members elected under By-Law 2(a)(i).

- (a) The Women's Council Steering Committee shall consist of:

- Chairwoman
- Vice Chairwoman
- Honorary Secretary
- Assistant Secretary

Such other Steering Committee members, not exceeding four (4) in number, as the Women's Council Committee may from time to time decide.

Elections for the members of the Steering Committee shall be held every two (2) years and such elections will be held on the first meeting of the Women's Council commencing after 31 October of the election year.

- (b) The quorum for all Steering Committee meetings shall be:

- (i) Two (2) for a Steering Committee of not more than four (4) members;
- (ii) Three (3) for a Steering Committee of more than four (4) members.

Should a quorum not be present at a Committee Meeting within thirty minutes of the time appointed for the commencement of the meeting it shall lapse.

### **4. Duties of Members of the Steering Committee**

- (a) Chairwoman:

The Chairwoman shall preside at all meetings of the Women's Council Committee and Steering Committee. The Chairwoman shall also be an ex-officio member of all Committees of the Council.

Subject to any directions of the Executive or Central Council or the Steering Committee or Committee, the Chairwoman shall interpret these By-Laws and shall determine any matter where the By-Laws are silent, in accordance with the Rules and By-Laws of the Association.

- (b) Vice Chairwoman:

The Vice Chairwoman shall exercise the powers and perform the duties of the Chairwoman in the absence of the Chairwoman.

The Vice Chairwoman shall advise and assist the Chairwoman in the performance of her duties.

(c) Secretary:

The Secretary shall perform all duties usually connected with such office under the direction of the Committee and in conformity with these By-Laws. The Secretary shall forward to the General Secretary copies of the Annual Report of the Council, Notices and Minutes of all General and Committee Meetings.

(d) Assistant Secretary:

An Assistant Secretary shall assist the Secretary in the performance of their duties.

(e) Committee members:

All Committee members shall assist in the operation of the Council, ensure as far as possible that the members by whom they are elected are kept informed of matters affecting the Council and the Association and shall bring the concerns of those members to the notice of the Committee.

## 5. Leave

Members who are on Leave without Pay for a period in excess of three (3) months and are paying a reduced rate of subscription in accordance with Rule 13 shall be entitled to receive information and notices through the Council but not to hold any position in the Council, to attend or vote at any meeting or to nominate or be nominated or vote in any election or ballot.

Unfinancial members shall not be entitled to hold any position, attend or vote at any meeting, nominate or be nominated or vote in any election or ballot or receive any of the rights and benefits of membership in the Council.

NOTE: The provisions of this paragraph limiting the rights of certain members are drawn from Association Rules 13 and 20.

## 6. Meetings

- The Annual General Meeting of Women's Council shall be held in September.

(a) The order of business at the Annual General Meeting shall be:

- (i) Apologies
- (ii) Confirmation of previous Annual General Meeting minutes
- (iii) Report on behalf of the Committee
- (iv) Conduct of any necessary elections including the appointment of a Returning Officer to conduct the elections
- (v) Correspondence
- (vi) Reports
- (vii) Motions of which notice has been given
- (viii) General Business

- Ordinary General Meetings of the Women's Council shall be held whenever thought necessary by the Committee or called by the Association's President.

The Committee shall meet a minimum of 6 times a year Bi-monthly on a funded basis. The meeting shall occur the Tuesday after a Central Council meeting. Approval from the Association's General Secretary is required for funding of additional meetings, or in accordance with PSA Rules.

- (a) At the first meeting following the taking of office of the newly elected Women's Council Committee, the Order of Business shall include the conduct of any necessary elections including the appointment of a Returning Officer to conduct the elections.
- (b) The order of business for every Ordinary General Meeting shall be:
  - (i) Apologies
  - (ii) Confirmation of Minutes
  - (iii) Business arising out of Minutes
  - (iv) Reports
  - (v) Correspondence
  - (vi) Motion of which notice has been given
  - (vii) General Business
- A Special General Meeting of the Women's Council Committee shall be convened by the Secretary on receipt of a requisition stating the reason for the meeting or of a direction of the Association's President. A requisition must be signed by enough financial members to constitute a quorum at a Special General Meeting.

- (a) The meeting shall be held within twenty-one (21) days of the requisition being received.

The notice of the meeting must quote the reason given in the requisition and the order of business will be:

- (i) Apologies
- (ii) Discussion of the matter referred to in the requisition
- (b) The date, time and place of any General Meeting may be fixed by the Committee, or in the absence of a Committee, decision may be fixed by the Chair and Secretary.
- The Steering Council Meetings
  - (a) The Women's Council Steering Committee shall meet at least once in each period between meetings of the Women's Council Committee and at such other times as are deemed expedient by the Chairwoman.
  - (b) Meetings of the Women's Council Steering Committee shall be funded and may be conducted by telephone or teleconference.

## **7. Workplace Meetings**

Workplace meetings shall be called by the Honorary Secretary on receipt by her of a requisition in writing stating the objects of the meeting signed by no less than five (5) women members from the workplace at which the meeting is to be held. The date, time and place shall be fixed by the honorary Secretary in consultation with the aforementioned members.

Notice of such meetings shall be distributed by circular to all women members at the workplace at which the meeting is to be held at least seven (7) days prior to the meeting.

## **8. Notice of General Meetings**

Notice of a General Meeting and of the business to be transacted thereat shall be furnished as soon as practicable to the General Secretary for publication as provided by these By-Laws.

- (a) At least twenty-eight (28) days' notice shall be given of the Annual General Meeting:

At least seven (7) days' notice shall be given of an Ordinary or Special General Meeting.

- (b) Notice of every General Meeting may be given by:
  - (i) advertisement in Red Tape; or
  - (ii) circular posted to all women members; or
  - (iii) advertisement in at least one Sydney metropolitan daily, and by circular to or notice in an Association publication circulated to Secretaries of Advisory and Workplace Groups; or
  - (iv) Circular emailed to women members; or
  - (v) Posted to the PSA's website.
- (c) A copy of each notice of a General Meeting shall be posted to each member of the Committee at their last known address at least seven (7) days prior to the meeting.
- (d) An Ordinary or Special General Meeting may be reconvened at not less than twenty-four (24) hours' notice to consider reports and recommendations relating to the matters dealt with. The decision to reconvene a Meeting may be made by the Meeting, the Committee or the Association's Executive.
- (e) Any General Meeting may be held in the form of meetings in a number of locations determined by the Committee. A common vote may be taken on any motion included in the notice of meeting or on any other motion communicated to each meeting by e-mail, fax or telephone before the vote is taken. The votes cast at each meeting location shall be tallied to determine the decision of the meeting.
- (f) The quorum for any General Meeting shall be fifteen (15).
- (g) Should a quorum not be present at General Meetings within thirty minutes of the time appointed for the commencement of the meeting it shall lapse except for the Annual General Meeting which shall stand adjourned until the same day and time in the next week.

## **9. Business of General Meetings**

At Special General Meetings, no business shall be transacted other than that included in the notice of meeting.

Annual and Ordinary General Meetings, in addition to dealing with business included in the notice of meeting, may consider and adopt motions without notice as recommendations to the Women's Council Committee.

## **10. Meeting Procedures**

In the absence from any meeting of any member entitled to preside at the expiry of fifteen (15) minutes from the time appointed for commencement the meeting shall elect a chairperson from among its members.

No member shall exercise more than one (1) deliberative vote at any meeting nor shall voting by proxy be permitted.

All questions shall be decided by a majority of votes but should there be an equality of votes on any question, the Chairperson shall have a casting vote in addition to their deliberative vote.

All meetings shall be conducted in accordance with the Rules and By-Laws of the Association.

NOTE: This paragraph includes the provisions of Rules 136, 137 and 138.

## **11. Term of Office**

Except as otherwise provided by the Rules of the Association, the members of the Women's Council Committee and Women's Council Steering Committee shall hold their position until the election of their successors, but any such position shall be vacated by the member:

- (i) resigning the position by notice in writing
- (ii) dying or becoming of unsound mind
- (iii) ceasing to be a financial member
- (iv) ceasing to be a member of the electorate or electoral group from which they were elected
- (vi) absence from three (3) consecutive meetings of the Committee without leave of absence
- (vii) if an ex-officio member, by vacating that office

## **12. Vacancies and Absences**

When a member of the Women's Council Committee has been given leave of absence for a period of not less than one (1) month or has vacated their position, an acting member of the Committee shall assume the position or may be appointed for the duration of such leave or until the vacancy is filled, who shall, for the period of their appointment, have all the rights, duties and privileges of the position in which they act.

Such an appointment may be made, of a woman member eligible for election from the same electorate or electoral group, by the member of the Women's Council Committee, unless she has ceased to be a member of the Association.

In the event of a vacancy in a position of member of the Women's Council Committee, letters shall be sent to Secretaries of Departmental Committees contained within the electorate or electoral group, advising of the vacancy and seeking nominations from women members within the electorate or electoral group. Where more nominations are received than are required to fill the vacancy, the Committee will determine the replacement for the remainder of the term.

Where a member of the Women's Council Steering Committee seeks leave of absence for a period of not less than one (1) month or vacates her position, the Women's Council Committee shall appoint an acting member or elect a replacement from amongst those members of the Women's Council Committee eligible to stand for the position.

Where the Council has any right of nomination or appointment in relation to the filling of vacancies or the appointment of members or acting members of Committees not exercising functions of management and including persons who are not Central Councillor's, or in relation to delegates to the Labor Council of NSW or regional Labor Councils the right may be exercised by the Committee.

## **13. Interpretation of By-Laws and Rules**

Subject to any directions of the Executive or Central Council, the Chairwoman shall interpret these By-Laws and shall determine any matter where the By-Law is silent, in accordance with the Rules and By-Laws of the PSA.

## **14. Amendment of By-Laws**

These By-Laws may be amended or rescinded or new By-Laws made by resolution of a General Meeting of Women's Council which is carried by a two-thirds majority of those present and voting. Such a resolution shall not become operative unless and until approved by the Central Council of the PSA.

Any proposed recommendations from within the Council for any alterations to the By-Laws shall be considered at an Annual General Meeting of the Women's Council or at a Special General Meeting called for that purpose. Fourteen (14) days' notice of the proposal shall be lodged with the Honorary Secretary in writing in either case. Any such proposals shall be included in the notice of the meeting.

### **15. By-Laws to be Certified**

Any amendments to these By-Laws shall be forwarded by the Honorary Secretary of Women's Council to the General Secretary for submission to Central Council for approval and incorporation into the Association's By-Laws. If no amendments to the By-Laws are adopted at an Annual General Meeting, the Honorary Secretary shall forward to the General Secretary written advice of that fact.

Any amendment to these By-Laws proposed by any PSA body or Officer, other than the Women's Council Committee, shall be referred to the Women's Council Committee for their consideration.

Women's Council Committee's response shall be notified to Central Council within three (3) months of the Honorary Secretary of the Women's Council being in receipt of the amendments.

After approval by Central Council of any amendments or after receipt of advice that no amendments were adopted at an Annual General Meeting, the General Secretary shall produce copies of these By-Laws as they then stand, initialled and dated on each page by the General Secretary, and shall forward copies to the Chairwoman and Honorary Secretary of Women's Council and shall hold at least two (2) copies at the registered office of the Association.

No member or officer of the Association shall issue any document purporting to be the By-Laws governing the operation of Women's Council which is not a duplicate of the current copies held by the General Secretary.

### **SCHEDULE 2 — PREFERENTIAL VOTING**

In any election conducted in accordance with this Schedule the following provisions shall apply:

1. A voter shall record their vote for at least the number of candidates to be elected by placing the number "1" and if necessary then numbers "2", "3", "4" and so on consecutively in the squares opposite the names of candidates in the order of the voter's preference for them.
2. A voter may, if the voter so desires, vote for additional candidates by placing further consecutive numbers in the squares opposite their names in the order of the voter's preferences.
3. At the close of the poll the Returning Officer shall ascertain the total number of first preference votes recorded for each candidate on all ballot papers not rejected by Returning Officer as informal.
4. If a candidate has a majority of the first preference votes, the Returning Officer shall declare that candidate elected.



5. If no candidate is elected under clause 2 the Returning Officer shall make a second count. On the second count, the candidate who has the fewest first preference votes shall be excluded, and each of the candidate's ballot papers that is not exhausted shall be transferred to the candidate next in the order of the voter's preference and counted to that candidate as a vote.
6. If, on the second count, a candidate has a majority of the votes remaining in the count, the Returning Officer shall declare that candidate elected.
7. If, on the second count, no candidate has a majority of the votes remaining in the count, the process of excluding the candidate who has the fewest votes, transferring each of the candidate's ballot papers that is not exhausted to the continuing candidate next in the order of the voter's preference and counting it to that candidate as a vote shall be repeated by the Returning Officer until one candidate has a majority of the votes remaining in the count.
8. The Returning Officer shall declare elected the candidate who has a majority of the votes remaining in the count.
9. If more than one candidate is to be elected a further count shall be made among all candidates not yet elected as provided in clauses 2, 3 and 4, provided that each ballot paper on which a first preference for a candidate already elected is recorded shall be counted as a first preference vote for the continuing candidate highest in the order of the voter's preference.
10. This process shall be repeated until the required number of candidates has been elected.
11. Where, on any count at which the candidate with the fewest number of votes has to be excluded, 2 or more candidates have an equal number of votes (that number being fewer than the number of votes that any other candidate has or those candidates being the only continuing candidates -
  - (a) such one of those candidates as had the fewest number of votes at the last count at which they did not have an equal number of votes shall be excluded; or
  - (b) if they had an equal number of votes at all preceding counts, the Returning Officer shall determine by lot which candidate shall be excluded.
12. If after such exclusion there is only one continuing candidate, the Returning Officer shall declare that candidate elected.
13. A ballot paper on which the voter has recorded the required minimum number of votes shall not be treated as informal by reason only that-
  - (a) the same preference (other than the voter's first preference) has been recorded on the ballot paper for more than one candidate, but the ballot paper shall be treated as if those preferences and any subsequent preferences had not been recorded on the ballot paper, or
  - (b) there is a break in the order of the voter's preferences, but the ballot paper shall be treated as if any subsequent preference had not been recorded on the ballot paper.
14. A reference in this Schedule to an exhausted ballot paper is a reference to a ballot paper on which there is not recorded a vote for a continuing candidate

