

Saskatchewan Association of Combined Laboratory and X-Ray Technologists Bylaws

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Title

- 1 These bylaws may be cited as *The SACLXT Bylaws, 2023*.

Definitions

- 2 In these bylaws:

- (a) "Act" means *The Non-profit Corporations Act, 1995*;
- (b) "association" or "SACLXT" means the Saskatchewan Association of Combined Laboratory and X-ray Technologists Inc.;
- (c) "board" means the Board of Directors of the association elected in accordance with section 22.

ASSOCIATION

Seal

- 3 The SACLXT seal shall be the seal whose imprint is affixed to these bylaws as Appendix A.

Execution of documents

- 4 Documents to be executed on behalf of SACLXT shall be signed by the president and the executive director and sealed with the SACLXT seal.

Banking and financial

- 5(1) The president is authorized to approve financial commitments and authorize payments of amounts less than \$1,000.
- (2) Notwithstanding subsection (1), the president may authorize the movement of funds from one SACLXT account to another and may invest the whole or any portion of the SACLXT funds in investments in SACLXT's name.
- (3) At each regularly scheduled meeting of the board, the treasurer shall provide the most current balance sheet and statement of revenue and expenditure.
- (4) All cheques of the association shall be signed by the treasurer and one other officer of the association.

Fiscal year

- 6 The SACLXT fiscal year ends on August 31.

Audit

- 7(1) The members shall appoint a professional accountant to be the auditor of SACLXT in accordance with section 149 of the Act.
- (2) The auditor shall annually, or more frequently as required by the board, audit the books and accounts of SACLXT and shall, annually after the completion of the fiscal year, furnish a statement of SACLXT's financial affairs, which shall be presented at the SACLXT annual general meeting.

MEMBERS

Membership

- 8 In accordance with the Articles of Incorporation of the association, the membership of SACLXT consists of those persons who are admitted to membership by the board as certified members, graduate members, student members, life members, and associate members.

Certified member

- 9(1) Subject to subsection 10(2), a person who is eligible to be admitted to membership as a certified member in accordance with the Articles of Incorporation may apply by submitting:
- (a) a completed application for membership in the form provided by the association;
 - (b) proof of:
 - (i) graduation from a clinical combined technician program at Saskatchewan Polytechnic or any equivalent institution recognized by the board; or
 - (ii) registration in an entity similar to the association in another jurisdiction in Canada; and
 - (c) the required membership fee.
- (2) A certified member who is engaged in the practice of medical laboratory and/or radiation technology maintains active status on payment of the annual registration fee.

Graduate member

- 10(1) A person who is eligible to be admitted to membership as a graduate member in accordance with the Articles of Incorporation may apply by submitting:
- (a) a completed application for membership in the form provided by the association;
 - (b) proof of successful completion of a clinical combined technician program at Saskatchewan Polytechnic or any equivalent institution recognized by the board; and
 - (c) the required membership fee.
- (2) Once the registrar receives a copy of diploma issued to a graduate member establishing that the graduate member is qualified for registration as a certified member, the registrar shall automatically register the graduate member as a certified member without further application or payment.

Student member

- 11 A person who is eligible to be admitted to membership as a student member may apply by submitting:
- (a) a completed application for membership in the form provided by the association; and
 - (b) proof of enrolment in a clinical combined technician program at Sask Polytechnic or any equivalent institution recognized by the board.

Life member

- 12 A person is eligible to be admitted to membership as a life member if the person is nominated as a life member by resolution of the board and the resolution is confirmed at a general meeting of the membership.

Associate member

- 13 A person who is eligible to be admitted to membership as an associate member may apply by submitting:
- (a) a completed application for membership in the form provided by the association; and
 - (b) the required membership fee.

Removal of members

- 14(1) Any member in good standing, not in arrears for fees or otherwise, may resign from membership by submitting a letter of resignation to the board and the membership shall terminate on the day set out in the letter of resignation.
- (2) The board may suspend the membership of any member whose annual registration fee is not paid by March 31 in each year.
- (3) Any member whose annual registration fee is not paid by April 15 in any year is deemed to have resigned.

DISCIPLINE OF MEMBERS

Professional misconduct and professional incompetence

- 15(1) Any matter, conduct or thing, whether or not disgraceful or dishonourable, is professional misconduct if:
- (a) it is harmful to the best interests of the public or the members;
 - (b) it tends to harm the standing of the profession;
 - (c) it is a breach of the bylaws; or
 - (d) it is a failure to comply with an order of the inquiry committee, the discipline committee or the board.
- (2) Professional incompetence is the display by a member of a lack of knowledge, skill or judgment or a disregard for the welfare of a member of the public served by the profession of a nature or to an extent that demonstrates that the member is unfit to:
- (a) continue in the practice of the profession; or

- (b) provide one or more services ordinarily provided as a part of the practice of the profession.

Inquiry committee

- 16(1) The board shall appoint an inquiry committee consisting of three members of the association to investigate any complaints of professional misconduct or professional incompetence made against members.
- (2) Where the inquiry committee is requested by the board to consider a complaint or is in receipt of a written complaint alleging that a member is guilty of professional misconduct or professional incompetence, the committee shall:
 - (a) review the complaint; and
 - (b) investigate the complaint by taking any steps it considers necessary, including summoning before it the member whose conduct is the subject of the complaint or assessing the member's competence.
- (3) On completion of its investigation, the inquiry committee shall make a written report to the discipline committee recommending:
 - (a) that the discipline committee hear and determine the formal complaint set out in the written report; or
 - (b) that no further action be taken with respect to the matter under investigation because:
 - (i) the matter has been resolved with the consent of the complainant and the member who is the subject of the investigation; or
 - (ii) no further action is warranted on the facts of the case.
- (4) The formal complaint set out in a written report made pursuant to clause (3)(a) may relate to any matter disclosed in the complaint received pursuant to subsection (1) or the investigation conducted pursuant to subsection (2).
- (5) A report signed by a majority of the inquiry committee is the decision of that committee.
- (6) The inquiry committee shall provide a copy of a written report made pursuant to clause (2)(b) to:
 - (a) the board;
 - (b) the person, if any, who made the complaint mentioned in subsection (1); and
 - (c) the member whose conduct is the subject of the complaint mentioned in subsection (1).

Discipline committee

- 17(1) The board shall appoint a discipline committee consisting of at least five persons, a majority of whom are practising members of the association.
- (2) No member of the board and no member of the inquiry committee is eligible to be appointed as a member of the discipline committee.

Discipline hearing

- 18(1) Where a report of the inquiry committee recommends that the discipline committee hear and determine a formal complaint, the chair of the discipline committee shall, at least 14 days before the date the discipline committee is to sit:
- (a) send a copy of the formal complaint to the member whose conduct is the subject of the hearing; and
 - (b) serve notice on the member whose conduct is the subject of the hearing of the date, time and place of the hearing.
- (2) The inquiry committee shall prosecute or direct the prosecution of the complaint, but its members shall not participate in any other manner in the hearing of the complaint except as witnesses when required.
- (3) The discipline committee shall hear the complaint and shall determine whether or not the member is guilty of professional misconduct or professional incompetence.
- (4) The discipline committee may accept any evidence that it considers appropriate and is not bound by rules of law concerning evidence.
- (5) The discipline committee may employ, at the expense of the college, any legal or other assistance that it considers necessary, and the member whose conduct is the subject of the hearing, at his or her own expense, may be represented by counsel.
- (6) The testimony of witnesses is to be under oath or affirmation administered by the chairperson of the discipline committee.
- (7) At a hearing by the discipline committee, there is to be full right:
- (a) to examine, cross-examine and re-examine all witnesses; and
 - (b) to present evidence in defence and reply.
- (8) Where the member whose conduct is the subject of the hearing fails to attend the hearing, the discipline committee, on proof of service of the notice mentioned in subsection (1), may proceed with the hearing in his or her absence.

- (9) If, during the course of a hearing, the evidence shows that the member whose conduct is the subject of the hearing may be guilty of a charge different from or in addition to any charge specified in the formal complaint, the discipline committee shall notify the member of that fact.
- (10) If the discipline committee proposes to amend, add to or substitute the charge in the formal complaint, the discipline committee shall adjourn the hearing for any period that the discipline committee considers sufficient to give the member an opportunity to prepare a defence to the amended formal complaint, unless the member consents to continue the hearing.
- (11) The person, if any, who made the complaint:
 - (a) is to be advised orally or in writing by the chair of the discipline committee of the date, time and place of the hearing; and
 - (b) subject to subsection (16), is entitled to attend the hearing.
- (12) Subject to subsection (13), the discipline committee shall conduct all hearings in public.
- (13) The discipline committee may exclude members of the public and the person who made the complaint from any part of the hearing when the committee is of the opinion that evidence brought in the presence of the person or persons to be excluded will unduly violate the privacy of a person other than the member whose conduct is the subject of the hearing.

Disciplinary powers

- 19(1) Where the discipline committee finds a member guilty of professional misconduct or professional incompetence, it may make one or more of the following orders:
 - (a) an order that the member be expelled from the association and that the member's name be struck from the register;
 - (b) an order that the member be suspended from the association for a specified period;
 - (c) an order that the member be suspended pending the satisfaction and completion of any conditions specified in the order;
 - (d) an order that the member may continue to practise only under conditions specified in the order, which may include, but are not restricted to, an order that the member:
 - (i) not do specified types of work;
 - (ii) successfully complete specified classes or courses of instruction;

- (iii) obtain medical treatment, counselling or both;
 - (e) an order reprimanding the member;
 - (f) any other order that the discipline committee considers just.
- (2) The chair of the discipline committee shall send a copy of an order made pursuant to this section to the member whose conduct is the subject of the order and to the person, if any, who made the complaint.
- (3) Where a member is expelled or suspended, the registrar shall strike the name of the member from the register or indicate the suspension on the register, as the case may be.

DIRECTORS AND OFFICERS

Board of directors

- 20(1) The affairs of the association shall be managed by a board of directors consisting of seven persons elected by the members of the association.
- (2) The term of office of a person elected to the board is three years.
- (3) No person may serve on the board for more than two consecutive terms of office.

Election of officers

- 21 The board shall annually elect from among its number a president, vice-president, secretary, treasurer, and registrar, and may combine the offices of treasurer and registrar.

President

- 22(1) The president is the chief executive officer of the association and is an *ex officio* voting member on all the association committees.
- (2) The president shall:
- (a) chair all meetings of the board and of members and shall ensure that all business is conducted in accordance with these bylaws;
 - (b) continuously promote the interests of the association;
 - (c) provide a written annual report to the board and the members of the association at the annual general meeting; and
 - (d) perform any other duties and exercise any other powers that may be authorized by the Act and assigned by the board.

Vice-president

- 23(1) The vice-president shall act as assistant to the president and shall perform all the duties of the president in the absence or inability of the president to act.
- (2) In the event that the office of the president becomes vacant, the vice-president shall assume that office and the board shall elect a new vice-president.
- (3) The vice-president shall:
- (a) provide a written annual report to the board and the members of the association at the annual general meeting; and
 - (b) perform any other duties and exercise any other powers that may be authorized by the Act and assigned by the board.

Secretary

- 24 The secretary shall:
- (a) keep or cause to be kept the seal, records and books of the association, and any other official documents of the association, including:
 - (i) a legal copy of the Articles of Incorporation and all bylaws of the association;
 - (ii) the names and addresses of all persons who are or have been directors, officers or committee chairpersons and the dates at which the person became or ceased to hold that office or position;
 - (iii) minutes of all meetings of the directors and the association;
 - (iv) any other documents that may be required by the board or otherwise required by law;
 - (b) file all documents required to be filed with the Director of Corporations under the Act;
 - (c) provide a written annual report to the board and the members of the association at the annual general meeting; and
 - (d) perform any other duties and exercise any other powers that may be authorized by the Act and assigned by the board.

Treasurer

- 25 The treasurer shall:

- (a) have custody and care of all the funds and securities and all books, accounts and financial records of the association;
- (b) deposit or cause to be deposited all funds or securities of the association in a bank or other depository as authorized and in the manner or form determined by the board;
- (c) keep a file of all reports;
- (d) provide a written annual report to the board and the members of the association at the annual general meeting; and
- (e) perform any other duties and exercise any other powers that may be authorized by the Act and assigned by the board.

Registrar

26 The registrar shall:

- (a) maintain a register in which is recorded for each member:
 - (i) name and address and the date of becoming or ceasing to be a member;
 - (ii) category of membership;
 - (iii) employment status as active or non-active and full-time, part-time or casual;
 - (iv) a notation of any discipline proceedings relating to the member;
- (b) provide a written annual report to the board and the members of the association at the annual general meeting; and
- (c) perform any other duties and exercise any other powers that may be authorized by the Act and assigned by the board.

Vacating offices

27 The office of a director or officer is vacated if the term of office has expired or if the director or officer:

- (a) resigns;
- (b) ceases to be a member in good standing;
- (c) takes up permanent residence outside Saskatchewan; or
- (d) fails to attend two consecutive board meetings without just cause.

- (2) The board may appoint any member to fill the term of office of the position vacated.

Student representative

- 28 The board may appoint a student representative to bring any concerns of students to the president and to act in an advisory capacity to the convention committee concerning graduation activities.

MEETINGS

Board

- 29(1) The board shall meet at the call of the chair or as determined at the previous meeting of the board.
- (2) The president shall convene the board to a meeting to be held within 14 days following the receipt by the president of the written request of four members of the board.
- (3) At least four meetings of the board must be held between annual general meetings of the association.

Association

- 30(1) The annual general meeting of the association shall be held in each calendar year at a time and place in Saskatchewan determined by the association at the previous annual meeting, or, if no such determination is made, at a time and place determined by the board.
- (2) The business of the annual meeting shall include:
- (a) minutes of the last annual and all subsequent meetings of the association;
 - (b) business arising out of the minutes;
 - (c) president's report;
 - (d) executive director's report;
 - (e) report of committees;
 - (f) audited financial report;
 - (g) new business.
- (3) A special meeting of the association may be called by the board and shall be called on the written request of any 10 or more members of the association.
- (4) Notice of meetings of the association shall be sent by ordinary mail, facsimile or email to the postal address, facsimile number or email address shown in SACLXT's records:

- (a) at least 30 days prior to the date of the meeting, in the case of the annual general meeting; or
- (b) at least 14 days prior to the date of the meeting, in the case of a special meeting.

Quorum

- 31(1) A quorum for a meeting of the association consists of the members present at the meeting in person or by proxy.
- (2) A quorum for a meeting of the board consists of a majority of the voting members of the board present.

Procedure at meetings

- 32 The procedure at all meetings of the association and the board shall be governed by the rules set out in *Roberts Rules of Order Newly Revised*, 11th edition.

COMMITTEES

Establishment

- 33(1) Where the board establishes committees in accordance with these bylaws:
 - (a) the committees shall perform their duties under the direction of the board;
 - (b) a majority of committee members constitutes a quorum;
 - (c) committee members may, in the discretion of the board, be paid honoraria and reasonable travelling expenses incurred in the course of their duties.
- (2) The board shall make all appointments to all committees and, unless otherwise provided in these bylaws, shall designate the chairpersons and alternates, if any.
- (3) All committee appointments are at the pleasure of the board for a term of two years and are renewable for two years.

Standing committees

- 34 The board shall establish the following standing committees:
 - (a) a nominations committee to seek out candidates for nominations to vacant offices, to be chaired by the secretary;
 - (b) a convention committee to plan and conduct the affairs of the association at its annual general meeting, to be chaired by the vice-president;
 - (c) a finance committee to assist the treasurer in financial planning and the procurement of funds for the association, to be chaired by the treasurer;

- (d) a publication committee to assist the newsletter in public relations and the preparation of the association newsletter;
- (e) a continuing education committee to promote the continuing education of members of the association, to be chaired by the registrar.

FEES

Membership fees

35(1) The required membership application fee for an applicant for:

- (a) certified membership, is nil;
 - (b) graduate membership, is nil;
 - (c) student membership, is nil;
 - (d) associate membership, is nil.
- (2) The annual membership fee for a:
- (a) certified member, is \$250;
 - (b) graduate member, is \$250;
 - (c) student member, is nil;
 - (d) life member, is nil plus the fee for insurance;
 - (e) associate membership, is \$40.
- (2) All annual membership fees are due and payable on the last day of February in each year, after which date a late fee of \$25 will apply.

APPENDIX A

SACLXT Seal
(Section 3)
(to be imprinted)