



Canadian Society for Medical Laboratory Science
Société canadienne de science de laboratoire médical

(Incorporated under Federal Charter)

BYLAWS

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**Canadian Society for Medical Laboratory Science (CSMLS)
BYLAWS**

1.0 REGISTRY

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| 1.1 | The CSMLS shall maintain a Registry of duly qualified Members by the CSMLS. | CSMLS Registry |
| 1.2 | The CSMLS shall maintain a Roster of names of all CSMLS certified medical laboratory technologists and all CSMLS certified medical laboratory assistants who are currently Members in good standing | CSMLS Roster |

2.0 MEMBERSHIP

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| 2.1 | A Certified Member is a certified medical laboratory technologist or a certified medical laboratory assistant who has obtained CSMLS certification. | Certified Member |
| | 2.1.1 A Certified Practising Member is a Certified Member in good standing who is working, whether on a full-time or part-time basis, in a situation which requires the application of knowledge of medical laboratory science. | Certified Practising Member |
| | 2.1.2 A Certified Non-practising Member is a Certified Member in good standing who is not working in a situation which requires the application of knowledge of medical laboratory science. | Certified Non-practising Member |
| 2.2 | A Student Member* is a student enrolled in a training program leading to CSMLS certification. | Student Member *AC Accredited |
| | 2.2.1 A Student Member Non-accredited is a student enrolled in a medical laboratory training program that has applied for AC accreditation, or a prior learning assessment applicant enrolled in an approved bridging program. | Student Member Non-accredited |
| | *AC - Accreditation Canada | |
| 2.3 | A Certified Medical Laboratory Assistant Member is one who has obtained CSMLS certification as a medical laboratory assistant. | Certified Medical Laboratory Assistant Member |
| | 2.3.1 A Provincial Medical Laboratory Assistant Member is one who has obtained certification and/or licensure from a provincial society or provincial regulatory body. | Provincial Medical Laboratory Assistant Member |

- 2.4** An Affiliate Member is one who currently is, and as of December 31, 2012, was engaged in the practice of medical laboratory technology in Canada, who does not qualify for Certified Membership, but who:
- (a) in a Regulated Province, currently is, and as of December 31, 2012, was licensed or registered as a medical laboratory technologist under a provincial statute; or
- (b) in a non-regulated province, as of December 31, 2012 had a minimum of two (2) years working experience as a medical laboratory technologist in Canada and held a relevant university degree from a Canadian university or equivalent.
- For greater certainty, as of December 31, 2012 this category of Membership was closed; accordingly, applications to become an Affiliate Member can no longer be made.
- 2.5** An Associate, Non-certified Member is one with a professional affiliation with medical laboratory science who is interested in accessing the programs and services of the CSMLS but is not eligible for enrolment under any other Membership category.
- 2.6** A Certified Retired Member is one who has retired from the profession in good standing.
- 2.7** A Transitional Graduate Member is one who has held Membership in Category 2.2 (Student Member *AC Accredited) or 2.2.1 (Student Member, Non-accredited) and has completed his/her educational program, is currently employed as a medical laboratory technologist, and is awaiting the results of the first challenge of the CSMLS certification examination.
- 3.0 TERMS OF MEMBERSHIP**
- 3.1** Certified Practising Members and those Certified Non- practising Members who have been granted Honorary Membership shall be entitled to all the privileges and services of the CSMLS, as defined by the Board of Directors (the “Board”), including those of voting and holding elected office.
- 3.2** Certified Non-practising Members and Certified Retired Members who have not been granted Honorary Membership shall be entitled to all the privileges and services of the CSMLS, as defined by the Board, including those of voting but not of holding elected office.
- 3.3** Student Members *AC Accredited, Student Members Non-accredited and Transitional Graduate Members shall be entitled to
- Affiliate Member
- Associate, Non-certified Member
- Certified Retired Member
- Transitional Graduate Member
- Privileges of Certified Practising and Honorary Members
- Privileges of Certified Non-Practising and Retired Members
- Privileges of Student Members

	all the privileges and services of the CSMLS, as defined by the Board, but not those of voting and holding elected office.	
3.4	Affiliate Members (see 2.4 above regarding reference to December 31, 2012) and Provincial Medical Laboratory Assistant Members shall be entitled to all the privileges and services of the CSMLS, as defined by the Board, including those of voting but not of holding elected office.	Privileges of Affiliate and Provincial Medical Laboratory Assistant Members
3.5	Associate, Non-Certified Members shall be entitled to all the privileges and services of the CSMLS, as defined by the Board, but not those of voting and holding elected office.	Privileges of Associate Non-Certified Members
3.6	The Membership fees shall be fixed by resolution of the Board.	Annual Fees
3.7	Members shall be in good standing only so long as their Membership fees have been paid in full.	Members in Good Standing
	3.7.1 The holding of certificates of CSMLS certification shall be limited to those persons who are Members in good standing, or are Honorary Members, or those who have been granted an Honorary Fellowship by the CSMLS.	Holding of Certificates
3.8	When a Member's fee remains unpaid as of the renewal deadline, that Member's name shall be removed from the Membership Rolls and that Member's Membership shall stand suspended, without need for further action or notice. Every Member, by accepting Membership, agrees to suspension of Membership pursuant to this Section 3.8 and hereby waives all rights, interests, privileges, services or claims as a Member in the event of his or her Membership being so suspended.	Suspension and Termination of Membership
3.9	A Member in good standing may resign by giving notice in writing to the Chief Executive Officer at least thirty (30) days prior to the effective date of such resignation, but without prejudice to that Member's liability to the CSMLS.	Resignation
3.10	Anyone whose Membership has been suspended under Article 3.0, Section 3.8 or who has resigned from Membership may be restored to the Membership Rolls upon meeting the requirements for reinstatement as defined in the Board Policy Manual.	Reinstatement of Suspended Member
3.11	Every Member, by accepting Membership, agrees to abide by the Bylaws, Board Policy Manual, Code of Professional Conduct and the CSMLS Code of Ethics.	Responsibility of Member
4.0	BOARD OF DIRECTORS	
4.1	The affairs of the CSMLS shall be managed by the Board composed of eight to eleven (8 to 11) directors, provided that such number	Directors

may be amended from time to time by the directors within the range established in the articles of the CSMLS, provided further that no decrease in the number of directors shall shorten the term of an incumbent director. The Board shall establish policies and procedures regarding the CSMLS' certification program from time to time.

4.1.1 One (1) director shall be elected from each of the following six (6) geographic regions: Regional Directors

- Atlantic
- Québec
- Ontario
- Manitoba and Saskatchewan
- Alberta, the Northwest Territories and the Nunavut Territory
- British Columbia and the Yukon

4.1.2 One (1) director shall be elected from candidate(s) who are identified as bilingual in the French and English languages. Bilingual Director

4.1.3 One (1) director shall be elected from the Medical Laboratory Assistant profession members. MLA Director

4.2 The term of office for directors shall be as follows: Term of Office

4.2.1 Subject to Section 4.2.2 and Section 4.2.3, each director shall be elected to hold office for a three (3) year term at the Annual General Meeting, with all duties and responsibilities commencing on the first (1st) day of July following the election, unless any such individual was elected to complete the unexpired term of a former director, in which case such individual shall be elected for the remainder of such term. Term of Office

4.2.2 Subject to Section 4.2.3, if qualified, each individual who has been elected as a director shall be eligible for re-election provided that no individual may hold office for more than two (2) consecutive terms. Term of Office, Re-election

4.2.3 Each Bilingual or Regional director who is elected as an officer shall continue to fulfil their term as said director until the directorship is filled. The term of the director appointed to an officer position shall be extended for the term that he or she serves as an officer. Term of Office, Officers

4.3 To be eligible to hold elected office, a Member must hold Certified Practising Member status on January 1 of the year in which the election is held and be a current resident of Canada. Subsequent change from Certified Practising Member status will not invalidate the election, nor affect the ability of the Member to serve out the remainder of the term of office. The Member must continue Eligibility for Office

to reside in Canada to be eligible to serve. The Member must also not fit into any of the categories set out in the Subsections of Section 4.6.

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| 4.4 | All directors and members of standing committees acting on behalf of the CSMLS, upon the direction of the Board, shall be entitled to reimbursement for authorized expenses incurred during their term of office. No director or member of a standing committee shall be entitled to receive remuneration for carrying out the duties of their office with the exception of the current serving Chair, who receives a stipend as per the Board Policy Manual. | Reimbursement of Expenses |
| 4.5 | Any Board director may be removed before the expiration of his or her term of office by a majority of the votes cast at a Special Meeting of the Members called for that purpose. | Removal from Office |
| 4.6 | The office of a director shall automatically be vacated if:

(a) a director resigns, which shall be effective at the time the written resignation is received by the Chief Executive Officer or the Chair;

(b) a director is removed by the Membership;

(c) a director dies;

(d) a director is declared incapable by a court in Canada or in another country; or

(e) a director ceases to be a Member in good standing. | Vacancy in Position |

5.0 ELECTION OF DIRECTORS

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| 5.1 | The Nominating Committee shall be a standing committee, which shall consist of the Executive Committee. The Past Chair shall chair the committee. | Constitution of Nominating Committee |
| 5.2 | The Nominating Committee shall be responsible for preparing the slate of candidates for the election. | Duties |
| 5.3 | In addition to the nominations submitted by the Nominating Committee, nominations may be submitted over the signatures of two (2) voting Members, one of whom shall act as the proposer and another as the seconder and must be accompanied by the written consent of the nominee. Such nominations must reach the Chair of the Nominating Committee at least 80 days before the Annual General Meeting. | Nominations from Members |

5.4	All directors listed in Article 4.0, Section 4.1. shall be elected by the voting Members except where the Canada Not-for-Profit Corporations Act (the “Act”) requires a meeting. Each voting Member shall be entitled to vote for each of the directors listed in Section 4.1.	Eligibility to Vote
5.5	The Chief Executive Officer shall forward the ballot, submitted by the Nominating Committee, to each voting Member not less than 40 days prior to the date of the next Annual General Meeting.	Ballot
5.6	Voting Members shall submit their vote via CSMLS online platform. Online voting will stay open until 10 days prior to the Annual General Meeting. The ballots shall be counted by the Auditor, who shall report the results to the Chief Executive Officer.	Audit of Ballots
5.7	In the event that any office is not filled as a result of the ballot, the Nominating Committee shall submit the name of at least one (1) nominee, for each office not filled, for election at the Annual General Meeting. Any voting Member at the Annual General Meeting may also make nominations, for any office not filled, for election by the voting Members at the Annual General Meeting.	Failure to Elect
5.8	All elections held at an Annual General Meeting shall be by virtual polls (through online voting platforms). Poll outcomes will be read by the Chair of the Nominating Committee.	Elections at Annual General Meetings
5.9	All nominations made, either on the nominating slate for the ballot or at any Annual General Meeting, must first have the written consent of the nominee.	Consent of Nominee
5.10	All elections to office, either by electronic ballot or at an Annual General Meeting, shall be by a plurality vote.	Plurality Vote for Election
6.0	OFFICERS	
6.1	The officers of the CSMLS shall be appointed annually by the Board from among the Directors and shall include: the Chair; the Past-Chair; the Vice-Chair; subject to the final sentence of this Section 6.1, the Bilingual Director; and any such other officers as the Board may by resolution determine. Unless otherwise determined by the Board, the Past-Chair shall be the Chair from the preceding year, and the Chair shall be the Vice-Chair from the preceding year. The Bilingual Director shall be the Director elected pursuant to Section 4.1.2 or if no such individual is so elected, another Director whom the Board determines can facilitate the fulfilment of Section 6.6.	Officers
6.2	The Chair shall be the chief elected officer of the CSMLS, responsible for the efficient functioning of the CSMLS and for the maintenance of proper procedures and protocol on the part of all Boards and committees of the CSMLS.	Chair

6.3	The Chair shall preside at all meetings of the Membership and the Board and at all official functions of the CSMLS.	Duties of the Chair
	6.3.1 The Chair shall be entitled to attend meetings of all committees and councils as a non-voting observer except the Nominating Committee and where otherwise specifically excluded by resolution of the Board.	Chair and Committees
	6.3.2 In the event of a vacancy occurring during the term of office of any director or officer, the Board shall have the authority to appoint a successor to complete the term of office.	Vacancy, Director or Officer
6.4	The Past Chair shall chair the Nominating Committee, may attend all meetings of the Board and assist in maintaining continuity in the progress of the CSMLS and in the resolution of problems and projects.	Duties of the Past Chair
6.5	The Vice-Chair shall, whenever necessary, due to the absence or inability of the Chair, assume the duties and responsibilities of the Chair.	Duties of the Vice-Chair
6.6	The Bilingual Director shall, where necessary, assist the Board with its responsibility to communicate with all Members in the official language of their choice.	Role of the Bilingual Director
7.0	CHIEF EXECUTIVE OFFICER	
7.1	The Chief Executive Officer shall be the chief staff officer of the CSMLS, accountable to the Board.	Chief Executive Officer
7.2	The Chief Executive Officer shall attend all meetings of the Board (except when requested not to attend a specific meeting by resolution of the Board and except in camera sessions unless requested).	Attendance at Board Meetings
	7.2.1 All staff shall be accountable to the Chief Executive Officer.	Staff
	7.2.2 Subject to Section 7.2.1, the Chief Executive Officer or designate shall act as secretary to all Boards and committees.	Secretarial Duties
	7.2.3 The Chief Executive Officer shall perform such other duties as may be required by the Board.	Other Duties
	7.2.4 The Chief Executive Officer shall be responsible for ensuring the maintenance of the Membership Rolls and Registry and of such other documents as may be necessary.	Maintenance of Rolls and Registry, etc.

7.2.5 The Chief Executive Officer shall have custody of the Corporate Seal and shall certify all documents requiring certification by attaching the corporate seal.	Corporate Seal
7.2.6 The Chief Executive Officer shall be responsible for keeping the books and records of the CSMLS in such form as shall be acceptable to the Board.	Books and Records
7.3 The other appointed staff shall be accountable to the Chief Executive Officer.	Other executive staff
8.0 MEMBERS' MEETINGS	
8.1 The Annual General Meeting shall be a general meeting of the Members held at such time and place in Canada (or via a virtual platform), for the purpose of receiving the financial statements, reports, and for the transaction of such other business as may be properly brought before it.	Annual General Meeting
8.2 Notice of the Annual General Meeting, together with the agenda for the meeting, shall be sent to the Members electronically and posted on the CSMLS website not less than forty (40) days prior to the meeting. Notice of each Annual General Meeting must remind the Members of the right to vote by proxy.	Notice of Annual General Meeting
8.3 A Special General Meeting shall be a general meeting of the Members which may be called at any time by the Chair with the approval of the Board, or upon request by written notice signed by at least five (5) percent of the voting Members, for the purpose of considering a matter or matters of business set out in the notice.	Special General Meeting
8.4 Notice of a Special General Meeting, together with the purpose for holding the meeting shall be sent to the Members electronically and posted on the CSMLS website not less than 21 days prior to the meeting. The date, time and place for the meeting shall be at the discretion of the Board. Notice of each Special General Meeting must remind the Members of the right to vote by proxy.	Notice of Special General Meeting
8.5 Fifty (50) Voting Members in attendance or by proxy shall constitute the quorum for any Members' meeting.	Quorum for Members' meetings
9.0 VOTING	
9.1 The eligibility of any Member to vote at any Annual General Meeting or Special General Meeting or ballot shall be in accordance with Article 3.0, Sections 3.1 - 3.5. Each Member may, by means of a proxy indicated via CSMLS website, appoint a proxyholder to attend	Voting Rights

and act at an Annual General Meeting or Special General Meeting, in the manner and to the extent authorized by the proxy.

- 9.2** In the case of an equality of votes, the motion is lost. A special vote may be called: Tie Votes
- (a) by the Board; or Special vote
- (b) by a majority of voting Members at an Annual General Meeting or Special General Meeting on an issue of national importance on which it is desirable that all Members be given an opportunity to vote.
- A majority vote of the Members in attendance at any meeting or by proxy or by mail or electronic vote shall prevail unless the Act or these Bylaws otherwise provide. Majority Vote
- The Chief Executive Officer shall notify the membership at least forty (40) days prior to the AGM, that voting is open. Ballot

10.0 BOARD OF DIRECTORS' MEETINGS

- 10.1** The Board shall consist of directors as defined in Article 4.0, Section 4.1. Constitution of Board
- 10.2** Meetings of the Board shall be held at such time and place as may be determined by the Board or by the Chief Executive Officer in consultation with the Chair. Notice of the time and place of meetings shall be sent electronically to each director not less than fourteen (14) days prior to the date of the meeting. Meetings of Board
- 10.3** A majority of the directors shall constitute a quorum. Quorum
- 10.4** The Chair, with the approval of the Board, may invite executive staff or other individuals to take part in the discussion on pertinent items of business at any meeting of the Board. Privilege of the Board
- 10.5** Where action is required on urgent matters between regular meetings of the Board, the authority to act rests with the Chair or with designated directors, in consultation with the Chief Executive Officer. Delegated Authority

11.0 INDEMNIFICATION

- 11.1** (a) The CSMLS shall at all times indemnify each director or officer of the CSMLS, each former director or officer of the CSMLS, Indemnification

and each individual who acts or acted at the CSMLS' request as a director or officer, or in a similar capacity, of another entity:

(i) in respect of all costs, charges and expenses reasonably incurred by the individual in connection with the defense of any civil, criminal, administrative, investigative or other action or proceeding to which the individual is subject because of the individual's association with the CSMLS or other entity as described above, if the individual,

(A) was not judged by any court or other competent authority to have committed any fault or omitted to do anything that the individual ought to have done; and

(B) fulfils the conditions set out in Subsection 11.1(c).

(ii) against all costs, charges and expenses, including an amount paid to settle an action or satisfy a judgment, reasonably incurred by the individual in respect of any civil, criminal, administrative, investigative or other action or proceeding in which the individual is involved because of that association with the CSMLS or other entity.

(b) The CSMLS may advance money to a director, officer or other individual referred to in Clause 11.1(a) (ii) for the costs, charges and expenses of an action or proceeding referred to in that Clause, but the individual shall repay the money if the individual does not fulfil the conditions set out in Subsection 11.1(c).

(c) The CSMLS shall not indemnify an individual under Subsection 11.1(a) unless,

(i) the individual acted honestly and in good faith with a view to the best interests of the CSMLS or other entity, as the case may be; and

(ii) if the matter is a criminal or administrative proceeding that is enforced by a monetary penalty, the individual had reasonable grounds for believing that his or her conduct was lawful.

11.2 The CSMLS may purchase and maintain insurance for the benefit of each director or officer of the CSMLS, each former director or officer of CSMLS, and each individual who acts or acted at the CSMLS' request as a director or officer, or in a similar capacity, of another entity against any liability incurred by the individual, Insurance

(a) in the individual's capacity as a director or officer of the CSMLS; or

(b) in the individual's capacity as a director or officer, or a similar capacity, of another entity, if the individual acts or acted in that capacity at the CSMLS' request.

12.0 COMMITTEES

12.1 The Board may establish, by resolution, committees and task forces on such terms and conditions as the Board deems appropriate, including duties of such committees and task forces, and the timing and manner of holding meetings of such committees whose members will hold their offices at the discretion of the Board or as otherwise determined by the Board. Committees

13.0 SIGNING OFFICERS

13.1 The appointment of up to six (6) directors and executive office staff as signing officers with authority of signing shall be made annually by the Board. Appointment of Signing Officers

13.2 Subject to Section 13.5, any two (2) of the signing officers shall be authorized to sign on behalf of the CSMLS any or all legal or financial documents of the CSMLS. Authority of Signing Officers

13.3 Subject to Section 13.5, deeds, transfers, licenses, contracts and engagements shall be executed on behalf of the CSMLS by any two (2) of the signing officers, and the Chief Executive Officer shall affix the CSMLS seal to such instruments as require the same. Deeds, etc.

13.4 Subject to Section 13.5, contracts in the ordinary course of the CSMLS' operations may be entered into on behalf of CSMLS by any two (2) of the signing officers. Contracts in the Ordinary Course

13.5 Notwithstanding any provisions to the contrary contained in the Bylaws of the CSMLS, the Board may at any time by resolution direct the manner in which, and the person or persons by whom, any particular instrument, contract or obligation of the CSMLS may or shall be executed. Board Authorization of Contract Execution

13.6 No Council, Board, Committee, or representative Provincial body shall expend any monies or incur any indebtedness or obligation on behalf of the CSMLS without the sanction of the Board. Authorization of Expenses

14.0 AUDITS

- 14.1** The books and records of the CSMLS shall be audited at least once during each fiscal year by a chartered accountant who is licensed to practise in the Province in which the audit is conducted. Audit
- 14.2** The fiscal year shall commence on the first (1st) day of January each year. Fiscal Year
- 14.3** The auditor shall be appointed annually by the Members at the Annual General Meeting upon recommendation of the Board. The auditor shall audit the accounts of the CSMLS for a report to the Members at the Annual General Meeting. Appointment of Auditor
- 14.3.1. If at any time the auditor so appointed is unable or unwilling to act, or is discharged for just cause, the Board shall appoint an interim auditor to act until the next Annual General Meeting. Interim Auditor

15.0 RULES OF ORDER

- 15.1** The rules contained in the current revised edition of Bourinot's Rules of Order shall govern the CSMLS in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the CSMLS may adopt. Bourinot's Rules of Order

16.0 BYLAWS

- 16.1** (a) Subject to the provisions of the Act, this Bylaw may be amended by the Board, but no portion of any such amendment shall be effective until confirmed by the Members at a meeting duly called for such purpose and unless otherwise required by the Act a resolution passed by a majority of the Members present in person or by proxy, shall be adequate to pass the proposed amendment. Amendments to the Bylaws
- (b) Where it is intended to amend this Bylaw at a meeting of the Board, written notice of such intention shall be sent by the Chief Executive Officer to each director at his or her address as shown on the records of the CSMLS by ordinary/electronic mail not less than ten (10) days before the meeting.
- (c) Where the notice of intention required by Subsection (b) is not provided, any proposed amendment to the Bylaw may nevertheless be moved at the meeting and discussion and voting thereon adjourned to the next meeting, for which no notice of intention need be given.

(d) The Members may at the meeting held to confirm any proposed amendment contemplated by Subsection (a) confirm, reject or amend any Bylaw passed by the Board and submitted to the meeting for confirmation. If such Bylaw is rejected, it shall not become effective and, if amended, it shall take effect as amended.

(e) All prior Bylaws of the CSMLS shall be repealed in their entirety upon the coming into force of this Bylaw, without prejudice to any action theretofore taken thereunder.

(f) Neither the enactment of this Bylaw nor the repeal of the prior Bylaws of the CSMLS shall invalidate any past act of any director, officer, Member or other person, including without limitation, resolutions of the Board or of the Members enacted or passed pursuant to any prior Bylaw, it being the intention that this Bylaw shall speak only from the date when the same is effective, without in any way affecting any resolution duly passed or any act done, or any right, existing, acquired, established, accruing or accrued under any prior Bylaw of the CSMLS.

(g) This Bylaw shall come in to force on the effective date the CSMLS continues under the Act.

17.0 DISCIPLINARY CHARGES AND HEARINGS

17.1 Regulatory bodies have the primary legislative authority to supervise the practice of the profession and to discipline members. Such authority takes precedence over the authority of the CSMLS under this article.

Regulatory Bodies

17.2 The Board has the authority to conduct hearings into complaints and Members failing to comply with these Bylaws or Board-approved policies and, pursuant to Board-approved policy, to render disciplinary decisions (up to and including suspension or termination of Membership). Every Member, by accepting Membership, agrees to termination or suspension of Membership pursuant to this Section and hereby waives all rights, interests, privileges, services or claims as a Member in the event of his or her Membership being so suspended.

Complaints

Canadian Society for Medical
Laboratory Science
33 Wellington Street North, Hamilton,
Ontario, Canada L8R 1M7 (T)
1.800.263.8277 · (F) 905.528.4968
www.csmls.org