

## UNIFOR LOCAL 43 BY-LAWS



### ARTICLE 1 - NAME

This local shall be known as Unifor Local 43 (hereinafter called the “local”).

This local has been established and exists by virtue of a charter issued to it by Unifor (hereinafter called the “National Union”) pursuant to the Constitution of the National Union.

### ARTICLE 2 - JURISDICTION

Jurisdiction of this local shall be the jurisdiction assigned by the Union and appearing on the face of the local Charter.

### ARTICLE 3 - OBJECTS

The Objects of Local 43 shall be to represent and serve the workers within its jurisdiction in accordance with the by-laws and rules of the local and the Unifor Constitution and policies of the Union.

### ARTICLE 4 - LOCAL STRUCTURE

The structure of the local shall consist of the following:

- 1) Membership
- 2) Executive Board
- 3) Local Officers
- 4) Stewards
- 5) Committees

## ARTICLE 5 - MEMBERSHIP

### Section 1 - Eligibility

Any person eligible for membership in Unifor, as defined in Article 5 of its Constitution, shall be eligible for membership in this local, if performing work within the local's assigned jurisdiction, or if employed on a part time basis by the union.

### Section 2 - Application

Membership in the local shall begin with the completion of a membership card, declaring support of and adherence to the Constitution of this Union, without the necessity of any payment or further action.

### Section 3 Transfers

The transfer of membership from this local to the jurisdiction of another local and from another local to the jurisdiction of this local shall be made in accordance with Article 5 of the Union Constitution.

### Section 4 Termination

Membership in the union shall be terminated when a member accepts a position, which would render the member ineligible for membership. A member who temporarily assumes such a position may retain membership, but that member shall not hold any office within the union or attend any local or other union meetings during the temporary position and, except where prohibited by law, shall not have any voting privileges until after the return to the unit.

## ARTICLE 6 - LOCAL DUES AND ASSESSMENTS

### Section 1 - Local Dues

Each member of the local shall pay dues in the amount of 1.8 % of their basic salary, or \$6.50, whichever is more. This amount is to include the National portion of dues. Membership dues may be changed only by a majority of those voting on the question by a secret ballot referendum, or by a majority secret ballot vote in a meeting where a quorum is present, if the question has been advertised via bulletin boards or fax distribution or the use of the local's internet site at least seven (7) days in advance of the meeting.

## ARTICLE 7 - GOVERNING AUTHORITY

### Section 1 - Membership

The affairs of this local shall be governed by its membership in accordance with the Constitution and policies of the union in the following manner:

- a) Through action taken in local membership meetings or by referendum of the local membership;
- b) Through actions and decisions of the local Executive Board between membership meetings;
- c) Through actions and decisions of the local Officers between meetings of the local Executive Board;
- d) The action and decisions of the local Executive Board and Officers of the local between local meetings may be overruled by the membership in a local meeting or by referendum.

### Section 2 - Executive Board

The local Executive Board shall consist of the following:

- 1) President
- 2) Vice-President
- 3) Recording Secretary
- 4) Secretary Treasurer
- 5) Chief Stewards (Bell, Bell Technical Solutions, Expertech, Transervice)
- 6) Health and Safety Representatives (Bell, Bell Technical Solutions, Expertech, Transervice)

### **ARTICLE 8 - LOCAL MEETINGS**

Regular meetings of the local shall be held on the second Monday of the month. There shall be a minimum of four meetings per year. The date of the meeting may be changed by the executive for extenuating circumstances with 30 days' notice. Special meetings may be called by the executive, the membership, or by a petition signed by ten (10) members. Upon receipt of a proper petition the local Officers shall call a special meeting to be held within ten (10) days.

The local may authorize each Bargaining Unit to hold special meetings, with proper notice, as may be required for them to transact such unit matters as are of special concern to the specific group.

Unit groups will not take any action, which conflicts with either the local Union or National Constitution. All actions not specifically authorized shall be subject to review and concurrence or non-concurrence by the local.

### **ARTICLE 9 - ORDER OF BUSINESS**

- a) The Order of Business at a local meeting shall be as follows:

1. Call to Order
2. Roll Call of Officers
3. Agenda
4. Reading and Approval of Minutes from Previous Meeting
5. Initiation of New Members
6. Correspondence
7. Reports of Officers
8. Reports of Committees
9. Unfinished Business
10. New Business
11. National Representative
12. Adjournment

b) The order of business may be suspended by a two-thirds (2/3) vote of the members present

#### ARTICLE 10 - CONDUCT OF MEETINGS, OTHER LOCAL BUSINESS AND QUORUM

- a) Membership meetings and any other business of this local shall be conducted under these by-laws and rules of the local and in conformity with the Union Constitution. On questions where the local by-laws, the local rules or the Union Constitution do not clearly apply, Bourinot's Rules of Order shall govern.
- b) The number constituting a quorum for local monthly meetings shall be any member present in addition to the executive. However, no quorum is required if at the previous local membership meeting no quorum was present.
- c) A majority of the Officers or a majority of the members of a Committee shall constitute a quorum for these bodies.

#### ARTICLE 11 - LOCAL COMMITTEES

a) The local shall have the following standing committees:

- 1) Historical Committee
- 2) Election Committee
- 3) Sick and Welfare Committee
- 4) Membership Committee
- 5) Social Committee
- 6) Audit Committee
- 7) Retirees Committee
- 8) Achievement Committee

b) Members of all committees shall be appointed by the executive, subject to the local membership's acceptance.

- c) Vacancies on committees shall be filled in the same manner as the original appointments.
- d) The executive, subject to the right of the local membership to overrule such decisions may remove a member of any local committee. Any committee member may also be removed by action of the local in a membership meeting.

### Duties of Committees:

#### 1. Historical Committee

The Historical Committee shall collect and maintain items of interest to the local.

#### 2. Election Committee

The Election Committee shall conduct all nominations and elections and referenda of this local. This committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the Union Constitution, and these by-laws, with reasonable opportunity for each member to nominate and vote for the candidate of their choice. The Election Committee shall also conduct any referendum submitted to the membership. A member shall not be permitted to serve on the Election Committee if he is a candidate for any office of the local or delegate to the Convention. The Election Committee, subject to the right of appeal to the local Executive Board or membership of the local shall determine all questions concerning the conduct and challenges of elections.

#### 3. Sick and Welfare Committee

The committee is to keep the local membership informed of members or their families during periods requiring the local's sympathy and understanding.

#### 4. Membership Committee

The Membership Committee shall accept or reject membership applications in accordance with the by-laws and rules of this local and Article 5 of the Constitution and policies of the Union.

#### 5. Social Committee

The Social Committee shall co-ordinate social functions of the local.

#### 6. Audit Committee

The audit committee shall audit the financial records of this local.

#### 7. Retirees Committee

To inform and involve retired members of this local in various union projects.

#### 8. Achievement Committee

The responsibilities of this committee shall be: Access to work issues, Community Outreach, Parenting Issues, and dealing with issues of both genders.

### ARTICLE 12 - LOCAL OFFICERS, STEWARDS, AND THEIR DUTIES

#### Section 1 - Local Officers

a) The Officers of the local shall be:

1. President
2. Vice-President
3. Recording Secretary
4. Secretary Treasurer
5. Chief Stewards (Bell, Bell Technical Solutions, Expertech, Transervice)
6. Health and Safety Representatives (Bell, Bell Technical Solutions, Expertech, Transervice)

b) The duties of local Officers and Executive board Members shall be as follows:

#### 1. The Local President shall:

- a) Be responsible for the conduct of all local business;
- b) Preside at local membership meetings, local Executive Board meetings;
- c) Prosecute grievances and appeal them to higher levels of the Union when not satisfactorily settled;
- d) Supervise all local Committees; save and except the elections committee;
- e) Approve all bills to be paid, and countersign all checks drawn on the Treasury;
- f) Be the official spokesperson of the local;
- g) Perform whatever additional duties may be assigned by the local membership or required by the policies of the Constitution of the Union.

#### 2. The Local Vice-President shall:

- a) Work under the direction of the local President;

- b) Serve on the local Executive Board;
- c) Perform whatever duties may be assigned by the local membership, the local Executive Board, or the local President.

3. The Recording Secretary shall:

- a) Maintain a record of the local membership;
- b) Record and maintain the minutes of all meetings of the local membership and the local Executive Board;
- c) To furnish the President of the National Union and Vice-President of the Region with copies of any changes in these by-laws within thirty (30) days after such changes are made;
- d) Serve on the local Executive Board;
- e) Participate on the Membership Committee;
- f) Perform such other duties as may be assigned by the local membership, the local Executive Board, or by the local President.

4. The Secretary Treasurer shall:

- a) Be custodian of all assets of the local;
- b) Report to each membership meeting on the financial status of the local, in accordance with the Unifor National Constitution.
- c) Be bonded, as must any other person who handles local funds or property in accordance with the Unifor National Constitution or any other law;
- d) Cause the payment of all bills approved by the local President;
- e) Serve on the local Executive Board;
- f) Perform such other duties as may be assigned by the local membership, the local Executive Board, or the local President.

Section 2 - Chief Stewards, Stewards and their Duties

5. The duties of the Chief Stewards shall be as follows:

- a) Familiarize all Stewards with the provisions of their appropriate Collective Agreement and thoroughly investigate all grievances;

- b) Serve on the appropriate Grievance Committees;
- c) Report to the local membership meetings;
- d) Serve on the local Executive Board;
- e) Perform such other duties as may be assigned by the local membership, the local Executive Board, or the local President.

6. Health and Safety Representative

- a) Represent the members of the bargaining unit at Health and Safety meetings;
- b) Serve as a liaison between the units, the full time H&S Representatives and the National;
- c) Report to the local membership meetings;
- d) Familiarize all H&S representatives with their duties and responsibilities as outlined in their appropriate collective agreement and under the appropriate labour laws;
- e) Perform whatever duties that may be assigned by the local membership, the local Executive board, or the local President.

A. The duties of the Stewards shall be as follows:

- a) To become familiar with all provisions of their bargaining unit Collective Agreement and thoroughly investigate all grievances and complaints coming within their jurisdiction;
- b) To be completely familiar with the grievance procedure of their bargaining unit;
- c) To receive complaints and grievances from their members and make every effort in conformity with the grievance machinery to satisfactorily adjust and settle all grievances;
- d) To refer all grievances and complaints that have not been satisfactorily adjusted to their Chief Steward, or the President if the grievance arises in a location where there is no Chief Steward;
- e) To report all grievances settled satisfactorily to their Chief Steward;
- f) To instruct the Deputy Steward in his duties;
- g) To turn over all papers, documents, funds or other property at the conclusion of the term of office to the local or to his successor in office and obtain a receipt thereof;



h) To carry out such other duties as may be prescribed from time to time by the local membership, the local Executive Board, or the local President.

B. The duties of a Deputy Steward shall be as follows:

a) To become familiar with the duties of a Steward and act as Steward in the temporary absence of the Steward.

**ARTICLE 13 - NOMINATION AND ELECTION OF LOCAL OFFICERS,  
CHIEF STEWARDS AND STEWARDS**

SECTION 1 - Nominations

a) Local Officers and members of the executive board shall be nominated in September of each even numbered year. Nominations are to close at the following monthly meeting with elections to follow in November.

b) Chief Stewards shall be nominated from within their bargaining unit.

c) Health and Safety Representatives shall be nominated from within their bargaining unit.

d) Stewards shall be nominated in September of each odd numbered year. Nominations are to close at the following monthly meeting with elections to follow in November.

e) Article 13 section 1 b) c) and d) the nominations as well as the election shall be within the unit.

SECTION 2 – Local Elections Committee

a) The nomination and election of local officers, members of the executive board, and delegates to the Unifor National Convention shall be conducted under the supervision of the election committee. This committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the union constitution, these by-laws, with reasonable opportunity for each member to nominate and vote for the candidate of their choice.

b) The election committee shall also conduct any referenda submitted to the membership.

c) A member shall not be permitted to serve on the election committee if he/she is a candidate for any office of the local or delegate to convention.

d) All questions concerning the conduct and challenges of elections shall be determined by the election committee, subject to the right of appeal to the membership.

SECTION 3 - General Provisions

- a) There shall be as many Stewards as the local deems necessary subject to the terms of the Collective Agreement(s).

The President may appoint Stewards subject to the right of the membership to overrule such appointments.

- b) The nominee in any election receiving the majority of the votes cast shall be declared elected. If no one nominee has a majority on the first ballot, the vote shall be taken again and the two nominees having the greatest number of votes on the first ballot shall be nominees on the second ballot.
- c) Only members in good standing in the local shall be eligible to vote or hold office.
- d) Terms of office shall be for two (2) years.
- e) Officers shall take office on December 1<sup>st</sup>, of each odd numbered year. Stewards shall take office when elected.

#### SECTION 4 - Vacancies

The executive board will meet to determine which Vice-President will assume the duties of the President in the event of a vacancy.

### ARTICLE 14 – DELEGATE(S) TO NATIONAL CONVENTION

#### a) Delegate Elections:

The elected President of the local shall also be considered nominated and elected as first delegate to all Unifor Conventions and Subsidiary Councils, OFL and CLC, for the duration of office. Additional Delegate(s) and alternate delegate(s) that the local may be entitled to shall be elected in accordance with the Unifor National Constitution.

#### b) Delegate Certification:

It shall be the duty of the Recording Secretary of the local to certify the local delegates for the union Convention to the Secretary-Treasurer of the National Union within the specified time limits.

### ARTICLE 15 - STRIKES

The calling, conduct and termination of strikes affecting this local shall at all times be carried on in compliance with the rules prescribed by the Union and Article 17 of the Unifor National Constitution.

## ARTICLE 16 - CHARGES, TRIALS, AND APPEALS

### SECTION 1 - Charges

- a) Members of this local may be suspended or expelled, in the manner provided in these by-laws, for any of the acts enumerated in Article 18 of the Unifor National Constitution.
- b) Members performing acting or temporary management work for the employer after the collective agreement has expired, may also be suspended or expelled.

### SECTION 2 - Trials

Any accused member, including Officers, of this local shall be tried under the provisions of Article 18 of the Unifor National Constitution.

### SECTION 3 - Appeals

A member or Officer of this local, upon being found guilty by a local trial court, may appeal as provided in Article 18 of the Unifor National Constitution.

### SECTION 4 – Disciplinary Committee

A Disciplinary Committee of this local shall be composed of three persons, who are members of this local and not parties to the proceedings, and who shall be appointed by the President of the local, as per article 18 of the Unifor National Constitution.

## ARTICLE 17 - AMENDMENTS TO LOCAL BY LAWS

After adoption, these by-laws may be amended by either of the following methods:

- a) By a 2/3 majority vote of the members present in a local membership meeting, if the proposed amendment has been introduced at a previous membership meeting and has been advertised via bulletin boards or fax distribution or the use of the local's internet site at least seven (7) days in advance of the meeting.
- b) Referendum of the membership.

## ARTICLE 18 - REFERENDUM OF THE LOCAL

- a) The local Election Committee shall submit any questions to a referendum of the membership.

- b) Questions submitted to referendum shall be determined by a 2/3 majority vote of those voting on the question.
- c) All motions made at local membership meetings of over \$ 1,500.00 (one thousand, five hundred dollars) that exceed budgeted amounts may, at the discretion of the local Executive Board, go to a referendum vote.

**ARTICLE 19 – FISCAL YEAR AND AUDITS**

- a) The fiscal year of this local shall be from December 1<sup>st</sup> of each year to and including November 30<sup>th</sup> of the succeeding year.
- b) The financial records of this local shall be audited by a certified public accountant, or by a committee selected by the local, at the end of the quarter. The results of such audits shall be made available for the inspection of any member of the local, as well as a copy being sent to the secretary-treasurer of the National Union.

**ARTICLE 20 – LOCAL EXPENSES**

- a) Be it understood by the membership, that anyone using or receiving local funds for compensation of expense incurred on behalf of the local should do so with the sole purpose of being made whole and not for personal gain.
- b) For minor expenses incurred by the local officers during each calendar year (eg. parking meters, payphones, etc...) a yearly makeup allowance will be paid by the local treasurer in the following amounts:

President----\$500	Vice-President---\$300	Recording Secretary---\$100
Secretary Treasurer---\$100	CS---\$100	H&S-----\$100

NOTE: In order to qualify for the year-end stipend the above must attend at least 50% of regular meetings.

- c) When a local officer is at a meeting on behalf of this local over a Saturday or Sunday, an allowance of \$50 will be allowed in lieu of the possibility of working on the job at overtime rates.
- d) When more than one local officer travels to a union function out of the local’s area, a \$40 travel allowance for refreshments may be paid.

- e) i) Per diems paid to local executives and members shall be an amount consistent with that established by the Unifor National Executive Board.
- ii) Hotels expenses will be reimbursed room and taxes only, no incidental charges will be reimbursed by the local.
- f) Mileage shall be paid from the members' home to the union function being attended. This mileage will be paid at the rate as OCC by-laws state. Any member within must receive prior executive authorization to charge mileage.
- g) For each local officer attending a meeting on behalf of this local, the treasurer may pay an after meeting expense of \$15 only if needed.
- h) At the discretion of the executive board there may be one summer stewards supper, or one Christmas steward's supper, or both.
- i) The president or vice-president may authorize payment of a meal for guests of the local when deemed appropriate.
- j) All expense vouchers shall be available to membership inspection at any time through the records of the treasurer.
- k) Local representatives attending retirement functions, etc. on behalf of this local shall have their tickets and their significant others tickets paid for by the local.
- l) Expense forms shall be filled out on a monthly basis with all applicable receipts attached. Advances shall be given on a needs basis and have to be accounted for as soon as possible following the event for which the advance was allowed.
- m) The executive shall deal with the disputes over payments or reimbursements, if not resolved they shall be brought to the floor of a regular membership meeting for a final resolve.

## ARTICLE 21 - OATH OF OFFICE AND INSTALLATION CEREMONY

The installation ceremony of the national officers, regional directors and members of the National Executive Board may be performed by the retiring President, Acting President or honorary delegate. At the Regional Councils or the Quebec Council, the installation ceremony may be performed by a national officer or the appropriate regional or Quebec director. At the Local Union level the ceremony may be performed by the outgoing Local Union President or National Representative.

The Installing Officer says:

“Give attention while I read to you the obligation: “Do you pledge on your honour to perform the duties of your respective offices as required by the Constitution of the Union and to bear true and faithful allegiance to Unifor. Do you pledge to promote a harassment and discrimination-free environment and work to ensure the human rights of all members are respected? Do you pledge to support, advance and carry out all official policies of the Union and to work tirelessly to advance and build the membership of our Union?”

Do you pledge to deliver all books, papers, and other property of the Union that may be in your possession at the end of your term to your successor in office, and at all times conduct yourself as becomes a member of this Union?”

Officers respond, “I do.”

The Installing Officer then says: “Your responsibilities are defined in the By-Laws, Constitution and policies of Unifor. Should any emergency arise not provided for in these, you are expected to act according to the dictates of common sense, guided by an earnest desire to advance the best interest of the Union. I trust you will all faithfully perform your duties so that you may gain the esteem of your brothers and sisters and the approval of your conscience.

“You will now assume your respective offices.”

## ARTICLE 22 - ADOPTION

These by-laws shall be adopted upon the approval of a 2/3 majority of the members voting upon their adoption in the membership meeting called for that purpose.

By-laws Adopted	<u>January 12, 1976.</u>
By-laws Amended	<u>June 1980.</u>
By-laws Amended	<u>June 1983.</u>
By-laws Amended	<u>March 13, 1995.</u>
By-laws Amended	<u>January 13, 1997.</u>
By-laws Amended	<u>June 8, 1998.</u>
By-laws Amended	<u>September 14, 1998.</u>
By-laws Amended	<u>April 9, 2001.</u>
By-laws Amended	<u>December 8, 2003.</u>
By-laws Amended	<u>April 12, 2004.</u>
By-laws Amended	<u>September 12, 2005.</u>

By-laws Amended	<u>May 10<sup>th</sup> 2010</u>
By-laws Amended	<u>Feb 8<sup>th</sup> 2016 (dues increase)</u>
By-laws Amended	<u>May 9<sup>th</sup> 2016</u>
By-laws Amended	<u>Oct 11<sup>th</sup> 2016</u>