

Constitution and By-Laws Canadian Office & Professional Employees Union Local 521

Revised National Convention June 2019

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Article 1-Constitution and By-Laws

The Constitution of this organization shall be the framework of the Constitution of the Canadian Office and Professional Employees Union and these By-Laws shall be in all respects subordinate to said Constitution and all applications and interpretation thereof.

Section 1:

(A) – Fiscal Year

The Fiscal Year of this Local Union shall begin on January 1st and end on December 31st.

(B) – Gender Clause

Wherever in these By-Laws the masculine gender is used, it shall also include the feminine.

Article 2- Name

This organization, located in Dryden, Ontario shall be known as the Canadian Office and Professional Employees Union Local 521. This Union shall be and remain a chartered Local Union of the Canadian Office and Professional Employees Union of the Canadian Labour Congress and COPE Ontario.

Article 3 - Existence

When any Local union ceases to represent employees of any employer in such a way that it affects its viability the National Union Executive Board may suspend the charter of such Local union and order it dissolved. Upon the dissolution of this Local union, all its properties and assets, including its funds, books and records, shall become the property of COPE Ontario in trust for a period of one (1) year, during which time such property shall be returned to this Local union if it is reconstituted. After such one (1) year period such properties and assets shall become the property of COPE Ontario, and the funds will be placed in COPE Ontario treasury to be used by COPE Ontario for its general purposes.

Article 4 - Jurisdiction

Section 1:

This Union shall have jurisdiction over all those persons employed in an office, all professional, technical, or paratechnical employees or employees or representatives, and all those persons working in a related area of work and over all those persons wishing to be represented by this Union.

Section 2:

Where no Council exists, the National Executive shall determine jurisdiction between Local Unions and settle all controversies respecting jurisdiction between Local Unions.

Article 5 - Membership

Section 1:

- (A) The signature of a membership application constitutes the undertaking to comply with the constitution of the National Union, Local Union and Council; membership shall be deemed accepted unless denied by the Executive Board of the Local Union for just and sufficient cause. An appeal of this decision is possible under the applicable procedure.
- (B) No person shall be admitted to membership who advocated principles or lends support to organizations or movements whose purposes and objectives are contrary to the policies of the National Union.

Section 2:

All officers and full-time paid organizers of the National Union shall be ex-officio members of this Union with the privilege of participating in this Union's meetings, but no voting; provided, however, such officers and organizers shall retain and may exercise full rights of participation in this Union if they hold membership in this Union.

Section 3:

Any member of this Union who secures employment under the jurisdiction of any other Union affiliated with the Canadian Labour Congress not under the jurisdiction of this National Union, who is thereby required to become a member of such other Union, may retain his/hers membership in this Union.

Section 4:

- (A) All members shall be good-standing members and entitled to participate fully as members in affairs of this Union until expelled, or suspended and not reinstated until such members have been issued withdrawal or transfer cards in accordance with the Constitution and By-Laws of this Union.
- (B) No member shall hold right, title or interest in the assets, funds and other property of the Local Union, Council or National Union.

Section 5:

Members who are retired may:

- (A) Elect to pay to the Local Union whatever per capita tax is required by the National Union in which instance they will be able to participate (attend) in all general meetings of this Union with voice but no vote, and be considered a non-active member (Article 4.4 National Constitution).
- (B) Elect to pay minimum dues as specified in the Local Unions Constitution and By-Laws in which instance they will be entitled to participate in all activities of the Union except hold Union Executive Office.

Section 6:

When an employer definitely shuts down operations governed by a certified bargaining unit held by a Local Union, or if the certificate is revoked while an Officer is in its employ, this Officer may continue to pay the regular monthly union dues until the end of his/her term.

Once his/her term has expired, this person may not be nominated to any office of the Local Union.

Article 6-Meetings

Section 1:

The General Membership Meeting shall be the governing body of this Local Union and shall establish its policies in accordance with this Constitution. The General Membership Meeting shall be the legitimate source of all authority. Regular meeting of the membership shall be held once a year in the month of May at a place designated by the Executive Board.

Section 2:

Unless it is otherwise stipulated, decisions are made by majority vote. No action of the membership shall be deemed valid or binding unless such action is taken by the membership at a regular or special meeting held pursuant to the provisions of this Constitution and By-Laws.

Section 3:

The Executive Board may call a special meeting of the Union if it deems such action necessary. Upon request to the President by not less than 5% of the members in good standing a special meeting may be held, but said meeting shall not take place on the day of adjournment of any regular meeting.

Section 4:

The Recording Secretary shall have notices posted of any special meeting, stating the purpose for such meeting, at least twenty-four (24) hours before it convenes. No other business shall be transacted at such special meeting.

Section 5:

- (A) Two (2%) percent of the members in good standing shall constitute a quorum for any regular meeting. No meeting shall be called to order unless such quorum is present.
- (B) Five (5%) percent of the members in good standing shall constitute a quorum for any special meeting. No meeting shall be called to order unless such quorum is present.

Section 6:

Only members fulfilling the requirements of this Constitution and By-Laws shall be eligible to attend meetings of this Union and to participate to the extent set forth in those articles: except that invited guests of the executive board or of this Union may attend and participate to the extent of the purpose for which they are invited, but shall not vote.

Section 7:

All committee members encouraged to attend general membership meetings.

Article 7 - Officers and Duties

Section 1

The Union shall have the following officers, **President, Vice-Presidents (1 from each Bargaining Unit), Treasurer, Recording Secretary, and three Trustees.**

Section 2:

President: The President shall perform the following duties:

- (A) The President or designate shall be the main spokesperson and officer of the Local Union or Council; it shall be the duty of the President to protect and promote its interests. Shall preside at all general membership meetings and Executive Board meetings; Shall preserve order during its deliberation; sign all cheques drawn on the treasury; appoint all committees not otherwise elected; transact such other business as may of right pertain to his office and which may be necessary to the proper functioning of this Union; and shall have such other powers and duties as are provided for in this Constitution and By-Laws. He shall be a member ex-officio of all committees.
- (B) The National Union shall be provided, upon request, of a copy of a concluded collective agreement.

Section 3

Vice-President: The Vice-President shall perform the following duties:

- (A) The Vice-Presidents shall perform the Duties of the President in the absence of that officer, and in case of resignation or death of the President, shall assume the duties of the President until such position is filled by the next regular election as provided for in this Constitution and By-Laws. He shall also preside when called upon by the President and at times when the President may be temporarily unable to discharge his duties. He may be authorized by the President to sign all cheques drawn on the treasury.
- (B) The Vice-President shall act as chairman of the trustees and is required to call semi-annual meetings of the Trustees. He shall have the right to require the presence of all necessary officers at such meetings including the Treasurer. He shall call the Trustees' meeting on a semi-annual basis at an agreed upon date.
- (C) It shall be the duty of the Vice-President to introduce all new members and visitors and initiate new members on an as needed basis.

Section 4

Treasurer: The Treasurer shall perform the following duties:

- (A) He/She shall keep all financial accounts of this Union and shall maintain correct and proper accounts of all its members. He/She shall collect all initiation and reinstatement fees, dues, assessments and fines from members of this Union. He/She shall make all disbursements for this Union as provided for in Article 12 of this Constitution and By-Laws. He/She shall keep a correct record of all monies received and expended and prepare financial statements by calendar months to be submitted to the Treasurer of the National Union monthly, and to the next regular membership meeting of the Local Union.
- (B) He/She shall deposit all funds of this Union in a bank recommended by the Trustees. He/She shall submit all his/her books and records to the Trustees for verification and

approval whenever called upon to do so, and upon the expiration of his/her term, turn over to his/her successor all properties, and assets, including funds, books, and records of this Union. He/She shall turn over all properties and assets, including funds, books and records, to the Treasurer of the National Union or his/her duly authorized representative when properly called upon to do so.

- (C) Where there are trustees, the Treasurer shall, upon request, submit to the trustees all books and records to the trustees including financial documents, invoices, original bank statements and other supporting documents.
- (D) The Treasurer shall remit to the COPE Ontario Treasurer all financial obligations owing to COPE Ontario not later than the fifteenth (15th) day of the following month to enable COPE Ontario to remit all the Local union financial obligations owing to the National Union. He/She shall follow such accounting and reporting procedures as shall be formulated by the Treasurer of the National Union. He/She shall be required to make monthly reports to the Treasurer of the National Union of all dues paying members on forms prescribed by the Treasurer of the National Union.
- (E) He shall be required to include in each monthly report the names and addresses of all newly initiated, transferred, reactivated and inactive members who have withdrawn, died or have been suspended, including members automatically suspended after three (3) months delinquency in dues.
- (F) The Treasurer shall submit to the National Secretary-Treasurer all relevant information pertaining to those bank accounts (name of the institution, full address, account number, ...). The Treasurer shall endeavor to deposit such funds in unionized financial institutions.

Section 5

Recording Secretary: The Recording Secretary shall perform the following duties:

- (A) The Recording Secretary shall keep the minutes of all meetings and proceedings of the Union and the Executive Board. A copy of all minutes will be kept by the Recording Secretary and past minutes will be in Union files kept by the President.
- (B) The Recording Secretary shall keep copies of all agreements
- (C) The Recording Secretary will provide the National President and the National Secretary-Treasurer with the names and contact information of all the Local Union Officers as well as any changes to that information.

Section 6 - Trustees: The Trustees shall perform the following duties:

No Trustee can sit on the Executive board.

The Trustees shall examine every cheque issued by this Union, shall verify all books, vouchers and other financial records of the Union, and shall report each such verification to the Union and to the Secretary-Treasurer of the National Union a minimum of every 6 months. The Trustees shall carry out the verification of all books and records.

Reasons for failure to concur shall be submitted to the Executive Board by the Chair of the Trustees. The Executive Board will make a determination subject to the approval of the membership.

In the event you cannot meet these requirement it may by exception obtain the authorization of the National Executive to have the Local Union's book verified in another fashion.

Article 8 - Executive Board

Section 1:

The Executive Board shall consist of the President, Vice-Presidents (1 from each Bargaining Unit), Treasurer, Recording Secretary. No Trustee can sit on the Executive Board.

Section 2:

Unless it is otherwise stipulated, decisions are made by majority vote. Each member of the Executive Board shall have one (1) vote.

Section 3:

Four (4) members of the Executive Board shall constitute a quorum, and such quorum shall have the power to transact all business of the Executive Board, regular meetings of the Executive Board shall be held each month among the executive board for the months of JANUARY, FEBRUARY, MARCH, APRIL, MAY, JUNE, SEPTEMBER, OCTOBER, NOVEMBER AND DECEMBER. Special meetings of the Executive Board may be called by the President, and must be called by him upon the request of a majority of the members of the Board. All members of the Board shall be given at least twenty-four (24) hours notification by the recording Secretary of any special meeting of the Board.

Section 4:

The Executive Board shall conduct affairs of the Local Union with this constitution as its guide. With this constitution as its guide, the Executive Board shall take all actions necessary to carry out the aims and objectives of the Local Union.

Section 5:

The Executive Board may, subject to approval of the membership engage legal counsel.

Section 6:

The executive Board shall authorize employment of such clerical assistance as it deems necessary for the proper conduct of the Unions business and shall determine the compensation for such employees subject to the approval of the membership.

Section 7:

Any officer or member of the EXECUTIVE Board as enumerated in Section 1 of this article who fails to attend three (3) successive regular Executive Board meetings without being excused from such attendance by the Executive Board, shall be deemed to have forfeited his office, and the Executive Board pursuant to Article 20 may appoint a successor for the balance of the unexpired term provided, however, that if the office of the President is thus declared vacant the Vice-President shall perform the duties of the President until such position is filled by an election as provided in Article 9.

Article 9 – Elections

Section 1:

It shall be the aim of the Union to elect to the Executive Board the most capable members of the various groups comprising the membership of the Union.

Section 2:

The officers and members of the Executive Board and standing committees shall be elected by the membership and shall hold office for a term of two (2) years and be elected by the membership for the above term.

Section 3:

The nomination shall be declared open at a special membership meeting to be held in the month of November. All persons nominated shall indicate their acceptance or declination for which single office they stand. Members who are unable to attend shall signify their intentions in writing to the Election Board at the meeting.

Section 4:

The elections shall take place during a special election meeting in December, with inauguration at a special January meeting. Results of the election will be posted once tabulated.

Section 5:

No member of this Union shall be permitted to vote unless he is in good standing in the Union.

Section 6:

No person shall be elected or appointed to an office or any other position within this Union unless they;

1. Have been a member of this Union in continuous good standing for at least the preceding twelve (12) months.
2. Has attended a minimum of fifty (50%) percent of the past years general membership meetings, except where excused from attendance by the Executive Board.

Section 7:

No member shall hold more than one of the offices specified in Article 7, section 1 at the same time.

Section 8:

The candidate(s) receiving the greatest number of votes cast for the respective offices shall be declared elected.

Section 9:

Votes for any members who are not duly nominated may not be counted by the Election Board.

Section 10:

No voting by proxy or mail ballots shall be allowed.

Section 11:

All officers and Executive Board members shall be inaugurated at a special membership meeting of the Union to be held in January and shall assume office immediately after such inauguration. Before entering upon the duties of their respective offices, the newly elected officers shall subscribe to the following installation obligation

I _____ do hereby sincerely pledge my word and honour to perform the duties assigned to me in the Local Union Constitution and ByLaws, to the best of my ability and with complete good faith to support, advance and carry out all official policies of the Local Union and to promote a harassment and discrimination free environment. I will at all times devote my efforts to further the aims, objectives and best interest of the Canadian Office and Professional Employees Union. I will also surrender all books, papers, electronic data and other property of this Local Union in my possession to my successor in office.

Article 10 – Election Board

Section 1

An Election Board of three (3) members shall be elected or appointed at the special election meeting in December. The Election Board shall have the right to appoint any clerical help required

Section 2:

The Election Board is charged with the duty of conducting the regular election of Officers and Executive Board members of the Union. It shall make such regulations and shall assure the members of a fair and honest election. Any candidate shall have the right to have an observer at the polls at the counting of the ballots.

Section 3:

The Election Board shall have the duty of enforcing the right to vote of the members and shall see that such right of franchise is not interfered with or hindered by anyone.

Section 4:

The Election Board shall examine the membership status of all members before permitting them to stand for office or vote, and shall compare the said status with lists to be supplied by the Secretary-Treasurer.

Section 5:

After an election has been held and the report of the election Board has been rendered, all election records and ballots shall be held for safekeeping for one month by the Election Board and subsequently be destroyed.

Section 6:

- (A) A recount may be ordered upon presentation of the Election Board of a petition signed by ten (10%) percent of the members of the Union in good standing. The petition must be presented to the Election Board within fourteen (14) days after the election, and this petition shall enumerate the reason why such 10% of members believe a recount should be held, it shall proceed to appoint a recount committee of disinterested members of the Union to conduct the recount. If the Election Board denies the petition, it shall make a report of its ruling to the next regular membership meeting. It shall require a majority vote of those present to reverse the Election Boards decision. Upon receipt of a recount petition the Chairperson or Election Board shall call a special meeting of the Election Board to consider such petition.
- (B) The installation of the newly elected Officers, trustees, and Executive Board members shall not be finalized until a disposition has been made on the petition for a recount and /or an actual recount.
- (C) If the membership meeting reverses the Election Board's decision, the matter shall revert to the Election Board and it will appoint a Recount Committee. No candidate elected or defeated shall be eligible for a membership on the Recount Committee but any candidate shall be permitted to attend all meetings of the recount Committee as an observer. The Committee shall report its findings to the membership at the next regular or special meeting. If the report of the committee declares that their tabulation shows that a defeated candidate has actually been the recipient of the greatest number of votes cast for that office, the candidate actually receiving the greatest number of votes shall be declared elected.

Article 11 – Finances

Section 1:

- (A) The regular dues of the membership of this Union shall be the amount per month approved by the membership and duly approved by the National Union.
- (B) The monthly Union dues shall be 1.85% of gross monthly earnings with the minimum monthly dues being \$10.00.
- (C) The initiation fee for the application for membership shall be \$15.00.

Section 2:

- (A) Any former member of a Union affiliated with the Canadian Labour Congress not under the jurisdiction of the National Union who accepts employment under the jurisdiction of this Union shall, if he/she so elects (providing that his/her former Union has a reciprocal plan of accepting withdrawal cards for Local Unions of the National Union in lieu of an initiation fee), upon application for membership and irrevocable surrender of an honorable withdrawal card or evidence of honorable termination of membership in those instances where Unions do not issue withdrawal cards, and upon payment of regular monthly dues, if accepted in this Union, be inducted into this Union without payment of any initiation fees (the Secretary-Treasurer of this Union to forward such evidence to the National Secretary-Treasurer in lieu of initiation fee on such application); and provide further, that

- (B) When, in the judgment of the President of the National Union, it shall be deemed by him/her to be in the best interest of the National Union to waive initiation or reinstatement fees in whole or in part in connection with any particular organizational campaign, the President of the National Union shall be empowered to waive such fees if this Union shall so request; and provided further, that
- (C) The Local Union Executive Board may reduce the initiation fees to not less than \$2.00 when the executive Board feels that such reduction would be in the best interest of the Union.

Section 3:

- (A) Any member who is more than three (3) months in arrears in dues shall be classified as a “suspended” member, and not in good standing, such suspended member must pay a reinstatement fee of \$25.00, together with all dues and postage costs, i.e.: stamps, registered letter fees. Up to and including the current month before he/she can regain good standing in the Union.
- (B) Any member with a past due account will be responsible for postage costs, i.e.: stamps registered letter fees.

Section 4:

- (A) All proposals for increases of dues must be presented to the executive Board. If the Executive Board approved such increase of dues, the motion shall be incorporated in its minutes, to be read at the next membership meeting. There can be no vote, or discussion on the subject of the dues increase at the meeting, but it shall be held over until the succeeding membership meeting. The meeting notices for the succeeding meeting shall contain a statement informing the members of the nature of the proposed and that a vote will be taken at the membership meeting. A majority vote, by secret ballot, shall be required to constitute acceptance of the proposed dues increase.
- (B) All assessments are subject to the approval of the President of the National Union in advance of being levied.

Article 12 - Use of Funds

Section 1:

The funds of this Local Union cannot be divided in any way among the individual members and can be utilized only for valid Union purpose.

Section 2

The general fund shall be used for the payment of expenses incurred by this Union, and as depository for its monies.

Section 3:

- (A) All disbursements shall be made by cheques drawn on the General Fund and shall be signed by either the President or one Vice-President designated by the executive to have signing authority for the Union and the Secretary-Treasurer.
- (B) Alternatively, disbursements may be made by electronic payment as long as it is secured and approved as if it were a cheque.

Section 4:

The per capita tax, initiation fees, reinstatement fees and other obligations owed by this Union to the National Union shall constitute a preferred claim and must be paid promptly by this Union each month prior to the payment of any other obligation of this Union.

Article 13 - Verification of Books

Section 1:

The Trustees shall examine every cheque issued by this Union, shall verify all books, vouchers and other financial records of the Union, and shall report each such verification to the Union and to the Secretary-Treasurer of the National Union a minimum of every 6 months. The Trustees shall carry out the verification of all books and records.

Section 2:

The Trustees shall prepare a report and submit same to the Executive Board. Following the submission of the Trustee's report to the Executive Board, the same shall be read at the next regular membership meeting.

Article 14 - Offences and Penalties

Section 1:

Any member may be penalized for committing any one or more of the following offences.

- (A) Publicizing or giving information about Union affairs to persons not entitled to such information.
- (B) Working for any employer against whom the Union has declared a strike or whom the Union declared to be unfair unless permission has been granted by proper officers of the Union.
- (C) Working for less than the rate of pay provided for by the contract with the Union.
- (D) Failure to appear before the Executive Board when ordered to do so.
- (E) Obtaining membership through fraudulent means, or by misrepresentation.
- (F) Violation of the oath of membership, or office if an officer.
- (G) Working in the interests of any organization or a dual union opposed to the interest of this Union.
- (H) Being present or entering a meeting of members of the Executive Board or General meeting while intoxicated, or disturbing the peace of any such meeting by creating or participating in disturbances, or of similar conduct in and about the headquarters of the Union.
- (I) Tampering with ballots, illegal voting, committing fraud, violence, coercion, or other conduct not included in the foregoing, which, in any matter interferes with a member's right of franchise.
- (J) Any acts of misconduct which is detrimental to the best interests of the Union or of conduct unbecoming a member of the Union or of violations of any of the provisions of the Constitution and By-Laws of this Union or of the Constitution of the National Union.
- (K) Causing or participating in a stoppage of work because of any alleged grievances or dispute without the authorization of the Union or proper officers.

Section 2:

Any member, who has been found guilty of any of the above offences or for violation of the National Union Constitution may be disciplined.

Article 15 - Discipline Procedure

Local Unions may discipline their members for violation of the National Constitution or the Local Union Constitution and/or ByLaws or for engaging in any activity or course of conduct which is deemed to be contrary or detrimental to the welfare or best interest of the Local Union. The Local Union shall follow the internal discipline procedure adopted by the National Executive.

Article 16 – Applicants

Section 1:

All applicants shall attend a general meeting and shall receive instruction relative to the Union Membership from a member of the Executive.

Section 2:

All action of approval or rejection of any applicant by the Executive is subject to review.

Section 3:

An applicant shall be deemed as having achieved membership upon the signing of authorization and payment of initiation fees and union dues.

Section 4:

No applicant shall be barred from membership in the union because of race, colour, creed or gender.

Section 5:

All applicants shall take the following oath:

I _____ pledge my honour before these witnesses to faithfully comply with the Constitution, laws, and all amendments thereto of Canadian Office and Professional Employees Union, Local 521, and the National Union.

Article 17 – Procedure at Meetings

Section 1:

The President of the Union or designate of the executive board shall act as Chairman at all regular or special meetings of the Membership and Executive Board. Except as otherwise provided in this Constitution and By-Laws, the latest edition of Bourinet's Rules of Order shall apply at all meetings of the Union.

Section 2:

It is provided further that any member requesting the floor from the Chairperson shall make request by stating his/her name.

Article 18 - Withdrawal, Transfer and Military Service Cards

Section 1:

Local Unions are authorized to issue withdrawal cards only to active members who, at the time of request for same, are in good standing with all obligations to the National Union and the Local Union paid, including the current month. Such cards shall be issued as follows:

- (A) A withdrawal card shall be issued by this Union to any member requesting same who is leaving the jurisdiction of the National Union.
- (B) Whenever any member is not in the employment of any employer who bargains with any Local Union or the National Union, the Local Union shall issue a withdrawal card to such member subject to the provisions of this section. This subsection shall not apply to any member who holds office in, or is employed by the National Union, any of its Local Unions or Councils, any federation or council of labour organization with whom the National Union or any of its Local Unions is affiliated, or any central body with whom any Local Union is affiliated, or to any member entitled to benefits under any health, welfare, or pension plan whose continued coverage is conditioned upon Union membership, or to any member who, in the regular course of employment has become retired, or to any unemployed member seeking dispatch to a Union job through the facilities of the Local Union.
- (C) A transfer card shall be issued by this Union to any member requesting same who is leaving the territorial jurisdiction of this Union but who intends to continue working within the trade under the jurisdiction of another Local Union of the National Union, and can be issued whether or not such member enters the territorial jurisdiction of another such Local Union of the National Union. No transfer card shall be effective for a greater period than ninety (90) days.

Section 2:

Upon a deposit of a withdrawal or transfer card, eligibility to vote or to run for office shall be the same as provided for in Article 5 and 9 governing the rights and privileges of members.

Section 3:

Any person bearing a withdrawal card or transfer card shall not be entitled to participate in the operation of the Union. A person bearing a withdrawal or transfer card who has complied with the conditions of same, shall, upon resuming and commencing work within the jurisdiction of this Union, may deposit such card and shall be admitted to membership in this Union without the payment of any initiation or transfer fees.

Section 4:

Withdrawal and transfer cards shall be issued by the Secretary-Treasurer of this Union, and monthly reports of all such cards issued, deposited or cancelled shall be made to the Secretary-Treasurer of the National Union.

Section 5:

Members entering the armed services of Canada, during emergency periods as determined by the Executive Board of the Local Union and who are in good standing with all obligations to the National Union and this Union paid, including the month in which they entered the armed service, shall be issued military service cards which shall continue their membership without the payment of dues or other fees for the period of the service required by such emergency periods and for an additional ninety (90) day period or until they again resume work within the jurisdiction of this Union, whichever occurs first, except that such persons shall only accrue rights to benefits of the extent determined by this Union.

Article 19 – Strikes

No Local Union shall call a strike against an employer, or employers, unless the members of the Local Union employed by such employer or employers by a majority vote of those present at a meeting called for this purpose so authorized by secret ballot. Commencing a strike shall not be construed as approval, ratification, or participation by the National Union in any particular activity of the Local Union involving such strike and shall imply no more than that such strike is not contrary to the best interest of the National Union, its Local Unions and its members. The role of the President shall be to ensure that strike voting procedures are in conformity with the Constitution and applicable laws.

The National President shall be informed of all strikes by any Local Union before they are called.

Article 20 - Vacancies in Office

Section 1:

Any vacancy of an officer other than that of the President (see Article 7, Section 3) will be filled by an election. In the event there are no nominees, the Executive Board by a majority decision shall be empowered to fill the balance of the unexpired term.

Section 2:

Vacancy shall be defined as resignation, death, and retirement from active employment from a position covered by the bargaining unit or removal from office.

Article 21 – Committees

Section 1:

The following shall be standing committees

- A) Committees of Local 521
 - (a) Constitution and By-Laws
 - (b) Bursary
- B) Committees of Individual Bargaining Unit of Local 521
 - (c) Negotiation/Grievance
 - (d) Labour/Management
 - (e) Health and Safety
 - (f) Job Evaluation
 - (g) Health and Welfare

The Union may institute such other committees, from time to time and on an ad hoc basis, as it deems necessary.

Section 2:

The committees of Local 521 shall be elected from the Union membership at large by a plurality of votes.

The Individual Bargaining Units of Local 521 Committees shall be elected by each Unit prior to the general election at a meeting of their members. Selections for the Committees will be sanctioned at the General Election.

Section 3:

- (A) Each committee shall elect a chairman from the members of that committee and a chairman shall act as the committee spokesman. The members of each committee may add to their committee such other person, from the Union membership at large, as are deemed necessary.
- (B) In establishing other committees, the duties of the committee, the extent of its authority and the permissible amount of expenditures that may be made by such committee must be made part of the minutes.
- (C) All standing committees shall not be permitted to exercise functions belonging to other committees or boards. All committees shall present their recommendations, including expenditures to the Executive Board who in turn will present the report to the membership for their approval or rejection.

Section 4: Committee Functions

- (A) Constitution and By-Laws: The Committee shall consist of no less than four members to be elected at large. This Committee shall meet bi-annually to revise, add to and update the present by-laws as deemed necessary.

- (B) Bursary Committee: The Committee shall consist of at least three members to be appointed at large. The committee shall distribute and review application forms. They shall then make their decision regarding the recipients of these awards.
- (C) Negotiations/Grievance Committee: It shall be the duty and responsibility of the Negotiations/Grievance Committee to negotiate a Collective Agreement, or amendments thereto, with the employer. It shall be the further duty and responsibility of the Negotiations/Grievance Committee to police the Agreement throughout its duration and ensure that the membership receive advice and council with regard to the Agreement and receive all the benefits to which they are entitled by membership in the Union. It shall be the further duty and responsibility of the Negotiations/Grievance Committee to process all grievances arising out of a violation, or an alleged violation of the Agreement. In the event that a grievance is not resolved at the last step within the place of employment, the Negotiations/Grievance Committee shall take the necessary action to bring the grievance before a Settlement Officer **or Arbitrator**. The Chair of the Negotiation/Grievance Committee shall present the merits of the case at the next Executive Board Meeting and prior to applying for an Arbitrator or Arbitration Board the Chair of the Negotiation/Grievance Committee shall seek the approval of the Executive Board to do so. Approval must also be sought before legal council is engaged. If the Negotiation/Grievance Committee deems a grievance to have insufficient merit to proceed and the griever wishes to proceed the Chair of the Negotiation/Grievance Committee shall seek the membership decision at the next regular General Meeting in regards to the grievance. If no General Meeting is scheduled within the grievance time frame a Special Meeting will be called.
- (D) Labour/Management: The Committee in each bargaining unit shall consist of a maximum of four members. The Committee shall meet with equal management representation. The Committee shall consider constructive criticisms
- (E) Health and Safety: Each bargaining unit shall put in place a committee to maintain health and safety in the workplace.
- (F) Job Evaluations: Each bargaining unit shall put in place a committee to evaluate new and existing job classification when changes occur.
- (G) Health and Welfare: Each bargaining unit shall put in place a Health and Welfare Committee. In the event of an extended period of illness for a minimum duration of seven (7) days, a gift will be sent to the employee under the following criteria; one (1) \$25.00 gift card per employee per calendar year. In the event of the passing of an active member, a donation of the family's choice will be made in the amount \$75.00. In the event of bereavement in the employee's immediate family, a \$25.00 donation will be made to a charity of choice. Immediate family includes the following persons only; Spouse, Common Law, Child/Step Child, Parent/Step Parent, Brother, Sister, Grandfather, Grandmother, Mother in law, Father in law.

Note: Article 21: Section 4; Part B to G are subject to Article 21: Section 3 (C)

Article 22 - Affiliation and Delegates

Section 1:

This Union shall hold membership of COPE Ontario.

Section 2:

This Union may be affiliated with central labour organizations, councils, departments of federations chartered by or affiliated with the Canadian Labour Congress and/or the Canadian Office & Professional Employees Union.

Section 3:

Delegates to the aforesaid central labour organization, councils, departments or federations shall be elected by vote of the membership at a regular meeting of the Union. If funds permit, the Local Union may send a delegate/delegates to conventions of the aforesaid labour organizations, councils, departments or federations. These delegates shall be elected by vote of the membership at a regular meeting of this Union.

Section 4:

Each delegate to a convention of the Canadian Office & Professional Employees Union must have been in continuous good standing in the Local Union for at least twelve (12) months prior to the convention call. Each delegate shall be elected by a secret ballot vote of the Local Union, if necessary, and must have attended at least fifty percent (50%) of the General Membership Meetings for that twelve (12) month period prior to the election date.

Section 5:

Delegates shall attend the meetings or sessions of the body or assembly to which they have been delegated, faithfully represent this Union and protect its interest, and properly present the support of its declared policies and instructions. Each delegate shall report in writing to this Union the day by day proceedings of the organization to which they were delegates and perform such other duties as pertain to their office.

Section 6:

The requirements of Article 22, Section 4 and 5 shall also apply to conferences.

Article 23 - National Constitution

23.1 The Constitution of the National Union shall be the paramount law applying to the government of this Union, and all provisions of said National Union Constitution insofar as the same are or may be applicable to the affairs and activities of this Union are hereby, by reference thereto, incorporated into and made part of this Constitution and By-Laws, and any provisions contained herein which are contrary or in conflict with the provision of the National Union Constitution shall be inoperative and of no effect.

23.2 Any amendment to the National Constitution affecting a Local union or a Council shall automatically be included in the Constitutions and bylaws of the Local Union or Council unless the National President approve otherwise.

Article 24 – Amendments

Section 1:

A proposed amendment to this Constitution may be introduced by the Executive Board or by a petition containing the proposed amendment which has been signed by at least 10% of the members in good standing.

Section 2:

The Executive Board shall include the proposed amendment in its minutes to be read at the next Membership Meeting or at Special Meeting. There can be no vote or discussion on the subject of the amendment at that meeting, but shall be held over until the next succeeding Membership Meeting or Special Meeting.

Section 3:

The meeting notice for the succeeding meeting shall contain a statement informing the members of the nature of the proposed amendment and that a vote will take place at said meeting. A vote of two-thirds (2/3) of the members voting shall be required to constitute acceptance of the proposed amendment to the Constitution and By-Laws except as provided in Article 11, Section 4 (A) herein.

Section 4:

No amendment to this Constitution and By-Laws shall take effect until the approval of the President of the National Union has been secured.

Article 25 – Procedure for Initiation of Members

It is desirable that candidates for membership shall have received instructions prior to the presentation for initiation. Such instruction may be given immediately preceding a regular meeting or in a special class for that purpose; and may include a brief resume of labour history with special emphasis on the development of our National Union, functioning of the Local Union - including meeting procedure, an explanation of present Union agreements - outlining the various benefits obtained for our membership through these agreements together with obligations devolving on the membership, and our relationship with other trade union organizations and general trade union policies.

At the proper point in the order of business, the Vice-President should report the names (and other information considered desirable) of the candidates.

And then the Vice-President shall request the members to stand and then shall say:

It is my duty to inform you that the Canadian Office & Professional Employees Union requires perfect freedom of inclination in every candidate applying for membership in this organization. An obligation of fidelity is required; but let me assure you that in this obligation there is nothing contrary to your civil or religious duties. With this understanding, are you willing to take such an obligation?

(Sufficient pause for answer)

I, pledge my honour before these witnesses to faithfully comply with the Constitution, laws and all amendments thereto of the Canadian Office & Professional Employees Union, Local 521, and of the Canadian Office & Professional Employees Union.

You are now members of Canadian Office & Professional Employees Union, Local 521, and I give you my right hand in full acknowledgment thereof. As members of this Union you are entitled to participate fully in all of its proceedings.

New members will be greeted by a round of applause, it is suggested that this be done while they are being seated.

Article 26 – Installation of Local Union Officers

The newly elected officers shall present themselves before the installing officer who will administer the following obligation:

I,....., do hereby sincerely pledge my word and honour to perform the duties assigned to me in the Local Union Constitution and ByLaws, to the best of my ability and with complete good faith to support, advance and carry out all official policies of the Local Union and to promote a harassment and discrimination free environment. I will at all times devote my efforts to further the aims, objectives and best interest of the Canadian Office and Professional Employees Union. I will also surrender all books, papers and other property of this Local Union in my possession to my successor in office.

You will now proceed to your respective stations, and perform the duties devolving upon you.

Article 27 – Operating Rules and Regulations

Item 1: Expenses – Executive

Effective 2021 revised approval rates.

Section 1:

The President shall receive \$200.00 per month for incidental expenses incurred.

Section 2:

The Vice- Presidents shall receive \$170.00 per month for incidental expenses incurred.

Section 3:

The Secretary-Treasurer shall receive \$170.00 per month for incidental expenses incurred.

Section 4:

The Recording Secretary shall receive \$90.00 per month for incidental expenses incurred

Section 5:

Trustees shall receive \$30.00 per Audit for incidental expenses incurred.

Section 6:

Executive Boards members shall receive \$20.00 per special, for incidental expenses.

Section 7:

Executive Board members incidental expenses will be increased at the same rate or negotiated wage increases with collective bargaining. Lump sum wage increases will be adjusted accordingly to a percent value based upon the Dietary Aide, Laundry Aide basic wage band.

Item 2: Expenses – Delegates and Committee

Per kilometer where applicable.

Section 1:

- (A) Compensation of any member performing services under the direction of the Local shall be paid an amount for lost time equal to his or her regular earning capacity.
- (B) Any member required by the Local to perform away from their community of residence shall be allowed .45 cents per kilometer where applicable. If more than one delegate is attending Union business and he/she chooses not to share the mode of transportation, they will not receive mileage. Bus fare only will apply. Vice Presidents residing in Sioux Lookout, Red Lake or Kenora area will be allowed 0.45 cents per kilometer to attend the regular meetings.
- (C) Compensation for out of town conventions/conferences expenses shall be \$75.00 per day. Accommodation rate shall coincide with the rate at the convention/conference hotel and receipts shall be supplied.
- (D) Donations are the obligation of the member giving same.
- (E) Delegates to union conferences and educational sessions in Dryden will be allowed \$20.00 per day expenses, if approved by the Executive Board.
- (F) Negotiation/Grievance Committee expenses shall be paid \$20.00 for breakfast, \$25.00 for lunch and \$30.00 for dinner per committee member. Members will be paid Ontario minimum wage per hour for hours not compensated by daily wages.
- (G) Members serving on a working committee will be paid Ontario minimum wage per hour for hours not compensated by daily wages. Exemptions – any meetings held during working hours, committee meetings not authorized by the Executive, meetings less than one hour in duration.

(H) Expense forms with appropriate receipts must be completed and submitted to the Secretary-Treasurer within ten days of returning from the convention or educational session.

Item 3: Disbursements

The Executive Board shall have the authority to make disbursements of the Local Union funds, but not to exceed \$200.00 in any single disbursement or transaction. They shall have the authority to direct payment by cheque of all ordinary bills and Expenses.

Charitable donations cannot exceed \$25.00 without Executive Board's authorization.

Any member who retires after a minimum of 5 years of service will receive a cheque for \$100.00. For each additional year of service an additional \$10.00 will be added to this amount.