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BY-LAWS FOR

UNIFOR

LOCAL 42

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These By-Laws Adopted:

February 1995

June 1997

November 1997

March 1998

April 2000

September 2007

ARTICLE 1 – NAME

This Local shall be known as Unifor Local 42, consisting of Bell Craft and Services, Expertech and Bell Technical Solutions.

ARTICLE 2- JURISDICTION

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

ARTICLE 3 – OBJECTIVES

The objectives of Local 42 shall be to represent and serve the workers within its jurisdiction in accordance with the By-laws and Rules of the Local. The Constitution of this Local Union shall be the Constitution of the National Union, Unifor, and these By-laws shall be in all respects subordinate to said Constitution and all applications and interpretations thereof.

Article 15,A,5 of the Constitution: The objectives of the Local Union include the regulation of labour relations and collective bargaining between employers and employees.

ARTICLE 4 – LOCAL STRUCTURE

The structure of the Local shall consist of the following:

1-Membership

2-Executive

3-Officers

4-Committees

5-Stewards

ARTICLE 5 – MEMBERSHIP

Section 1 – Eligibility

The Local Union shall be composed of workers eligible for membership in Unifor, over whom the Local Union has jurisdiction.

Each member in good standing of this Local Union has the right to nominate and vote, express opinions on all subjects before the Local Union, to attend all membership meetings and express views, arguments and opinions on all matters and business, including candidates for office, properly before the meeting; to meet and assemble freely with other members and generally, to participate in the activities of the Local Union in a responsible manner consistent with good conscience in order to present and discuss factually and honestly the issues upon which the membership must base its decisions. These rights shall at all times be subject to the rules of procedure governing meetings and other uniform rules and regulations contained in the Constitution, By-laws and other official rules of the Local Union.

A member in exercising the foregoing rights and privileges shall not take any irresponsible action which would tend to jeopardize or destroy, or be detrimental to, either the Local or National Union as organizations, or their free democratic heritage, or which would interfere with the performance by this Local Union or the National Union of its legal or contractual obligations as a collective bargaining agent, or interfere with the legal or contractual obligations of this Local Union as an affiliate of the National Union.

Violation, or abuse of these rights and privileges of membership, or engaging in conduct prohibited by this section, may be grounds for the commencement of a charge against a member pursuant to Article 18 of the National Union Constitution.

The membership shall strive to obtain the objectives set forth in the Constitution and additional objectives as established as the policy of the National Union; to maintain free relations with other organizations; to do all in its power to strengthen and promote the labour movement; to co-operate with National Board Members, the National Representatives and help promote organizational activities.

Section 2 – Responsibility

It shall be the responsibility of each member in this Local Union to insure that the Local office has their correct name and contact information on file and any corrections shall be forwarded to the office through the steward concerned.

**~~Section 3 – Transfers~~**

**~~The transfers 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. DELETE SECTION 3.!!!!~~**

ARTICLE 6 – LOCAL DUES AND ASSESSMENTS.

Section 1 – Local Dues.

Local dues at minimum must be consistent with Article 15,G and Article 16 of the Constitution. Local dues amendments or Special Assessments must be made in the same manner as all other Bylaw amendments and utilize the Bylaw amendment process as set out later on in these Bylaws.

Each member of the Local shall pay dues in an amount determined by a majority of those voting on the question by secret ballot Referendum, or by majority secret ballot vote in a meeting where a quorum is present, if the question has been advertised on the Local’s website or union bulletin board seven (7) days in advance of the meeting. Membership dues may be changed by the foregoing procedures.

Section 2 – Local Special Assessments.

The affairs of this Local may require a special assessment. That assessment will only be levied in the same manner as provided for changing Local dues. However, any special assessments levied shall be in compliance with the National Union Constitution.

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 actions taken in membership meetings or by referendum of the membership.

b- Through actions and decisions of the Executive Board between membership meetings.

c-The actions and decisions of the Executive Board and Officers of the Local between meetings may be overruled by the membership at the next membership meeting or by referendum.

Section 2 – Executive Board.

The Local Executive Board shall consist of the following:

President, Vice President, Secretary, Treasurer, and three (3) Chief Steward Unit Chairs, one (1) from each Bargaining Unit.

ARTICLE 8 – LOCAL MEETINGS

General membership meetings must be held at least once every three months(this can not be four meetings in a row). Regular meetings of the Local shall be held a minimum of four (4) times each year on the 4th Thursday of the month, subject to change with fifteen (15) days notice by Executive Board , if need arises. Special meetings may be called by a majority vote of the Local Officers, 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.

ARTICLE 9 – LOCAL DELEGATES TO NATIONAL CONVENTION AND COUNCILS

a- All delegates must be elected by the membership. When elections occur, the members running for Officer can also run for a delegate position at the same time. The President (if elected) shall be the Head of the Delegation and the first delegate to all Unifor, CLC, and Affiliated or subsidiary body conventions or councils. In the event the Local is entitled to more than one delegate, the Local Executive Board will determine the number of delegates to attend.

b- **~~The other delegates will be chosen from the remaining executive members. CHANGE TO:~~** All delegates must be elected.

**~~c- To be eligible as a delegate, the member must be an active participant in the Local, attending at least 50% of membership meetings.DELETE~~**

ARTICLE 10 – LOCAL COMMITTEES

a- The Local may have the following, but not limited to, regular committees as per the Unifor National Constitution, Article 15, section D

1. Education Committee

2. Election Committee

3. Organizing Committee

4. Legislative Committee

5. Membership Committee

6. Social Committee

**7. ~~Audit Committee DELETE~~** Trustees are elected by the general membership of the local.

b- Members of all Committees shall be appointed by a majority vote of the Local Executive Board, with the exception of the elections committee who will be elected at a membership meeting. Subject to the right of the membership to overrule such appointments at the next membership meeting. Committees shall have at least one representative of each bargaining unit if available.

c- Vacancies on committees shall be filled in the same manner as the original appointment.

d- A member of a local committee may be removed by a majority vote of the Local Executive Board, subject of the membership to overrule such decision at next membership meeting. A Committee member may also be removed by action of the Local in a Membership meeting.

e- Duties of Committees;

1. Education Committee shall assist in developing the Local’s educational program and with the Local Officers, be responsible for effectuating the Union’s and the Local’s educational program.

2. Elections Committee, as elected by the general membership, shall conduct all nominations , elections and referenda of this Local. This committee shall have 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 Committee shall also conduct any referendum submitted to the membership. A member shall not be permitted to serve on the Committee if they are a candidate for any office of the Local. The Elections 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. The Election Committee must follow the Constitution, Policy Regarding Local Union Elections and the Local Bylaws. (Policy C-001). Appeals of any Election commence at the Local starting with the Election Committee, then the next General Membership Meeting and can be appealed under Article 18, B of the Constitution following the mandatory time limits and guidelines.

3. Organizing Committee shall assist the Local Officers and members in organizing all non-union employees within the locals jurisdiction.

4. Legislative Committee shall assist in developing and pursuing the program of the Union and the Local in the legislative field.

5. Membership Committee shall accept or reject membership applications in accordance with the by-laws and rules of this Local and **~~article five (5) of the National Constitution.CHANGE TO;~~** Article 5 of the Unifor Constitution.

6. Social Committee shall assist in planning of all social activities of the Local and making recommendations.

**7. ~~Audit Committee shall assist the Local Officers in auditing the accounts of the Local and making recommendations at Local Membership meetings. Delete.~~** Trustees, properly elected by the membership or an outside independent Chartered Accountant. See Article 15, Section H, Unifor Constitution.

ARTICLE 11 – 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-Reading and action on minutes of previous meeting

4-Report of Officers

5-Report of Committees

6-Unfinished business

7-New business

8-Good and welfare

9-Adjournment

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

ARTICLE 12 – LOCAL OFFICERS, STEWARDS AND THEIR DUTIES.

Section 1- Local Officers and members of the Executive Board shall be elected every three (3) years and shall hold office until their successors are elected and installed.

a- The Officers of the Local shall be:

1.Local President

2.Local Vice President

3.Local Secretary

4.Local Treasurer

5.Chief Steward/ Unit Chair. One from each bargaining unit.

b- The duties of Local Executive officers are described in the **~~Nation-DELETE~~** Unifor Constitution, article 15. In addition, but not limited to;

1. The President will **~~also Prosecute grievances and appeal them to higher levels of the Union when not satisfactorily settled.DELETE~~** oversee all committees except the Elections Committee.

2. The Vice President will also perform whatever duties may be assigned to him by the Local, Local Executive Board or the Local President.

3. The Secretary will also perform whatever duties may be assigned to him by the Local, Local Executive Board or the Local President.

4. The Treasurer will also perform whatever duties may be assigned to him by the Local, Local Executive Board or the Local President.

Section 2- The Chief Stewards shall:

a- Familiarize all Stewards with the provisions of the appropriate collective bargaining agreement and thoroughly investigate all grievances.

b-Chair their Local Grievance Committee.

c- Perform whatever duties may be assigned to him by the Local President or Local Executive Board.

Section 3- Local Stewards

a- Stewards shall be elected by the group of members they will represent, as per the CBA’s , however where the members fail to elect a Steward(s) , the Local President may appoint one, subject to the right of the Local Membership to overrule such appointment.

b- The Duties of Local Stewards shall be as follows;

1- Become familiar with their CBA. And thoroughly investigate all grievances coming within their jurisdiction.

2-To follow direction of their Chief Steward in regards to their grievance handling.

3- Assist their Chief Steward as needed.

4- Deliver all books, papers and other property of the Local at the end of your term or as requested.

Section 4- Health and Safety Representatives

a- Represent the members of their bargaining unit at health and safety meetings.

b- Serve as a liaison between the units, the full time health and safety representative and the National Union.

c- Perform whatever duties may be assigned to him by the Local, Local Executive Board or the Local President.

Section 5- Any Steward or Officer , who accepts a temporary management position, shall immediately resign their position, **~~and may not be elected or appointed for a minimum period of one year.DELETE~~**

ARTICLE 13- 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 or the Union Constitution do not clearly apply, Bourinot’s Rules of Order shall govern.

b- The quorum of a General Membership Meeting will consist of a minimum of 3 Executive members and 1 additional member.

c- A majority of the **~~Officers -DELETE~~** Executive Board or majority of the members of the committee shall constitute a quorum for those bodies.

d- On questions pertaining to a particular bargaining unit, only those members of that bargaining unit may vote on the issue. Bargaining Caucus delegates shall be elected by their respective bargaining unit.

ARTICLE 14 – NOMINATIONS AND ELECTIONS

Section 1- Nominations

a- Local officers shall be nominated in the month of October of the election year, as per the constitution of the Union.

b- Members can only accept a nomination for one position within the Local

Section 2 – Elections

Elections of Local Officers will take place in the month of November of the election year in accordance to Article 15, Section B, Paragraph 5 of the National Constitution.

Section 3- Local Election Committee

a- This Committee as elected by the membership in a secret ballot shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the **~~Union-DELETE~~** Unifor Constitution, and these By-Laws, with reasonable opportunity for each member to nominate and vote for the candidate of their choice. The Election Committee must follow the Constitution, Policy Regarding Local Union Elections and the Local Bylaws.

b- The Elections Committee shall also conduct any referenda submitted to the membership.

c- A member shall not be permitted to serve on the Elections Committee if they are a candidate in any election.

d- All questions concerning the conduct and challenge of elections shall be determined by the Elections Committee, subject to the right of appeal to governing board or membership of the Local. See Unifor policy C-001 and Article 18, B

Section 4- General Provisions

a- The nominee in any election receiving the majority of the votes cast shall be declared elected. If no 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.

b- Only members of the Local in good standing shall be eligible to vote or hold office.

c- Proxy or write in votes will not be counted.

d- The term of office shall be three (3) years.

e- The Officers shall take office the first (1st) of January.

Section 5- Vacancies

**~~A vacancy in the Office of Local President shall be filled by the Vice President on a temporary basis lasting no longer than four (4) months until an election for President can be conducted in accordance with Article 15 of the National Constitution. Vacancies in other offices shall be filled in the same manner as that required for regular elections and within 60 days of vacancy in accordance with Article 15 of the National Constitution.-DELETE.~~**

All vacancies in Local Union offices, except Local President, must be filled promptly by election. The Election Committee, in consultation with the Local Union Executive will set the date, time and place for the election. The Local Union may use other means to fill the vacancies until the election.

If the Local President’s office is vacant, the Vice-President will fill the vacancy for the balance of the term. If there is more than one Vice-President, the Local Union Bylaws must establish a fair procedure for determining which Vice-President will fill the vacancy.

ARTICLE 15- CHARGES, TRIALS AND APPEALS

Section 1- Charges

a- **~~Members of this Local may be fined, suspended or expelled, in the manner provided in these By-laws, for any of the acts enumerated in Article 18 of the National Constitution~~**~~-~~**~~DELETE~~**~~.~~ The start of any Charges are at the local- see Unifor Constitution, Article 18, C. The Local is to make sure the charges are proper and timely.

**~~b- Members performing acting or temporary management work for the employer after the respective Collective Agreement has expired, may also be fined, suspended or expelled~~**~~.~~**~~-DELETE (this was old language in our bylaws, covered by our CBA now)~~**

Section 2- Trials

**~~Any accused member, including Officers, of the Local shall be tried -DELETE~~** Covered 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 Disciplinary Committee~~****~~may appeal~~** ~~-~~**~~DELETE~~** as provided by Article 18 of the Unifor National Constitution.

**~~Section 4- Disciplinary Committee~~**

**~~A Disciplinary Committee of this Local shall be composed of three (3) members of this Local and are not parties to the proceedings, and who shall be selected by the President of the Local. In the President’s absence, inability to act in a case of conflict of interest, the person designated by the Local Union Executive Board shall appoint the Disciplinary Committee.-DELETE~~**

ARTICLE 16- AMENDMENTS TO LOCAL BY-LAWS

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

**~~a- By majority vote of the members present in a Local membership meeting, if the proposed amendment has been introduced at a previous meeting and has been advertised on the Local’s website for at least ten (10) days in advance of the meeting.~~**

**~~b- In lieu of being introduced at a previous meeting, with at least ten (10) of being on Local’s website, by a 2/3 majority vote.~~**

**~~c- Notwithstanding articles (a) and (b) any proposed By-law amendments shall be considered without notice if it has received unanimous consent by the members present at a Local meeting.~~**

**~~d- Referendum of the membership~~**

**~~e- Amendments to existing By-laws, or new By-laws must be submitted to the National Executive Board for approval.~~**

**~~(note: if it is necessary to amend the by-laws to increase dues, the amendment may be by secret ballot or by referendum)-DELETE~~**

These By-Laws may be amended by presenting a motion in writing setting forth the amendments sought to a membership meeting. The motion shall be read to that meeting and referred to the Constitution and By-Laws Committee which will report to the succeeding membership meeting, the notice of which must contain a notice of the particular By-Law amendments that will be considered.

If approved by two-thirds of the membership vote thereon at this succeeding meeting, the amendment shall be considered adopted by the membership.

Amendments to existing By-Laws, or new By-Laws must be submitted to the National Executive Board for approval. The amendments, or new By-Laws are not effective until approved by the National Executive Board.

When submitting By-Law amendments to the National Union, Locals are required to provide a cover letter indicating such amendments were approved as per the above and the dates the meetings took place. All amendments must be clearly marked (amendments in colour, deletions in colour with strikethroughs).

ARTICLE 17- REFERENDUM OF THE LOCAL.

a- The Local Election Committee shall submit any question to a referendum of the membership when directed to do so by action of a regular or special membership meeting.

b- Questions submitted to referendum shall be determined by a majority vote of those voting on the question.

ARTICLE 18- FISCAL YEAR AND AUDIT

a- The fiscal year of this Local shall be January 1st of each year to and including December 31st of the same year.

b-The financial records of the this Local shall be audited quarterly by the **~~Audit Committee-DELETE~~** Trustees of this Local as per Article 15 Section H of the Unifor National Constitution.

c- The results of the audit will be announced at the next Local meeting and shall be made available for the inspection of any member of the Local.

ARTICLE 19- OATH OF OFFICE

Each elected Officer of the Local, after meeting other qualifications, shall be duly installed upon taking the Oath of Office in Article 24 of the Unifor ~~National~~ Constitution.

**~~ARTICLE 20- ADOPTION~~**

**~~These By-Laws shall be adopted upon the approval of a majority of the members voting upon their adoption in the membership meeting called for that purpose-DELETE~~**~~.~~

ARTICLE 20- PER DIEM AND EXPENSES

a-The Local shall reimburse any member of the Local for any out of pocket expenses incurred on behalf of the Local while performing duties assigned by the Local.

b- The member will be paid the per diem and mileage as set by the Unifor National Union.

ARTICLE ~~22~~21- CHILD CARE EXPENSES

The Local shall reimburse any member of the Local for receipted child care expenses incurred on behalf of the Local while performing duties assigned by the Local.

ARTICLE ~~23~~22- EXPENDITURES

a- At the membership meeting if a member moves an expenditure from the floor in excess of five hundred dollars ($500), the expenditure must be posted on the Local website for the Local membership to see for thirty (30) days and then to be voted on at the next membership meeting.

These By-laws Adopted:

February 1995

June 1997

November 1997

March 1998

April 2000

September 2007