

**BY-LAWS
OF
UNIFOR THE UNION
LOCAL 28-0**

Approved by the Membership on October 27, 2015



BY-LAWS
OF
UNIFOR the UNION
LOCAL 28-0

PREAMBLE

It shall be the object of the UNIFOR the UNION, Local 28-0 to establish and maintain collective bargaining for the benefit of the workers within its jurisdiction and to conduct a never-ceasing effort to secure just compensation for the workers, reasonable hours of work and working conditions conducive to safety, good health and full enjoyment of life.

It shall be the further object of the UNIFOR the UNION, Local 28-0 to represent the workers within its jurisdiction relating to local matters, to actively implement all union programs and policies. This local also agrees to abide by these By-Laws, the decisions of the Convention and the National Executive Board of the Union.

Local 28-0 agrees to be bound by these By-Laws and by the National Constitution of the UNIFOR the UNION of Canada. If the By-Laws of Local 28-0 are inconsistent with the Constitution and By-Laws of the National Union, Local 28-0 agrees to repeal, amend or modify their by-laws to the extent of any inconsistency.

TABLE OF CONTENTS

ARTICLE	SUBJECT	PAGE NO.
1.	Name, Organization and Jurisdiction	4
2.	Membership	5
3.	Meetings	6
4.	Officers and Their Duties	8
5.	Honorariums	10
6.	Executive Committee	11
7.	Committees and Duties	13
8.	Eligibility to Hold Office	15
9.	Nomination, Election, Installation	16
10.	Shop Stewards	18
11.	Distribution of Funds	19
12.	General Laws	20
13.	Amendments	22
14.	Final Authority	23

ARTICLE 1

NAME, ORGANIZATION AND JURISDICTION

- 1.01 The name of this organization shall be, UNIFOR the UNION, Local 28-0, and shall hereinafter be referred to as the "Local".
- 1.02 This Local has been organized and established and exists by virtue of a Charter, issued by the UNIFOR the UNION of Canada, hereinafter called the "National" and pursuant to the Constitution of the National.
- 1.03 The jurisdiction of the Local, shall be as provided in and as determined pursuant to the Constitution and By-Laws of the National.
- 1.04 Whenever words signifying the masculine gender are used in these By-Laws, they shall be deemed to include the feminine as well.

ARTICLE 2

MEMBERSHIP

- 2.01 Any worker who satisfies the requirements in the Constitution of the National and the By-Laws of the Local, is eligible to be a member.
- 2.02 The membership initiation fee shall be \$0. Such initiation fee may be increased by the Executive Committee of the Local in individual cases or in special organizing drives.
- 2.03 The membership initiation fee of \$0 shall be accompanied by an application for membership.
- 2.04 New employees shall commence paying monthly union dues from the effective date of their employment.
- 2.05 The monthly union dues payable shall be two (2) hours pay per month, minimum.
- 2.06 All applications for membership shall be reported to the Executive Committee of the Local. Membership Committee shall accept or reject such applications subject to the right of the Local to overrule the Committee. The Executive of the Local shall act as the Membership Committee.
- 2.07 At a regular membership meeting, the names of the new applicants shall be voted upon.
- 2.08 Applicants for membership must appear before the Executive Committee upon request.

ARTICLE 3

MEETINGS

- 3.01 The Local membership meeting is the highest authority of the Local. All officers, the Executive Board and all other committees of the Local are accountable to the membership of the Local and are subject to membership approval at Local meetings. Except as may be otherwise provided.
- 3.02 There shall be a regular membership meeting every month during the calendar year unless otherwise approved by the Executive Committee. Scheduling of meetings to give each shift crew an opportunity to attend at least one scheduled General Membership Meeting.
- 3.03 Other General Membership Meetings to be held at such time and frequency as determined to Executive Committee but must attempt to give all four (4) shift crews equal access.
- 3.04 The Unit Chairs or designate of the Local shall be responsible to provide due notice, in writing, to every member of the Local, at least seven (7) days of notice prior to a membership meeting. This notice may be in the form of a letter to the member's home or a notice to be posted at their place of work. The notice shall spell out the time, date, place and purpose of the meeting.
- 3.05 At a general membership meeting, be it Local or Bargaining Unit meetings, no other business than that for which the meeting has been called shall be transacted. Agenda items for forthcoming meetings require one month notice.
- 3.06 A quorum for the purpose of transacting business at any membership meeting shall consist of majority of members in good standing and present at the meeting.
- 3.07 Bargaining Unit Executive Officers, and members of the Bargaining and Grievance Committee shall attend all meetings of their bargaining unit. If such a member misses three (3) consecutive meetings other than for sickness, vacation or other extenuating circumstances, the office may be declared vacant and a new member shall be elected at the next Bargaining Unit Meeting following a nomination meeting.
- 3.11 Lost time paid for attending Steward's Meetings, Executive or General Membership Meetings and other meetings, to be approved by the Local's Executive.
- 3.12 Lost time paid will be the hourly rate of the member exclusive of any premium time and is also exclusive of pre-arranged Mutual Exchanges.
- 3.13 Attendance at Special Meetings and Union Company Meetings shall be paid up to a maximum of 4 hrs of rate of pay, plus per diems. All lost time and other amounts must be recorded in detail (date, reason, amount) on "Statement of Expense" Report and given to Financial Secretary/Treasurer.

- 3.14 The Stewards and the Executive members travel allowance shall be \$35.00, for each meeting they attend.
- 3.15 A schedule of all Stewards, Executive and General Meetings for the year shall be drawn up by the Unit Chairs prior to the start of the year. The Stewards and Executive will meet the 1st Tuesday of the month.
- 3.16 Unit groups will not take any action which conflicts with either the Local Union By-laws or the National Union Constitution. All actions not specifically authorized by the unit group shall be subject to review by the Local Union. Local Union recognizes the power of its bargaining units to make decisions concerning:
- Election of bargaining unit committees
 - Election of bargaining unit delegates on the Local Executive Board
 - Election of stewards
 - Choice of bargaining unit members for training courses
 - Choice of members on the bargaining unit or workplace committees such as grievance committees and JHSC
 - Administration of common or shared services
 - Holding of general or special meetings
- 3.17 The order of business at the regular general meeting shall be:
- a) Call to Order
 - b) UNIFOR the Union Anti-harassment Statement
 - c) Roll Call of Officers
 - d) Initiation of New Members
 - e) Reading and Approval of Agenda
 - f) Reading and Approval of Previous Membership Meeting Minutes
 - g) Correspondence
 - h) Executive Report and Recommendations
 - i) Treasurers' Report
 - j) Reports by Bargaining Units
 - k) National Representatives Report
 - l) Report of Committees
 - m) Unfinished Business
 - n) New Business
 - o) Adjournment

ARTICLE 4

OFFICERS AND THEIR DUTIES

4.01 The Local Officer's structure shall be as follows:

President
Vice-President
Recording Secretary
Treasurer
Sergeant at Arms
Two Trustees

Note: The President and Vice-President shall be the Unit Chairs from the Bargaining Units.

4.02 The bargaining unit's structure will be as follows:

Unit Chair*
Vice-Chair*
Chief Steward*
Sergeant at Arms
Recording Secretary
Stewards
2 -3 members elected by the Executive Committee

Note: Unit Chair, Vice-Chair or Chief Steward are on the B&G committee. Combined roles, due to reduction in membership may be required

4.03 Duties of the President

He shall be the Unit Chair of his bargaining unit. In addition to those duties specified in the Constitution of the National, or under other provisions of this Local's By-Laws, the President shall preside at all meetings of the Local and his Bargaining Unit. He shall enforce the provisions of the Constitution of the National and of the By-Laws of the Local. He shall also enforce any duly adopted rules, resolutions and regulations of the Local. He shall be the Chief Executive Officer of the Local. He shall direct the organizing, negotiating and other trade union activities of the Local, and shall transact such other business, as is usual to such office. He shall report to each Membership Meeting, all matters of importance that transpired since the last Membership Meeting. He shall plan or supervise, either personally or through delegation of authority to other individuals or committees, all programs, negotiations and activities necessary for the advancement and the welfare of Local Members.

Will be the official spokesperson for the Local Union in all its external relations and may authorize council, or other agents of the Local, to speak on behalf of the Local.

Will be ex-officio member of all Local Committees and Joint Committees of Local save and except the Election Committee.

He will attend (or his appointed delegate) all Conventions, Conferences, Hearings, or any official function with reference to Local's business and/or administration.

- 4.04 All officers of this Local, at the expiration of their term of office, or on demand, must return to the Local all property they have in their possession, belonging to the Local.
- 4.05 All officers of the Local will be responsible to the Executive Committee and the general membership for their conduct and administration of the Local's By-Laws, Rules, Policies, and/or Regulations.

ARTICLE 5
HONORARIUMS

5.01 The amount of honorarium, due to be paid by **December 31** of each year, will be:

President	-	\$750.00
Vice-President	-	\$750.00
Vice-Chair	-	\$750.00
Treasurer	-	\$750.00
Chief Steward	-	\$750.00
Recording Secretary	-	\$750.00
Sgt. at Arms	-	\$750.00
Trustee	-	\$250.00
Stewards	-	\$100.00

5.02 Individuals may receive one honorarium if filling more than one position. The President, Vice-President, Vice-Chairs and Chief Stewards are automatically B&G committee members for their bargaining units and would not get an additional honorarium for B&G committee.

5.03 Honorariums paid by this Local shall be reviewed annually and included in the Local's budget.

ARTICLE 6

EXECUTIVE COMMITTEE

6.01 The Local Union Executive Committee will be comprised of the following:

President
Vice-President
Treasurer
Recording Secretary
St. at Arms
Steward

Note: The President and Vice-President shall be the Unit Chairs from the Bargaining Units.

- 6.02 The Executive Committee shall determine and govern in respect to matters of policy, funds, properties and financial affairs of the Local and the interpretation and application of the By-Laws in accordance with and subject to the actions of the membership.
- 6.03 The Executive Committee shall be authorized to take final action on any business which it brings to a Regular or Special Meeting should there not be a quorum at such meeting.
- 6.04 Executive Committee meetings will precede Regularly scheduled General meetings. Special Executive Committee meetings may be called by the President or any two Executive Committee Members. Five (5) members of the Executive Committee shall constitute a quorum for the transaction of business. If a quorum does not exist, the President shall be authorized to take a final action on urgent business transactions.
- 6.05 Executive Committee Members attending regularly scheduled Executive Meetings will be granted travel allowance of \$35.00.
- 6.06 Minutes shall be kept, by the Recording Secretary, of every meeting and all decisions made and actions taken by the Executive Committee shall be set forth in such Minutes. Any member of the Executive Committee who absents himself from three consecutive meetings of the Committee other than for sickness, vacation or other extenuating circumstances, may be deemed to have automatically resigned from the Executive Committee and the office may be declared vacant and a new member shall be elected at the next General Meeting following a Nomination Meeting.
- 6.07 The Trustees shall examine and audit the books and record of the Local Union at least four (4) times a year and shall submit a written report on each audit to the Local Union and to the National Secretary-Treasurer in such manner and at such times as the

National Secretary-Treasurer may require, and have such further powers and duties as may be provided by the Local Union By-Laws.

6.08 All requests for contributions and donations to individuals or organizations shall first be submitted to the Executive Committee for its consideration and recommendations, before being received by the Local.

6.09 It shall be the duty of the Executive Committee to cause the provisions of the National Union Constitution, rules and regulations of this Local to be faithfully executed; and to preserve, promote and safeguard the best interests and general welfare of UNIFOR the Union of Canada, this Local and the members. The Executive Committee may adopt such rules and regulations not in conflict with the National Union Constitution and these By-Laws as it may deem necessary and advisable.

ARTICLE 7
COMMITTEES AND DUTIES

- 7.01 The Chairman of each Committee shall be appointed from among the general membership. Such appointments shall be subject to the approval of the Executive Committee.
- 7.02 A quorum for any Committee meeting will be a majority of its members unless otherwise specified.
- 7.03 The Committee Chairman shall inform the President when a meeting is being called. This notice shall be given at least three (3) days prior to the meeting and the President shall be informed as to the purpose of the meeting.
- 7.04 The Jacques Bolduc Memorial Bursary Fund is to be administered by the Executive Committee. The fund shall not exceed the amount set out in the Local's budget. The bursary shall not exceed \$250.00 per individual student. The intent is to give \$250.00 to each student without exceeding the maximum fund limit. A Bursary will be granted to children, under the age of twenty years, of members in good standing, who enter first year full-time studies at a recognized College or University
- 7.05 Bargaining and Grievance Committee
- The Bargaining and Grievance Committee shall be composed of the Unit Chair, Vice-Chair, Chief Steward and three (3) other elected members as long as each bargaining unit allows 6 members. Should that number be reduced during negotiations then the three (3) other elected members shall be reduced to satisfy the Collective Agreement.
- 7.06 The Bargain and Grievance Committee shall gather all possible facts and statistics to enable it to prepare a package for negotiations with the employer. It shall seek the approval of both the Local and the National for this package and shall work with diligence to negotiate it with the employer, in order to secure for itself and its fellow members the best possible wages and working conditions.
- 7.07 All collective bargaining is subject to the provisions of the Constitution of the National.
- 7.08 All proposals for changes to the contract shall be submitted, in writing, and a reason stating why the proposal should be negotiated. To be valid, such proposals must be signed by at least three (3) union members.
- 7.09 Membership Committee

The membership committee shall be composed of:

The Executive Committee of the Local shall act as the Membership Committee if the Local has not otherwise provided for a Membership Committee.

- 7.10 The Membership Committee shall act upon applications for membership. The Committee shall accept or reject applications for membership, subject to the right of the Local to overrule the Committee.

7.11 Election Committee

The election committee shall be composed of members appointed by the Local Executive Committee with equal representation from both bargaining units. These appointees will pick the committee leader.

- 7.12 The Election Committee shall be responsible for all questions concerning the conduct and challenge of elections of local officers. The election committee shall ensure that elections to local office are carried out in accordance with these By-Laws and the Constitution and By-Laws of the National. For any secret ballot voting, lost time for all members involved, scrutinizers, returning officers, etc., must be kept to a minimum and approved by the President.

ARTICLE 8

ELIGIBILITY TO HOLD OFFICE

8.01 A member shall be eligible for nomination, election and/or installation as a member of the Executive Committee, Bargaining Unit Committee, Steward or Trustee, providing he/she is a member in good standing, if he/she meets all of the following requirements:

- a) he/she is a member in good standing and actively engaged or available for work with the relevant employer immediately prior to nomination, or as an executive officer, representative or organizer of the Local, or as an executive officer, employee or representative of the National, or on approved leave with the relevant employer, or any combination of the foregoing;
- b) he/she has never been convicted of an offence injurious to the cause of the National, or of the Local, during a sanctioned strike or recognized lock-out or involving corruption, financial malpractice, the endangerment of union funds or property, or the gross impairment of the democratic process;
- c) he/she has never been found guilty by the National or any local thereof, of contempt of the organization, or of intentionally assisting any opposing party in any legal proceeding involving the National or any Local thereof except as a witness truthfully testifying under oath in response to a subpoena;
- d) he/she is not a manager and/or does not form part of management, and he/she has no financial interest in any business which has any employees eligible to be members of this Local.
- e) he/she is not actively pursuing a management position.
- f) If a member of the executive committee, bargaining unit committee, a steward, or a trustee actively pursues a management position, he/she will be asked to resign and a new member will be elected or appointed as per the National Constitution.

ARTICLE 9

NOMINATION, ELECTION, INSTALLATION

- 9.01 The term of office to all elected positions within the Local and Bargaining Units shall be the term of the contract for each unit within the Local.
- 9.02 Only members in good standing shall be eligible to vote or hold elective office. No elected officer of the Local shall take office unless they are eligible under these By-Laws and the Constitution of the National.
- 9.03 The election of all Local officers shall be by secret ballot among the members in good standing at a "special" meeting with voting times to allow maximum participation of all union members on a specific day. The nominee in any election receiving a greater number of votes cast shall be declared elected, unless these By-Laws or the Constitution and By-Laws of the National stipulate otherwise.
- 9.04 In the case of elections requiring a plurality vote, if a tie renders the election indecisive for any position, a run-off election shall be conducted and the nominees who tied for such positions of the first ballot shall be the nominees on the second ballot.
- 9.05 All questions concerning the conduct and challenge of elections shall be determined by the Election Committee of the Local.
- 9.06 For any secret ballot voting, lost time for the scrutinizers and returning officers shall be kept to a minimum.
- 9.07 All Local officers shall hold office until their successors are elected and installed. An appropriate turnover should take place. Regular elections for full terms of all Local officers and executive committee members shall be conducted in compliance with these By-Laws and the Constitution of the National. Proxy or write-in votes shall not be counted.
- 9.08 No member shall be a candidate for more than one position on the Executive Committee but, through lack of local participation, a member on the Executive Committee could hold more than one position in office. Appointment would be made by the President with approval of Executive Committee. Bargaining Unit Committee members can hold positions on the Local Executive Committee.
- 9.09 A nomination shall not be considered for an elective office, unless the member is present at the nomination meeting or has signified, in writing, his consent to stand for office.
- 9.10 In the event of only one nomination for any office, the candidate nominated will be declared elected by acclamation.

- 9.11 Each Bargaining Unit will elect its own committee and the Local Executive will appoint the Local President and Vice-President if the two (2) Unit Chairs can't agree on which will be which.

ARTICLE 10

SHOP STEWARDS

- 10.01 Each Shop Steward shall, subject to the Unit Chair, act as the Steward of the affairs of the Local Bargaining Unit, within his department and/or area. He shall promptly report to the Unit Chair and Chief Steward all disputes with his employer.
- 10.02 Should a representation problem arise during a Shop Steward's term of office, another Shop Steward, possibly from another area/department, or a member of the Bargaining Unit Committee could be called upon to investigate a specific problem and take action as he deems necessary to resolve the issue.
- 10.03 The Chief Steward is nominated by the Unit Chair and voted in by the Stewards of their bargaining unit.

ARTICLE 11

DISTRIBUTION OF FUNDS

- 11.01 All drafts, cheques and authorization for the payment of the Local's funds must be sanctioned by the President. Signatory rights to (any of the two of) the Treasurer and President or Vice-President.
- 11.02 Any officer or member required to be bonded as a matter of law, shall be bonded in an amount which may be required by law or such greater amount as the Local may determine.

ARTICLE 12

GENERAL LAWS

- 12.01 The Local shall be a member of the UNIFOR Ontario Region Arbitration Bargaining Fund.
- 12.02 The Local shall be a member of the Brockville and District Labour Council.
- 12.03 The Local shall be a member of the Ontario Federation of Labour (OFL). (These dues will be maintained by the National Union as members in the Ontario Region Arbitration Fund)
- 12.04 The Local shall be a member of the Canadian Labour Congress (CLC). (These dues are maintained by the National Union.)
- 12.05 The Local shall give flowers or a donation to charity for the family in an amount not to exceed \$50.00.
- 12.06 All donations to strike appeals are to be reviewed by the Executive Committee and an amount recommended.
- 12.07 The news media must be informed that only information from the National Representative will be considered official.
- 12.08 When the Local sends delegates to conventions, conferences or any official function, the President, or his appointee(s), shall be a delegate.
- 12.09 Members of the Local doing union business shall be paid \$0.50 per kilometer, when using their personal vehicle for out of town business.
- 12.10 Local's financial assistance to any organization requesting such assistance must be recommended by Executive Committee before being put forth to General Membership.
- 12.11 Retirees, may attend General Membership meetings only, have no vote with reference to Local Union issues.
- 12.12 The per diem, hotel and travel expenses for delegates attending meetings, shall be as follows:
 - a) The per diem rate shall be \$105.00 (one hundred and five) per day, with hotel receipts as proof of out-of-town conferences in addition to lost time pay, if lost time is not paid by the National office. (The per diem is to be paid in the currency of the country.)
 - b) The "in-town" per diem shall be \$35.00 (thirty five) per meal requirement.

- 12.13 Five Thousand Dollars (\$5,000.00) is to be made available for emergency needs. Spending to be authorized by Executive Committee and approval sought at next General Membership Meeting. All monies spent by the Local must be sanctioned by General Membership.
- 12.14 The highest ranking officer delegate will be in charge of the delegation to all conventions and conferences.
- 12.15 The maximum amount of \$100.00 will be paid to terminated employees attending their arbitration hearings. Maximum amount of One Hundred Dollars is inclusive of "In-Town" per diem.
- 12.16 Local to have ability to pay lost monies to employees during specific disciplinary circumstances, excluding termination. Such circumstances could be suspension or delay in upgrading. The action is dependent upon Executive recommendation and membership approval. All pay will be based solely on employee's hourly rate exclusive of statutory pay, shift premiums or any other premiums.
- 12.17 Local to conduct monthly draw of \$100.00 per month.

Draw to take place at General Membership Meeting each month. Member must to be present at meeting to qualify as a winner. Retirees attending General Meetings will not be eligible for the draws.

ARTICLE 13
AMENDMENTS

- 13.01 Any rule or By-Law may be changed at a Regular Meeting of the Local on a motion passed by a two-thirds (2/3) majority. A notice of a By-Law change must be posted for the appropriate General Meeting.
- 13.02 All rules and By-Law amendments shall be reviewed by the Executive Committee annually and recommendations shall be made to the membership, for final approval. It is understood that amendments to By-Laws are not deemed to be in effect until approved by the National Executive Board.

ARTICLE 14

FINAL AUTHORITY

14.01 Should there be a conflict between this Local's By-Laws and the Constitution of the National, the Constitution and By-Laws of the National shall be the final Authority.