



**UNIFOR**

**Local2289**

# BY-LAWS

Amendments from ALM April 20 & 21, 2017 in Halifax NS - awaiting approval by Unifor National



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## **ARTICLE 1 NAME AND JURISDICTION**

1. This organization shall be known as Unifor Local 2289 (hereinafter called the "Local").
2. This Local has been established and exists by virtue of a charter issued to it by Unifor (hereinafter called the "National Union") pursuant to the Constitution of the National Union (hereinafter called the "National Constitution").
3. The Local, its Executive Board Members and all those elected, appointed or employed to act on its behalf will not threaten, intimidate, or unlawfully discriminate against any member for reason of that member's pregnancy, age, marital status, disability, sex, sexual orientation, race, creed, colour, religious beliefs, national origin, political affiliation, records of offense or for exercising any rights under the National Constitution, Policies, By-Laws or Collective Agreement. The Local will not subject a member to harassment.
4. This Local shall be subdivided into four (4) Districts. These Districts shall be broken into nine (9) Units. They shall be as follows:

District #1	Unit #1	Sydney
	Unit #10	Port Hawkesbury
District #2	Unit #2	Antigonish/New Glasgow
	Unit #3	Truro
	Unit #4	Amherst
District #3	Unit #5	Halifax, Dartmouth, Sackville, Bedford
District #4	Unit #6	Bridgewater
	Unit #7	Yarmouth
	Unit #8	Kentville

## **ARTICLE 2 PURPOSE**

1. The purpose of this Local is to unite all workers within its jurisdiction for the following purposes:
  - (a) To improve their wages and hours of work, to increase their job security and to secure working conditions conducive to safety and good health;
  - (b) To advance their economic, social, political and cultural interests; to disseminate information among workers regarding economic, social, political and other matters affecting their lives and welfare;
  - (c) To give assistance and encouragement to organizations in organizing workers and to engage in such other activities as may be necessary or proper to strengthen the labour movement and to extend the process of collective bargaining throughout all trades and industries;
  - (d) To secure legislation safeguarding and promoting economic security and the social welfare of all workers;

- (e) To preserve and extend civil rights and liberties within a free and democratic society;
  - (f) To promote the policies and goals of the National Union;
  - (g) To promote and uphold the By-Laws and policies of the Local and the Constitution and Policies of the National Union.
2. Local shall endeavour to accomplish the foregoing purposes by organizing the unorganized workers within its jurisdiction, educating its membership, negotiating collective bargaining agreements with employers, securing progressive legislation, and by all other appropriate means within the National Union.

### **ARTICLE 3 LOCAL STRUCTURE**

1. The structure of the Local shall consist of the following (in no specific order):
- Membership Executive Board
  - Unit Representatives
  - Chief Stewards
  - Shop Stewards
  - Committees
2. The headquarters and main office of this Local shall be in the Halifax Regional Municipality, Nova Scotia or such other place as may be designated by the Executive Board of the Local.

### **ARTICLE 4 MEMBERSHIP**

#### **1. Eligibility**

Any person eligible for membership in the National Union, as defined in Article 5 of its Constitution shall be eligible for membership in this Local if performing work within the Local's assigned jurisdiction; or on temporary transfer outside the Local's assigned jurisdiction; or if dismissed and the grievance is not yet resolved; or on layoff with recall rights. If there is no reasonable chance of recall, a person is not eligible for membership.

The Local may accept into membership any person who has applied for membership in the National Union and has paid the appropriate fees.

A member in good standing is a person who has signed a membership card and paid the required initiation fee. The member must adhere to all rules as stipulated on the application form; subject to conditions in Article 5 of the National Constitution.

#### **2. Application & Initiation Fees**

Application for membership shall be submitted to the Local. The form of the application for membership shall be supplied by the National Union. An initiation fee in the amount of \$20.00 as per Article 15 section G of the National Constitution shall be submitted along with the written application for membership

unless the initiation fee has been waived by action of the Local. A membership card will be issued to each applicant upon approval of the Local.

For newly organized members the initiation fee, dues and all other fees shall be the minimum required by law in the jurisdiction concerned.

## **ARTICLE 5 LOCAL DUES AND ASSESSMENTS**

Each member of the Local shall pay monthly dues of 1.65 % of their regular basic earnings. From this amount the Local shall pay per capita dues in accordance with Article 16 of the National Constitution.

Membership dues may be changed only by majority of those voting on the question by secret ballot referendum of the entire membership of the Local or by a majority vote in an Annual Local Meeting or Special Local Meeting.

The Local may impose a special assessment on dues only in the same manner as changing membership dues.

## **ARTICLE 6 GOVERNING AUTHORITY**

### **1. Membership**

The affairs of the Local shall be governed by its membership in accordance with the National Constitution and Local By-Laws and Policies in the following manner:

- (a) Through action taken in the Annual Local Meeting or a Special Local Meeting or by referendum of the membership;
- (b) Through actions and decisions of the Executive Board between Annual Local Meetings;
- (c) The actions and decisions of the Executive Board may be overruled by the membership at the Annual Local Meeting or by referendum;
- (d) The Constitution of the 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.

### **2. Referendum**

The Local Executive Board shall call a Special Local Meeting if a petition signed by twenty percent (20%) of the Local membership or a petition signed by a majority of members of the Local Executive Board is received which calls for a change on any particular subject. The petition must be legible with printed name, address and signature of each member in good standing and will be verified by the Election Committee.

### 3. Executive Board

(a) The Officers of this Local shall be:

President

Vice President

Secretary/Treasurer

1 Regional Director, District 1

1 Regional Director, District 2

1 Regional Director, District 3

1 Regional Director, District 4

(b) All decisions of the Executive Board shall be by majority vote of the Officers in attendance;

(c) (i) Any Officer of the Executive Board who occupies a position of Acting Management, applies for or interviews for a management position shall be recalled in accordance with Article 15, Section E of the National Constitution;

(ii) Any Officer of the Executive Board who has had their position declared vacant by recall shall be deemed ineligible in any and all Local elections until the end of the term for which their position was declared vacant.

(d) Vacancies:

(i) In case of vacancy in the office of President, one of the Executive Officers shall immediately assume all responsibilities of that office as decided upon by the majority of the Executive Board, and an election will be called to fill the position;

(ii) In the case of a vacancy in the office of Vice President, Secretary/Treasurer or Regional Director for the unexpired term of less than six (6) months, the Executive Board shall appoint a new Vice President, Secretary/Treasurer or Regional Director. The members shall approve the replacement at the next Annual Local Meeting;

(iii) In the case of a vacancy in the office of Vice President, Secretary/Treasurer or Regional Director for the term of more than six (6) months, an election will be called and voted on per Article 12A of these By-Laws;

(iv) During the temporary absence of any officer (other than the President), the President shall appoint a member to serve for the interim of the absence.

(e) Term of Office for Local Officers shall be as follows:

President – elected by the entire membership every three (3) years.

Vice President – elected by the entire membership every three (3) years.

Secretary/Treasurer – elected by the entire membership every three (3) years.

Regional Directors – elected by the members in their district every three (3) years.



#### 4. Duties of the Local Officers:

##### 1. The Local President shall:

- (a) Be responsible for the conduct of all Local business;
- (b) Preside at Local membership and Executive Board meetings;
- (c) Decide all questions of order according to the parliamentary rules and have the deciding vote in the case of a tie;
- (d) Prosecute grievances and appeal them to a higher level for the Union when not satisfactorily settled;
- (e) Be the official spokesperson for the Local;
- (f) Support and enforce the National Constitution and these By-Laws and act within the policies established by the National Union and the Local;
- (g) Appoint all non-elected committees as required and appoint all delegates to all bodies with which the Union is affiliated. Where the Union has professional staff they may be named by the President as delegates. The President shall be first delegate to all Unifor, CLC and subsidiary body conventions or conferences where the National Constitution does not specify delegates must be elected.
- (h) See that all committees perform the duties assigned to them within a reasonable time. The President shall promptly remove any appointed committee member not performing their duties and appoint another.
- (i) See that all Chief Stewards and/or Shop Stewards perform the duties assigned to them within a reasonable time;
- (j) Ensure that all funds of the Local have been deposited in a Chartered Bank, Trust Company or Credit Union in the name of the Local, subject to withdrawal by cheques; signed by two of the three signing officers in the name of the Local and countersigned by any two of the following: The President, the Secretary/Treasurer or the Regional Director of District 3. The President shall see that no disbursements are made except on an order countersigned by any two of the three signing officers or such other person designated by the Executive Board. No vouchers or orders are necessary to pay regular standing bills such as rent, salaries and general office expense (i.e: webhosting and computer maintenance). Expenditures greater than \$500 for payment of: training, courses, conferences and conventions and other large strike or solidarity support must be approved by the Executive Board;
- (k) Be required to work in conjunction with the Secretary/Treasurer in the investment of Local funds;

- (l) Co-operate with the professional staff of the Local and shall not work in conflict with them. In the event of any dispute between the President and the professional staff the matter shall be referred to the Executive Board for resolution;
- (m) Approve all bills to be paid and countersign all cheques drawn on the Local treasury;
- (n) When necessary and when approved by the Executive Board, employ such clerical assistance as may be required for the efficient operation of the financial affairs of the Local and the overall administration of the Local office. For greater assurance, any actions respecting the terms and conditions of employment of administrative staff will be with majority agreement, knowledge and understanding of the Executive Board;
- (o) When necessary, assign responsibilities to a member of the bargaining unit, as may be required for the efficient operation of the Local;
- (p) Be bonded, as must any other person who handles Local funds or other property;
- (q) Perform whatever additional duties may be assigned by the Local or required by the National Constitution or Policies;
- (r) Serve as a member of the Executive Board of the Unifor Atlantic Communications Locals (Unifor ACL) by virtue of office;
- (s) Turn over all papers, documents, funds or other property at the conclusion of the President appointment;
- (t) Assist newly elected President during a transition period to a maximum of 30 days following their acquisition of office.

2. The Local Vice President shall:

- (a) Work under the direction of the Local President;
- (b) Perform such other duties as may be assigned by the President, the Local or the National Constitution or Policies.

3. The Local Secretary/Treasurer shall:

- (a) Maintain a record of the Local membership;
- (b) Record and maintain the minutes of all meetings of the Local's Executive Board;
- (c) Receive and distribute minutes of Regional meetings to members of the Executive Board;
- (d) Provide the Executive Board of the Local with copies of any changes in these By-Laws within thirty (30) days after changes are made;
- (e) Be a signing officer of the Local;

- (f) Be custodian of all assets of the Local;
- (g) Submit their books and records for inspection or audit when called upon by the President or Executive Board or the Trustee Committee and to comply with the National Constitution;
- (h) Prepare reports in writing for Executive Board meetings on the financial status of the Local;
- (i) Ensure that all funds of the Local have been deposited in a Chartered Bank, Trust Company or Credit Union in the name of the Local, subject to withdrawal by cheques; signed by two of the three signing officers in the name of the Local and countersigned by any two of the following: The President, the Secretary/Treasurer or the Regional Director of District 3. They shall see that no disbursements are made except on an order countersigned by any two of the three signing officers or such other person designated by the Executive Board. No vouchers or orders are necessary to pay regular standing bills such as rent, salaries and general conduct of business.
- (j) Be required to work in conjunction with the President in the investment of Local funds;
- (k) Be bonded, as must any other person who handles Local funds or other property;
- (l) Perform such other duties as may be assigned by the President, Executive Board of the Local or the National Constitution or Policies;
- (m) Assist newly elected Secretary/Treasurer during a transition period to a maximum of 30 days following their acquisition of office.

4. The Local Regional District Director shall:

- (a) Work under the direction of the President;
- (b) Represent the District on the Executive Board;
- (c) **Be a Shop Steward;**
- (d) The Regional Director of District 3 shall be a signing officer;
- (e) If a signing officer, shall ensure that all funds of the Local have been deposited in a Chartered Bank, Trust Company or Credit Union in the name of the Local, subject to withdrawal by cheques; signed by two of the three signing officers in the name of the Local and countersigned by any two of the following: The President, the Secretary/Treasurer or the Regional Director of District 3. They shall see that no disbursements are made except on an order countersigned by any two of the three signing officers or such other person designated by the Executive Board. No vouchers or orders are necessary to pay regular standing bills such as rent, salaries and **general office expense (i.e: webhosting and computer maintenance). Expenditures greater than \$500 for payment of: training, courses, conferences and conventions and other large strike or solidarity support must be approved by the Executive Board;**

- (f) In the case of a vacancy in any Unit position, the Local Regional Director may appoint a member to serve for the remainder of the term. If the remainder of the term is in excess of six (6) months, an election must be held to replace the Unit position;
- (g) Decide all questions of order according to the parliamentary rules and have the deciding vote in case of a tie at the District level;
- (h) Attend Regional meetings per Article 9 of these By-Laws; \Submit a written report to the Executive Board after each Regional meeting concerning the outcomes of this meeting with the Unit representatives. Whenever possible this report should reach the union office at least three (3) days prior to the Executive Board meeting;
- (i) Perform such other duties as may be assigned by the President, Executive Board or the Local.;

#### 5. General:

Any function(s) assigned to any Officer, by the Local, the Executive Board or the National Constitution, may be delegated to a member of the Local's staff, subject to the approval of the Executive Board.

#### 6. Duties of the Unit Chairperson:

- (a) Shall be members of the respective Unit and each Unit may have the following Officers: Chairperson and Co-Chairperson/Recorder;
- (b) Shall prepare an agenda for each Unit meeting and shall Chair such meeting;
- (c) In the event the Unit Chairperson is unable to attend the Unit meeting, Regional meeting or the Annual Local Meeting, the Co- Chairperson/Recorder shall assume the duties of the Unit Chairperson and attend in their place;
- (d) Shall appoint their unit OH&S representatives for their workplace OH&S committees.

#### 7. Duties of the Chief Shop Steward:

- (a) Shall be elected by the membership per Article 12 of these ByLaws. There shall be four (4) Chief Shop Stewards, one (1) per District. The candidates for the position of Regional Chief Shop Steward must be from the District for which they are nominated; they will only be voted on by members of their respective Districts.
- (b) To co-ordinate the duties of Shop Steward in areas assigned to them by the President. The number of Chief Shop Stewards shall be elected as required;
- (c) Be familiar with all provisions of the Collective Agreement and thoroughly investigate all grievances coming within their jurisdiction;
- (d) Be completely familiar with the grievance procedure;

- (e) Keep the members they represent informed of union matters;
- (f) Have available at all times a copy of the Collective Agreement, Local ByLaws and National Constitution;
- (g) Encouraged to attend the regular unit meetings as information from them is part of the benefit and service to the membership;
- (h) Turn over all papers, documents, funds or other property at the conclusion of their appointment;
- (i) Recall of Chief Shop Steward shall be in accordance with Article 15, Section E of the National Constitution;
- (j) Assist newly elected Chief Shop Steward during a transition period to a maximum of 30 days following their acquisition of office.

8. Duties of the Shop Steward:

- (a) Shop Stewards shall be elected by the Membership in such numbers as are required by the Units for their purposes. Elections for these positions per Article 12A of these ByLaws. The President shall advise the employer in writing of the elected Shop Stewards;
- (b) Be familiar with all provisions of the Collective Agreement and thoroughly investigate all grievances coming within their jurisdiction;
- (c) Be completely familiar with the grievance procedure;
- (d) Keep the members they represent informed of union matters;
- (e) Have available at all times a copy of the Collective Agreement, Local ByLaws and National Constitution;
- (f) Encouraged to attend the regular unit meetings as information from them is part of the service to the membership;
- (g) Carry out such duties as may be prescribed by the President, the Local Executive Board or any Chief Shop Steward;
- (h) Turn over all papers, documents, funds or other property at the conclusion of their appointment;
- (i) Recall of Shop Steward shall be in accordance with Article 15, Section E of the National Constitution.

5. Oath of Office:

The Oath of Office and installation ceremony shall be in accordance with Article 24 of the National Constitution.

## **ARTICLE 7 EXECUTIVE BOARD MEETINGS**

1. The Executive Board shall meet at least quarterly at a place and location determined by the President.
2. The President, alone, or any four (4) other members of the Executive Board may call a Special Meeting of the Executive Board at a feasible time and location as determined by the party calling such meeting. Notice of a Special Meeting shall be given to the Executive Board. The notice shall include: date, time and place of meeting and state the purpose for which the meeting is called. No business other than that for which the meeting is called may be transacted.
3. If time does not permit an Executive Board Meeting for a specific issue which requires a vote, all Executive Board Members shall be called and a unanimous ruling applies.
4. The quorum of the Executive Board shall be any four (4) members of the Executive Board.
5. The meeting of the Executive Board shall be open to all of the membership of the Local but only the Executive Board members have the right to speak and vote. Observers shall have the opportunity to speak only when given permission by the Chair. Observers would attend these meetings at their own expense.
6. The Executive Board has the right to go "In Camera" to deal with private and/or confidential matters. Records of "In Camera" discussion shall be taken, but these shall only be available to members of the Executive Board or National Union.
7. The Secretary/Treasurer shall submit minutes of all Executive Board meetings to the members of the Executive Board. The Regional Directors will review these minutes with the Unit Chairperson in their respective regions.

## **ARTICLE 8 ORDER OF BUSINESS**

The Order of Business at meetings shall be:

1. Call to Order
2. Roll Call
3. Reading and Approval of Previous Meeting Minutes
4. Business Arising from Minutes
5. Financial Report
6. Communications

7. Committee Reports
8. Old Business
9. New Business
10. Adjournment

The rules of order not specifically covered by these By-Laws or the National Constitution shall be in accordance with the Unifor Rules of Order.

At a Local meeting the order of business may be suspended by a two-thirds vote of the members present.

## **ARTICLE 9 REGIONAL MEETINGS**

1. Regional Directors and all Unit Chairs will meet together twice (2) per year at a central location. Whenever possible these meetings are to be held at least one (1) week prior to the Executive Board meetings;
2. A quorum of the Regional Meeting will consist of at least one (1) Regional Director and the majority of Unit Chairs;
3. Regional Directors will report their findings from these meetings in their report to the Executive Board Meeting (which should take place within a week of such meeting – as per (a) above);
4. Minutes from these meetings will be forwarded to the Local of the union no later than one month following the date of the meeting.

## **ARTICLE 10 UNIT AND/OR SPECIAL UNIT MEETINGS**

1. The dates and locations of the Unit/Special Meetings may be set by the President, Regional Directors, Unit Chairpersons and/or the Executive Board who shall give at least seven (7) days notice of same. Minutes of such meetings must be sent to the Local Office.
2. There shall be nine (9) monthly meetings per year. Regular meetings will not be held in the months of July or August;
3. Unit meetings shall adjourn not later than 11:00 pm prevailing time;
4. Special Unit Meetings shall be called, within their jurisdiction, by any member of the Executive Board or Unit Chairperson. A Special Unit Meeting may be called upon written receipt of a petition signed by 20% of the Unit or by a majority of members voting on the question at a regular monthly meeting. Upon receipt of such a request, a meeting shall be called within 10 days and notices of such meeting shall be posted seven (7) days prior to the meeting. The notice shall include: date, time and place of meeting and the purpose for which the meeting is called. No business other than that specified on the notice shall be transacted at that meeting;

5. A quorum of a Unit meeting is defined as the Unit Chairperson or Co-Chairperson/Recorder and at least one (1) member in good standing.
6. A quorum of a Special Unit Meeting is defined as the Unit Chairperson or CoChairperson/Recorder and at least three (3) members in good standing.
7. Any member who attends a meeting under the influence of alcohol or drugs and/or creates a disturbance, or becomes unruly shall lose voice and their right to vote at said meeting. Where necessary to maintain order, the member may be evicted from the meeting by order of the Chairperson subject to the challenge of the membership. Flagrant or persistent violation of this section by any member shall be conduct unbecoming a union member.

## **ARTICLE 11 LOCAL COMMITTEES**

### **1. Election Committee**

In the month of February of the election year, the Election Committee shall call for nominations for the Election Committee;

No candidate for elected office shall be eligible to serve on the Election Committee;

The Committee shall conduct all nominations and elections and referenda of this Local;

Shall consist of at least three (3) members;

The Election Committee shall turn over to the Secretary/Treasurer all ballots and records used in an election or referendum to be preserved for a period of twelve (12) months following such election or referendum.

### **2. Occupational Health & Safety Committee**

Police and enforce Occupational Health and Safety in the workplace and participate on Joint Occupational Health and Safety Committees and report to the Executive Board and Membership.

### **3. Women's Committee**

To assist in, and promote all women's development and to have active participation of women within our Local and the Atlantic Region. To be a visible force in our Union and work within our communities, and to promote leadership, education in diverse women's issues in all levels of our Union. And to provide a strong voice in influencing our Union/Local's direction.

The Women's Committee will consist of 4 women, 1 from each District per Article 1, Section 5 of these By-Laws. Elections for these positions will commence during normal elections in 2017 per Article 12 of these By-Laws. There will be a minimum of 4 meetings per year, 2 of which may be face to face at a location approved by the President.



#### 4. Human Rights Committee

The Human Rights Committee will consist of representatives that have self-identified from any of the following equity seeking groups: Workers of Colour, Aboriginal, LGBTQ, Workers with Disabilities, Young Workers and Women. There will be a minimum of four (4) meetings per year, two (2) of which may be face-to-face at a location approved by the Executive Board.

#### 5. Scholarship Committee

The Scholarship Committee shall consist of no less than three (3) members in good standing. The Local Executive shall appoint members to the Scholarship Committee. The Scholarship Committee shall announce the availability of Local scholarships no later than February 15th of the submission year. The Committee shall be responsible for the creation of essay-type question(s) to be answered by all applicants on a topic related to the labour movement.

#### 6. Trustee Committee

To exercise general supervision over the property of the Local, subject to such instructions as they may receive from the Local;

Audit the books of the Local twice during the Local's fiscal year and make a report to the Local Executive Board thereon, also provide an annual audit at the beginning of each fiscal year;

Verify that all transactions involving Local funds and properties were properly authorized;

Require that any Officer of the Local handling funds of the Local be bonded in accordance with the National Constitution or any law;

Trustees shall be elected by the Local Union membership in accordance with Article 12A of these by-laws and shall serve a term of three (3) years. Trustees shall not hold any other elected or appointed office;

There shall be no more than four (4) and no less than three (3) Trustees;

Local Trustee has no signing authority and shall act independently. No person shall impede or constrain the Trustee in the performance of their duties under this article.

#### 7. Bargaining Committee

(a) The Bargaining Committee representatives shall be the local bargaining team and shall be made up from the following elected positions: President, Vice-President, Secretary/Treasurer, four (4) Regional Director and Chief Stewards;

(b) The number of representatives on the Local bargaining team will be determined per article 9.9 of the Unifor ACL by-laws;

(c) The president of the local shall be the first representative for the local bargaining team;

(d) Additional representative to the local bargaining team will be chosen from the elected Bargaining Committee representative outlined in article 11.7(a) of these bylaws;

- (e) The term of the local bargaining representative shall be for the duration of the bargaining process up to and including the ratification of a new collective agreement, unless those representative(s) no longer hold their office;
- (f) In the event that a representative(s) of the local bargaining team cannot fulfill their responsibilities or resigns, a replacement member will be selected per article 11.7(d) of these bylaws.

## ARTICLE 12 ELECTIONS

12A Election of Executive Board Officers, Women's Committee, Elections Committee, Trustee Committee, Chief Shop Steward and Shop Steward

1.

- (a) All Officers of the Local shall hold office for a term of three (3) years. Refer to Article 6 of these By-Laws for duties and terms of Executive Board Officers.
- (b) All elected and appointed workplace representatives and committee persons; except for Election and Trustee Committee members, shall serve terms of the same duration as their Local Union Executive Officers. Beginning in 2020, the Trustee Committee will be elected in the month of October with nomination during the September of the same year.

- 2. Nominations for the Local shall be held at the regular meeting of each Unit in the month of April, with the election to follow in the month of June.
- 3. No members shall be candidate for more than one (1) Executive Board office. If nominated for more than one (1) Executive Board office, they shall immediately declare for which office they will be a candidate.
- 4. Notice shall be sent to all members at least twenty (20) days prior to the meeting for nominations in election years with all information regarding nomination, list of offices to be filled, and date of election.
- 5. It is not necessary that nominees be confined to a particular District except for the positions of Regional Directors. The candidates for the position of Regional Director must be from the District for which they are nominated; they will only be voted on by members of their respective Districts.

A member being nominated for office, if not present, shall at the time the nomination is made, present the Co-Chairperson/Recorder evidence, in writing and signed by the nominee agreeing to be candidate for a specific Local office, Steward or committee person. However, any member being nominated for Executive Board office in this manner cannot signify their intentions to be candidate for more than one (1) specific Local office.

- 6. Immediately after nominations, the Co-Chairperson/Recorder or Unit Chairperson shall forward a list of names of the candidates to the Local office.

Candidates profiles are a requisite and must be submitted within (15) fifteen days of nominations. The Local office shall send profile forms to the Units for their regular meeting in April.

7. After nominations have been made and those nominated are found to be members in good standing, the Election Committee shall determine a secure method of balloting.
8. (a) All voting will be by secret ballot.
  - (a) If voting is done by mail out ballots, envelopes with proper postage will be used.
  - (b) When the method used for voting is online balloting it will be done in the following manner:
    - i) The Local Executive Board will choose an online voting system that is secure and provides for secret ballot voting;
    - ii) The Election Committee will send, at least two weeks notice in advance of the opening date for voting, a Notice to Membership of the upcoming election. The notice must state the purpose of the election and the opening and closing dates for voting. Members are responsible for ensuring that the Local office has their current/preferred email address to ensure they receive their access to the online voting system;
    - iii) Members will be sent an email giving instructions for voting and the ballot;
    - iv) When online voting is the method used for voting in any election that will be the only method used for that election.
9. The Secretary/Treasurer shall furnish to the Election Judge, not less than twenty-one (21) days before the election, an alphabetical list of all members eligible to vote. All members in good standing and qualified shall be entitled to vote.
10. The Election Committee shall decide the time and location when ballots will be counted. The election will begin the first regular business day of June and run for 21 consecutive days.
11. The Election Committee shall obtain the electronic results or count the ballots and certify the results in writing and notify the Executive Board immediately.
12. All election records including ballots shall be preserved for one (1) year from the date of election, after which it shall be destroyed unless a question has arisen in connection therewith.
13. Any candidate for office may be present or have a Local member as an observer present at the counting of the ballots. If electronic vote, any candidate for office may be present or have a Local member as an observer present at the receiving of the official result by email to the election judge and election committee . Expenses incurred for this purpose shall be the responsibility of the member. Any member running as a candidate for any office shall be notified of results as soon as possible following the ballot counting. Also, the candidate shall be given the actual ballot count if requested.

14. The elections shall be decided by the candidate receiving the most votes for a specific office. In the event of a tie vote the two (2) successful candidates shall stand again for election before the 15th day of August and the procedure aforementioned, with respect to the casting of ballots, shall be repeated. Only the tied candidates may stand for election.
15. Every candidate shall have the right once within thirty (30) days prior to the election to inspect a list containing the names and last known addresses of all members of the Local. Such list of members shall be maintained and kept by the Local.
16. No member shall be eligible to run for office unless they have been a member of the Local in continuous good standing for a minimum of one (1) year immediately prior to nomination.
17. Proxy voting shall not be allowed in Local voting procedures.

#### 12B Election of Unit Officers

1. The Executive of the Local shall establish the Units of the Local in their absolute discretion. The Units may be altered or amended at any time at the discretion of the Executive Board. The purpose of the Unit is to facilitate the function of the Local and to better serve the interests of the membership of the Unit.
2. Unit Officers shall be members of the respective Unit and each Unit shall have the following Officers: Chairperson and Co-Chairperson/Recorder.
3. Elections of Unit Officers shall be conducted at the April Unit meeting during the election year. Elections shall be conducted by secret ballot. Ballots will be sealed and forwarded to the Local office to be counted and certified by the Election Committee.
4. A Unit Officer must be a member of the Unit and shall serve for a period of three (3) years and their term of office shall coincide exactly with the term of office of the Executive Board of the Local.

#### 12C Election of Unifor National Convention, Regional Council and Canadian Council Delegates

Delegates to the National Unifor Convention, Regional Council and Canadian Council will be per National Constitution and Article 6 of these bylaws. The Executive Board of the Local will consider the number of delegates that may attend per the National Constitution and the financial resources available to determine the number of delegates that may be sent to Convention/Council.

1. All delegates to the National Convention shall remain as delegates until the next National Convention and shall be delegates to any Special Convention; however the delegate must be a member in good standing of the Local at the time of the Special Convention.

When required by the National Constitution, Local delegates shall be elected in accordance with Article 12A of these by-laws, with nominations held during the regular September monthly meeting;

2. The Election Committee shall count the ballots and announce the delegates list no later than 15 days after the end of the balloting period;
3. The number of votes received by each candidate will assign them a rank of priority on the delegates list to all events of the following calendar year;
4. If the successful candidate, for unforeseen reasons, is unable to attend an event for which they are selected, the next delegate on the list will be authorized to attend in their place as long as the time requirements of the event are still attainable.

### **ARTICLE 13 RECALL**

Any elected Officer of this Local may be recalled in accordance with the provisions of Article 15 of the National Constitution.

### **ARTICLE 14 CHARGES, TRIALS AND APPEALS**

As defined under Article 18 of the National Constitution.

### **ARTICLE 15 STRIKES**

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

### **ARTICLE 16 AMENDMENT**

1. These By-Laws may only be amended by a two-thirds (2/3) majority vote of the delegates voting at an Annual Local Meeting or by majority vote of the delegates voting at a Special Local Meeting;
2. (a) Between Annual Local Meetings, Policies of the Local may be created or amended by a two-thirds (2/3) majority vote of the Executive Board;  
  
(b) Policies of the Local may be created or amended by a majority vote of the delegates voting at an Annual Local Meeting or by a majority vote of the delegates voting at a Special Local Meeting;  
  
(c) Policies created or amended by the Executive Board may be repealed or amended by a majority vote of the delegates voting at an Annual Local Meeting or by a majority vote of delegates voting at a Special Local Meeting.
3. Notice to amend these By-Laws shall be submitted in writing to the President of the Local who shall add it to the agenda of the next Annual Local Meeting. When time does not permit an amendment to be placed on the agenda of the next Annual Local Meeting, the President may, at their sole discretion, place the amendment on the agenda of the following Annual Local Meeting.

## ARTICLE 17 MISCELLANEOUS

1. Each member shall keep the Secretary/Treasurer informed of their correct address.
2. Members shall show their membership cards upon request.
3. The fiscal year of the Local shall be from January 1 to and including December 31.
4. The Local shall open two accounts for the general operation of the Local business those being:
  - (a) Savings Account
  - (b) Chequing Account
  - i. The signing officers for these accounts shall be: the President, the Secretary/Treasurer and the Regional Director of District 3.

### 5. Safety Coordinator:

As soon as possible following elections, the Executive Board shall appoint a Local Safety Coordinator. This appointment will be for a term of three (3) years, to expire at the swearing in of a new Executive Board.

The Safety Coordinator may review Occupational Health & Safety Committee minutes of which the Local is involved.

The Safety Coordinator may act as an Advisor to the Local in all matters of safety; however, all safety policies of the Local shall be approved by the Executive Board.

The Safety Coordinator will operate under the direction of the President as required.

The Local Safety Coordinator shall report in writing to each regular Executive Board meeting. Whenever possible the Secretary/Treasurer, or person directed by the Secretary/Treasurer, will attempt to provide the Local Safety Coordinator with at least three (3) weeks notice of each regular Executive Board meeting. The written report of the Local Safety Coordinator may be in email form, but in any case shall reach the Union Office at least one (1) week prior to each regular Executive Board meeting.

The Local Safety Coordinator may be required to report in writing, or in person, to the Annual Local Meeting as directed by the President.

6. Notwithstanding Article 12A.14, notice posted on the website maintained by the Local, within the timeframes described in these By-Laws, shall be considered sufficient notice for the purpose of these By-Laws.
7. BIENNIAL UNIFOR ATLANTIC COMMUNICATION LOCALS MEETING (UNIFOR ACL BIENNIAL)
  - (a) The Biennial Locals Meeting will be attended by the Executive Board by virtue of their office (excluding the President based on Article 13 of the Unifor/ACL By-Laws). Remaining positions

will be appointed by the President, based on interest expressed in writing by any member in good standing

(b) If the Local President is the only member of the Unifor ACL Executive Board following the Biennial Locals Meeting election, the Local Vice President will be offered a Rank & File position on the Unifor ACL Executive Board. If they decline or vacate their position, another member of the Executive Board will serve in their capacity, as decided by the Local Executive Board. The term of office for all elected Unifor ACL Executive Board positions shall be two (2) years and all members of the Unifor ACL Executive Board shall serve until their successors are duly elected.

## **ARTICLE 18 ANNUAL LOCAL MEETING**

1. At the last regular Executive Board meeting of the year before an Annual Local Meeting. the Executive Board shall call an Annual Local Meeting for the next year. The time and location of the Annual Local Meeting shall be determined by the Executive Board. The timing of the Unit Delegate vote shall be determined by the Executive Board.
2. The purpose of the Annual Local Meeting is:
  - (a) to exchange ideas and make recommendations to the Executive Board, the Council, and the National Union.
  - (b) to provide a forum for Units to share information, coordinate activities, and build on solidarity with one another.
  - (c) to assist Units in participating in the affairs of the Local.
  - (d) to amend these By-Laws.
3. (a) The Annual Local Meeting shall be comprised of the President, Vice-President, Secretary/Treasurer, Directors, Unit Chair, Co-Chairperson/Recorder and one (1) Delegate elected by each unit. Where there are more than 300 members in any unit an additional delegate may be elected.
  - (b) Nomination and election of Unit Delegates shall be conducted during one Unit meeting. Elections shall be conducted by secret ballot. Ballots will be sealed and forwarded to the Local office to be counted and certified by the Election Committee. Elections shall be supervised by the Director of the Unit.

A member being nominated for Unit Delegate, if not present, shall at the time the nomination is made, present the Co-Chairperson/Recorder evidence, in writing and signed by the nominee, agreeing to be Unit Delegate. The nominee must be a member of the Unit in which they are being nominated.

(c) The President may direct the Local office staff to verify that successful candidates qualify according to (b) above. When a successful candidate does not qualify the candidate will be notified by the President in writing and the position will remain vacant.

(d) A quorum of the Annual Local Meeting will be no less than 51% of those eligible to attend per Article 18.3(a) & (b).

4. The President shall forward an agenda for the Annual Local Meeting to the delegates no less than thirty (30) days before the Meeting. The agenda shall include proposed amendments to the By-Laws.
5. The President shall act as Chairperson for the Annual Local Meeting.
6. The President may appoint committees to the Annual Local Meeting in their sole discretion.
7. The order of business for the Annual Local Meeting shall be:
  1. Call to Order.
  2. Role Call.
  3. President's Report.
  4. Treasurer's Report.
  5. Unfinished Business.
  6. New Business.
  7. Adjournment.

The order of business may be suspended by a majority vote of the delegates present.

8. A delegate shall have one vote at the Annual Local Meeting. The Vice President, Secretary/Treasurer and Directors may vote on all matters. In the event of a tie, the President shall cast the deciding vote.
9. The Annual Local Meeting shall be open to all members in good standing of the Local, but only the delegates described in 3(a) above shall have the right to speak and vote. Members who are not delegates may speak only when given permission by the Chair. Members who are not delegates shall attend the Annual Local Meeting at their own expense. Members who wish to attend shall give reasonable notice in writing to the President.
10. Representatives of the UniforACL and/or the National Union may be invited to attend the Annual Local Meeting. The Local shall not pay expenses for representatives of the UniforACL and/or the National Union and they shall have no vote and may speak only when given permission by the Chair.
11. The Local shall pay the normal and usual expenses incidental to the Annual Local Meeting together with the normal and usual expenses of the Delegates.
12. All amendments to these By-Laws shall not become effective until approved by the National Union.
13. (a) A Special Local Meeting may be called by the Executive Board.
  - (b) The time and location of the Special Local Meeting shall be decided by the Executive Board.



(c) Action of the Special Local Meeting shall be confined to the matters for which it was called.

(d) All delegates to the Annual Local Meeting shall remain as delegates until the next Annual Local Meeting and shall be delegates to the Special Local Meeting; however, the delegate must be a member in good standing of the Local at the time of the Special Local Meeting.

14. The rules of order for the Annual Local Meeting and/or the Special Local Meeting shall be under rules as may be adopted by the Annual Local Meeting, with Unifor Rules of Order prevailing under circumstances not covered by any Annual Local Meeting rules.

## POLICY 1 RETIREMENT GIFTS

A delegated member is to present an appropriate gift. Local retirement gifts are presented at the Regular Unit Meeting or in a manner at the discretion of the Unit or Local office. The retiring/departing member would have at least 10 years of continuous service to be "eligible for this gift.

It is the responsibility of the departing member to contact the local office within 6 months of their departure to notify the union and receive their service gift.

## POLICY 2 BEREAVEMENT GIFTS

In the event of the death of a member or a member's spouse, a delegated member will present an appropriate keepsake. For other family members, a card will be sent. Upon a request on behalf of deceased member, the Local will donate up to \$100.00

## POLICY 3 PER DIEMS

The following will be strictly applied:

- (e) Union members/**Local union officers**, who reside within the HRM boundary, attending in-town or committee meetings, conferences, conventions or training shall be allowed an \$18 meal allowance if the meeting occurs during their meal period. The meal allowance will not apply if a reasonable quality meal is provided. An in-town meeting is considered a face-to-face meeting **which the union member/Local union officer attends on official union business and which is not held at the Local office.**
- (f) Within Atlantic Canada meals shall be \$75.00 per day  
Breakfast: \$10  
Lunch: \$30  
Dinner: \$35
- (g) Outside of Atlantic Canada per diems shall adhere to Policy 1 of the Unifor ACL by-laws and policies.
- (h) Union members attending Company meetings on behalf of Unifor ACL shall adhere to Policy 1 of the Unifor ACL by-laws.

## POLICY 4 STRIKE APPEALS

The President may issue a cheque not to exceed \$500.00 upon receipt of a strike appeal.

The Executive Board may authorize a further \$1,000.00 by majority vote. If special circumstances warrant further assistance, it will only be done with unanimous vote of the Executive Board.

## POLICY 5 RULES FOR EXPENSES & TRAVELLING

The following rules are to be strictly applied:

- (a) Hotel - single accommodations - accommodations booked by Local office, total cost will be paid by the Local in accordance with these policies.
- (b) Accommodations booked by member, receipts required, to a maximum of \$120.00 per night.
- (c) Members, who do not return home and choose to be responsible for their own accommodations will be entitled to \$60.00 per day plus mileage not to exceed \$100.00. Mileage in this instance is considered that which is from accommodations to scheduled meeting.

It is understood that when members choose this option, the Local accepts no responsibility, whatsoever, for loss or damage to personal property or the injury of third parties while members are at the accommodation or enroute to or from the accommodation and worksite.

- (d) Per Diems - See Policy 3.
- (e) Bus/Limo/Taxi – to and from airport – most economical practicable method, receipt required.
- (f) i) Airfare/Bus/Train - most economical practicable method, receipt required.  
ii) Car Rental – (cannot be considered as personal auto) under unforeseen circumstances or where it is financially less or of relatively equal cost, a union member shall be permitted to use a rental car for union business at union expense. When renting a vehicle, a member must purchase the collision/comprehensive/liability insurance coverage offered by the rental company.
- (g) Personal Auto = National Union rate
- (h) Parking - actual cost with receipts.
- (i) Incidentals – incidental expenses on legitimate union business may be paid when accompanied by receipts.

- (j) Mileage – the Local will pay mileage incurred by a member to attend their regular monthly Unit meeting. The mileage rate to attend these meetings will be the Unifor National rate. A member must drive 80km or more round trip in order to qualify for this reimbursement. The Local encourages members to carpool. A voucher must be submitted by the member who incurred the expense to the Local office within 30 days of attendance at the monthly meeting.

Mileage will not be paid to Local union officers; elected or appointed, who work in the Local Union office on a regular basis and reside within 30km of the Local office location. If a Local officer uses their personal vehicle to attend in-town meetings or committee meetings, conferences, conventions, or training outside of the Local office, they will be paid mileage as per Policy 5(g) of these by-laws.

- (k) Toll Charges - Highway/Bridge/Ferry: actual incurred cost, with receipt (no receipt required for MacDonald or MacKay bridges in the Halifax Regional Municipality)

## **POLICY 6 PRESS RELEASES**

The National Union, Local President, or their designate are the only persons allowed to make press releases and that whenever possible they are in prepared form.

## **POLICY 7 TELEPHONE CALLS WHILE ON UNION BUSINESS**

The Local will pay the cost of one personal long distance call per day for a reasonable amount of time for a member who is required to stay away from home overnight on legitimate Union business.

The Local will also pay the cost for up to three Local calls per day under the above conditions in the event the hotel charges for using their telephone equipment.

Members who choose the expense option described in Policy 5 (b) or (c), shall not be reimbursed for personal calls.

Calls relating to Union business are paid for by the Local.

Members who choose the expense option described in Policy 5 (b) or (c), may be reimbursed for calls relating to Union business. Expenses forwarded to the Local for these calls must be accompanied by a photocopy of the bill for the phone from which the calls were made.

Members shall not be reimbursed for calls that are not made.

## **POLICY 8 INVESTMENTS**

The following policy is directed by the Executive Board and administered by the President and Secretary/Treasurer.

It is the intent of the Local to utilize the liquid funds at its disposal to invest in low risk investments.

## **POLICY 9 LOCAL PRESIDENT'S COMPENSATION**

The person in the position of President of the Local receive top up of any company salary to allow their pay treatment to equate to **10% above the top step of wage scale 13 of the Collective Agreement**. This top up would be provided by the Local in equal installments to coincide with bi-weekly pay periods.

## **POLICY 10 UNIT SOLIDARITY FUNDS**

The Local will contribute a one time per year amount of \$200.00 per unit to help support a function within their unit to promote solidarity. This amount doesn't accumulate from year to year. A detailed written request from the Unit Chair is required to be submitted to the Regional Director of their District.

When organizing a social event in Unit 5, the organizers may apply for an additional \$300.00 due to the large number of members in this unit. A detailed written request from the Unit Chair explaining the reason for the additional funds is required to be submitted to the Regional Director of their District.

## **POLICY 11 CARL SIMPSON MEMORIAL STRIKE APPEAL FUND**

The Secretary/Treasurer shall establish a fund to be known as the Carl Simpson Memorial Strike Appeal Fund.

No later than the last business day of January of each year an amount not less than one thousand (\$1,000.00) dollars shall be deposited into this account in memory of Carl Simpson.

Disbursements shall be made from this fund according to Policy 4.

A letter shall accompany disbursements from this fund informing recipients about the Carl Simpson Memorial Strike Appeal Fund.

All disbursements for strike appeals shall be made from this fund. Should this fund become depleted, funds may be deposited into this account at the direction of the President from general funds.

Should funds in this account reach an amount of ten thousand (\$10,000.00) dollars; deposits shall cease until such time as the balance drops to five thousand (\$5,000.00) dollars at which time deposits will recommence.

## **POLICY 12 POLITICAL AND SOCIAL ACTION APPEAL FUND**

The Secretary/Treasurer shall establish a fund to be known as the Political and Social Action Appeal Fund.

No later than the last business day of January of each year an amount not less than one thousand (\$1,000.00) dollars shall be deposited into this fund.

## **POLICY 13 LOCAL SCHOLARSHIPS**

There will be four (4) scholarships of \$1000.00 each awarded annually for children of or children under the legal guardianship of: Local members in good standing, retired Local members who were in good standing at the time of their retirement or deceased Local members who were in good standing at the time of their death.

Applicants must be accepted for admission as a full-time student at an accredited college or university. Proof of post secondary education enrolment will be required. Should a winner fail to certify enrolment, the scholarship shall be awarded to an alternate. An applicant can only be awarded one Unifor Local 2289 scholarship in their post secondary career.

Applications must be on the prescribed form, the applicant will also submit essay-type question(s) on a topic relating to the Labour movement as decided by the Scholarship Committee.

The application and essay must be received by the Secretary/Treasurer of the Local no later than the 30th day of April of the submission year.

The Scholarship Committee will review all applications and essays and announce the winners no later than the last day of May of the submission year.

One of the four scholarships shall be named the Ted Dennis Memorial Scholarship.

## **POLICY 14 UNION BANKED TIME**

A member can accumulate a maximum of 80 hours of banked time with the Local. Union banked time is time spent doing union business during scheduled vacation and for straight travel time for attending union conventions, conferences, training and special meetings; travel time must occur outside regular scheduled hours of work. All banked time must be preapproved by the **Executive Board**. Union banked time will not be paid out by the Local and will only be used as time in lieu