

# **Unifor Local Union 328**

## **By-Laws**

### **Article 1 NAME AND JURISDICTION**

- 1.1 This organization shall be known as Local 328 Grande Prairie Roman Catholic Separate School District No. 28 and shall be referred to as Local here-in.
- 1.2 This Local has been established and exists by virtue of a charter issued to it by Unifor Local 328 pursuant to the Constitution of the National Union.

### **Article II OBJECTS**

- 2.1 The purpose and objects of this Local, chartered by the National, are to unite all workers within its jurisdiction for the following purposes:
  - 2.1.1 To assist, sponsor and encourage the Union's philosophy among the members of Unifor Local 328, the Grande Prairie Roman Catholic Separate School District No. 28 and the community at large.
  - 2.1.2 To improve the wages and hours of work, to increase job security and to secure working conditions conducive to safety and good health.
  - 2.1.3 To promote the policies and goals of the Local and the National Union.
  - 2.1.4 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.
  - 2.1.5 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 labour movement and to extend the process of collective bargaining throughout all trades and industries.

### **Article III**

### **HEADQUARTERS**

- 3.1 The headquarters and main office of this Local shall be designated by the Executive.

### **Article IV**

### **MEETINGS**

- 4.1 The Local meeting is the highest authority of the Local. The Executive and all other committees of the Local are accountable to the membership of the Local, and are subject to the membership approved at Local meeting except as may be otherwise provided.
- 4.2 The general membership of the Local shall meet a minimum of four times each school year, except July and August. The time, place and date of the meeting shall be posted one (1) week prior to the meeting.
- 4.3 The Executive shall normally meet once every two (2) months (except July and August) at the date, place and time decided by the Executive.
- 4.4 The President may call a Special meeting of the Local. The President shall call a Special meeting at the request of the Executive/or membership on the written request of 10% of the members of the Local in good standing. Notice of a Special meeting shall be given to the members. The notice shall include the date, time and place of meeting and state purpose for which the meeting is called. No business other than that for which the meeting is called may be transacted.
- 4.5 The order of business at the regular meeting shall be:
1. Call to Order
  2. Opening Prayer
  3. Roll Call of Officers
  4. Approval of Previous Membership Meeting Minutes
  5. Treasurer's Report on Financial Statement and Bills
  6. Correspondence
  7. Executive Report and Recommendations
  8. Committee Reports
  9. Unfinished Business

10. New Business

11. Good and Welfare

12. Adjournment

- 4.6 A quorum for the purpose of transacting any business by the Local shall constitute those members in attendance.
- 4.7 All decisions of a Local meeting or an Executive meeting shall be by a majority vote stated by a showing of hands, unless stipulated by the By-Laws or by a motion, that a secret ballot be taken.
- 4.8 The rules of order not specifically covered by these By-Laws or the Constitution of the National Union shall be in accordance with Bourinot's Rules of Order.
- 4.9 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 her/his 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 V EXECUTIVE**

- 5.1 A simple majority of the Local Union Executive shall constitute a quorum.
- 5.2 The Executive shall appoint at least one of its members to each of the standing committees in liaison or advisory capacity, except, however, the Workplace Bargaining Committees, or Election Committee.
- 5.3 The Executive ~~Board~~ shall be the highest governing authority within the Local between meetings of the Local and shall exercise general supervision over its business and affairs. It shall have power, subject to the approval of the Local and the provisions of the National Union Constitution, to invest the funds and properties of the Local, direct payment of all ordinary bills and expenses of the Local, to authorize the expenditures of the Local or the use of the property of the Local to give effect any of its objects and to pledge any property or securities of the Local as security therefore, and to buy, sell, exchange, rent, lease or otherwise acquire or dispose of real or personal property, and shall fix the salaries or honoraria, if any, of the elective officers and any employees.
- The Executive shall have the authority to spend up to one thousand (1 000) dollars for emergency and miscellaneous expenditures between meetings, excluding December and June acknowledgements. Expenditures shall be reported at the next General meeting.
- 5.3.1 Honorariums are to be paid out in four (4) installments; March, June, October and December

President - \$1200/yr  
1st Vice President - \$600/yr  
Treasurer - \$600/yr  
2nd Vice President - \$300/yr  
Recording Secretary - \$300/yr  
Trustees - \$300/yr

- 5.3.2 Per diems shall be paid as per the National rates.
- 5.4 The Executive shall have such powers as are necessary and appropriate to give effect to the purposes of the Local.
  - 5.4.1 It shall present a report of its activities to each meeting of the Local for its approval.
  - 5.4.2 Minutes will be taken of all Executive meetings by the Recording Secretary and shall be available to all members.
- 5.5 The Executive officers of the Local shall comprise of a President, Vice-President(s), Treasurer and Recording Secretary or Secretary Treasurer.
- 5.6 All members of this Local holding an election position are required to attend:
  - 5.6.1 Two out of three consecutive membership meetings unless officially excused for cause by the Local Union Executive.
  - 5.6.2 Two out of three consecutive meetings other than membership meeting expected of their respective office or position, unless officially excused for cause by the Local Union Executive
  - 5.6.3 Failure of any elected official to comply with the above attendance rules shall result in automatic removal from their respective office or position, and they shall not be permitted to run for any elective office for the balance of the term from which they were removed, except as a delegate to the Constitutional Convention.

## Article VI NOMINATIONS AND ELECTIONS

- 6.1 No member shall be eligible for nomination to any position in the Local, or as a delegate to the National Convention, or as a representative of the Local, or any other subordinate body of the National Union or Local, unless he/she shall have been a member in good standing in the Local continuously for one year immediately preceding his/her election.
- 6.2 Notices as to the date of nominations and elections of ~~and~~ Officers shall be placed on bulletin boards, not less than seven (7) days in advance, and reasonable efforts shall be made to notify all members.
- 6.3 All Executive members shall be elected in the following manner. **There should be a minimum of 15 days between nominations and elections.**
- 6.3.1 Nominations are to be made from the floor at the election meeting, as long as the nominees are present to indicate their willingness to take office if elected.
- 6.3.2 Elections will be decided by votes cast by secret ballot. The chair will direct members to write the name of the candidate of their choice on a blank ballot distributed at the meeting.
- 6.3.3 **Local Unions must have a democratically elected Elections Committee.** Three (3) scrutineers shall be appointed. Their responsibility is to decide the acceptability of the ballots cast, to tally the votes, and to deliver a signed and sealed report of the result of the balloting to the Chair or any other official who has been designated to receive it.
- 6.3.4 In the case of elections requiring a majority vote, if no nominees receive a majority on the first ballot, a run-off election shall be conducted and the two nominees receiving the greatest number of votes on the first ballot shall be the nominees on the second ballot. If no nominees receive a majority on the first ballot and there is a tie for second place, a run-off election shall be conducted and the person receiving the greatest number of votes on the first ballot and the person who tied for second place shall be the nominees on the second ballot.
- 6.3.5 Each member shall be entitled to one (1) vote. There shall be no absentee voting, and no voting by proxy. The candidate receiving the majority of votes will be declared elected. The presiding officer at an election

meeting, or at a meeting where election results are announced, continues to act as chair until all the business of that meeting has been dealt with.

6.3.5.1 President and Treasurer shall be elected in the odd numbered years.

6.3.5.2 Vice-Presidents and Secretary shall be elected in the even number years.

6.4 All elected positions shall hold office until their successors are elected. The outgoing officers shall immediately turn over all papers, monies, rights, chattels, books, records, property and assets belonging to the Local to their successor and/or the President of the Local.

6.5 In case of vacancy of the President, the Vice-President or the officer of the highest rank shall immediately assume all responsibilities of that position until a successor has been elected. Vacancies in other positions shall be filled by election by the membership at the next General meeting.

## **Article VII DUTIES OF THE EXECUTIVE**

### **7.1 PRESIDENT**

7.1.1 To preside at all meetings of the Local and Executive

7.1.2 To have signing authority for the withdrawal of the funds of the Local

7.1.3 To appoint and be an ex-officio member of all Local committees

7.1.4 To enforce the National Constitution, Local Bylaws and all union rules and regulations

7.1.5 To represent the Local in all affairs that he/she feels necessary to efficiently serve the best interest of the Local

### **7.2 VICE-PRESIDENT(S)**

7.2.1 To assist the President in the performance of his/her duties including attending Union sponsored events

- 7.2.2 To act for the President in his/her absence and in the event of a vacancy in the position of President, the first Vice-President shall succeed to the position of President.

### 7.3 RECORDING SECRETARY

- 7.3.1 To keep correct minutes of all General and Executive meetings
- 7.3.2 To conduct all correspondence of the Local
- 7.3.3 To distribute all correspondence addressed to the Local to the appropriate persons and keep on file all documents that are necessary for the accountability of the Local
- 7.3.4 To have charge of the seal of the Local, which he/she shall insure is used only as authorized, and shall attach same to all documents requiring authentication
- 7.3.5 To submit such reports and information to the National President as the National President may require
- 7.3.6 To distribute copies of minutes and agenda respectively to the general membership and executive
- 7.3.7 Maintain updated records of all committees and representatives

### 7.4 TREASURER

- 7.4.1 To collect all monies paid to the Local
- 7.4.2 To deposit same in the name of the Local in such bank or banks as the Executive may direct
- 7.4.3 To countersign all cheques or other authorizations for the removal of funds of the Local
- 7.4.4 To keep true and accurate accounts of all transactions
- 7.4.5 To make reports thereon to the general members and Executives
- 7.4.6 To keep a record of the names and addresses of all members of the Local and their status
- 7.4.7 To submit a written report of the finances and the membership of the Local in such manner and at such times as the National President or Treasurer require

7.4.8 To make all of his/her books and records available for examination and audit by elected Trustees at the end of the fiscal year. The fiscal year shall be from January 1st to December 31st

7.4.9 Recommended to attend Unifor financial training

7.5 SECRETARY TREASURER

7.5.1 The combination of duties from Recording Secretary and Treasurer

**Article VIII TRUSTEES**

8.1 In accordance with the Constitution of Unifor, two Trustees will be elected every two years.

8.2 The Trustees shall meet to examine and audit the books and records of the Local Union at least four (4) times a year. The Trustees shall submit a written report on each audit to the Local Union and to the National Treasurer in such manner and at such times as the National Treasurer may require. (If receiving an honorarium, the audit will take place after working hours at a mutually agreed time.

**ARTICLE IX COMMITTEES**

9.1 Bargaining, Liaison, Grievance and any committee requested by Union members

9.1.1 Bargaining; may include up to three (3) Executive members and shall include an elected member at large

9.1.2 Liaison: shall include the President and up to three (3) members appointed by the President

9.1.3 Grievance: will be appointed by the Executive to ensure fair representation

**ARTICLE X MEMBERSHIP**

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

10.2 Each member in good standing of this Local Union has the right to nominate and vote, express opinions on all subjects before the Local, 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 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, Bylaws and other official rules of the Local

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 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 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.

10.3 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.

10.4 Each member of this Local is entitled to duty of fair representation

10.5 REVENUE

10.5.1 Grande Prairie Roman Catholic Separate School District No. 28 shall deduct the amount of the Local dues, as set by the Local, from the pay of all employees, covered by the Collective Agreement each month. The Board shall remit Local dues from the pay of all employees to the Union. The deductions remitted shall be accompanied by particulars identifying each employee by name, showing starting date employment and classification.

10.5.2 Per capita to the National Union shall be as provided in the Constitution of the National Union.

- 10.5.3 Each member of this Local shall pay dues to the Local in an amount equal to 1.75% of basic pay.

**Article XI TRANSFERS AND WITHDRAWALS**

- 11.1 Any member who is in good standing and has paid his/her dues for the month in which a transfer is requested, any transfer his/her membership to another local of the National Union. Upon application he/she shall receive a transfer card to the local to which he/she desires to be transferred valid for no more than three months.

**Article XII PROPERTY**

- 12.1 At all times, the Local shall ensure that its assets, funds and other property are used or spent in a manner that is consistent with the Objectives and Statement of Principles expressed in the Unifor Constitution

- 12.2 No Local will loan assets, funds or other property to any member

**Article XIII UNIFOR**

All the terms and provisions of the Constitution of the National Union shall be deemed a part of these By-Laws.

In the event of a conflict between these By-Laws and the provisions of the Constitution of the National Union, the Constitution of the National Union shall prevail.

This Local has no power to make any contract or incur any liability binding upon the National Union, without the written consent of the President of the National Union and the approval of the National Executive Board. the National Union shall not be liable under any contract or for any acts of this Local or its officers or its members unless they have been authorized in writing to enter into such contract or perform such acts.

**Article XIV BY-LAWS - ADOPTION AND AMENDMENTS**

- 14.1 By-Laws must be adopted by a 2/3 majority of the members in attendance who vote. By-Laws are not deemed in effect until approved by the National Executive Board. These By-Laws shall become effective when ratified by a majority of the members present at a meeting and approved by the National Union President.

- 14.2 Any provision of these By-Laws may be modified, amended or repealed, or new By-Laws may be adopted, by the affirmative vote (**a majority**) of the members voting on the question, at a regular meeting, or special meeting called for that purpose, provided, however, that notice of the proposed amendment, modification or repeal has been given to the members at the previous regular meeting. This

Local has no power to modify, amend or repeal any of the terms and provisions of the Constitution of the National Union.

Presented at Local meeting (date) \_\_\_\_\_

Approved at Local meeting (date) \_\_\_\_\_

Signed \_\_\_\_\_

Secretary

Approved by \_\_\_\_\_

President

Date \_\_\_\_\_