

LOCAL UNION and UNIT BYLAWS

AMMENDED NOVEMBER 15, 2014

ARTICLE 1: NAME

The name of the Local Union shall be, LOCAL 973 (Amalgamated) Unifor, the Union

ARTICLE 2: OBJECTIVES

The objectives of this Local Union-shall be:

- 1) The regulation of labour relations and collective bargaining between employers and employees;
- 2) To promote, conduct and safeguard collective bargaining and to strengthen practices of more broadly based bargaining, including coordinated and pattern bargaining.
- 3) To regulate and improve wages, pensions and benefits, hours of work, employment security and working conditions through collective bargaining and political action.
- 4) To protect and strengthen our rights at work.
- 5) To strive for a safe and healthy work environment.
- 6) To ensure fair treatment, dignity and respect at work.
- 7) To make workplaces more democratic.
- 8) To organize the unorganized.
- 9) To strive for a safe workplace free of discrimination and harassment.
- 10) The objectives of the National Union as per the Constitution of the National Constitution.

ARTICLE 3: CONSTITUTION and BYLAWS

The Constitution of this Local Union shall be the Constitution of the National Union, UNIFOR, and these Bylaws and Unit Bylaws shall be in all respects subordinate to the National Constitution and all applications and interpretations thereof. These By-laws will govern the affairs of the Local and all units.

The Local Union shall submit its amended By-laws to the National Executive Board for approval. (See Appendix A Letter of Approval.)

If the Local establishes a Retiree Chapter the Chapter will submit its proposed By-laws to the Local Union for review.

By-laws establishing a Community Chapter shall express the objectives of the Community Chapter and define the membership to be included in the Local Union through the Community Chapter. The By-laws shall also specify:

- 1) The right of members in Community Chapters to participate in the activities of the Local Union.
- 2) The rights and limits of members in Community Chapters to voice and/or vote in Union affairs and structures.
- 3) The services the Local Union expects to provide members in Community Chapters.

ARTICLE 4: FISCAL YEAR

The Fiscal year of Local 973 shall be the first day of January of each year and end on the thirty-first day of December of the same year.

ARTICLE 5: MEMBERSHIP

Section 1:

The Local Union shall be composed of workers eligible for membership in Unifor 973 over whom the Local Union has Jurisdiction. Eligibility for and acceptance into the Local Union shall be governed by the Constitution of the National Union, Unifor.

Section 2:

A worker's acceptance of membership in the Local Union shall imply his/her acceptance of the National Union and the Local Union as his/her exclusive representatives for the purpose of collective bargaining with respect to rates of pay, wages, hours of work or conditions of employment, and for negotiations and execution of any contracts with the employers covering such matters, including contracts requiring his/her membership or the continuation of his/her condition of employment or continued employment and contracts requiring the employer to deduct, collect or assist in collections from his/her wages any fines, dues, fees or other contributions payable to the National Union or to this Local Union.

Section 3:

A worker's acceptance of membership in this Local Union shall imply acceptance of the National Union, Local Union, and Local Unit, and each of them exclusively, to appear and act for him/her and on his/her behalf before any court, board, committee or other tribunal in any matter affecting his/her status as an employee or as a member of this Local Union: and exclusively to act as her/his agent and to bind her/him in the presentation, prosecution, adjustment and settlement of all grievances, complaints or disputes of any kind or character arising out of the employer employee relationship as fully and to all intent and purpose as he/she might do if personally present.

Section 4:

Each member in good standing of this Local Union has the right to nominate and vote, express opinions on all subjects before the Local Union, to attend all membership meetings and-express views, arguments and opinions on all matters and business, including candidates for office, properly before the meeting, to meet and assemble freely with others members and generally, to participate in the activities of the Local Union in a responsible manner consistent with good conscience in order to present and discuss factually and honestly the issues and personalities 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 informal rules and regulations contained in the Constitution, Bylaws and other official rules of the Local Union.

Section 5:

A member in exercising the foregoing rights and privileges shall not take any irresponsible action which would tend to jeopardize or destroy, or be detrimental to either the Local or National Union as organizations, or their free democratic heritage, or which would interfere with the performance by this Local Union or National Union

of its legal or contractual obligations of this Local Union as an affiliate of the National Union. Violation or abuse of these rights and privileges of membership, or engaging in conduct prohibited by this section, shall be considered conduct unbecoming of a Union member.

Section 6:

It shall be the duty of every member:

- 1) To become completely familiar with the provisions of their Collective Agreements,
- 2) To investigate and grieve all violations of their Collective Agreements and matters in the interest of the membership.
- 3) To attend meetings of the Local and of their Units
- 4) To bring to the attention of the membership all matters of interest to the membership 5) To act to further the goals and objectives of the membership

Section 7:

The membership shall strive to obtain the objectives set forth in the National 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 labor movement, to co-operate with National Executive Board Members, the National Representatives and help promote organizational activities.

Section 8:

A membership card shall be provided and given to each member, identifying her/him as such. Failure to produce such identification when properly demanded may result in the loss of voice, vote or presence at any Union meeting. Those members who do not have their membership card on their person must have another card bearing member vouch for them.

ARTICLE 6: MEMBERSHIP MEETINGS of the LOCAL

Section 1:

There shall be a minimum of four General Membership Meetings of the Local held in each year. They shall be held in the months of January, April September and November unless such scheduling conflicts with the efficiency and operations of the Local Union. Advice of all meetings shall be by official notice placed on Plant Notice Boards not less than seven days before the date of the meeting.

Section 2:

Emergency meetings or Special Meetings of the membership, of the Local Union or a Unit, may be called by the President when necessary without seven days' notice. Only the items which were the reason for such a meeting being called will be discussed.

Section 3:

Where there are signatures and names clearly written and amounting to 40% of the total membership of a unit on a request calling for a meeting of the membership of the Local Union or a Unit and the request clearly identifies the matter at issue, the President shall call a meeting for the second Saturday or Sunday after the presentation of the petition. When possible there shall be seven days' notice or more but not less than two. Only the matter at issue may be discussed at such a meeting. For Unit meetings see Article 11 Sec. 6.

Section 4:

The regular order of business will be as follows:

- a) Opening of meeting
- b) Roll Call
- c) Minutes of previous meeting
- d) Financial report
- e) Report of Officers
- f) Correspondence
- g) Unfinished Business
- h) Good and Welfare
- i) New Business
- j) Closing

The introduction of guests, applications for membership, voting on application, initiation of new members and installation of officers will follow the opening of the meeting, when such occasions are necessary.

Section 5:

A quorum shall consist of any twenty members (in good standing, excluding executive members).

If a quorum is not present thirty minutes after the official time of starting, as it appears on the notice, the Chair/President, on the vote of the members then present may declare the meeting open but only matters of urgent or immediate concern may be acted upon.

Section 6:

A member wishing to speak shall raise his/her hand, but shall remain seated until recognized by the Chair/President and or Sergeant at Arms unless a designated area has been established (such as a microphone) and a lineup/s have been formed, in which case the member at the front of the queue would be first to speak when called upon. Upon recognition he/she shall give his/her name and department, then he/she may speak for not more than five minutes addressing his/her remarks to the chair and confining his/her self to the matter in hand. No member may speak more than once on any subject until all speakers have been heard, then the mover may, should he/she so desire, speak once more, where upon the motion shall be re-read immediately and put to the vote.

Section 7:

All discussions and or debate shall be governed by the rulings of the Chair/President. In the event the Chair/President ruling is challenged, he/she shall vacate the chair and the Vice President shall poll the members either "supporting" or "against the Chair/President's decision. No other subject matter may be raised, nor any discussion entered into until the vote is made public and the Chair/President once again is seated.

Section 8:

The Final Authority on rules of the meeting shall be "Bourinot's Rules of Order". A copy shall be furnished at all general meetings if required.

Section 9:

Any member who attends a meeting and is suspected to be under the influence of alcohol or drugs and or creates a disturbance, or becomes unruly shall lose voice and his/her right to vote at said meeting. Where necessary to

maintain order, the member may be evicted from the meeting by order of the Chair/President and or Sergeant at Arms subject to the challenge of the membership. Flagrant or persistent violation of this section by any member shall be conduct unbecoming of a union member.

ARTICLE 7: POWERS OF ADMINISTRATION

Section 1:

The Local Membership is the highest authority of this Local Union and is empowered to take or direct any action not inconsistent with the Constitution or By-Laws.

Section 2:

Between membership meetings, the Local Executive shall be the highest authority of the Local Union and shall be empowered to act on behalf of the membership to the extent that urgent business requires prompt and decisive action, subject to subsequent approval by the membership, but the Local Executive may not take action affecting the vital interests of the Local Union without prior membership approval.

Section 3:

The Executive Board shall be empowered to authorize payment of all recurring expenses (wages, rents, utilities, supplies etc.) which shall be necessary for the proper conduct of the Local Union business.

Section 4:

Between meetings of the Local Executive the President shall exercise general administrative authority and shall be empowered to act on behalf of the Local Executive subject to subsequent approval of the Local Executive.

Section 5:

The President, First Vice-President or Financial Secretary has the authority to sign, administer and enforce any approved commercial contract between the Local Union and another party in order to conduct the affairs of the Local Union and to achieve the Union's objectives. In cases where he/she cannot be present to fulfil the above duties the President, First Vice-President or Financial Secretary may delegate to a Vice President the authority above.

Section 6:

Subject to this Constitution and these By-laws, the highest authority of the Unit shall be the Unit Membership and is empowered to take or direct any action not inconsistent with the Constitution or By-Laws.

Section 7:

Subject to this Constitution and these By-laws, between membership meetings, the Unit Council shall be the highest authority of the Unit and shall be empowered to act on behalf of the membership to the extent that urgent business requires prompt and decisive action, subject to subsequent membership approval, but the Unit Committee may not take action affecting the vital interests of the Unit without prior membership approval.

Section 8:

Between meetings of the Unit Council, the President shall exercise general administrative authority and shall be empowered to act on behalf of the Local Executive subject to subsequent approval of the Executive Board. In the absence of the President the Unit Vice President shall act in place of the President

Section 9:

No literature shall be released on mass media, radio, TV, internet or any other means of public communication without the sanction of the President or Acting President or the Chairperson.

ARTICLE 8: LOCAL UNION EXECUTIVE OFFICERS**Section 1:**

The Amalgamated Local Union shall have the following Executive Officers:

- One President,
- One First Vice President,
- Unit Vice Presidents, one from each Unit, one of whom shall be the First Vice President, □ Unit Chairs, one from each Unit will have voice but no vote,
- One Recording Secretary,
- One Financial Secretary,
- One Local Trustee,
- Unit Trustees, one from each Unit, □ One Sergeant at Arms □ One Guide.
- A Retired Member who shall have a voice but no vote.

Section 2:

Local Union Executive Officers shall be elected for a period of three years unless the officer is filling a vacancy in which case the officer shall complete the term of the vacancy or appointment.

Section 3:

Except for *ex officio* positions a member may not hold a Local Union Executive Office and at the same time hold an office on a Unit Council.

Section 4:

No person may be elected to more than one Local Union Executive Office at the same time. In the temporary absence of an Executive Officer, the President may appoint another executive officer to perform the duties of the absentee.

Section 5:

In the event the office of the President becomes vacant, The First Vice President shall assume the office for the balance of the term. The First Vice President's position shall then be considered vacant requiring an election. In the event of any Local Union Executive office becoming vacant, except the President's, an election to fill the vacancy shall be held within sixty days, provided, however, the Executive shall have the authority to appoint a member to fill the vacant position until the results of such election shall become known.

Section 6:

The procedure for conducting a special election to fill the vacancy in any Local Executive Office shall be the same as outlined in Article 15 B of the National Constitution and these Bylaws. See the Article 19, Election Procedure.

Article 9: DUTIES OF THE LOCAL EXECUTIVE OFFICERS

Section 1:

The duties of the Local Union Executive Officers shall be as provided for in Article 15, C of the National Constitution, as it now exists or may hereafter be amended and shall include:

- The pursuit of the objectives set out in this Constitution. □ The implementation of all Union programs and policies.
- Active participation in political affairs and legislative processes at all levels.
- Support of the participation of Local Union Executive Officers, Committeepersons, Stewards and members in educational programs, courses and training.
- The protection of the Local Union's assets, funds and other property.

Section 2: The President

- 1) The President is the principal spokesperson and leader of the Local Union. He or she works to protect and advance the interests of the Local Union, and coordinates the efforts of the Local Union Executive Board and membership to achieve the objectives of the Union.
- 2) The President will chair all Local Union meetings, enforce the Constitution and appoint committees not otherwise provided for. The President will sign all requisitions for expenditures authorized by the Local Union and countersign all cheques issued by the Financial Secretary. The President will be an *ex officio* member of all committees with the exception of the election committee.
- 3) The President will appoint a person who will act as the Local Union's organizing liaison. The Organizing liaison's duties will be to coordinate the Local's organizing activities, to work with the National Organizing Department and to report on organizing initiatives and issues to the President, the Local Executive and the Local membership.
- 4) The President will attend all collective bargaining meetings of the Local and its Units.

Section 3: The Vice Presidents

The First Vice President will be selected by the Executive by secret ballot at the first Local executive meeting following the completion of the Local's triennial elections.

The Vice-Presidents will assist the President in his/her duties and attend all Local Union and Unit meetings. If the President is absent or incapacitated the First Vice-President will perform the President's duties. In the absence of the President the Vice Presidents will be the Chief Administrative officers within their respective Units.

The Vice-Presidents will attend all collective bargaining meetings involving their Units.

Section 4: The Unit Chair

The Unit Chairs will attend all meetings of the Local and their respective Units and will represent the interests of the Unit along with the Unit Vice President

Section 5: The Recording Secretary

The Recording Secretary will keep a correct record of the Local Union proceedings and sign all requisitions for funds that have been authorized by the Local Union. He/she will read all documents and handle correspondence that does not pertain directly to another officer's duties. He/she will file documents and correspondence for future reference. The Recording Secretary will bring any correspondence requiring action to the members' attention.

Section 6: The Financial Secretary

1. The Financial Secretary will report in writing to the Local Union's regular meetings. The report will include amounts received and spent since the last report, listed by kind of income and expenditure, as well as the amounts remaining in the Local Union's funds.
2. The Financial Secretary will write and sign all cheques.
3. The Financial Secretary will receive all dues, initiation fees, reinstatement fees and all other income for any fund receipts. Where a Local Union has a check-off arrangement for dues, the Financial Secretary will issue one receipt for the cheque received from the Company. Individual receipts will not be issued unless the Company fails to show the reason for, and amount of, the deduction on the cheque stub or pay envelope.
4. The Financial Secretary must not make the membership list or records available to anyone except as set out in Article 15C. If it is proven that a Financial Secretary intentionally failed to report monthly the full membership of her/his Local Union to the National Secretary-Treasurer, or if it is proven that a Local Union President or Financial Secretary intentionally refused to sign a cheque to send in the full amount of per capita tax, the Local Union may be suspended until it makes up the deficiency. The officer(s) responsible will not be allowed to hold office for two years.
5. The Financial Secretary will deposit all Local Union income and money in the accounts set up in the name and number of the Local Union in banks, credit unions or trust companies as the Local Union Executive directs.
6. The Financial Secretary will make available to each member a copy of the National Constitution and Local Union By-laws.
7. The Financial Secretary will keep an inventory of all Local Union records and property. When possible, he/she will include the date of purchase and amount paid for each article. He/she will notify members in arrears of the amount of their debt. When asked, the Secretary Treasurer will turn over the books to the persons assigned to audit the financial books and records of the Local Union, for audit and approval. On demand of the Secretary Treasurer of the National Union, he/she will produce the books for examination and audit.

8. The Financial Secretary shall submit National Union dues to the Secretary Treasurer of the National Union by the last day of the month following collection. He/she shall also deliver, at the same time, a complete dues list, including the names of the persons who paid their dues, the relevant rate of pay, regularly scheduled hours worked, and any other information requested by the Secretary Treasurer of the National Union.
9. The Financial Secretary will give the Secretary Treasurer of the National Union, the names and addresses of all the Local Union officers. The Secretary Treasurer will notify the Secretary Treasurer of the National Union and keep a record of all members initiated, suspended, expelled, deceased, transferred in or out or reinstated. He/she will keep a complete record of all active members of the Local Union, including the date of initiation, the date and cause of suspension or expulsion, the date of reinstatement, the date of death, home address and any other information needed to keep a record of the history of a person's membership.
10. The Financial Secretary shall record all financial transactions in the books of the Local Union.

Section 7: The Trustees

1. The Trustees will supervise all funds and property of the Local Union.
2. Four times per year, the Trustees will audit, or see that a Chartered Accountant selected by the Local Union Executive Board, audits the financial records. For this audit, they will use duplicate forms supplied by the National Union. They will send a copy to the National Secretary Treasurer immediately.
3. The Trustees will also see that the Local Union's financial officers are bonded in conformity with the laws of the National Union.
4. The Trustees will see that all funds are deposited in a bank, credit union or trust company in the name and number of the Local Union and that the President and Financial Secretary and Vice Presidents are signing officers.
5. If the Local Union has a safety deposit box, the Trustees will see that the signatures of the President, Financial Secretary and one Trustee are required.
6. If the books are not received for audit fifteen days after the end of each three month period, the Local Trustee will ask the next Local Union meeting to act.

Section 8: The Sergeant at Arms

At meetings the Sergeant-at-Arms will introduce all new members and visitors and assist the President in preserving order when called upon to do so.

The Sergeant-at-Arms will take charge of all property of the Local Union not otherwise provided for and perform other duties as assigned.

Section 9: The Guide

The Guide will maintain order, inspect membership receipts or cards, make sure that all present are entitled to remain in the meeting, and perform other duties as assigned.

Section 10: Retired Member

If the Local Union establishes a Retired Workers Chapter, the Retired Workers will elect from its ranks a member to sit as a Retired Member on the Local Union's Executive Board as provided for in the National Constitution and report to the members at membership meetings.

Section 11: General

1. As well as the duties outlined in this article, Local Executive Officers will perform other duties as the Local Union may direct. It shall be the duty of the Local Union Officers, where necessary, to interpret these bylaws.
2. All Local Executive officers must comply with the provisions of these bylaws and the National Constitution. All Local Executive officers, committee members, stewards and other members handling funds or other property of the Local Union must turn over all funds, property and records to their successors.
3. All officers with spending authority shall be bondable by such methods and agencies as the National Board may determine and the Constitution of the National Union may require.
4. Local Executive Officers and all workplace representatives are required to take a week long, forty-hour Human Rights Training Course. The National Union will develop a plan for delivery of this course in concert with Local Unions.

Article 10: Local Union Executive Meetings**Section 1:**

Meetings of the Local Union Executive shall be scheduled by the Executive or as called by the President.

Section 2:

The quorum for Local Executive Meetings shall be fifty percent of elected Executive Officers.

Section 3:

Emergency Meetings of the Local Executive may be called by the President or by a majority of the Board Members. All Board Members must be notified of such meeting.

Section 4:

All decisions and recommendations of the Local Executive shall be reported at the next General Membership Meeting for approval.

Article 11: UNIT COUNCILS:**Section 1:**

The governing body of a unit shall be the Unit Council. All unit councils will have the following unit council officers:

- One Local President,

- One Unit Vice President,
- One Unit Chair,
- One Unit Recording Secretary,
- One Unit Trustee and
- One Unit Member at Large
- Any others that the Unit Membership deems necessary.

Section 2:

Except for ex officio positions, a member may not hold a Local Union Executive Office and at the same time hold an office on a Unit Council.

Section 3:

The Hamilton Unit Council shall consist of:

- One Local President,
- One Unit Vice President
- One Unit Chair
- One Unit Recording Secretary
- One Unit Trustee
- One Unit Member at Large

Section 4:

The Brampton Unit Council shall consist of:

- One Local President
- One Unit Vice President
- One Unit Chair
- Three Unit Committee Persons
- One Unit Recording Secretary
- One Unit Trustee
- One Unit Member at Large

Section 5:

Any new unit to the Local shall maintain its governing structure until it adopts these Bylaws and holds new elections which shall not be later than one year after the date of the ratification of the merger agreement. New terms of office will expire at the date of the Local's next triennial elections.

Section 6: Unit meetings:

Each unit of an amalgamated Local Union must hold a regular general meeting of its members at least once a month unless their respective By-Laws provide for a general membership meeting at least once every three months.

There shall be a minimum of two meetings of the General Membership of the Unit per year at six month intervals unless otherwise determined by the Unit Council. Seven days' notice, on the Union bulletin board, shall precede all regular meetings of the membership.

Unit Council meetings will be determined by the Council.

Any two Unit Council Members may ask the President to call a Unit Council Meeting or a meeting of the General Membership of the Unit, in which case the President will set the soonest possible date for the meeting.

ARTICLE 12: DUTIES of UNIT REPRESENTATIVES

Section 1:

- 1) Where applicable the duties of the Unit Council members within the unit shall mirror those of their Local Executive counterparts (see Article 9). Duties for additional Council members not covered in Article 9 shall be defined and properly proposed and passed at a meeting of the Unit's General Membership and presented at a General Membership meeting of the Local so that these bylaws may be amended to include them.
- 2) In addition to the duties described in Article 9 it shall be the duty of the Unit Chair to oversee the administration and enforcement of the Collective Agreement within the Unit.
- 3) The duties of the Unit Member at Large shall be to attend Master Bargaining when necessary and other duties as assigned by the Unit Membership.
- 4) A Unit's membership may assign duties to its council members as befits the membership's needs.

Section 2:

The duties of the Unit Committee Persons and Stewards shall be as follows;

- a) To become completely familiar with the provisions of their Collective Agreements,
- b) To defend and enforce the provisions of their Collective Agreements and the interests of the membership.
- c) To investigate and grieve all violations of their Collective Agreements and matters in the interest of the membership.
- d) To carry out to the best of his/her ability, in harmony with other Committees of the Local Union and the Executive Board, the decisions of the Local Union.
- e) To carry out the duties as prescribed by the National Union.
- f) In addition, to the duties of a Steward, Stewards will generally report to their respective Committee Persons.

Section 3:

In addition to the above duties, the duties of the Unit Committee Persons shall be

- a) To assist the Unit Chair in his/her duties
- b) To provide guidance and assistance to Stewards in the performance of their duties c)
To attend Collective Bargaining
- d) To deliver reports to the membership at membership meetings
- e) Upon the written request of at least twenty-five percent of the members in a department calling for a special meeting of that department, the Unit Chair will immediately forward the request to the Local President.

ARTICLE 13: OTHER WORKPLACE REPRESENTATIVES

All Units should have the following elected workplace representatives:

- Workers Safety Insurance Board, (number as needed)
- Substance Abuse Representative
- Human Rights Representative
- Worker Co-Chair of the Unit Joint Health and Safety Committees
- Member's Councilor □ Skilled Trades Rep
- Women's Committee Rep

The term of office for workplace representatives shall be three years whether elected or, if the position is vacant, appointed.

ARTICLE 14: UNIT NEGOTIATING COMMITTEES

Section 1

Unless otherwise specified in these bylaws a Unit Negotiating Committee shall be comprised of:

- The Local President
- The Unit Vice President
- The Unit Committee Persons as defined by the Unit

Section 2

The Brampton Unit Negotiating Committee shall be comprised of:

- The Local President
- The Unit Vice President
- The Unit Chair
- Three Unit Committee Persons as defined by the Unit

Section 3

Hamilton Unit Negotiating Committee shall be comprised of:

- The Local President
- The Unit Vice President
- The Unit Chair
- The Inside Committee Person
- The Outside Committee Person

Section 4

Where required, a Master Bargaining Committee shall be comprised of;

- The Local President And from the units involved:
- The Unit Vice Presidents
- The Unit Chairs and
- The Unit Members at Large

ARTICLE 15: LOCAL UNION AND UNIT STANDING COMMITTEES

Section 1:

The Local Union and each Unit shall have all Standing Committees as required by the National Constitution.

Section 2:

Members of all standing committees of the Local Union and each unit shall be elected and shall hold office for three years unless the member is filling a vacancy.

Section 3:

Each Standing Committee shall elect/appoint from amongst its members, a Chair.

Section 4:

All Committees shall submit written reports of their activities to their respective Local Executive or Unit Council prior to General Membership Meetings.

Section 5:

There shall be a minimum of three members in each of the standing Committees, a simple majority of the committee shall constitute a quorum unless otherwise specified in the Bylaws or Constitution.

Section 6:

The Committees shall perform all duties assigned to them by the Constitution and Bylaws and such additional duties as they may be directed to perform from time to time by the Local Executive, their respective Unit Councils or the Membership.

Section 7:

The President, in consultation with the Local Executive, may appoint from time to time, Special Committees to act in specific circumstances not covered by the Standing Committees. Such Committees, when their purposes are served and they have made their-final report, shall be automatically dissolved.

Section 8:

The President can be an *ex officio* of all committees except the Election Committee.

Section 9:

The Local Executive or any Local Union Committee or Unit Committee may invite any member of the Local Union to attend a committee meeting if it is deemed that the member has a special skill or knowledge useful to the business at hand. Such member shall act as an advisor only and shall have neither voice nor vote.

ARTICLE 16: RECALL OF OFFICERS

Section 1:

All Local and Unit representatives may be recalled in the following manner.

Local Executive officers may be recalled if twenty-five percent of the members represented by the officer sign a petition asking for a recall and a quorum of fifty percent of the represented members are at the recall meeting and

two-thirds of those present and voting, vote in favour of the recall. All recalls shall be in keeping with Article 15B of the National Constitution

Members of a Unit Council and Workplace representatives may be recalled if fifty percent of the members represented by the Unit Council Member or Workplace Representative sign a petition asking for a recall and a quorum of fifty percent of the represented members are at the recall meeting and two-thirds of those present and voting vote in favour of the recall. All recalls shall be in keeping with Article 15, section E of the National Constitution.

Section 2:

The process for recall shall be as follows:

- a) A petition shall be presented to the Local Union President setting forth the specific complaints for the desired recall and having appended thereto the required number of signatures
- b) On receipt of the petition, the President shall cause to be posted, in a situation accessible to all parties, a Notice of Meeting, stating the Date, Time, Place, Purpose but not the reason as set forth in the petition. The date shall not be less than seven days from the posting of the notice, and a copy of the notice and the petition shall be delivered by hand or Registered Mail to the Officer whose recall is being considered.
- c) An elected Local Executive Officer or Unit Council Member or workplace representative may only face recall once during the term of office

Section 3:

An appointed Officer may be recalled by the body which appointed him/her. Such recall shall be effective on his/her receipt of a letter, delivered by hand or Registered Mail, setting forth the reason for his/her recall and signed by the principal officer of the body which made the appointment.

ARTICLE 17: ATTENDANCE RULES

Section 1:

These rules cannot be used to make attendance a condition for eligibility to run for office. The attendance provisions can only be applied after a member is elected to a Local Union position.

Section 2:

A member elected or appointed by the membership to an office of the Local Executive must attend two out of three consecutive meetings of the Local Executive and two out of three consecutive meetings of the General Membership of the Local unless properly excused by the Chair of the meeting.

Section 3:

A member elected or appointed by the membership to an office of a Unit Council must attend two out of three consecutive meetings of the Unit Council and two out of three consecutive meetings of the General Membership of the Unit unless properly excused by the Chair of the meeting..

Section 4:

Unit Committee Persons and Stewards must attend, in addition to two out of three consecutive meetings of the General Membership of the Unit, two out of three consecutive Unit Council Meetings and, two out of three consecutive Stewards Meetings, unless properly excused by the chair of the meeting.

Section 5:

All members of all other Standing Committees and appointed positions must attend two out of three of their respective Committee Meetings unless properly excused by the chair of the meeting.

Section 6:

Any elected or appointed member failing to attend the required number of meetings may be subject to removal from their respective office or position, in which case they shall not be permitted to run for any elected office for the balance of the term of office from which they were removed except for a delegate to the Unifor National Convention, subject to constitutional appeals. Any member removed, may appeal the decision to the next General Membership Meeting of the Local.

Section 7: Process:

- 1) All absences must be reported to the Chair of the meeting who may excuse the absence.
- 2) If two out of three meetings are missed and an excuse has not been granted by the Chair of the meeting, the member may be removed from the position by the Local Executive.

Section 8:

In order to minimize the possibility of any controversy over whether or not a member actually attended a meeting which he/she is required to attend, a record book will be used by each committee to be used for recording attendance and the minutes of their meetings. For the purpose of General Membership Meetings, a Registration Book will be kept.

Section 9:

The Local Executive shall be responsible for handling all complaints and making all decisions under this article.

ARTICLE 18: ELECTION COMMITTEE**Section 1:**

The Election Committee shall have complete charge of elections as per the National Constitution and shall be responsible only to the Local Union/Units. The Committee shall abide by the rules and regulations for the conduct of elections, which includes: voting locations, dates, hours of voting and production of ballots, which shall be consistent with these By-laws and the National Constitution.

Section 2:

The Local Union/Unit Election Committee shall be a Standing Committee, consisting of up to six members but not less than two in each Unit, elected at the agreed upon General Membership Meeting preceding the election of the Executive Officers. They shall be elected by a majority of votes cast, and shall serve for all elections for a period of three years.

Section 3:

No member of the Election Committee may run for, or hold office in any Local Union/Unit position while remaining a member of that committee.

ARTICLE 19: ELECTION PROCEDURE**Section 1:**

All elections within the Local Union should be conducted by the Election Committee in accordance with the National Constitution.

Section 2:

The authorities in the election procedure shall be:

- a) The Constitution of the National Union.
- b) The Unifor Guide to Local Union Elections.
- c) These Local Union and Unit Bylaws

Section 3:

Copies of Election Regulations shall be placed in a prominent position in each election place and members of the Section Committee shall make themselves acquainted with same.

Section 4:

The Nomination and Election of Local Executive Officers, Unit Council Officers and all workplace representatives shall be consistent with 15,B of the National Constitution:

- a) All members in good standing immediately prior to nominations, shall be eligible for nominations. However candidates must be members of the Local, Unit, shift, department or body etc... to run for positions designated as representing members of those groupings and only members in those groupings may vote for their candidates.
- b) Notification of nominations and elections shall be by official notice placed on all Unit bulletin boards and in the Local union premises. The notice shall show the date, time and place of the nominations and elections and the date of any necessary runoff elections.
- c) Not less than six calendar days shall elapse between nominations and elections.
- d) Local Executive and Unit Council Officers shall be elected by majority vote and by secret ballot.
- e) The Unit Council shall take office following elections. The installation of Local Union Executive officers shall take place at the next General Membership Meeting.
- f) The Skilled Trades Rep may not be a Committee Person.

Section 5:

All elections of Local Executive Officers, Unit Council Officers and Unit Delegates shall be elected by a majority of votes cast. All election ballots are to be kept for the term of office.

Section 6:

The Election Committee shall be in charge of all ballots.

Section 7:

Any eligible candidate in any election shall have the right to submit his/her commonly known name to the Election Committee in writing as he/she desires it to appear on the ballots.

Section 8:

All Local Union Elections shall be held in the Local Union premises (either place of work or designated hall), other than Unit Elections, which may be conducted elsewhere if requested by the Unit in question. In setting the time, date and place of an election, the Election Committee shall ensure that each and every member has an equal opportunity to cast his/her ballot with due allowance made for shift changes, starting times variations etc.

Section 9:

Every eligible member in good standing shall be entitled to vote in all Union Elections.

Section 10:

Campaigning, Posters and Election Literature shall not be allowed in or about the voting place on election day/s.

Section 11:

No member of the Local Union shall circulate or cause to be circulated false propaganda against any member or candidate or to direct propaganda against any candidate because of race, color, sex, nationality, religion, political affiliation or sexual orientation.

Section 12:

No one except the Election Committee, or those acting under its direction and those voting, or who are waiting to vote and duly qualified challenger, shall be allowed in the place designated as a voting place of election.

Section 13:

Voters who have cast their ballots shall not be allowed to loiter in the voting place.

Section 14:

Any voter in line at the polls at the time of closing will be permitted to vote.

Section 15:

Any ballot which clearly indicates the intention of the voter shall be considered valid, provided however, that where the ballot bears an identification mark, the ballot shall be void.

Section 16:

Each Candidate shall have the right to have one Challenger present when the votes are cast and when they are tabulated, provided that such challenger shall be a member of the Local Union. The Challenger shall not be entitled to lost time and expenses.

Section 17:

The Candidate receiving the highest number of votes amongst all the votes cast shall be declared successful.

Section 18:

In the election of a group, as such, the Candidates up to the required number, who poll the highest number of the votes cast shall be declared successful. To determine the most popular candidates the method for voting shall be by a majority of votes cast.

In the case of an elected committee, as soon as possible after their election they will caucus and elect one of their numbers to act as Chairperson. In the event of a tie vote, the President of the Local Union, as an *ex officio* member, shall cast the deciding vote.

Section 19:

Any candidate shall have the right to petition for a recount. The petition must be filed with the Election Committee, in writing, within seven days after the Election Committee has submitted its final report to the Local Union. The petition must set forth the reason for seeking a recount

Section 20:

Any member of the Election Committee or any member of the Local Union violating any of the election rules shall be reported to the next General Membership Meeting.

Section 21:

Any member convicted of misrepresenting returns, altering or destroying deposited ballots, voting fraudulently or of intimidating others by threats, or otherwise interfering with a member in the exercise of his/her right to ballot in Local Union Elections and strike balloting may be penalized in accordance with the Constitution of the National Union.

ARTICLE 20: DELEGATES FROM LOCAL**Section 1:**

The Local President, Unit Vice Presidents and Unit Chairs may attend as delegates all Conventions, Conferences, Seminars and other functions that local 973 is affiliated with in a policy making nature. Where they are unable to attend, the Financial Secretary or Recording Secretary, or other member of the Local Executive, as determined by the Local Executive, may attend in lieu of the President, Vice Presidents or Chairs. All of the above elected officials, in their roles as identified, shall be deemed to be elected to the role of delegate supplementary to their elected position for the sole purpose of attending functions that require delegate status in order to hold the ability to have voice and vote, particularly the Unifor Convention, Canadian or Regional Council.

Section 2:

The Local Union President, Unit Vice Presidents and Unit Chairs and any worker elected to an office of the Canadian Soft Drink Workers Council will be sent to CSDWC meetings so long as they hold office in the Local.

Section 3:

It shall be mandatory that any Delegate elected or appointed to attend any Convention, etc., shall bring a report back to the Membership or the Recording Secretary.

ARTICLE 21: FINANCES

Section 1: Signing Officers

The signing officers of the Local Union shall be the President, the Financial Secretary and the Unit Vice Presidents. For details see Section 7 Powers of Administration.

Section 2: Initiation Fees

The Initiation Fees of the Local Union shall be the maximum set forth in the National Constitution.

Section 3: Travel Expenses

Any member who is duly authorized by the Local Union President, or membership to represent the Local Union at any Convention etc. or to do any other Local Union business as so authorized, shall be compensated for and to the extent of lost time not to exceed the regular hours of work (daily or weekly) outlined in the Collective Agreement covering such member. The number of days necessary for the performance of duties at any Convention, Council, Conference or other events shall be decided by the Executive Officers subject to membership review and approval.

Section 4:

- a) The Local shall pay for reasonable costs for necessary over-night accommodation for members authorized by the Local to be away from home on Union Business
- b) Out of town overnight expenses for twenty-four hours or major part thereof spent on Union Business, as so authorized shall be hotel expenses at double occupancy rates or better whenever possible.
- c) Per diems will be paid where food is not provided as part of the activity.
- d) Reasonable travel and parking expenses for authorized union business will be paid as per the National Union Policy.
- e) For authorized union activities such as an education course, not including PEL courses, attendees will receive a per diem, travel expenses and parking expenses as per the National Union Policy.
- f) Where attendance at a lost time educational course is approved for a multi -day event and one or more of the days is not a lost time day, failure to attend on each day of the course will result in the loss of one day's pay of lost time for each day of nonattendance.
- g) When a member wishes to participate in an educational course provided by a labour affiliated provider, the Local will encourage such participation by reimbursing the member, upon proof of completion, all registration fees. In any event no lost time or expenses associated with such course will be paid.
- h) Any member performing authorized Union business while on annual vacation and or statutory Holidays shall be allowed a Union leave for any such day/s.

Section 5:

1. The Local Executive shall not make unapproved expenditures in excess of \$1,000. The units' recurring day to day expenses as itemized by the Financial Secretary shall not be counted as part of the \$1,000. All expenditures are to be itemized and approved by the membership.
2. All expenditures in excess of \$1,000.00 shall be referred to the General Membership for approval prior to expenditure.
3. Credit cards shall remain property of Local 973, and will be issued to the President with a \$ 4,000 limit, the Vice Presidents with a \$ 1,000 limit and the Financial Secretary with a \$ 10,000 limit.

4. There will be no paid expenses for alcohol either with meals or otherwise.

Section 6:

All property of whatever nature, purchased with funds of the Local Union shall remain the property of the Local Union exclusively.

ARTICLE 22: APPEALS

Section 1:

Any person dissatisfied with the action or decision of the Local Union or any representative thereof; other than the action or decision of the membership of the Local Union shall take his/her complaint to the local Union Recording Secretary within 30 days as permitted by Article 18, B of the National Constitution.

Section 2:

The Executive Board shall refer the matter to the Bargaining Committee, if it involves collective bargaining, otherwise the Executive Board shall consider the matter.

Section 3:

Whichever of those bodies the matter is referred to, they shall consult with the grievor and permit him/her to be heard, and shall then reach a decision.

Section 4:

Within 30 days of receiving a notice of such decision, the grievor, if wishing to appeal farther, shall submit his/her appeal to the Recording Secretary, in writing, for consideration by the earliest possible Membership Meeting. All appeals are subject to the National Constitution Appeal process as per Article 18, B of the National Constitution.

ARTICLE 23: GENERAL MATTERS

Section 1:

All Local Union Officers, Unit Officers, Committees, Stewards and other members handling funds or other property of the Union, shall at the completion of their duties, turn over all papers, documents (including bargaining notes), funds and or Union property to the properly constituted Local Union Officers.

Section 2:

All strikes shall be called or terminated in strict conformance with the National Constitution Article 17, Sec. B.

Section 3:

A copy of the National Constitution and the existing Local Union Bylaws will be furnished to each member of the Local Union upon request and each member shall be required to sign for each supplied copy to enable proper control and cost of said Constitution and Bylaws.

Section 4:

The Local Union Executive Officers shall find premises suitable for the use of the Local union as a meeting hall and or business office, and shall pay all associated costs such as rents, mortgages, insurance, utilities, insurance taxes etc., as required.

Section 5:

The Local Union Executive Officers may hire full or part time employee who will act as general secretary to the Executive Officers. Such employee shall operate from the Local Union office, but shall have no authority save that which is delegated to him/her from time to time by the Executive Officers. Such wage or salary to be paid by the Local and, if such position were deemed necessary, any person interested would be considered by the Executive by the applicant's seniority and experience.

Section 6:

Each and every employee of the Local Union shall be a member in good standing of a trade union, Unifor or other, and the remuneration shall be consistent with fair practice and union policy.

ARTICLE 24: AMENDMENTS

These By-Laws may be amended by presenting a motion, in writing, setting forth the amendments sought, to a Membership Meeting. The motion shall be read to that meeting and referred to the Constitution and By-Laws Committee, which will report to the succeeding Membership Meeting, the notice of which must contain a notice of the particular By-Law amendments that will be considered. If approved by two-thirds of the membership vote at this succeeding meeting, the amendment shall be considered adopted by the membership.

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

OATH OF OFFICE

ARTICLE 24: OATH OF OFFICE AND INSTALLATION CEREMONY (Abridged)

At the Local Union level the ceremony may be performed by the outgoing Local Union President or National Representative.

The Installing Officer says:

“Give attention while I read to you the obligation:

“Do you pledge on your honour to perform the duties of your respective offices as required by the Constitution of the Union and to bear true and faithful allegiance to Unifor.

Do you pledge to promote a harassment and discrimination-free environment and work to ensure the human rights of all members are respected?

Do you pledge to support, advance and carry out all official policies of the Union and to work tirelessly to advance and build the membership of our Union?

Do you pledge to deliver all books, papers, and other property of the Union that may be in your possession at the end of your term to your successor in office, and at all times conduct yourself as becomes a member of this Union?”

Officers respond, “I do.”

The Installing Officer then says:

“Your responsibilities are defined in the By-Laws, Constitution and policies of Unifor. Should any emergency arise not provided for in these, you are expected to act according to the dictates of common sense, guided by an earnest desire to advance the best interest of the Union. I trust you will faithfully perform your duties so that you may gain the esteem of your brothers and sisters and the approval of your conscience.

“You will now assume your respective offices.”