

Local 6007 By-Laws

Of the
**Communications, Energy and
Paperworkers Union of Canada**



Approved by membership -----, 2008

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BY-LAWS Local 6007

ARTICLE 1 NAME AND JURISDICTION

It is important to clearly identify the various bargaining units making up the composite local. To achieve this, we recommend the following template:

Section 1: This organization shall be known as CEP Local 6007 (Hereinafter called the “Local”).

Section 2: This Local has been established and exists by virtue of a charter issued by the Communications, Energy and Paperworkers Union of Canada (herein-after called the “National Union”) pursuant to the Constitution of the National Union.

Section 3: The Local includes the following bargaining units:

1. Bell Canada - Clerical
2. Bell Canada - Sales
3. Comtech

As identified on the Charter of the Local Union.

ARTICLE 2 OBJECTIVES

Section 1: The purpose and objects of this composite local are to unite all workers within its bargaining unit jurisdictions for the following purposes:

- 1) To improve their wages and hours of work, to increase their job security and to secure working conditions conducive to safety and good health;
- 2) To advance their economic, social, political and cultural interests; to disseminate information among workers regarding economic, social, and political and other matters affecting their lives and welfare;
- 3) To improve access to local services and increase presence at and participation in local activities by pooling bargaining unit resources;
- 4) To ensure fair representation of units within composite locals and promote mutual support and solidarity through the Local’s internal structures and activities;
- 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 the labour movement and to extend the process of collective bargaining throughout all trades and industries;

- 6) To secure legislation safeguarding and promoting economic security and the social welfare of all workers;
- 7) To preserve and extend civil rights and liberties within a free and democratic society;
- 8) To promote the policies and goals of the National Union.

Section 2: This 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.

Section 3: To represent all persons eligible for membership, regardless of race, creed, color, age, marital status, family status, ancestry, place of origin, ethnic origin, citizenship, language, religious beliefs, sex, sexual orientation, disability, records of offence or political affiliation in the promotion of their economic interests and the advancement of the highest professional standards.

ARTICLE 3 HEADQUARTERS

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

ARTICLE 4 MEETINGS

Section 1: The Local membership meeting is the highest authority of the Local. All officers, the Executive Board, and all other committees of the Local are accountable to the membership of the Local and are subject to membership approval at Local meetings except as may be otherwise provided.

Section 2: The Local shall normally meet five times per year; these meetings shall be held during the month(s) of January, March, May, September and November, subject to change with notice, the location and time of such meeting(s) will be determined by the Local Executive Board. The time, place and date of the meeting shall be properly posted (bulletin board) so that all members may attend.

Section 3: The President may call a special meeting of the Local. The President may call such a meeting at the request of the Executive Board or on the written request of 50 members 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 the purpose for which the meeting is called. No business other than that for which the meeting is called may be transacted.

Section 4: A quorum for the purpose of transacting any business by the Local shall consist of not less than 30 members present at any regular or special meeting. No action of any meeting shall be invalid for lack of a quorum unless the question of lack of a quorum was raised before such action was taken. A regular meeting may transact any and all business coming before it without prior notice of the business to be transacted at such meeting. Unless otherwise specifically provided by the By-Laws, all decisions of a local meeting shall be by a majority of the members voting. If quorum is not reached at the regular membership meeting, the Local Executive will have the right to hold a membership meeting within thirty days and will have the right to conduct business at that meeting, whether quorum is reached or not.

Section 5: Given proper notice, the Local Union may authorize a bargaining unit or group within a unit to hold regular or special meetings, as may be required to transact bargaining unit matters or address special concerns.

Section 6: Unit groups will not take any action which conflicts with either the Local Union By-Laws or National Union Constitution. All actions not specifically authorized **for** any unit group, shall be subject to review by the Local Union.

Section 7: Under conditions specified in Sections 5 and 6, the Local Union recognizes the power of its bargaining units to make decisions concerning:

1. Selection of delegates to bargaining council
2. Chief Steward or designate for grievance referral to arbitration
3. Or any other decisions deemed by the local executive.

Section 8: The order of business at the regular meeting shall be:

1. Call to Order
2. Notice of CEP Anti-harassment
3. Roll Call of Officers
4. Reading and Approval of Agenda
5. Reading and Approval of Previous Membership Meeting Minutes
6. Initiation of New Members
7. Correspondence
8. Executive Report and Recommendations
9. Financial Officers' Report on Financial Statement and Bills
10. Reports by Workplace or Bargaining Units
11. National Representative's Report
12. Reports of Committees
13. Unfinished Business
14. New Business
15. Good and Welfare
16. Adjournment

Section 9: 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 (or Robert's Rules of Order).

ARTICLE 5 OFFICERS

The President, Secretary-Treasurer and Health & Safety Coordinator will be elected by the entire membership.

Section 1: The Officers of this Local shall be a President, 3 Vice-President-Chief Steward(s), one Vice President-Chief Steward representing each bargaining unit; one of these positions should be identified as First Vice-President, (see Section 7), a Secretary/Treasurer and the following bargaining unit representatives:

Four (4) chief stewards elected by the bargaining unit membership.

The Local Executive may determine if further Executive Board positions are required to Service the membership and may designate the need for further elections. The local Executive will determine who shall hold the position of First Vice President from the pool of elected Vice President(s) representing each bargaining unit.

Section 2: Nominations and Elections

All officers shall be elected every three years at the November meeting.

All stewards shall be elected every three years at the May meeting.

Nominations and Elections for all officers shall be made as per Article 9 of these By-Laws. No nominee shall be placed on the ballot unless he/she signified his/her acceptance of the nomination either in person or by written notification submitted to the meeting at which nominations are made.

Only votes for candidates duly nominated and properly on the ballot shall be counted. There shall be no proxy, write-in or sticker voting.

Section 3: Eligibility

No member shall be eligible for nomination or election to any office in this Local or the bargaining unit, or as a delegate to the National Union Convention or as a representative of this Local, or any subordinate body of the National Union unless he/she has been a member in good standing in this Local, continuously

for one year immediately preceding his/her election (or if the Local has been chartered for less than one year, continuously from the date of its charter this should be determined as well.

Section 4: Term of Office

All officers shall hold office until their successors are elected and installed. Installation of officers shall be held at the next meeting after the election. The outgoing officers shall immediately turn over all papers, money, rights, titles, chattels, books, records, property and assets belonging to the Local to their successor or to the President of the Local.

Section 5: Vacancies

In case of vacancy in the office of President, the First Vice-President (in cases where there is more than one) shall immediately assume all responsibilities of that office. If the vacancy is for one year or less the first Vice-President shall immediately assume all responsibilities, if more than one year an interim appointment will be made until elections can be held. This election will be done by an election notice given at least 15 days before the next Membership Meeting.

Vacancies in other offices shall be filled by appointment of the Local Executive Board, subject to approval of the appointment by the membership at the next membership meeting.

Section 6: Duties of the President

The President shall:

- preside at all meetings of the Local Union and its Executive Board, (the President may also be called upon to chair bargaining unit meetings);
- sign all cheques or other authorizations for the withdrawal of the funds of the Local Union; **if absent/unavailable**, ensure another officer is authorized to countersign cheques
- be an ex officio member of all Local Union committees, and appoint members (unless they are chosen or elected by the bargaining units) on all Local Union committees, subject to the approval of the Local Union Executive Board;
- enforce the National Constitution, Local Union By-Laws and all union rules and regulations.

- The Local President shall be an automatic delegate to all conferences, conventions and labour events.
- Be the official spokesperson for the Local
- Perform whatever additional duties as may be assigned by the Local or required by the policies or Constitution of the Union.

Section 7: Duties of the Vice-President

The Vice-President shall:

- assist the President in the performance of his/her duties and other duties as designated by the Executive Board. The sole Vice-President or the First Vice-President shall act for the President in his/her absence and in the event of a vacancy in the office of President, shall succeed to the office of President for the unexpired term or until a new President is elected as outlined in Article 5; section 5.

In cases where there is more than one Vice-President from different bargaining units, only the First Vice-President will be called upon to replace the President in his/her absence or succeed as per Article 5 section 5.

Section 8: Duties of the Secretary

The Secretary shall:

- keep correct minutes of all meetings of the Local Union and its Executive Board;
- conduct all correspondence of the Local Union;
- receive and read all correspondence addressed to the Local Union and keep such correspondence on file;
- have charge of the seal of the Local Union, which he/she shall insure is used only as authorized and shall attach same to all documents requiring authentication;
- submit such reports and information to the National President as the National President may require.
- Perform whatever duties as may be assigned by the Local, the Executive Board, or the Local President.

Section 9: Duties of the Treasurer

The Treasurer shall:

- collect all monies to the Local Union, including membership dues, fines and assessments;
- deposit same in the name of the Local Union in such bank or banks as the Local Union Executive Board may direct;
- countersign all cheques or other authorizations for the removal of the funds of the Local Union; if absent/unavailable, ensure another officer is authorized to countersign cheques
- keep true and accurate accounts of all transactions;
- make reports thereon to the Local Union and its Executive Board;
- keep a record of the names and addresses of all members of the Local Union and their status;
- submit a written report of the finances and the membership of the Local Union to the National Union in such manner and at such times as the National President or National Secretary-Treasurer may require;
- make all of his/her books and records available for examination and audit, on demand of the National President.
- Perform whatever duties as may be assigned by the Local, the Executive Board, or the Local President.

Section 10: Duties of the Chief Steward

The Chief Steward shall:

- Investigate, process, and prosecute grievances and complaints to their conclusion.
- Be members of the local grievance committee

- Familiarize all stewards with the provisions of the Collective Agreement and advise them on grievance handling.
- Keep stewards informed on the activities of the Local and the Union through regular steward's meetings.
- Perform whatever duties as may be assigned by the Local, the local Executive Board, or the Local President

ARTICLE 6 TRUSTEES

Section 1: The Local Union shall have three trustees. The trustees will be elected by the membership; trustees will be elected for a one, two and three year term respectively, one trustee being elected each year.

Section 2: Duties of the Trustees

The Trustees shall examine and audit the books and records of the Local Union at least four (4) times a year and shall submit a written report on each audit to the Local Union and to the National Secretary-Treasurer in such manner and at such times as the National Secretary-Treasurer may require, and have such further powers and duties as may be provided by the Local Union By-Laws.

ARTICLE 7 EXECUTIVE BOARD

Section 1: There shall be an Executive Board consisting of the officers of the Local Union as well as officers elected by the bargaining units.

Section 2: 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 Union and the provisions of the National Union Constitution, to invest the funds and properties 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 honorarium, if any, of the elective officers and any employees.

Section 3: The Executive Board shall have such powers as are necessary and appropriate to give effect to the purposes of the Local. It shall present a report of its activities to each meeting of the Local for its approval.

Section 4: All requests for contributions and donations to individuals or organizations shall first be submitted to the Executive Board for its consideration and

recommendations, before being received by the Local. Requests for financial aid from a Local of the National Union shall require the endorsement of the National President before consideration shall be given to it. All such requests for contributions, donations and financial aid to individuals or organizations shall not exceed an annual budget of \$1500.00 for a fiscal year [Fiscal Year defined as January 1st to December 31st).

Section 5: It shall be the duty of the Executive Board to cause the provisions of the National Union Constitution and the By-Laws, rules and regulations of this Local to be faithfully executed; and to preserve, promote and safeguard the best interests and general welfare of the Communications, Energy and Paperworkers Union of Canada, this Local and the members. The Executive Board may adopt such rules and regulations not in conflict with the National Union Constitution and these By-Laws, as it may deem necessary and advisable.

Section 6:

1. The Executive Board shall meet as required, at such times and places as it shall determine.
2. Special meetings of the Executive Board may be called at any time by the President or by three members of the Board upon not less than 72 hours verbal or written notice to the Executive Board members of the time and place of the meeting and of the business to be transacted thereat.
3. A majority of the members of the Executive Board shall constitute a quorum for the transaction of any business.

ARTICLE 8 COMMITTEES

Section 1: Standing Committees

The Local shall have the authority to strike an ad hoc committee as required by the Local.

ARTICLE 9 CONDUCT OF ELECTIONS

The procedures described hereunder apply at both the bargaining unit and Local levels.

Section 1: Notices as to the date of nominations for elections of officers shall be placed on bulletin boards, not less than thirty (30) days in advance, and reasonable efforts shall be made to notify all members.

Section 2: The election of officers, delegates and representatives shall be by majority vote (50% +1) of the votes cast in a secret ballot at the election meeting. Not less than fifteen (15) days prior to the election, notice of election shall be posted. Any candidate may have an observer at the polls and at the counting of the ballots. In the event no candidate for office receives a majority of the votes cast, the two nominees receiving the greatest number of votes on the first ballot shall be the nominees on the second ballot and the balloting shall continue at the same meeting.

Each member shall be entitled to one vote. There shall be no absentee voting, and no voting by proxy, write-in or striker.

Section 3: At the meeting for nominating officers, the membership shall elect an Elections Committee of three (3) members, whose duty it shall be to safeguard the secrecy and honesty of the election, prepare and count the ballots, and announce the results of the election in a signed statement. The Elections Committee shall preserve all ballots and other records pertaining to the election for one year after the election. In cases of an election complaint, the complaining member or candidate shall submit the complaint in writing to the Secretary within forty-eight (48) hours after the election results have been announced (with a copy at the same time to the National President). Then the Secretary will forward the complaint to the President of the Election Committee within forty-eight (48) hours. Such complaint shall be heard and determined promptly by the Election Committee. A new election may be ordered only if it is determined that the matter complained of might reasonably have changed the results of the election.

ARTICLE 10 LOCAL DELEGATES TO THE NATIONAL CONVENTION

Eligibility

The President of the Local shall be Chairperson of the Delegation and the first delegate to all CEP, CLC, OFL, and subsidiary body conventions (i.e.: Regional Council meetings and Bargaining Caucus). Other delegates shall be elected by secret ballot vote at a membership meeting.

Other Delegates

In the event the Local elects more than one delegate to Union or subsidiary body Conventions, the Local shall determine the convention votes assigned to each delegate in accordance with Article 8 of the Union Constitution. It shall be the duty of the Secretary of the Local to certify the Local's delegates to the Union Convention to the Secretary -Treasurer of the Union within the limits specified in Article 8 of the Union Constitution.

Any member that is running for election to the National Convention must attend one (1) membership meeting prior to Convention in the Convention year, and one(1) membership meeting after Convention of the same year. Failure to comply with the defined requirements (without reasonable cause) within this article will result in that delegate being disqualified from any future delegation consideration.

ARTICLE 11 MEMBERSHIP

Section 1: Eligibility

- a) Any worker within the jurisdiction of bargaining units of this Local shall be eligible to apply for membership in this Local.
- b) No person shall hold membership simultaneously in this Local and another Local of the National Union.
- c) Members accepting acting or temporary management positions relinquish all membership rights until such time as they are duly accepted back into the membership of the Local. Members returning from acting or temporary management assignments of less than 3 months must notify the Local Executive of their desire to be reinstated as a member of the Local. The Local Executive has the right to reinstate membership, or not, subject to the right of the Local Membership to overrule the decision of the Local Executive. Anyone returning from acting or temporary management assignment of 3 months or longer, or permanent management assignment of any duration, may apply for membership in the Local following the normal application for membership procedures. All membership applicants must swear an oath of allegiance found in Article 5 of the Constitution before being admitted to full membership.

Section 2: Pledge for New Members

All eligible members, before being admitted to full membership, shall subscribe to the following obligation:

“I, (name of individual), pledge my honour to faithfully observe the Constitution and laws of this Union; to comply with all the rules and regulations for the government thereof; not to divulge or make known any private proceedings of this Union; to faithfully perform all the duties assigned to me; that I will not wrong

a member, or see him or her wronged, if in my power to prevent; to so conduct myself at all times as not to bring reproach upon my Union, and at all times to bear true and faithful allegiance to the Communications, Energy and Paperworkers Union of Canada.”

The local membership present responds: “Your pledge will be remembered”.

Section 3: Revenue

- a) The initiation fee for members in the Local is \$5.00.
- b) Per capita to the National Union shall be as provided in the Constitution of the National Union as per Article 6.
- c) Each member of this Local shall pay dues to the Local Union in an amount equal to 1.3% of basic pay.
- d) Any member who has been suspended for non-payment of dues, fines or assessments, may be reinstated upon payment of a ten dollar reinstatement fee, together with a new initiation fee and all dues due at the time of his/her suspension.
- e) If a member leaves for three (3) months or more as a manager temporary or otherwise, he/she shall pay a reinstatement fee of thirty-five dollar (\$35.00).

ARTICLE 12 TRANSFERS AND WITHDRAWALS

Section 1: Any member who is in good standing and has paid his/her dues for the month in which a transfer is requested may 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.

Section 2: Any member who is in good standing and has paid his/her dues for the month in which the withdrawal is requested, may withdraw from membership upon leaving employment within the jurisdiction of the National Union, and shall receive a withdrawal card. Thereafter, the withdrawing member shall lose all rights and privileges of a member of this Local and the National Union and shall be exempt from the payment of further dues and assessments.

A member who has withdrawn may subsequently be reinstated without any break in his/her membership standing and without payment of an initiation fee if the withdrawal card is presented to the Secretary of the Local having jurisdiction of the members within thirty (30) days of the return to the Union's jurisdiction. Failure to present the card within the time limit specified herein shall void the rights and privileges granted by such withdrawal card.

ARTICLE 13 PROPERTY

Section 1: No funds or property of this Local shall be loaned, given or expended to promote, support, endorse, assist or oppose directly or indirectly the candidacy of a member seeking office or seeking to retain office in the National Union or any of its locals.

Section 2: No funds or property of this Local shall be given away or expended to assist any seceding, dual or antagonistic organization, or any local which is violating the Constitution of the National Union. The funds and property of this Local shall be used only to give effect to the purposes and objects of this Local under and subject to the provisions of the National Union Constitution.

ARTICLE 14 EXPENSES

Section 1: When on Local or bargaining unit business, Executive Board members or other previously authorized member(s) shall, upon presentation of receipt, be reimbursed for loss of pay, lodging and travelling expenses.

Section 2: Use of personnel vehicle for union business should be reimbursed at .43 ¢ per kilometre.

Section 3: When previously authorized, a per diem will also apply when on local or bargaining unit business:

- \$10 minimum for any travel
- \$30 if the meeting spans two meals (dinner and supper) and the work continues in the evening
- \$75 if the meeting requires overnight accommodation, provided that a receipt for accommodation be submitted.

Section 4: The Executive shall have a discretionary expense fund up to \$150.00, with receipts kept for verification. In all cases, authorization must be obtained from the Local President or Treasurer before any expense is incurred.

ARTICLE 15 CONSTITUTION OF COMMUNICATIONS, ENERGY AND PAPERWORKERS UNION OF CANADA

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 16 DISCIPLINE, TRIALS AND APPEALS

Every member of this union shall be entitled to a just and impartial trial for any offence of which he may be charged, in accordance with Article 17 of the National Constitution.

ARTICLE 17 ASSESSMENTS

The Executive Board of this Local shall have the power to levy a per capita assessment, in addition to dues, upon the members of this Local provided that the amount and method of payment of such assessment has first been approved by the majority of those voting in a secret ballot among the members in good standing of the Local either at a regular or special meeting or in a membership referendum. Notice of the proposed assessment shall be given to the members at least ten (10) days before the vote is to be taken.

ARTICLE 18 BY-LAWS – ADOPTION AND AMENDMENTS

Section 1: 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.

Section 2: Any provision of these By-Laws may be modified, amended or repealed, or new By-Laws may be adopted, by the affirmative vote of two-thirds of the members voting on the question (e.g. dues change), at a regular meeting, or special meeting called for that purpose, provided, however the proposed amendment or adoption has been introduced at a previous Membership Meeting or has been advertised to the Membership by use of bulletin boards for at least fourteen (14) days in advance of the meeting.

Presented at Local meeting _____

Approved at Local meeting _____

Signed _____
Secretary

Approved by _____
President

Date _____

OBLIGATION OF LOCAL UNION OFFICERS

I, _____, do solemnly affirm to faithfully execute the office to which I have been elected, and will, to the best of my ability preserve, protect and defend the Constitution of the Communications, Energy and Paperworkers Union of Canada, and upon completion of my term of office, deliver to my successor all Union books, papers and property that may be in my possession.