

By-laws Local 247

of the

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



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ARTICLE 1 NAME AND JURISDICTION

Section 1. This organization shall be known as CEP Local 247, 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 (hereinafter called the “National Union”) pursuant to the Constitution of the National Union.

ARTICLE II OBJECTS

Section 1. The purpose and objects of this Local are to unite all workers within its jurisdiction for the following purposes;

- a) To organize persons engaged within the jurisdiction of the Union and assist in the organization of all working people;
- b) To improve wages, hours of work, employment security and other conditions of employment through collective bargaining;
- c) To strive for equality regardless of race, creed, colour, 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;
- d) To assist in advancing the social, economic and general welfare of working people through political, educational, civic and other activities;
- e) To safeguard, protect and extend freedom, civil liberties, democracy and democratic trade unionism;
- f) To engage in political activities to secure beneficial legislation and obtain the defeat and repeal of harmful legislation;
- g) To aid and co-operate with other trade unions and other organizations whose purposes are in accord with the purposes of this union, and to affiliate with organizations which meet our goals and to participate in such organizations.

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.

ARTICLE III HEADQUARTERS

The headquarters of this local shall be in Toronto or such other place as may be designated by the Local Executive Board.

ARTICLE IV MEETINGS

Section 1. The Local Executive Board is the highest authority of the Local. All officers and all committees of the Local are accountable to the membership of the Local.

Section 2. The Local shall normally hold a conference call on the first Monday of every other month. The time and date of the conference call shall be properly advertised so that all officers may participate.

Section 3. The President may call a special conference call. The President may do so at the request of three members of the Executive Board or upon the written request of 15 members in good standing. Notice of a special conference call shall be given to the members. The notice shall include the date and time of the conference call and state the purpose for which the call is made. 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 3 Officers. 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 conference call may transact any and all business coming before it, without prior notice of the business to be transacted during such call, except as otherwise specifically provided in these By-laws. Unless otherwise specifically provided by the By-laws, all decisions shall be by a majority of the Officers voting.

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

Section 6. Regions will not take any action which conflicts with either the Local Union By-laws or National Union Constitution.

Section 7. The order of business at the regular meeting shall be:

1. Call to Order
2. Roll Call of Officers
3. Reading and approval of Agenda
4. Reading and Approval of Previous Membership Meeting Minutes
5. Initiation of New Members

6. Correspondence
7. Executive Report and Recommendations
8. Financial Officers' Report on Financial Statement and Bills
9. Worksite Reports (if a composite local)
10. National Representative's Report
11. Reports of Committees
12. Unfinished Business
13. New Business
14. Good and Welfare
15. Adjournment

Section 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 (or Robert's Rules of Order).

ARTICLE V OFFICERS

Section 1. The officers of this Local shall be a President, 3 Vice Presidents (Ontario, Québec and the Atlantic) and a Secretary Treasurer.

Section 2. Nominations and Elections

Elections shall take place in November and all officers shall be elected for three years through a mail-in ballot. The President and the Secretary Treasurer shall be elected by the whole membership, and the Vice Presidents shall be elected by the membership of their respective Region.

In order to ensure an orderly transition towards this new structure, it is important that we achieve a proper balance on the Executive Board. Therefore, for the first election only the President and the Secretary-Treasurer will have to be from different regions. The election of the President will take place on the same day as the election of the Vice-Presidents and the election of the Secretary-Treasurer shall take place one month later. Members from the same region as the President are not eligible to run for the office of Secretary-Treasurer.

Nominations for all officers shall be conducted as per Article IX of the 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. Only votes for candidates duly nominated and properly on the ballot shall be counted. There shall be no proxy voting. No member may be a candidate for more than one office.

Section 3. Eligibility

No member shall be eligible for nomination or election to any office in this Local, 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 where feasible, immediately preceding his/her election.

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 conference call 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 Secretary Treasurer shall immediately assume all responsibilities of that office until a successor has been elected. Vacancies in other offices shall be filled within sixty (60) days by election in the same manner as that required for regular elections. Should however, a vacancy occur in the office of President or of Secretary-Treasurer less than six months prior to the election, the remaining officer will complete the term.

Section 6. Duties of the President

The President shall:

- preside at all conference calls of the Executive Board;
- sign all cheques or other authorizations for the withdrawal of the funds of the Local Union;
- be an ex officio member of all Local Union committees, unless the Local Union shall provide otherwise and subject to the approval of the Local Union Executive Board;
- enforce the National Constitution, Local Union By-laws and all union rules and regulations.
- Be a delegate to the CEP Convention, the alternate being chosen by the Executive Board

Section 7. Duties of the Secretary Treasurer

The Secretary Treasurer 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 ensure 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.
- 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;
- 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.

Section 8. Duties of the Vice-Presidents

The Vice-Presidents shall:

- be responsible for the conduct of all union business in their respective region in accordance with these by-laws and with the CEP Constitution.

ARTICLE VI TRUSTEES

Section 1. The Local Union shall have three trustees. The trustees will be elected by the membership for a term of three years, 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 VII EXECUTIVE BOARD

Section 1. There shall be an Executive Board consisting of the officers of the Local Union.

Section 2. The Executive Board shall be the highest governing authority within the Local. It shall have power 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 honoraria, if any, of the officers.

Section 3. The Executive Board shall have such powers as are necessary and appropriate to give effect to the purposes of the Local.

Section 4. All requests for contributions of donations to individuals or organizations shall be submitted to the Executive Board for its consideration. 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.

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.
- a) The Executive Board shall hold a conference call every other month, at such times and date as it shall determine.
 - b) Special conference calls of the Executive Board may take place at request of the President or at the request of three members of the Executive Board upon not less than three days notice to the Executive Board members of the time and day of the call and of the business to be transacted.
 - c) Three members of the Executive Board shall constitute a quorum for the transaction of any business.

ARTICLE VIII COMMITTEES

The Executive Board may create the committees it deems necessary for the proper conduct of its business.

ARTICLE IX CONDUCT OF ELECTIONS

Section 1. Notices as to the date of nominations and elections of Officers shall be mailed to every member, not less than thirty days in advance

Section 2. The election of officers, delegates and representatives shall be by majority vote. In the event no candidate 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.

Each member shall be entitled to one vote. There shall be no voting by proxy.

Section 3. One National Representative shall be the Election Committee.

ARTICLE X MEMBERSHIP

Section 1. Eligibility

- a) Any worker within the jurisdiction 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.

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."

Section 3. Revenue

- a) The initiation fee for members in the Local is \$ 35.
- b) Per capita to the National Union shall be as provided in the Constitution of the National Union.
- c) Each member of this Local shall pay dues to the Local Union in an amount equal to (____% of basic pay), (\$_____), (one hour's pay per month).
- d) A member in default, without good cause, in the payment of dues, fines, assessments, for ninety (90) days from the date such amount becomes due, may be suspended from the rights of membership and if the default continues without good cause for an additional thirty (30) days after notice in writing by the National Secretary-Treasurer, may be expelled from the Union.
- e) Any member who has been suspended for non-payment of dues, fines or assessments, may be reinstated upon payment for a reinstatement fee of ten dollars, together with a new initiation fee and all dues due at the time of his/her suspension.

ARTICLE XI 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, 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.

Section 2. Any member who is in good standing and has paid his/her dues for the month in which 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 XII PROPERTY

No funds or property of this Local shall be given away or expended to assist a rival 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 XIII 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 personal vehicle for union business should be reimbursed at 43 ¢ per kilometer.

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

\$75 when away on business and with a hotel receipt
\$30 per day when working on union business through the lunch and dinner hours;
\$10 per day when working at base location.

Section 4. In all cases, authorization must be obtained before any expenses are incurred.

ARTICLE XIV 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 XV 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 XVI ASSESSMENTS

The Executive Board of this Local, subject to the approval of the National Union President, 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 twenty (20) days before the vote is to be taken. The Secretary of the Local shall notify the President of the National Union at least seven (7) days before the proposed assessment is submitted to a vote.

ARTICLE XVII BY-LAWS – ADOPTION AND AMENDMENTS

Section 1. These By-laws shall become effective when ratified by a majority of the Executive Board 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 a majority of the Executive Board voting on the question provided, however, that notice of the proposed amendment, modification or repeal has been given to the Officers at the previous regular conference call, and that a proper notice has been given to the membership.

Presented to Executive Board _____

Approved by Executive Board _____

Signed _____
Secretary Treasurer

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.