

CEP LOCAL 34-O BYLAWS

ARTICLE 1

NAME

1.01 This Local shall be known as Local 34-O, Communications, Energy and Paperworkers of Canada.

ARTICLE 2

JURISDICTION

2.01 The jurisdiction of this Local shall be the jurisdiction assigned by the Union and appearing on the face of the Local charter.

ARTICLE 3

OBJECTIVES

3.01 Local 34-O shall function as a composite Local representing various bargaining units.

ARTICLE 4

STRUCTURE

4.01 The structure of the Local shall consist of the following:

- (a) Executive Board
- (b) Officers
- (c) Chief Stewards
- (d) Stewards

- (e) Membership
- (f) Committees

ARTICLE 5

MEMBERSHIP

5.01 Eligibility :

Any person eligible for membership in the Communications, Energy and Paperworkers of Canada, as defined in Article 5 of its constitution, shall be eligible for membership in this Local; provided that the worker is performing his duties within the jurisdiction of this Local.

5.02 Transfers :

Transfer of membership from the Local to another, or from another Local to this Local shall be in accordance with the CEP Constitution under Article 5 of that document.

5.03 Responsibility :

It shall be the responsibility of each member in this Local to ensure that the Local office has his or her correct name, address, and telephone number on file; and any corrections shall be forwarded to the office through the Steward concerned.

5.04 Exceptions :

Workers, may be accepted into this Local as Associate Members.

ARTICLE 6

LOCAL DUES AND ASSESSMENTS

6.01 Initiation Fees:

Every person applying for membership to Local 34-O, shall provide a \$2.00 initiation fee with the application, subject to CEP Constitution Article 5.

6.02 Monthly Dues:

Each member of the Local shall pay monthly dues in accordance with Article 6 of the CEP Constitution the amount of 1.60% which has been determined as follows:

- (1) by a majority vote of the members voting on the question by secret ballot referendum;
- (2) a majority secret ballot vote at a meeting where a quorum is present, if the Question has been posted on Union bulletin boards at least 7 days prior to the meeting; and
- (3) should method 2 not be followed, notice may be mailed to the members by prepaid postage seven days prior to the meeting, where the question shall be raised and voted upon.

8.02 Special meetings and or Bargaining Unit Meetings may be called by a majority vote of the Local officers, or by a signed petition signed by Fifty (50) members. Upon receipt of such petition by any member of the Executive Board, a meeting shall be called within Ten (10) days.

8.03 Regular meeting dates and places may be changed by a two-thirds (2/3) vote of those present at any regular meeting, for the following months meeting. (subject to section 8.01)

8.04 Regular and Special meeting may be declared closed to non-members at the discretion of the Local Executive, provided five (5) working days notice to that effect has been posted on Union bulletin boards.

8.05 Travelling expenses will be paid to the Hawkesbury members at the normal budgeted rate; per km. /per car in attendance; subject to the President's discretion.

8.06 Order of Business:

- (1) Call to Order
- (2) Review and adoption of agenda and minutes of previous meeting if available
- (3) Report of Officers
- (4) Bargaining Unit Reports
- (5) Unfinished Business
- (6) New Business
- (7) Adjournment

8.07 Conduct of Local Meetings, Local Business, Quorum

- (1) Membership meetings and any other business of this Local shall be conducted under these Bylaws and Rules of the Local and in conformity with the CEP Constitution. On questions where the Local Bylaws, the Local Rules or the Union Constitution do not clearly apply; Bourninot's Rules of Order shall govern.
- (2) The number of members constituting a quorum for Local meetings shall be no less than seven.
- (3) Meetings shall be chaired by President, 1st Vice President or 2nd Vice President

ARTICLE 9

LOCAL DELEGATES TO NATIONAL CONVENTION

9.01 The President of the Local shall be Head of the Delegation and the first delegate to all CEP, CLC, and OFL conventions; and other delegates shall be elected by referendum or a plurality secret ballot held at a local or special membership meeting.

In the event the Local elects more than one delegate to the union convention, the Local shall determine the convention votes assigned to each delegate in accordance with Article 8 of the CEP Constitution.

It shall be the duty of the Secretary of the Local to certify the Local delegates to the Union Convention to the Secretary-Treasurer of the National Union, within the time limits specified in Article 8 of the CEP Constitution.

ARTICLE 10

LOCAL OFFICERS, STEWARDS AND THEIR DUTIES

10.01 Local Officers

(A) The officers of the Local shall be:

- (1) Local President
- (2) 1st Vice President
- (3) 2nd Vice President
- (4) Treasurer
- (5) Secretary

(B) The duties of Local Officers shall be as follows:

(1) The President shall;

- (a) be responsible for the conduct of all Local business; and
- (b) preside at Local Membership, Local Executive Board, and Local Officers meetings; and
- (c) prosecute grievances and appeal them to higher levels of the Union when not satisfactorily settled; and
- (d) supervise all Local Committees; and
- (e) be the official spokesperson for the Local; and
- (f) perform whatever additional duties may be assigned by Local or required by the policies or Constitution of the union.
- (g) shall have signing authority for the purpose of conducting financial transactions within the Local

(2) The Local Vice-Presidents shall;

- (a) work under the direction of the Local President; and
- (b) perform whatever duties may be assigned by the Local, The Local Executive Board, or the Local President; and
- (c) shall be the chair of the By-Laws Committee.
- (d) The 2nd Vice-President shall have signing authority for the purpose of conducting financial transactions within the Local.

(3) The Local Secretary shall;

- (a) maintain a record of the Local membership; and
- (b) record and maintain the minutes of all meetings of the Local, the Local Executive Board, or Local Officers; and
- (c) furnish the Vice-President and Secretary-Treasurer of the Union with copies of any changes that are made; and
- (d) perform such duties as may be assigned by, the Local Executive Board, or the Local President.
- (e) ensure, that the local website if up to date
- (f) shall have signing authority for the purpose of conducting financial transactions within the Local

(4) The Local Treasurer shall;

- (a) be custodian of all assets of the Local; and

- (b) report to each membership meeting on the financial status of the Local; and
- (c) cause the payment of all bills approved by one other Table Officer; and
- (d) perform such other duties as may be assigned by the Local, the Local Executive Board, or the Local President
- (e) shall have signing authority for the purpose of conducting financial transactions within the Local.

(5) The Chief Steward shall;

- (a) be a member of the Local Executive Board; and
- (b) be a member of the Grievance Committee; and
- (c) perform such other duties as may be assigned by the Local, the Local Executive Board, or the Local President.
- (d) must be a steward or local officer to be eligible.
- (e) prepare a report for each membership meeting
- (f) may have signing authority for the purpose of conducting financial transactions within the Local based on a decision by majority vote at a meeting of the Local Executive.

10.02 LOCAL STEWARDS

(A) There shall be as many Stewards as provided for within the contract. Stewards shall be elected by the group of members they will represent. However, where the members fail to elect a Steward, the Local President may appoint one; subject to the right of the Local membership to overrule any such appointment.

(B) The duties of Local Stewards shall be as follows:

- (1) to become familiar with all the provisions of the collective agreement with the Company, and thoroughly investigate all grievances coming within his jurisdiction; and
- (2) to be completely familiar with grievance procedure;
- (3) to receive complaints and grievances from members and make every effort in conformity with the grievance machinery to satisfactorily adjust and settle all grievances; and
- (4) to refer all grievances that have not been satisfactorily adjusted in the first stage to the Chief Steward, or to the President of the Local; if the grievance arises in a location where there is no Chief Steward; and
- (5) report all grievances settled satisfactorily to the Local; and
- (6) to instruct the Deputy Steward in their duties; and
- (7) to turn over all papers, documents, funds or other property at the conclusion of the term of office to the Local or to his successor in office and obtain a receipt therefore; and
- (8) to carry out such other duties as may be prescribed from time to time by the Local; and
- (9) to keep the Membership informed of Union matters; and
- (10) to attend local meetings.

10.03 LOCAL DEPUTY STEWARDS

(A) There shall be as many Deputy Stewards as provided for in the contract. Deputy Stewards shall be elected or appointed in the same manner as Stewards.

(B) The duties of a Deputy Steward shall be as follows:

- (1) to become familiar with the duties of a Steward and act as Steward in the temporary absence of the Steward.

10.04 - Stewards and Deputy Stewards shall be elected or appointed as provided in sections 10.02 and 10.03 for a period of two years in the first quarter of each odd-numbered year, and shall report to the

location under the jurisdiction of Local 34-O. When a vacancy occurs in the position of Steward or Deputy Steward, a successor shall be immediately elected or appointed as provided in sections 10.02 and 10.03.

ARTICLE 11

LOCAL COMMITTEES

11.01

(A) The Local may have the following regular committees:

- (1) Membership Committee
- (2) Legislative Committee
- (3) Election Committee
- (4) Education Committee
- (5) Community Services Committee
- (6) Trustee Committee
- (7) Health and Safety Committee
- (8) Women's Committee
- (9) Grievance Committee
- (10) By-Laws Committee
- (11) Any other committees that shall, from time to time, be deemed necessary by the executive.

(B) Members of all committees shall be appointed by the majority vote of the Local Executive Board, subject to the right of the Local membership to overrule such appointments.

(C) Vacancies on committees shall be filled in the same manner as the original appointments. All appointments must be approved at the following monthly meeting.

(D) A member of any Local committee may be removed by a majority vote of the Local Executive Board, subject to the right of the Local to overrule the action of the Local Executive Board. A committee member may also be removed by action of the Local in a Membership meeting.

(E) Duties of Committees:

- (1) *Membership Committee* shall accept or reject membership applications in accordance with the bylaws and rules of the Local and Article 5 of the CEP Constitution and the policies of the Union. All membership applications must be reported at the next monthly Local membership meeting.
- (2) *Legislative Committee* shall assist in developing and pursuing the program of the Union and the Local in the Legislative field.
- (3) *Elections Committee* shall conduct all nominations and elections and referenda of this Local.
- (4) *Education Committee* shall assist in developing the Local's educational program and, with the Local officers, be responsible for effectuating the Union's and the Local's educational programs.
- (5) *Community Services Committee* shall assist in developing all Community Service Programs.
- (6) *Trustee Committee* shall;
 - (a) exercise general supervision over the property of the Local, subject to such instructions as they may receive from the Local.

(b) audit the books of the Local at the end of every four months of our fiscal year and make a report to the Local thereupon, also an annual report at the beginning of each fiscal year.

(c) verify that all transactions involving Local funds and properties were properly authorized.

(7) *Health & Safety Committee* shall train H&S Representatives, set H&S policy for the Local, and select representatives to serve on the Joint H&S Committee.

(8) *Women's Committee* shall encourage participation from the women members of the Local and provide support and information to the same.

(9) *Grievance Committee* shall review all active grievances .

(10) *Bylaws Committee* shall be responsible for maintaining the Local Bylaws on a yearly basis and shall be presented to the Executive of the Local as well as making a copy available for the perusal of the membership, with changes within the last year highlighted.

(11) *Other Committees*

ARTICLE 12

NOMINATION AND ELECTION OF LOCAL OFFICERS

12.01 Nominations

Local officers and members of the Governing Board shall be nominated in the months of September, October, November and December of each even-numbered year.

12.02 Elections

A. Election of Local Officers and Governing Board Members shall be by secret ballot of the membership in the months of September, October, November, and December of each even-numbered year.

B. The nomination and election of Local Officers, members the Governing Board, and Delegates to the CEP Convention shall be conducted under the supervision of the Election Committee. This Committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the Union Constitution, and these Bylaws, with reasonable opportunity for each member to nominate and vote for the candidate of their choice.

C. The Election Committee shall also conduct any referenda submitted to the membership.

D. A member shall not be permitted to serve on the election committee if he is a candidate for any office of the Local or delegate to the CEP Convention.

E. All questions concerning the conduct and challenges of elections shall be determined by the Election Committee, subject to the right of appeal to the Executive Board or membership of the

Local.

12.03 Nominations and Elections Bylaw Amendment

GENERAL PROVISIONS

- A. Subject to CEP Constitution, Article 14. The nominees in any election receiving the greater number of votes cast shall be declared elected. In case of a tie, the vote shall be taken again and the nominee receiving the greatest number of votes cast on this ballot shall be declared elected.
- B. Only members of the Local in good standing shall be eligible to vote or hold office.
- C. The term of office shall be for two (2) years.
- D. The Officers shall take office on the first (1st) of January in the year following their election to such office
- E. See Election Guidelines for responsibilities of Election Committee

ARTICLE 13

VACANCIES

13.01 A vacancy in the office of Local President shall be filled by the 1st Vice-President. Vacancies in other offices shall be filled in the same manner as that required for regular elections and within 60 days as required by Article 14 of the Union Constitution.

ARTICLE 14

CHARGES, TRIALS AND APPEALS

14.01 Charges

Members of this Local may be fined, suspended or expelled, in the manner provided in these bylaws, for any of the acts mentioned in Article 17 of the Union Constitution.

14.02 Trials

Any accused member, including officers, of this Local shall be tried under the provisions of Article 17 of the Union Constitution.

14.03 Appeals

A member or officer of this Local, upon being found guilty by a Local Trial Court, may appeal as provided for in Article 17 of the Union Constitution.

14.04 Local Trial Court

A Trial Court of this Local shall be composed of five (5) persons, who are members of this Local and not parties to the proceedings, and who shall be selected by random selection.

(Note: *If the Local does not have any Executive or other governing body, then the members of the Trial Court must be selected by the membership.*)

ARTICLE 15

RECALL OF LOCAL OFFICERS

15.01 Any elected officers of this Local may be recalled in accordance with the provisions of Article 17 of the Union Constitution.

ARTICLE 16

AMENDMENTS TO LOCAL BYLAWS

16.01 After adoption, these bylaws may be amended by either of the following methods:

(A) Majority vote of the members present in a Local meeting, if the proposed amendment has been introduced at a previous membership meeting or has been advertised to the membership by use of Bulletin Boards or Canada Mail, postage prepaid, at least 7 days in advance of the meeting; or

(B) Referendum of the membership.

(C) Amendments that neither alter or change the content or intent of the By-Laws shall be done by the person(s) assigned by the Executive Board with the Local Membership being informed of such change(s) at the next monthly membership meeting; the understanding is that the change(s) shall be to article number(s) only to agree with the CEP Constitution.

(Note: *If it is necessary to amend the bylaws in order to increase dues, the amendment may be by secret ballot either at a membership meeting or by referendum.*)

ARTICLE 17

REFERENDUM OF THE LOCAL

17.01

(A) The Local Election Committee shall submit any question to a referendum of the membership when directed to do so by action of a regular or special membership meeting.

(B) Questions submitted to referendum shall be determined by a majority vote of those voting on the question.

ARTICLE 18

FISCAL YEAR AND AUDIT

18.01

(A) The fiscal year of this Local shall be from January 1st of each year up to and including December 31st of the succeeding year.

(B) The financial records of this Local shall be audited regularly by the trustees of the Local.

(C) The results of such audits shall be announced at the next monthly meeting and shall be made available for the inspection of any member of the Local.

ARTICLE 19

STRIKES

19.01 The calling, conduct and termination of strikes affecting this local shall at all times be carried on in compliance with the rules prescribed by the Union and Article 16 of its Constitution.

ARTICLE 20

OATH OF OFFICE

20.01 Each elected officer of the Local, after meeting all other qualifications, shall be duly installed upon answering affirmatively to the following oath:

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

ARTICLE 21

ADOPTION RECORD

21.01 These Bylaws shall be adopted upon the approval of a majority of the members voting upon their adoption in the membership meeting called for that purpose.

These Bylaws were adopted August 4, 2010

CEP LOCAL 34-O POLICIES

Harassment Policy

The Union and the Local want to provide a harassment free environment at all Union activities;

Therefore as of September 1990 the following policy on sexual and racial harassment taken from the Ontario Federation of Labour is hereby added to the Bylaws of CEP local 34-O.

Mutual respect must be the basis of interaction among trade unionists in addition to cooperation and understanding. The Union will neither tolerate nor condone behaviour that is likely to undermine the dignity or self esteem of an individual, or create an intimidating, hostile or offensive environment.

Harassment is not a joke. It creates feelings of uneasiness, humiliation, and discomfort. It is an expression of perceived power and superiority by the harasser(s) over another person, usually for reasons over which the victim has little or no control: sex, race, age, creed, colour, marital status, sexual preference, disability, political or religious affiliation, or place of national origin.

Harassment can be defined as any unwelcome action by any person, whether verbal or physical, on a single or repeated basis, which humiliates, insults or degrades. "Unwelcome" or "Unwanted" in this context means any actions which the harasser knows or ought reasonably to know are not desired by the victim of the harassment.

Prohibited grounds under the Ontario Human Rights Code include: race, sex, age, marital status, and sexual orientation or disability.

For the purpose of this policy, racial and sexual harassment is defined as follows:

Racial Harassment

1. Unwanted comments, racist statements, slurs, and jokes. Racist graffiti, and literature including articles, pictures and posters.

Sexual Harassment

2. Any unwanted attention of a sexual nature such as remarks about appearance or personal life, offensive written or visual actions like graffiti or degrading pictures, physical contact of any kind, or sexual demands.

PICKET LINE POLICY

That CEP Local 34-O adopt as policy the following

- (a) Identify yourself and your purpose to the picket line captain.
- (b) Ask for permission to cross the picket line.
- (c) If permission is refused and there is any danger to yourself; leave the area and call your manager.
- (d) At no time should you risk imminent danger or future retaliation.

Scholarship Program

Ten scholarships worth \$500 each will be offered to members, spouses of members and children or dependants of members who are attending full time post secondary education at a recognized institution, such as university, college, CEGEP, technical or other schools. **Note: In the case of a Member's spouse, that person is only eligible provided that their education is not being paid for by an employer or government program, etc.**

The scholarships are available to students who have completed their secondary studies, are enrolled and accepted into a post secondary institution.

Eligible candidates are:

- CEP Local 34-O members in good standing
- Spouses of CEP Local 34-O Members in good standing
- Children of CEP Local 34-O members in good standing
- Children of CEP Local 34-O members who passed away while in good standing
- Children of CEP Local 34-O members who retired while in good standing

The applicant must complete the application form and it must be signed by an officer of Local 34-O.

NEWGATE 180

That CEP Local 34-O, work in conjunction with newgate 180, as the treatment of choice for substance abuse. Also, CEP Local 34-O may actively participate and promote awareness sessions prepared by Newgate 180.

ALCOHOL

That there is not to be any alcohol consumed or stored in the Local office, unless previous authorization was obtained by the Local Executive Board.

Expense Guidelines

Per Diem

When possible, per diems will be paid in advance of travel

out of town

\$75 per day with hotel receipt

\$30 per day without hotel receipt

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in town

If on Union Business within the city, and not working out of the Union Office, a \$10 meal allowance will be paid without receipts (e.g. training)

Mileage for Union Business

All mileage will be paid after the travel has occurred at the rate recognized by the Ontario Communications Council.

If on Union business for the day, mileage will be paid from Canotek Rd to meeting location

For attending Union business while on the job, mileage will be paid from work location to location of Union business

For attending Union business while on day off or after work hours, mileage will be paid from home to location of Union business

All mileage must be documented with: date, location, and purpose of meeting (e.g grievance # or contact name)

Travel for out of town

mode of travel to be approved by Treasurer and President prior to travel,

Parking

Parking will be paid for with receipt, purpose of meeting must accompany receipt

Meter amounts to be covered at the discretion of the Treasurer and or President

Cell Phones

Up to a maximum of \$75 per month, as per the National Policy, must be accompanied by receipt, anything above must have approval by President and Treasurer

Child Care

Any expense incurred over and above as a result of being on Union business,

to be covered, must be accompanied by receipts.

Guidelines for TREASURY **Of CEP LOCAL 34-O**

- 1.** The 2nd Vice President does not have signing authority
- 2.** Three Trustees, 1 term of 1 year, 1 term of 2 years, 1 term of 3 years
- 3.** All Trustees, would meet quarterly with Treasurer and file report, to exec and to the National as per the Constitution, time to be paid by the Local
- 4.** Trustees would oversee all expenditures, review requests for major expenditures, expenses and bank balances.
- 5.** All work of the Treasurer would be completed on the computers in the Local office.
- 6.** All information and documents stored in locked cabinet.
- 7.** All reports to be backed up on disc.
- 8.** Monthly reports of expenditures to Executive must be accompanied by an up to date printout from the on-line report of current balances.
- 9.** Yearly budget prepared with monthly actuals completed.
- 10.** All expenditures, which do not fall under the Donations Guidelines that are over \$200, must have membership approval. Or, in some cases, a unanimous approval by the Executive and the 3 Trustees. An exception will be made for unforeseen, immediate expenditures, ie: Air Conditioning repairs
- 11.** Advances issued for per diems only. All advances issued must be settled up within 60 days of travel. No advances issued for mileage.
- 12.** All expenses must be completed within 60 days and approved by Treasurer and in the case of the Treasurer's expenses approval by either the Trustee's or a Signing Officer.
- 13.** All expenses submitted after **60** days must be presented to the Executive Board for approval.

14. All cheques written require 2 signatures other than that of the payee.

Donation Guidelines

Retirement

That all members in good standing of CEP Local 34-O, upon retirement receive a gift in the amount of \$100 and a Life Time membership plaque.

Bereavement:*

Local 34-O members-\$200

Local 34-O family members-\$100

CEP members/CEP members families-\$50

Strike Appeals:

On first canvass or a spontaneous request - \$200

On sanctioned Strike Appeals - \$200

On sanctioned Strike Appeals on an extended strike - Any amount agreed to by the executive up to a maximum donation equaling \$1 per member

Special Requests: (ie: Union campaigns, membership hardships)

Up to a maximum of \$1 per member.

*The donations shall be completed upon notification.

ELECTION PROCEDURES

For Executive Positions

Elections will be held for Officers and Chief Stewards in the last quarter of every even year for a term of 2 years.

Nominations:

- Nominations will opened by an Election Committee member at a membership meeting
- Announcement of nominations opening shall be posted on the meeting notice.
- Nominations will stay open until the next membership meeting
- Nominations can be verbally presented at the membership meetings
- Nomination forms shall be made available and can be faxed to the Union Office or hand delivered to any one of the three Election Committee members
- All details of any nomination shall be under the direction of the Election Committee

Voting Procedures:

- At the membership meeting, the Election Committee shall assume the chair for that portion of the meeting.
- The Chair shall canvass 3 times for additional nominations for President.
- Nominations shall be closed
- List of candidates nominated shall be read out
- Candidates shall be canvassed as to whether they wish to accept the nomination, starting from the bottom of the list to the top.
- Candidates shall be given 3 minutes to speak
- Ballots shall be distributed
- All voting shall be done by secret ballot
- Ballots counted
- Successful candidate announced (only name announced not results)

Repeat process in the following order:

1st - Vice President

2nd - Vice President

Treasurer

Secretary

Chief Steward - Bell

Chief Steward - Bell Mobility

Chief Steward - Bell Technical Solutions

Chief Steward - Expertech - Craft

Chief Steward - Expertech - Clerical

Chief Steward - Nexacor

Chief Steward - Thermoshell

Representative - Hawkesbury

ELECTION COMMITTEE

The Election Committee shall be comprised of a maximum number of 3 members from Local 34-O. The members on this committee shall not hold any other elected position within the Local. A chair shall be selected by the committee. All time spent on preparations for elections shall be paid by the Local. Attendance at meetings where elections are being held may not be paid time.

Responsibilities:

- ✓ Select a chairperson
- ✓ Obtain a current voters list from the Treasurer
- ✓ Prepare announcements for the membership
- ✓ Post/fax/email announcements
- ✓ Keep a record of all nominations
- ✓ Verify all nominators and nominees
- ✓ Inform all nominees

- ✓ Prepare ballots
- ✓ Maintain a secure ballot box
- ✓ Chair proceedings for elections at meetings
- ✓ Count ballots
- ✓ Maintain an envelope of all unused ballots after voting is closed
- ✓ Announce successful candidates
- ✓ Ensure a motion is passed to destroy ballots at the next membership meeting
- ✓ Destroy ballots
- ✓ Handle and report on any challenges to the election process