

**COMMUNICATIONS, ENERGY AND PAPERWORKERS UNION
OF CANADA**

LOCAL 1996

BY-LAWS

ARTICLE 1 - NAME

This Local shall be known as Local 1996 COMMUNICATIONS, ENERGY AND PAPERWORKERS UNION OF CANADA.

ARTICLE 2 - JURISDICTION

Jurisdiction of this Local shall be the jurisdiction assigned by the Union and appearing on the face of the Local Charter.

ARTICLE 3 - OBJECTIVES

The Objective of Local 1996 shall be to represent and serve the workers within its jurisdiction in accordance with the By-Laws and rules of the Local and the CEP Constitution and policies of the Union.

ARTICLE 4 - LOCAL STRUCTURE

The structure of the Local shall consist of the following:

Membership
Executive Board
Officers
Chief Stewards
Stewards
Committees

ARTICLE 5 - MEMBERSHIP

Section 1 - Eligibility

Any person eligible for membership in the Communications, Energy and Paperworkers Union of Canada, as defined in Article 5 of its Constitution, shall be eligible for membership in this Local, if performing work within, the Local's assigned jurisdiction.

Section 2 - Application

Membership in the Local shall be obtained after payment of the local initiation fee, subject to Article 5 of the Constitution and upon the approval of any Membership Committee authorized to accept or reject membership on behalf of the Local, subject to the right of the Local to overrule the decision of a Membership Committee.

Section 3 - Transfers

The Transfer of membership from this Local to the jurisdiction of another Local and from another Local to the jurisdiction of this Local shall be made in accordance with Article 5 of the Constitution.

Section 4 - Termination

Membership in the Union shall be terminated when a member accepts a position which would render the member ineligible for membership. A member who temporarily assumes such a position may retain membership, but that member shall not hold any office within the Union or attend any local or other Union meetings during the temporary position and, except where prohibited by law, shall not have any voting privileges until thirty (30) days after the return to the bargaining unit.

ARTICLE 6 - LOCAL DUES AND ASSESSMENTS

Section 1 - Local Dues

a) Local Dues

Each member of the Local shall pay dues in the amount of 85/100 of 1 % (0.0085%) of their basic salary. Membership dues may be changed according to the rules set out in these By-Laws. National Dues

In addition to the Local Dues paid, each member shall pay dues to the National Union in the amount laid out in the National Constitution

b) Voting

Each member of the Local shall pay dues in the amount stated in Section 1a. Membership dues may be changed only by a majority of those voting by a secret ballot referendum to members in good standing. If the proposal is posted 21

calendar days prior to the meeting, it may be voted on at the next membership meeting at which quorum has been satisfied.

Section 2 - Local Special Assessments

- a) In the case where there is a special assessment on the Local at the National Convention or from the National Union, the total dues paid will increase in the amount of the special assessment so that the Local portion will remain at 0.0085%. The total dues will revert to normal when the special assessment is removed.
- b) The Local Union may level a special assessment in case of an emergency when income from dues and initiation fees are inadequate to finance necessary expenses of the Local. The Local may levy a special assessment in the same manner as provided for changing Local Dues.

ARTICLE 7 - GOVERNING AUTHORITY

Section 1 - Membership

The affairs of this Local shall be governed by its membership in accordance with the Constitution and policies of the Union in the following manner:

Through action taken in membership meetings or by referendum of the membership;
Through actions and decisions of the Executive Board between membership meetings;
Through actions and decisions of the Local Officers between membership meetings.

The actions and decisions of the Executive Board and Officers of the Local between Local meetings may be overruled by the membership in a Local meeting or by referendum.

Section 2 - Executive Board

The Local Executive Board shall consist of the following:

President
Vice-President
Secretary
Treasurer
Chief Stewards

ARTICLE 8 - LOCAL MEETINGS

Four Local membership meetings of this Local shall be held a year (1 every quarter) and to alternate between East and West, between January 1st - December 31, excluding July and August. Special meetings may be called by a majority vote of the Local Executive, or by a petition signed by twenty-five (25) members. Upon receipt of a proper petition the Local Executive shall call a special meeting to be held within ten (10) days

ARTICLE 9 - LOCAL DELEGATES TO CONVENTIONS

a) The President

The President of the Local shall be head of the delegation and first delegate to all CEP, C.L.C. and subsidiary body conventions. Other delegates shall be elected by secret ballot at a membership meeting.

b) Voting Assignments

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 Constitution.

c) Delegate Certification

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

ARTICLE 10 - LOCAL COMMITTEES

a) The Local shall have the following regular committees:

- Election Committee
- Membership Committee
- By-Laws Committee
- Safety and Health Committee
- Grievance Committee
- Trustee Committee

b) Members of all committees shall be appointed by the Local Executive, subject to the right of the Local membership to overrule such appointments.

c) Vacancies on committees shall be filled in the same manner at the original placements.

d) A member of any Local committee may be removed by a majority vote of the Local Executive. A committee member may also be removed by action of the Local in a membership meeting.

e) Duties of Committees

Election Committee

The Election Committee shall conduct all nominations and elections and referendum of this Local. This committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the Union Constitution, and these By-Laws, with reasonable opportunity for each member to nominate and vote for the candidate of their choice. The Election Committee shall also conduct any referendum submitted to the membership. 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 Convention. All questions concerning the conduct and challenges of elections shall be determined by the Election Committee, subject to the right of appeal to the Governing Board or membership of the Local.

By-Law Committee

The By-Law Committee shall propose amendments to the By-Laws as needed in accordance with Article 18 of the By-Laws.

Safety and Health Committee

The Safety and Health Committee shall have the capacity to advise the membership of safety regulations, hazards and precautions.

Grievance Committee

The Grievance Committee shall co-ordinate all grievances and report the status of such grievances at Regular Membership Meetings. The Local Executive shall be advised of grievances to be taken to the National Union.

Trustee Committee

The Trustee Committee shall:

- i. Exercise general supervision over the property of the Local, subject to such instructions as they may from time to time receive from the local;
- ii. Ensure that proper procedures are instituted and maintained by the Executives to provide for detailed, up to date recording and accounting of all transactions involving any funds and properties of the local;
- iii. Audit the books of the Local at the end of the fiscal year, or at the request of the Local Executive Board, or at the Trustee Committee's discretion. A report shall be made to the local members thereon;

- iv. Verify that all transactions involving Local funds and properties were properly authorized;
- v. Require the Treasurer, to deposit all monies belonging to the Local in such bank as the Executive Board may designate, and require the Treasurer, or any other Officer of the Local handling funds of the Local to be bonded in such amount as the Local may direct, to be paid for by the Local.

ARTICLE 11 -ORDER OF BUSINESS

- a) The Order of Business at a Local meeting shall be as follows:

Call to Order
Roll Call of Officers
Reading and Actions on Minutes of Previous Meeting
Reports of Officers
Reports of Committees
Unfinished Business
New Business
Adjournment

- b) The Order of Business may be suspended by a two-thirds (2/3) vote of the members present.

ARTICLE 12 -LOCAL OFFICERS, STEWARDS, AND THEIR DUTIES

Section 1 - Local Officers

The Officers of the Local shall be:

- 1) President
- 2) Vice-President
- 3) Secretary
- 4) Treasurer

The duties of Local Officers shall be as follows:

- 1) The President shall:

Be responsible for the conduct of all Local business,
Preside at Membership, Executive Board and Officers meetings,
Prosecute grievances and appeal them to higher levels of the Union when not satisfactorily settled,
Supervise all Committees
Approve all bills to be paid, and countersign all cheques drawn on the Treasury,
Be the official spokesman of the Local,

Perform whatever additional duties may be assigned by the Local membership or required by the policies of the Constitution of the Union.

2) The Vice President shall:

Work under the direction of the Local President,
Participate on the Grievance Committee,
Perform whatever duties may be assigned by the Local Membership, the Executive Board, or the President.

3) The Secretary shall:

Record and maintain the minutes of all meetings of the Local, the Executive Board, or the Officers,
To furnish the President of the National Union and Vice-President of the Region with copies of any changes in these By-Laws within thirty (30) days after such changes are made,
Participate on the Membership Committee,
Perform such other duties as may be assigned by the Local membership, the Executive Board, or by the President.

4) The Treasurer shall:

Be custodian of all assets of the Local,
Report to each membership meeting on the Financial Status of the Local,
Be bonded, as must any other person who handles Local funds or property in accordance with the Constitution or any other law,
Cause the payment of all bills approved by the Local President,
Provide the necessary documents for an annual audit to the Trustee Committee,
Perform such other duties as may be assigned by the Local, the Executive Board, or the President

Section 2 - Chief Stewards. Stewards and their duties

The duties of the Chief Stewards shall be as follows:

Familiarize all Stewards with the provisions of their appropriate Collective Agreement and thoroughly investigate all grievances,
Serve on the appropriate Grievance Committee,
Be a member of the Executive Board,
Perform such other duties as may be assigned by the President or the Executive Board.

The duties of the Stewards shall be as follows:

To become familiar with all provisions of their bargaining unit Collective Agreement and thoroughly investigate all grievances and complaints coming within their jurisdiction,
To be completely familiar with the grievance procedure of their bargaining unit, to receive complaints and grievances from their members and make every effort in conformity with the grievance machinery to satisfactorily adjust and settle all grievances,

To refer all grievances and complaints that have not been satisfactorily adjusted to their Chief Steward, or the President if the grievance arises in allocation where there is no Chief Steward,
To report all grievances settled satisfactorily to their Chief Steward,
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 there of,
To carry out such other duties as may be prescribed from time to time by the Local.

ARTICLE 13 - NOMINATION AND ELECTION OF LOCAL EXECUTIVE AND STEWARDS

Section 1- Nominations

- a) Local Executive shall be nominated in October every third year of term.
- b) Chief Steward(s) shall be nominated from existing Stewards of their Office they represent, in April of every first year of the Executive term.
- c) Stewards shall be nominated in March of every first year of the Executive term.
- d) Members must be in good standing with the Local at the time of nomination to be able to seek or hold office.

Section 2 - Elections

- a) Election of Local Officers shall be by secret ballot of the membership in November of every third year of term. * If Bargaining should follow an Executive Election in The New Year, Elections will be held over until a Collective Agreement is in place but not to exceed a three year term from the original mandate.
- b) Election of Chief Steward(s) shall be by secret ballot of their membership in May every third year of term.
- c) Election of Stewards shall be by secret ballot of the members they will represent in March every third year of term. Where the members fail to elect a steward, or where a vacancy occurs, the President or Vice President may appoint one, subject to the right of the membership to overrule such appointment.
- d) All elections must be supervised by a democratically elected Election Committee or by another process proved by the local union Membership or the President of the National Union.

Section 3 -General Provisions

- a) There shall be as many Stewards as the Local deems necessary subject to the terms of the Collective Agreement(s),
- b) The President or Vice President may appoint Stewards subject to the right of the membership to overrule such appointments,

- c) The nominee in any election receiving the majority of the votes cast shall be declared elected. If no one nominee has a majority on the first ballot, the vote shall be taken again and the two nominees having the greatest number of votes on the first ballot, shall be nominees on the second ballot,
- d) Only members of the Local in good standing shall be eligible to vote or to hold office,
- e) Officers shall take office on January 1, Chief Stewards and Stewards shall take office when elected.

Section 4 -Vacancies

A vacancy of a Local Officer shall be filled in accordance with Article 15 of the Union Constitution, A vacancy of Chief Steward or Steward shall be filled immediately as described in this Article.

ARTICLE 14 -CONDUCT OF MEETINGS, OTHER LOCAL BUSINESS AND QUORUM

Membership meetings and any other business of this Local shall be conducted under these By-Laws and rules of the Local and in conformity with the Union Constitution. On questions where the: Local By-Laws, the Local rules or the Union Constitution do not clearly apply, Bourinot's Rules of Order shall govern.

The number constituting a quorum for Local monthly meetings shall be twenty (20). However, no quorum is required if at the previous Regular Meeting no quorum was present. Due notice of no quorum meetings shall be given. A majority of the Officers or a majority of the members of a Committee shall constitute a quorum for these bodies.

ARTICLE 15 - STRIKES

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, by mailed ballot where feasible.

ARTICLE 16 - CHARGES, TRIALS, AND APPEALS

SECTION 1 - Charges

- a) Members of this Local may be fined, suspended or expelled, in the manner provided in these By-Laws, for any of the acts enumerated in Article 17 of the Union Constitution.

- b) Members performing acting or temporary management work for the employer after the collective agreement has expired, may also be fined, suspended or expelled.

SECTION 2 -Trials

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

SECTION 3 - Appeals

A member or Officer of this Local, upon being found guilty by the Disciplinary Committee, may appeal as provided in Article 17 of the Union Constitution.

SECTION 4 - Disciplinary Committee

A Disciplinary Committee of this Local shall be composed of three (3) persons, who are members of this Local and not parties to the proceedings, and who shall be selected by the Executive Board of the Local.

ARTICLE 17 - RECALL OF LOCAL OFFICERS, CHIEF STEWARDS OR STEWARDS

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

Any Chief Steward of this Local may be recalled in accordance with Article 17 of the Union Constitution, as though they were an officer of the Local.

Any Steward of this Local may be petitioned for recall as though they were a committee member as provided by By-Law 10, and a statement describing the charges and signed by $\frac{1}{2}$ of the members they represent is submitted to the Local Secretary.

ARTICLE 18 -AMENDMENTS TO LOCAL BY -LAWS

After adoption, these By -Laws may be amended by either of the following methods:

Majority vote of the members present in a Local meeting, if the proposed amendment has been introduced at a previous membership meeting and has been advertised to the membership by use of bulletin boards or Royal Mail postage prepaid at least seven (7) days in advance of the meeting.
Referendum of the membership.

ARTICLE 19 - REFERENDUM OF THE LOCAL

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

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

All motions made at Local Meetings of over \$1,500.00 (one thousand, five hundred dollars) that exceed budgeted amounts may, at the discretion of the Executive Board, go to a referendum vote.

ARTICLE 20 - FISCAL BUDGET YEAR AND AUDIT

The fiscal year of this Local shall be the calendar year from January 1 st of each year up to and including December 31 st of that year.

The financial records of this Local shall be audited by the Trustee Committee at the end of each fiscal year. The result of such audit shall be made available for inspection of any member of the Local.

The Executive Board shall provide a yearly budget subject to the approval of the membership.

Unbudgeted expenditures in excess of \$500 per month shall require prior membership approval.

ARTICLE 21 - OATH OF OFFICE

Each elected Officer of the Local, after meeting all other qualifications, shall be duly installed upon taking the following oath:

"I (give name) hereby accept the office of (name of office) of Local 1996, Communications, Energy and Paperworkers Union of Canada, with full knowledge of the responsibilities and duties of such office. I promise to faithfully discharge my duties according to the By-Laws and rules of the Local and the Constitution and policies of the Union. I further promise to give my successor in office all books and records in possession I shall at all times endeavour to serve my Local and the Union to the best of my ability."

ARTICLE 22 -ADOPTION

These By-Laws shall be adopted upon the approval of a majority of the members voting upon their adoption in the membership meeting called for that purpose

By -Laws Adopted March 30, 2000

ARTICLE 23 - AMENDMENTS

Article 6 - Local Dues and Assessments June 15, 2006
Article 6 - Local Dues and Assessments Feb 15, 2007
Article 8 - Local Meetings Feb 15, 2007
Article 13 – Nomination and Election of Local Executive and Stewards March 15, 2009
Article 13 – Nomination and Election of Local Executive and Stewards April 01, 2012
Article 8 - Local Meetings Nov 18, 2012
Article 13 – Nomination and Election of Local Executive and Stewards March 2, 2016
Article 13 1d) – Nomination and Election of Local Executive and Stewards Mar 2, 2016
Article 8 - Local Meetings March 2, 2016

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