

Local 44 Bylaws

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Article 1

NAME

This Local shall be known as LOCAL 44, COMMUNICATIONS, ENERGY AND PAPERWORKERS UNION OF CANADA, hereinafter Referred to as "LOCAL 44, CEP" or "THE LOCAL".

Article 2
JURISDICTION

Jurisdiction of the Local shall be the jurisdiction assigned by the National Union of the Communications, Energy and Paperworkers Union of Canada (hereinafter referred to as "The Union") and appearing on the face of the Local charter.

Article 3
OBJECTIVES

The objectives of composite Local 44, CEP shall be to represent, serve and unite the workers within its jurisdiction in accordance with the Bylaws and Rules of the Local and the Constitution of The Union (hereinafter referred to as the "Constitution") and policies of the Union. The Local shall remain responsible to the Local membership including the protection of the confidentiality of membership information.

Article 4
HEADQUARTERS

The headquarters and main office of the Local shall be _____, or such other place as may be designated by the Local Executive Officers to best serve the membership.

Article 5
LOCAL STRUCTURE

The structure of the Local shall consist of the following:

- (1) Membership (Members in good standing, hereinafter referred to as "Members")
- (2) Executive Board
- (3) Trustees
- (4) Chief Stewards
- (5) Stewards
- (6) Health & Safety Reps
- (7) Committees

Article 6 **MEMBERSHIP**

Section 6.1 **Eligibility**

Any person eligible for membership in the Communications, Energy and Paperworkers Union of Canada (CEP), as defined in Article 5 of The Union Constitution, shall be eligible for membership in the Local, if performing work within the Local's assigned jurisdiction, or if employed by the Union, a Local, or a Labour Organization representing persons within the jurisdiction of the Local. No person shall hold membership simultaneously in this Local and another Local of the National Union.

Section 6.2 **Application**

Membership in the Local shall be obtained after payment to the Local of a non-refundable initiation fee set by the Executive Board, and upon approval of the Local membership committee authorized to accept or reject membership on behalf of the Local, subject to the right of the Local to overrule any decision of the membership committee.

All applicants for membership in the Local must attend a Local Membership Meeting to be considered for membership. Exceptions may be made on a case by case basis for applicants unable to attend meetings for valid reasons. In such cases the membership committee may approve membership, subject to the right of the Local to overrule the decision of the membership committee.

An applicant for membership in Local 44, CEP whose application has been denied by the Local membership, shall not be allowed to re-apply for membership until one calendar year from the date of such denial.

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 6 months must notify the local membership committee of their desire to be reinstated as a member of the Local. The membership committee has the right to reinstate membership, or not, subject to the right of the Local to overrule the decision of the committee. Anyone returning from acting or temporary management assignment of 6 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. Acting or temporary management assignment of 6 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 6.3 **Transfers**

The transfer of membership between locals of CEP shall be made in accordance with Article 5 of the Union Constitution.

Section 6.4 **Termination**

Termination of membership in Local 44, CEP, shall be in accordance with these bylaws and Articles 5 and 17 of the Constitution.

Article 7 **GOVERNING AUTHORITY**

Section 7.1 **Membership**

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

- (a) Through actions taken at membership meetings or by referendum of the membership.
- (b) Through actions and decisions of the Executive Board between membership meetings, subject to the right of the Local to overrule the action or the actions and decisions of the Executive Board.

Section 7.2 **Local Executive Board**

The Officers of the Local shall be with signing authority:

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

The Executive Board will include Officers and:

- (4) Unit Chairs (non-presidential units)

Section 7.3

Duties

The duties of Local officers shall be as follows:

1) The President shall:

- a) Be responsible for the overall conduct of the Local's business.
- b) Preside at the Local membership and Local Executive Board meetings.
- c) Countersign all cheques drawn on the Local Treasury, or in his/her absence, ensure another officer is authorized to countersign cheques
- d) Be the official spokesperson for the Local.
- e) Be the first delegate and head of delegation to all CEP, CLC, OFL, and subsidiary body conventions and caucuses.
- f) Perform whatever additional duties as may be assigned by the Local or required by the policies or Constitution of the Union.
- g) Should only have a vote to break a tied vote on the floor at meetings.

2) The Vice-President shall:

- a) Work under the direction of the Local President.
- b) Assume the duties of the President in his/her absence.
- c) Perform whatever duties as may be assigned by the Local, the Executive Board, or the Local President.

3) The Secretary shall:

- a) Maintain an up to date record of the Local Membership, in conjunction with unit chairs.
- b) Record and maintain the minutes of all meetings of the Local and the Local Executive Board.

- c) c)Furnish the President and regional Vice-President of the Union with copies of any changes in the Local Bylaws within thirty (30) days of such changes being made.
- d) Perform such other duties as may be assigned by the Local, the Local Executive Board, or the Local President.

4) The Treasurer shall:

- a) Be custodian of all assets of the Local.
- b) Report to each membership meeting on the financial status of the Local.
- c) Be bonded, as must any other person who handles the Local's funds or other property if required by the Union Constitution or any law.
- d) Cause the payment of all bills approved by the Local President.
- e) Deposit moneys of the Local in such bank or financial institution as designated by the Local Executive.
- f) Prepare an annual budget.
- g) Perform such other duties as may be assigned by the Local, the Local Executive Board, or the Local President.

5) The Unit Chairs shall:

- a) Be the main point of contact for their bargaining unit and handle all matters of that bargaining unit keeping the President totally informed.
- b) Be Chief Stewards and investigate, process, and prosecute grievances and complaints to their conclusion.
- c) Be members of the local grievance committee.
- d) Familiarize all stewards with the provisions of their Collective Agreements and advise them on grievance handling.
- e) Keep stewards informed on the activities of the Local and the Union through regular steward's meetings.
- f) Perform such other duties as may be assigned by the Local, the local Executive Board, or the Local President.

Section 7.4

The Trustees shall:

- a) Conduct quarterly audits of the Local and submit them to the Secretary Treasurer of the Union.

Section 7.5

Local Stewards shall:

- b) To become familiar with all provisions of their Collective Agreements and thoroughly investigate all grievances and complaints coming within his/her jurisdiction.
- c) To be completely familiar with the grievance procedure.
- d) To receive complaints and grievances from any member of the bargaining unit they represent and make every effort in conformity with the grievance procedure to satisfactorily settle grievances and complaints.
- e) To refer to a Chief Steward in a timely manner, all complaints and grievances that have not been satisfactorily settled.
- f) To forward all complaints and grievances settled satisfactorily to the grievance committee.
- g) To turn over all papers, documents funds or other property of the Local at the conclusion of his/her term of office to the Local or to his/her successor in office.
- h) To attend steward's meetings.
- i) Perform other such duties as may be assigned by the Local or the Executive Board.

Article 8

THE EXECUTIVE BOARD

Section 8.1

Nominations and Elections

Nominations and elections will be done according to Article 15 Section 4.

Section 8.2
Vacancies

The Vice-President will fill the vacancy of the President for the remainder of the term. For any other vacancies, the Executive Board will appoint a member of the Local to fill the position for the remainder of the term, until the next Election, subject to membership approval.

Article 9
LOCAL COMMITTEES

Section 9.1
Committees

The Local may have the following regular committees:

- (1) Membership Committee
- (2) Organizing Committee
- (3) Election Committee
- (4) Education Committee
- (5) Union Counselling Committee
- (6) Trustee Committee
- (7) Social Committee
- (8) Health and Safety Committee
- (9) Bylaws Committee
- (10) Grievance Committee
- (11) Women's Committee
- (12) Hardship Committee
- (13) Memorial Committee

Section 9.2
Committee Members

Members of all committees shall be elected in September, October or November of every odd numbered year, or appointed by the Local Executive Board, subject to the right of the Local membership to overrule such appointments. 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 membership to overrule the action of the Local Executive Board. A committee member may also be removed by action of the Local at a membership meeting.

Section 9.3
Duties of Committees

1. The Membership Committee shall;

Accept or reject membership applications in accordance with the Bylaws and Rules of this Local and Article 5 of the Constitution and policies of the Union. The committee shall also assist the Local secretary in maintaining a record of the Local membership.

2. The Organizing Committee shall;

Assist the Local officers and members in organizing all eligible non-members within the Local's jurisdiction.

3. The Election Committee shall;

Conduct all nominations, elections and referenda of the Local.

4. The 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. The Union Counselling committee shall;

Assist in the development of community services programs within the Local and advise members on how to make use of available community services.

6. The Trustee Committee shall;

- a) Audit the books of the Local according to Article 12 of the Constitution and make a report of its findings to the Local membership.
- b) Make recommendations to the Local officers and to the membership of methods or procedures intended to enhance the Local's financial situation.
- c) Assist the treasurer in preparing an annual budget and perform quarterly Audits.

7. The Social Committee shall;

Deal with all social activities of the Local.

8. The Local Health and Safety Committee shall;

Deal with all health and safety matters pertaining to members of the Local, with the understanding that some items will have to be referred to the Bell Corporate Safety and Health Committee, or the Safety and Health Committee of another bargaining unit. After being elected or appointed to the Local Health & Safety Committee, a member must complete a Health and Safety training course recognized by the Local before becoming a full member of the Local Health & Safety Committee.

9. The Bylaws Committee shall;

Work with the secretary of the local to ensure that the written record of the Local's Bylaws is kept up to date.

10. The Grievance Committee shall;

Consist of the Unit Chairs, the Local President and the Chief Steward of his/her bargaining unit. This committee shall review and process grievances to higher levels of management.

11. The Women's Committee shall;

Deal with women's issues raised by members of the Local.

12. The Hardship Committee shall;

Administrate the Hardship Fund using criteria detailed by the Local Executive Board.

13. The Memorial Committee shall;

Administrate the Memorial Fund using criteria detailed by the Local Executive Board.

Article 10
OATH OF OFFICE

Each elected officer of the Local, after meeting all other qualifications, shall be duly installed after responding " I do." 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 11
MEETINGS

Section 11.1
Local Meetings

Regular meetings of the Local shall normally be held on the 1st Wednesday of each month at 7:00 p.m. There shall be a minimum of four (4) meetings called every year.

Section 11.2
Special Meetings

Special meetings may be called by a majority vote of the Executive Board, or by a petition signed by twenty (20) members. Upon the receipt of a proper petition, the Executive Board shall call a special meeting to be held within ten (10) days.

Section 11.3
Quorum

1. A majority of the members of the Executive Board shall constitute a quorum for the transaction of any Executive Board Business.
2. In order to achieve quorum at a General Membership meeting there must be a minimum of 10 members present, excluding Executive Board members.

Article 12
ORDER OF BUSINESS

The order of business at the Local meetings shall be as follows:

1. Call to Order
2. Roll Call of Officers
3. Tabling and Approval of Agenda
4. Reading and Action on Minutes of Previous Meeting
5. Accepting Membership Applications
6. Reports of Officers
7. Reports of Committees
8. Unfinished Business
9. New Business
10. Adjournment

The order of business may be suspended by a majority vote of the members present.

Article 13
CONDUCT OF MEETINGS AND OTHER BUSINESS OF THE LOCAL

Section 13.1
Membership Meetings

Membership meetings and any other business of the Local shall be conducted under these Bylaws and rules of the Local, and in conformity with the Constitution. During membership meetings, on questions where the Local bylaws, the Local rules, or the Constitution do not clearly apply, Bourinot's Rules of order shall govern.

Article 14
LOCAL DELEGATES TO THE NATIONAL CONVENTION

Section 14.1
The President

The President of the Local shall be the 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). The Executive Board will determine the size of the Delegation. The Executive Board will decide who the delegates are and any additional alternates and/or observers will be elected at large by the membership at a General Membership meeting.

Section 14.2

OCC delegation - the Local will normally send at least one member of each bargaining unit to attend OCC on the Wednesday & Thursday and all Local H&S officers to attend the H&S meeting on the Tuesday immediately before OCC.

Article 15

LOCAL 44 ELECTION COMMITTEE RULES AND PROCEDURES

Section 15.1

PURPOSE

The purpose of these "Election Committee Rules and Procedures" is to provide a tool for the Election Committee and the members of the Local. The rules herein simply consolidate provisions, which are scattered throughout the Constitution and the Local Bylaws; the rules also provide standard procedures not dealt with by the Constitution or the Bylaws. The provisions of this document cannot supersede any clause of either the Constitution or the Local Bylaws.

Section 15.2

OBJECTS

The Election Committee of CEP Local 44, in order to fulfill its obligations must:

1. Conduct all nominations, elections and referenda of the Local
2. Establish, maintain and enforce the "Rules of Election" of the Local.
3. Ensure that the "Rules of Election" conform with the requirements of the Constitution and Bylaws of the Local.
4. Establish and provide all forms and ballots for Local elections.
5. Determine the validity of all appeals and questions arising from an election or referendum, subject to the right of appeal to the Local Executive Board, or the Local membership.

Section 15.3

GENERAL RULES OF ELECTIONS

1. All elections in the Local shall be conducted by secret ballot.
2. Ballots must be marked as indicated, otherwise they shall be considered spoiled.
3. Each candidate shall be allowed one (1) scrutinizer, if so desired, when ballots are counted.
4. All questions concerning the conduct and challenge of elections and referenda shall be made to and determined by the Election Committee.

5. Appeals must be submitted to the Election Committee in writing within five (5) days of the official announcement, and further appeals within five (5) days of a ruling.
6. Full disclosure of all election and referenda results shall be made available to the membership of the Local.
7. Ballots may only be destroyed when the deadline for appeals has lapsed or when all appeal procedures have been exhausted.
8. If a tie renders any election indecisive, a run off election shall be conducted and the nominees who tied for such position shall be automatic nominees on the next ballot.
9. If, in the view of the Election Committee, certain provisions of these "Rules and Procedures" would prevent fair elections, alternate arrangements may be made with the approval of either the Executive Officers or the membership.

Section 15.4

THE ELECTION OF THE EXECUTIVE BOARD

1. The candidates for the Executive Board shall be nominated in the months of September and October of each even numbered year and elected in the month of November the same year for a two (2) year term.
2. Notice of election must be made at least fifteen (15) days prior to the closing date for nominations. This notice shall be made at a regular monthly meeting and posted on bulletin boards and the Local website.
3. The notice of election must provide details of the time and manner of submitting nominations. The notice shall also give notice of the election schedule.
4. There shall be at least one (1) nominators on each nomination submitted and all parties must be members of the Local in good standing.
5. Voting must be completed by December 31st of that year and the elected shall be sworn in and assume office no later than the first Executive Officers meeting of the following year.
6. All members of the Executive Officers shall be elected simultaneously and candidates may seek only one (1) Office.
7. The election of Local President, Vice-Presidents, Secretary, and Treasurer, shall be by majority vote. If a tie renders an election indecisive, a run-off election shall be conducted.
8. Unit Chairs shall be nominated and elected from and by the group they will represent. If a tie renders the election indecisive, a run-off shall be conducted and the nominees who tied for such position on the first ballot shall be nominees on the second ballot.
9. In the Presidential bargaining unit, a Chief Steward may be nominated and elected to handle all grievances from and by the group she/he will represent.
10. The Election Committee shall determine the actual mechanics of the election within the provisions of these rules.
11. The election Committee shall provide and be responsible for all forms and ballots, necessary for the election.

12. The Election Committee shall provide an equitable forum for candidates to introduce themselves to the membership.

Section 15.6

THE ELECTION OF LOCAL STEWARDS

Stewards will be appointed as required by the Executive Board, subject to the right of the Local membership to overrule such appointment. An election will be held if needed.

Section 15.7

ELECTION OF DELEGATES TO NATIONAL CONVENTION

1. Delegates to the CEP Convention must be elected in time to provide sufficient notice to the National Union.
2. Delegates to Special Conventions shall be elected at least two (2) weeks prior to such a convention.
3. The number of delegates to be elected shall be determined by the Constitution and the Local Bylaws.

Section 15.8

DELEGATES TO BARGAINING CAUCUS

The Unit Chair will attend Bargaining Caucus as our Local Delegate or their designated representative with in the bargaining unit.

Article 16

REFERENDUM OF THE LOCAL

The Local election committee shall submit any question to a referendum of the membership when twenty percent (20%) of the membership of the Local have signed a petition containing the referendum question. Questions submitted to referendum shall be determined by a majority vote of those voting on the question.

Article 17

CHARGES, TRIALS AND APPEALS

In accordance with Article 17 of the CEP Constitution.

Article 18
RECALL OF LOCAL OFFICERS

In accordance with Article 17 of the CEP Constitution.

Article 19
LOCAL DUES AND ASSESSMENTS

Section 19.1
Local Dues

Each member of the Local shall pay dues in the amount determined by a majority of those members in good standing voting on the question by secret ballot referendum, or by a majority secret ballot vote. Changes to the Local dues structure shall be made only by secret ballot referendum, or by a vote conducted at a regular or special meeting of the Local where a quorum is present, if the question has been advertised on bulletin boards and Local website at least twenty-one (21) days in advance of the meeting or by notice mailed to each member at least twenty-one (21) days in advance of the meeting. Any future increases or decreases in dues by the National Union will automatically increase or decrease the dues of Local 44.

Section 19.2
Local Special Assessments

The Local may levy a special assessment only in the same manner as provided for changing the dues. However, any special assessment levied shall be in compliance with Article 6 of the Constitution.

Article 20
FISCAL YEAR AND AUDIT

1. The fiscal year of the Local shall be from January 1st of each year up to and including December 31st of the same year.
2. The financial records of the Local shall be audited by the Trustee Committee as frequently as required by Article 12 of the Constitution. The results of such audits shall be forwarded to the Secretary/Treasurer of the Union, and made available for inspection of any member of the Local.

Article 21
EXPENSES

1. When on Local or bargaining unit business, Executive Officers or other previously authorized member(s) shall, upon presentation of completed Local expense form (to determined by the Treasurer) and all original receipts, be reimbursed for lost pay, lodging and travelling expenses.
2. Use of personnel vehicle for union business should be reimbursed at the National rate of \$0.48 per kilometre.
3. When previously authorized, a per diem will also apply when on Local or bargaining unit business; \$75 per day with Hotel receipt and \$30 per day with out.
4. Meals will be provided while conducting business over reasonable meal periods and the Local will cover meals for visiting guests such as; Bargaining Reps, National Officers and/or Reps, Out of Local consultants who are assisting with such business (no per diem given on such occasions).
5. In all cases, authorization must be obtained before any expenses are incurred.

Article 22
AMENDMENTS TO LOCAL BY-LAWS

After adoption, these by-laws may be amended at the bi-annual Consideration of Amendments meetings held every May and November, provided that a notice of motion to so amend has been filed at a previous meeting with the secretary or has been advertised on local bulletin boards and the local website at least twenty-one (21) days in advance of the meeting. An amendment of the Local by-laws shall be effected only with the support of two-thirds of the members voting at these meetings.