



Constitution and Bylaws

of the

Canadian Office and Professional Employees Union, Local 468

(Approved by National President; D. Black)

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LOCAL 468

CANADIAN OFFICE AND PROFESSIONAL EMPLOYEES UNION CONSTITUTION AND BYLAWS

ARTICLE 1 - PREAMBLE

- 1.1 The Local Union declares for its objectives and aspirations the following:
to organize the unorganized;
- to secure terms and conditions of employment for its members consistent with ideals of fair wages;
 - to promote and encourage harmonious relations between ourselves and our employers;
 - to render all possible assistance to our fellow members in the Canadian Labour Congress;
 - to have in general, the same aims and purposes of the National Union provided for in its Constitution.

ARTICLE 2 - NAME

- 2.1 This organization, located in the City of London shall be known as the Canadian Office and Professional Employees Union, Local 468. This Local Union shall be and remain a chartered Local Union of the Canadian Office and Professional Employees Union of the Canadian Labour Congress.

ARTICLE 3 - EXISTENCE

- 3.1 When this Local Union ceases to represent employees of any employer in such a way that affects its viability, the National Executive may suspend the charter of this Local Union and order it dissolved. Upon the dissolution of this Local Union, all its properties and assets, including its funds, books, electronic data and records, shall become the property of COPE Ontario in trust for a period of one (1) year, during which time such property shall be returned to this Local Union if it is reconstituted. After such one (1) year period such properties and assets shall become the property of COPE Ontario, and the funds will be placed in COPE Ontario treasury to be used by COPE Ontario for its general purposes.

ARTICLE 4 - JURISDICTION

- 4.1 This Local Union shall have jurisdiction over all persons employed in an office, professional, technical, or para-technical employees or representatives, and all those persons wishing to be represented by this Union. This Local Union recognizes the right of COPE Ontario to determine jurisdiction between Local Unions and to settle all controversies respecting jurisdiction between Local Unions

ARTICLE 5 - MEMBERSHIP

- 5.1 All members shall be good standing members and entitled to participate fully as members in the affairs of this Local Union. Those rights include voice and vote in all membership or unit meeting(s) of this Local Union, and entitlement to seek election to represent this Local Union as a delegate at official meetings of labour organizations to which this Local is affiliated.
- 5.2 No person shall be admitted to membership who advocates principles or lends support to organizations or movements whose purposes and objectives are in conflict with the National Union.
- 5.3 All Officers and full time paid organizers of the National Union or COPE Ontario shall be ex-officio members of this Union with the privilege of participating in this Local Union's meetings with voice but no vote; provided, however such officers and organizers shall retain and may exercise full rights of participation in this Union if they hold membership in this Union.
- 5.4 Any member of this Local union who secures employment under the jurisdiction of any other union affiliated with the Canadian Labour Congress not under the jurisdiction of the National Union, who is thereby required to become a member of such other Union, may retain their membership in this Local Union.
- 5.4.1 In the event any member becomes a supervisor within the meaning of existing applicable legislation in Canada and does not make an application for and receive a withdrawal card, such member shall not be eligible to participate or vote in any of this Local Unions proceedings.
- 5.4.2 In the event any member becomes a supervisor within the meaning of existing legislation in Canada and does not make an application and receive a withdrawal card, such member shall not be eligible to be a candidate for office nor eligible to hold office, nor shall they be eligible to represent this Local Union in any capacity whatsoever.
- 5.5 Active Membership:
- a) An individual is eligible to become an active member if:
-he/she is employed by an employer covered by a collective agreement; or
-he/she is employed by an employer who is the subject of an active organizing drive;
or
-he/she is an employee or an officer of the Local Union.
-he/ she will maintain his/ her active membership status during a strike or lockout status during a labour dispute even if no dues are received from that person
- b) Payment of dues, initiation or reinstatement fees as established by the Local Union, is required for an eligible individual to become an active member.

- c) An active member who is not actively working due to dismissal, layoff, illness, disability, or a contractually provided leave of absence, and has recall rights, or has filed a grievance under the collective agreement may continue to pay dues and maintain active membership for a period for which his/her recall rights are valid or his/her grievance is pending, or if eligible, he/she may apply for another classification of membership provided for in this article.
- d) Active members shall enjoy all rights and privileges of membership in this Local Union.

5.5.1 Non-active Members:

- a) A non-active member is a former member who desires to maintain membership in this Local Union. A non-active member shall pay the minimum dues of fifteen dollars (\$15.00) per month.
- b) A non-active member may attend Local Union meetings having voice but no vote shall not be nominated for or hold office in this Local Union, National Union, or Council, or be elected to represent this Local Union as a delegate.

5.5.2 Associate Membership:

The Executive Board shall be empowered to establish an Associate Membership classification which is consistent with the National Union's regulations applicable to this category.

5.5.3 Honourary Membership:

The Executive Board shall be empowered to establish Honourary Membership status for individuals who have rendered meritorious services. Honourary members shall have no rights or privileges of membership.

5.5.4 Withdrawal Cards:

- a) Only active members in good standing with all obligations to this Local Union, including the current month, may request a withdrawal card.
- b) A member who has requested a withdrawal card may not participate in the operation of this Local Union.
- c) Members holding a withdrawal card, upon return to their place of employment, must register the withdrawal card with the Local Union and be admitted to membership or they will be subject to a reinstatement fee.

ARTICLE 6 - MEETINGS

- 6.1 COPE local 468 will hold an annual general membership meeting yearly in the month of April. The Executive Board will determine the time and place of the meeting including adjustment for statutory holidays. The President will provide reasonable notice of such meetings. Additional meetings may be convened at the discretion of the Executive Board. Each bargaining unit can fix regular monthly meetings for their members, and shall have a minimum of four (4) meetings annually.
- 6.1.1 General Membership meetings shall be the governing body of this Local Union and shall establish its policies in accordance with this Constitution. The General Membership meetings shall be the legitimate source of all authority.
- 6.2 The quorum for general membership meetings is **forty (40)** members and for unit meetings will be as follows:
- | | |
|-------|------------|
| LHSC: | 10 members |
| TVCC: | 5 members |
- 6.3 A special meeting of the Local Union may be called by the Executive Board if it deems such action necessary or a special meeting of the Local Union may be called upon a request submitted to the President by not less than ten percent (10%) of the entire membership in good standing, or on the request of at least fifty percent (50%) of the membership from any one bargaining unit but said meeting shall not take place on the day of adjournment of any regular meeting.
- 6.4 The Recording Secretary shall notify the members of any special meeting, stating the purpose for such meeting at least seventy-two (72) hours before it convenes. No other business shall be transacted at such special meeting.
- 6.5 No action of the membership shall be deemed valid or binding unless such action is taken by the membership at regular or special meeting held pursuant its Constitution and Bylaws.
- 6.6 In order to determine the principle of majority required to adopt decisions; unless otherwise indicated, a majority of votes cast is required.
- 6.7 The Executive Board will determine the number of delegates and observers to attend each convention, conference, or meeting, and shall determine how many of these delegates will attend from each bargaining unit. Bargaining units will nominate and elect by secret ballots who the delegates will be. Bargaining units which do not reply within the time set out by the Executive Board will forfeit their entitlement to delegates, and the Executive Board will then determine who the delegates shall be.

ARTICLE 7 - EXECUTIVE BOARD

- 7.1 The Union shall have the following Officers: President, Executive Vice President, two (2) Vice President(LHSC), one (1) Vice President (TVCC), Treasurer, and Recording Secretary for a total of seven (7) Officers on the Executive Board.
- 7.2 Unless otherwise stipulated, decisions are made by majority vote. Each member of the Executive Board shall have one (1) vote.
- 7.3 Four (4) members of the Executive Board shall constitute a quorum and shall have the power to transact all business of the Executive Board. **The Executive Board shall meet on a day during the first 2 weeks for the months; January, February, March, April, May, June, September, October, November and December and once(1) in the months of July and August.** Special meetings of the Executive Board may be called by the President. Upon the request of a majority of the members of the Board, the President must call an Executive Board meeting. All members of the Board shall be given reasonable notification by the Recording Secretary of any special meeting of the Board.
- 7.4 The Executive Board conducts the affairs of this Local Union with the Constitution as its guide. Furthermore, it carries out the instructions of the General Membership meetings. With this Constitution as its guide, it shall take all action necessary to carry out the aims and objectives of this Local Union.
- 7.5 Any Officer or Member of the Executive Board who fails to attend three (3) consecutive meetings, be it Executive Board meetings or any other duly constituted meeting, without being excused from such attendance shall be deemed to have forfeited office. The Executive Board may appoint a successor for the balance of the unexpired term pursuant to Article 19 herein. If the office of the President is declared vacant, the Executive Vice-President shall perform the duties of the President until such vacancy is filled by an election as provided in Article 9.
- 7.6 The Executive Board shall have the authority to add to the Executive Board representative(s) from a unit of fifty (50) members or more that are organized during the term of office, providing such groups elect their representatives by secret ballot vote; and
- that newly organized units of more than twenty five(25) but less than fifty(50) will elect a chief steward to be the unit representative but will not be eligible to have a seat on the Executive Board.
- 7.7 The President shall be the representative on the COPE Ontario Executive Board, should the President be unable to accept this position or complete the term of office, the Executive Vice President then shall represent this Local Union on that Board.
- 7.8 When an employer definitely shuts down ceases operations governed by a certified bargaining unit held by this Local Union, or if the certificate is revoked while an officer is in its employ, this officer may continue to pay the required monthly minimum union dues until the end of his or her term. Once the term has expired, this person may not be nominated to any office of the Local Union.

ARTICLE 8 - DUTIES OF OFFICERS

8.1 **President**

The President shall preside at all General Membership meetings and Executive Board meetings; shall preserve order during its deliberations; shall be a signing officer of this Local Union; transact other business as may pertain to the office and which may be necessary to the proper functioning of this Local Union; and shall have other powers and duties as are provided for in this Constitution and Bylaws.

The President shall appoint a Sergeant-at-Arms at meetings, whose duties shall be to assist the President to maintain order at the meeting.

The President shall be ex-officio on all committees covered by this constitution.

The President, or designate determined by the Executive Board, shall be an automatic delegate to the following conventions:

COPE National Convention
Canadian Labour Congress Convention
COPE Ontario Council Convention
Ontario Federation of Labour Convention

The President shall be the automatic representative on the COPE Ontario Executive Board.

8.2 **Vice Presidents**

The Executive Vice President shall perform the duties of the President in the absence of that officer, and in the case of resignation or death of the President, shall perform the duties of the President until such vacancy is filled by the next regular election as provided for in this Constitution and bylaws. The Executive Vice President shall preside, when called upon by the President and at times when the President may be temporarily unable to discharge his or her duties. He or she shall also be Executive Board liaison and Chairperson of all standing committees as authorized by the Executive Board, in consultation with the President and shall have such other powers and duties as are provided for in this Local Union's Constitution and Bylaws. He or she shall also be a signing officer of this Local.

Vice President(s) shall perform duties as assigned by the President. They shall also perform the duties of Recording Secretary in the absence of that Officer.

Thames Valley Children's Centre - Vice President shall perform and maintain such

duties as required in the representation of the membership at Thames Valley Children's Centre Bargaining Unit, giving updates on negotiations and grievances and hold regular meetings with the stewards and the bargaining unit. They shall represent the Local Union on committees within the bargaining unit.

London Health Science Centre - Vice Presidents will be the following:

One (1) Vice President for Labour Management handling such things as; negotiations, grievances and arbitrations, Job Evaluation, Pay Equity and anything that under the collective agreement falls within the realm of Labour Management.

One (1) Vice President of Member Relations that will handle all committee work other than Labour Relations matters that fall under the collective agreement such as; WSIB, Return to Work, Attendance Enhancement Program, Workplace Violence and Prevention and Health and Safety.

LHSC Vice Presidents can act for one another in the event that one is not available and they can also, in consultation with the President, appoint the most senior Steward to act or assist where necessary for either of the Vice Presidents.

Vice President(s) shall perform and maintain such duties as required in the representation of the membership in the London Health Science Centre Bargaining unit, giving updates on negotiations and grievances and hold regular meetings with the stewards and the bargaining unit. They shall represent the Local Union on committees within the bargaining unit.

8.3 **The Treasurer**

a) The Treasurer shall perform the following duties: He or she shall keep all financial accounts of this Local Union and shall maintain correct and proper accounts of all its members. He or she shall collect all initiation and reinstatement fees, dues assessments and fines from members of this Local Union. He or she shall make all disbursements for this Local Union as provided for in Article 12 of this Constitution and Bylaws. He or she shall keep a correct record of all monies received and expended and prepare financial statements by calendar months to be submitted to the Secretary Treasurer of the National Union, COPE Ontario and the Local Executive Board monthly, and at the next General membership meeting of this Local.

b) He or she shall deposit all funds of this Local Union in a financial institution recommended by the Executive Board; submit all books and records to the Trustees for verification and approval when called upon to do so. He or she shall submit all his or her books and records to the Auditor for audit annually within two (2) months following the end of each such year. Upon expiration of his or her term, turn over to his or her successor all properties and assets, including funds, books, electronic data and records of this Local Union. He or She shall turn over all properties and assets, including funds, books and records

to the National Secretary –Treasurer, or their duly authorized representative, when properly called to do so.

c) He or She will transmit monthly to COPE Ontario Treasurer all financial obligations owing to COPE Ontario not later than the fifteenth (15) day of the following month to enable COPE Ontario to remit all the Local Union financial obligations owing to the National Union. He or She will follow such accounting and reporting procedures that shall be formulated by the Secretary-Treasurer of the National Union and shall submit to the National Secretary Treasurer all relevant information pertaining to those bank accounts (name of the institution, full address, account number,...). The Treasurer shall endeavor to deposit such funds in unionized financial institutions. He or She shall be required to make monthly reports to the Secretary-Treasurer of the National Union and COPE Ontario.

d) He or She shall be required to include in each monthly report, the name and address of all newly initiated and reactivated members and members who have withdrawn, died, or who have been suspended, including members automatically suspended after three (3) months delinquency in dues or expelled.

e) A petty cash fund may be established by the Executive Board and shall be maintained by the Treasurer to pay immediate necessary petty cash demands upon this Local Union. Replenishment of this fund shall be by cheque when necessary, the amount being the total paid out vouchers for prior disbursements.

8.4 The Recording Secretary

The Recording Secretary shall keep the minutes of all meetings and proceedings of the Local Union and the Executive Board and shall also send out all meeting notices. She is required to record, receive, maintain and report on all correspondence, responsible for responding to all correspondence, at the direction of the Executive Board. The Recording Secretary will provide the National President and the National Secretary- Treasurer with the names and contact information of all the Local Union officers as well as any changes to that information. Other duties of the Recording Secretary may be determined by the Executive Board in carrying out the aims and purposes of the Local Union.

8.5 Trustees

The Trustees shall be nominated and elected during the regular election process. Trustees shall, at least quarterly, verify all the books and financial records. Such verification will be reported to the general membership meetings of the Local Union, the Executive Board and to the National Secretary-Treasurer.

8.6 All bargaining units will have stewards based on the numbers that they are entitled to under their respective collective agreements.

8.7 Vacancies in Office

Should any vacancies in office occur during the term of office, the membership will be notified of the vacancy and interested candidates invited to express their interest to the Executive Board. The Executive Board shall make the appointment pursuant to Article 9.

In the event that the position of President or Treasurer becomes vacant for 30 days the Executive Vice President will assume the position.

In the event that a position become vacant with less than six month left for the term of office the Executive Board shall be empowered to appoint a successor to fill the balance of the unexpired term, such appointee shall hold office until the next regular election for that office.

In the event of a vacancy expected to be permanent and the remaining term of office is six months or more. The membership will be notified of the vacancy and interested candidates invited to express their interest to the Executive Board. The Executive Board shall make the appointment pursuant to Article 9.

ARTICLE 9 - ELECTIONS

9.1 The President, Executive Vice President, Treasurer, Recording Secretary and three (3) Trustees shall be elected by the **COPE Local 468** membership and shall hold office for a term of two (2) years. Elections shall take place at the April General Membership meeting **and/ or determined by the Election Committee (Article 11).**

9.2 The Elections Committee will send out a request for nomination no later than the **1st of February of the election year. Nominations are to be received by February 15th. The elections committee will verify nominees and ensure that all the bargaining units are notified no later than March 1st of the candidates who are seeking Executive Board positions within the Local.** No votes for any member who is not duly nominated shall be counted.

COPE Local 468 Bargaining Unit(s) Vice President Positions for LHSC and TVCC

9.3 All Vice President positions shall be elected by their Bargaining unit members and shall hold office for two(2) years. The elections will take place at their respective Bargaining Unit meeting which one will be held in March of the election year.

9.4 The Elections Committee will send out a request for nominations no later than **January 15th of the election year. Nominations are to be received by January 30th. The elections committee will verify nominations and ensure that all the bargaining units are notified no later than February 15th of the candidates who are seeking Vice President positions within their bargaining units.** No votes for any member who is not duly nominated will be counted.

Local 468 Executive Board and Bargaining Units

9.5 No person shall be elected or appointed to an office of or as an Executive Board member of the Local Union unless he or she has been a member in continuous good standing for at least the previous twelve (12) months and has attended at least fifty percent (50%) of the unit meetings in the preceding twelve (12) month period, unless the members are coming from a newly organized or amalgamated bargaining unit. No member of this Local Union shall be permitted to vote unless he or she is a member in good standing of this Local Union.

9.6 No Member shall hold more than one (1) of the offices specified in Article 7.1 at the same time, except where the Local Union combines the duties of the Recording-Secretary and the Treasurer, this position will be referred to as Secretary-Treasurer.

9.7 The candidate(s) receiving the greatest number of votes for the respective office(s) shall be declared elected.

9.8 Where possible there will be a Trustee elected from each bargaining unit. The votes will be counted in the following manner:

When the ballots are counted, they will be separated into the respective bargaining units and the candidate receiving the greatest number of votes per bargaining unit shall be declared elected. Where there are no candidates from all the bargaining units, the person receiving the second highest number of votes shall be declared elected.

Example: Two (2) members run from TVCC, three (3) members run from LHSC. The committee will declare that one from TVCC and one from LHSC is elected based on the person who got the most votes per bargaining unit. The third person seeking to become a Trustee will be the member who received the next highest number of votes regardless of their bargaining unit. So there could be one (1) from TVCC and two (2) from LHSC in this example.

9.9 There will be no voting by proxy.

9.10 All Officers and Executive Board Members shall be inaugurated at the April General Membership meeting and shall assume office immediately after such inauguration. Before entering upon the duties of their respective office(s), the newly elected officers shall subscribe to the following installation obligation.

"I _____do hereby sincerely pledge my word and honour to perform the duties assigned to me in the Local Union Constitution and Bylaws to the best of my ability and with the complete good faith to support, advance and carry out all official policies of the Local Union, and to promote a harassment and discrimination free environment. I will at all times devote my efforts to further the aims, objectives and best interests of the Canadian Office and Professional Employees Union. I will also

surrender all books, papers, electronic data and other property of the Local Union in my possession to my successor in office."

ARTICLE 10 - BARGAINING UNITS

- 10.1 The Vice Presidents shall perform and maintain such duties as required in the representation of the membership in their Bargaining unit, dealing with negotiations and grievances and hold regular meetings with the stewards and with the bargaining unit. They shall represent the Local Union on committees within the bargaining unit and be a member of the Local Union Executive Board.
- 10.2 Nominations in **January** and elections for the bargaining unit positions at the unit meeting(s), which is to be held in the month of March of the General Membership election year.
- 10.3 In the event of a steward vacancy occurring, the Vice President for the bargaining unit shall notify the membership of that bargaining unit of the vacancy thirty (30) days in advance of the next bargaining unit meeting. Nomination and elections for the vacancy shall occur at the bargaining unit meeting, by secret ballot.

ARTICLE 11 - ELECTION COMMITTEE

- 11.1 An Election Committee of three (3) members shall be elected at the April General Membership meeting prior to the year in which the April elections will take place.
- 11.2 No member running for office can be on the Elections Committee.
- 11.3 The Election Committee is charged with the duty of conducting the regular election of officers and the Executive Board members of the Local Union. Any candidate shall have the right to have an observer at the counting of the ballots.
- 11.4 The Election Committee members will nominate a chair-person from within the three (3) elected members. If there are more than three persons need to conduct a ballot election the Chair of the Election Committee will seek volunteers to assist at the polling stations. The Chair of the Election Committee shall have the duty of enforcing the right to vote of the members and shall see that such right of franchise is not interfered with or hindered by anyone.
- 11.5 A nomination shall be submitted in writing to the elections committee (as directed by the committee prior to the commencement of the nomination process). The committee will respond in writing to both the nominator and nominee that the nomination has been received within 48 hours of receipt.**
- 11.6 The Election Committee shall verify that all nominees are in good standing and has met the criteria pursuant to Article 9. The nominees shall then be notified in writing; eligible**

nominees will be asked to accept their nomination in writing. Non eligible nominees will be notified in as to why their nomination cannot be upheld as per Article 9.

- 11.7 The election committee will examine the membership status of all members that are nominated and before permitting any member to vote, shall compare the said status with lists to be supplied by the Treasurer.
- 11.8 The Election Committee Chair person in consultation with the Vice Presidents of the bargaining units will determine the time(s) and location(s) of the vote(s). A Committee member will be present at all the polling stations for the full duration as determined.
- 11.9 The Election Committee may determine to use a mail-in-ballot vote or electronic voting as another method of voting. There are members who work in satellite offices for their employer, and the National President may authorize electronic voting, which is the case where geographic location causes difficulties in following the usual election procedure. Should the committee determine to use either of the two (2) alternate methods of voting, they will ensure that the information is forwarded to the membership at least ten (10) days prior to the date the ballots are due.
- 11.10 After an election has been held and the report of the Election Committee has been rendered, all election reports and ballots shall be turned over to the Recording-Secretary for safe keeping among the records of the Local Union for not less than ninety (90) days. The election records cannot be opened unless there is an official complaint or dispute over the results.
- 11.11 A recount may be ordered upon presentation to the Election Committee of a petition signed by a majority of members in good standing, as per Article 6. The petition must be presented to the Election Committee within fourteen (14) days after the election; this petition shall enumerate the reasons why such believe a recount should be held. Upon receipt of a recount petition the Chairperson shall call a special meeting of the Election Committee to consider such petition. If the Election Committee rules a recount should be held, the candidates and the complainant can have members present to witness the re-count. If the Election Committee denies the petition it shall make a report of this ruling at the next general membership meeting. It shall require a majority vote of those present to reverse the Election Committees decision.
- 11.12 If a decision by the general membership reverses the Election Committees' decision, the matter shall revert to the Election Committee and it will appoint a Recount Committee. No candidate elected or defeated shall be eligible to sit on the Recount Committee, but any candidate shall be permitted to attend all meetings of the Recount Committee as an observer. The Recount Committee shall report its findings at the next regular or special meeting of the membership. If a report of the Recount Committee declares that their tabulation shows the defeated candidate has actually been the recipient of the greatest number of votes cast for that office, the candidate actually receiving the greatest number of votes shall be declared duly elected.

ARTICLE 12 - FINANCES

- 12.1.1 The regular dues of the membership of this Union shall be one point six percent (1.6%) of their gross monthly salary. The minimum dues to be deducted shall not be less than fifteen dollars (\$15.00) per month, including (Regular, Part-Time, Temporary and Casual positions).
- 12.2 All proposals for assessments and increases of dues must be recommended by the Executive Board in the form of a resolution to the April General Membership meeting: as provided for in Article 22.
- 12.4 All assessments are subject to the approval of the President of the National Union in advance of being levied.
- 12.5 A member who is participating in a legal strike approved by the Local Union shall not be suspended for failure to pay dues during the course of this dispute.
- 12.6 The policies regarding expense, travel costs and Officers compensation shall be established by the Executive Board and voted upon by the membership at the next membership meeting.

ARTICLE 13 - USE OF FUNDS

- 13.1 The funds of this local cannot be divided in any way among individual members and can only be utilized for valid Union purposes.
- 13.2 The General Fund shall be used for the payment of expenses incurred by this Local Union on behalf of its membership primarily for organizing, defense, and contract administration and as a depository for its monies.
- 13.3 All disbursements shall be made by electronic funds transfer or by cheques drawn on the General Fund. All transactions require two signatures from the President and/or the Executive Vice President and/or the Treasurer.
- 13.4 The fiscal year of this Union shall be twelve (12) month period ending with the last day of December of each year.
- 13.5 The per capita tax, Strike Benefit Fund and other obligations owed by the Local Union to COPE Ontario and the National Union shall constitute a preferred claim and must be paid promptly by this Local Union each month prior to the payment of any other obligation of this Union.

ARTICLE 14 - STANDING COMMITTEES

This Local Union shall have the following standing Committees: Constitution and Bylaw, Education, Website and Communication and Organizing.

14.1 Constitution and Bylaw

The purpose of the Constitution Committee is to maintain a continuous review of the basic rules governing the conduct of the affairs of this Local Union. Receive and prepare amendments and resolutions for the April and General Membership meeting(s) in consultation with the Executive Board.

14.2 Education Committee

The purpose of the Education Committee is to develop the skills and awareness of the Local Union membership by holding educational seminars and workshops; circulate to the membership any opportunities that the members can take advantage of that would benefit this Local Union.

14.3 Website and Communication Committee

The purpose of the Website and Communication Committee is to ensure that there is ongoing communication between the Executive Board and the membership through the website and social media. The Committee will ensure that the website is maintained.

14.4 Organizing Committee

The purpose of the Organizing Committee is to bring to the attention of COPE Ontario any potential organizing leads or opportunities for any groups of employees within our jurisdiction who are seeking labour union representation and assist with the organizing activities where applicable.

14.5 Political Action Committee

The purpose of the Political Action Committee is to inform, engage and educate our members on political issues that impact the working lives of our members. The committee will undertake strategic efforts to lobby all levels of Government for the good of our members. Lobbying may include; writing letters, writing the newspaper and attending rallies. This can include, but not limited to surveys, social media, forums or attending conventions/conferences and doing all that is necessary to promote our union and labour friendly government initiatives.

14.5 Young Workers' Alliance Committee

The purpose of the Young Workers' Alliance Committee is to provide guidance to the Executive Board and other committees, where necessary, to include engage and accommodate young workers based on their needs and concerns. The YWA committee is responsible for planning and executing young worker data collection, communication and events. This can include, but not limited to, surveys, social media, e-mail blasts, educations, forums and attending conventions to support and promote young workers initiatives.

14.6 The Executive Board may appoint special committees necessary to conduct its business. In setting up a special committee, the minutes shall indicate the committee's duties, level of authority and the amount of money placed at their disposal. These committees may not make or authorize expenditures without the previous authorization of the Executive Board.

14.7 The President shall be an ex officio member of all committees.

ARTICLE 15 - DISCIPLINE PROCEDURE

15.1 The Local may discipline its members or officers for violation of the National Constitution or the Local Constitution and/or Bylaws, or for engaging in any activity or course of conduct which is deemed contrary or detrimental to the welfare or best interest of the Local Union, The Local Union follows the Internal Discipline procedures adopted by the National Executive.

The COPE Internal Discipline Procedure can be summarized as follows:

Step 1 After having received a written complaint, which includes the statement from the complainant and the charged member, the Local Executive renders a decision.

Step 2 An appeal may be filed with COPE Ontario. COPE Ontario renders a decision after having received the statement of appeal from the charged party.

Step 3 An appeal may be filed with the National Executive. There shall be a written statement of appeal submitted to the National Executive by the accused party. The National Executive may render a decision on the file or appoint an appeal committee who will have a hearing.

Refer to the COPE Internal Discipline procedure, at www.copesepb.ca

ARTICLE 16 - APPLICANTS

16.1 No applicant shall be barred from membership in the Union for any reasons which would be a violation of the Human Rights Code.

16.2 All applicants shall take the following oath at a membership meeting:

"I _____ pledge my honour before these witnesses to faithfully comply with the Constitution, Bylaws and all amendments thereto of the Canadian Office and Professional Employees Union Local 468 and of the National Union."

ARTICLE 17 - PROCEDURE AT MEETINGS

17.1 The President of the Union shall act as Chairperson at all General Membership meetings or special meetings of the Membership and the Executive Board.

17.2 Except as otherwise provided in this Constitution and Bylaws; Bourinots Rules of Order shall apply at all meetings of this Local Union.

17.3 It is provided further that any member requesting the floor from the Chairperson shall make that request by stating his or her name and place of employment.

ARTICLE 18 - WITHDRAWAL CARDS

18.1 Any member leaving the jurisdiction of this Local Union or the National Union may apply to the Executive Board for a withdrawal card. However, no withdrawal card can be issued unless the member has paid dues up to and including the month during which the withdrawal card is requested; and provided that such members are in good standing with this Union and the National Union.

18.2 A withdrawal shall be issued by this Local Union to any member requesting it who is leaving the jurisdiction of the National Union.

18.3 Upon deposit of a withdrawal card, eligibility to vote or run for office shall be the same as provided for in Articles 5 governing the right and privileges of members.

18.4 Any person bearing a withdrawal card shall not be entitled to participate in the operation of this Local Union. A person bearing a withdrawal card who has complied with the conditions of same shall, upon resuming and commencing work within the jurisdiction of this Local Union, deposit such card and shall be admitted to membership in this Union without payment of any initiation or other fee.

18.5 The Treasurer of this Local Union shall issue withdrawal cards, and monthly reports of all such cards issued, deposited or cancelled shall be made to the Secretary Treasurer of the National Union and to the Executive Board of this Local Union.

ARTICLE 19 - STRIKES

19.1 This Local Union shall not call a strike against any employer unless the members of the Local Union employed by such employer have a majority vote authorizing the Local Union to do so. Such vote shall be taken by secret ballot at a meeting called for the purpose of discussing the proposed strike. Notification of such meeting shall be sent out at least Seventy-Two (72) hours prior to the meeting. Commencing a strike shall not be construed as approval, ratification, or participation by the National Union in any particular activity of the Local Union involving such strike and shall imply no more than that such strike is not contrary to the best interests of the National Union, its local unions, and its members. The Role of the President shall be to ensure that strike voting procedures are in conformity with the Constitution and applicable laws. The National President shall be informed of all strikes by any Local Union before they are called.

- 19.2 Strikes against any employer may be terminated if a majority of those members of this Local Union employed by such employer, so requested by secret ballot at a meeting called for this purpose.

ARTICLE 20 - AFFILIATIONS AND DELEGATES

- 20.1 This Local Union shall be affiliated with C.O.P.E Ontario, the Ontario Federation of Labour, and the London District Labour Council, **Ontario Health Coalition** and through Canadian Office and Professional Employees Union to the Canadian Labour Congress.
- 20.2 Delegates to aforesaid labour organizations and federations shall be elected in such a manner as determined by a vote at a General membership meeting of this Local Union, in April for a two(2) year term, beginning in 2013.
- 20.3 Each delegate to a Convention must have been in continuous good standing in the Local Union for at least twelve (12) months prior to the convening of the Convention and must have attended at least fifty percent (50%) of the unit meetings during the previous twelve (12) months unless otherwise determined by the Executive Board.
- 20.4 Delegates shall attend the meetings or sessions of the body or assembly to which they have been delegated, faithfully represent this Union and protect its interests, and properly present and support its declared policies and instructions. They shall report to this Union at the next regular membership meeting following the proceedings of the organization to which they were delegates and perform such other duties as pertain to their office.

ARTICLE 21 - NATIONAL CONSTITUTION

- 21.1 The Constitution of the National Union shall be paramount law applying to the government of this Local Union. All provisions of said National Union Constitution in so far as the same or may be applicable to the affairs and activities of this Local Union are hereby, by reference thereto, incorporated into and made part of this Constitution and Bylaws. Any provision contained herein which is contrary to, or in conflict with, the provisions of the National Union Constitution shall be inoperative and to no effect.

ARTICLE 22 - AMENDMENT

- 22.1 A proposed amendment to this Constitution may be introduced by the Executive Board, a bargaining unit meeting or by a petition containing the proposed amendment, which has been signed by at least ten (10) members in good standing. Such a petition must be presented to the Executive Board.
- 22.2 The Executive Board will send out a reminder in January and June to all bargaining units stating the deadline date for constitutional amendments and resolutions.

22.3 Any Constitutional amendments and resolutions shall be submitted to the Executive Board no later than February 1st for distribution to the bargaining units no later than 30 days prior to the April General Membership meetings. Amendments and resolutions may be submitted by:

The Executive Board
Bargaining unit meetings
Petition from a minimum of ten (10) members

22.4 A vote of two thirds (2/3) of the members voting shall be required to constitute acceptance of the proposed amendment of this Constitution and Bylaws except that changes in dues, initiation fees and reinstatement fees shall require only a majority vote of those members voting on any such issue, notwithstanding any provision in the Local Union constitution to the contrary.

ARTICLE 23 - GENERAL PROVISIONS

23.1 This Local Union assumes no responsibility for the acts or actions of individual members not expressly directed or authorized by this Local Union, or its duly authorized representatives. No agreement shall be binding on this Local Union unless signed by officers or representatives authorized by this Local Union to act for it.

23.2 The original signed copy of each collective agreement entered into shall be kept in the files of this Local Union.

23.3 The Staff Representative and the President or the bargaining unit Vice-President shall sign each collective agreement negotiated on behalf of this Local Union.

23.4 The singular number shall extend to more than one person or more than one thing of the same sort, whenever the context admits to such extension. The plural number can apply to one person only or to one thing only if the context so permits.



Transitional Measures

(Adopted at the COPE AGM April 28, 2016)

WHEREAS the Executive Board would like to align Local 468 with the COPE Ontario's vision to focus on mentoring programs and succession planning and,

WHEREAS the objective is to support our VPs of Labour and Member Relations with their increasing workload and to ensure that COPE members continue to be represented in a sound, consistent and effective manner and,

WHEREAS the VPs will be expanding their roles and further developing their portfolios to include but not limited, administrative, committees; ie:Fiscal Advisory, WSIB/ Benefits, as well as have more hands on involvement in the preparation of grievance/arbitration and WSIB appeal hearings.

THEREFORE BE IT RESOLVED the new position(s) will be developed to provide support to the VP's in order to provide time and opportunity to focus on the increased responsibilities within their role and ensure the equitable, consistent, and timely administration of case being facilitated amongst the COPE Stewards

THEREFORE BE IT FURTHER RESLOVED the Executive Board will have a year to develop, establish and assess this new role. During this transition the Executive Board shall be empowered to; determine the criteria and process of notifying/electing of such incumbents and apply a honouriam no more than \$ 75.00/ month and the cellphone policy to the incumbents in the position. Should the Executive Board determine that the new position is a success and should be permanently implemented; A constitutional amendment will be proposed at the 2017 AGM to be voted on by the membership.

Cope468/ppf