



# CEP LOCAL 26 BY-LAWS

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

## **LOCAL 26 BY-LAWS**

### **ARTICLE 1 - NAME**

This Local shall be known as Local 26 - 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 - OBJECTS**

The Objects of Local 26 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:

- 1) Membership
- 2) Executive Board
- 3) Officers
- 4) Chief Stewards
- 5) Stewards
- 6) 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 unit.

## **ARTICLE 6 - LOCAL DUES AND ASSESSMENTS**

### Section 1 - Local Dues

- a) Each member of the Local shall pay dues in the amount of 1.338 % of their basic salary, or \$6.50, whichever is more. This amount is to include the National portion of dues. Membership dues may be changed only by a majority of those voting on the question by a secret ballot referendum to members in good standing.
- b) Notwithstanding the provisions of Article 6, Section 1 (a) above, Dues will be subject to any mandatory increase or decrease by the National Union. The amount remitted to the Local shall be no less than 0.364%.

### Section 2 - Local Special Assessments

The Membership of this Local may levy special assessments only 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:

- a) through action taken in membership meetings or by referendum of the membership;
- b) through actions and decisions of the Executive Board between membership meetings;
- c) 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:

- 1) President
- 2) Vice-President
- 3) Secretary
- 4) Treasurer
- 5) Chief Stewards

## **ARTICLE 8 - LOCAL MEETINGS**

Regular meetings of this Local shall be held on the second Thursday of the following months: January, March, May, September and November. Special meetings may be called by a majority vote of the Local Officers, or by a petition signed by twenty-five (25) members. Upon receipt of a proper petition the Local Officers shall call a special meeting to be held within ten (10) days.

The Local may authorize each Bargaining Unit to hold regular or special meetings, with proper notice, as may be required for them to transact such Unit matters as are of special concern to the specific group.

Unit groups will not take any action which conflicts with either the Local Union or National Constitution. All actions not specifically authorized shall be subject to review and concurrence or non-concurrence by the Local.

## **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:

- 1) Education Committee
- 2) Election Committee
- 3) Organizing Committee
- 4) Legislative Committee
- 5) Membership Committee
- 6) Community Services Committee
- 7) By-laws Committee
- 8) Safety and Health Committee
- 9) Grievance Committee
- 10) Trustee Committee
- 11) Social Committee
- 12) Women's Committee

b) Members of all committees shall be appointed by a majority vote of the Local Executive Board, except the Trustee Committee. The Trustee Committee shall be elected by the membership. Three members shall be elected, one to hold office for one year, one to hold office for two years, and one to hold office for three years, so that at the end of each year thereafter one Trustee shall be elected for a three year term. All Committee appointments are 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 placements.

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 membership to overrule such decisions. Any committee member may also be removed by action of the Local in a membership meeting. Members of the Trustee Committee are subject to removal only by a majority of those voting at a membership meeting.

e) Duties of Committees

### 1. Education Committee

The Education Committee shall assist in developing the Local's education program and, with the Local Officers, be responsible for effectuating the Union's and Local's educational programs.

### 2. 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.

### 3. Organizing Committee

The Organizing Committee shall assist the Local Officers, Stewards and members in organizing all employees within the Local's jurisdiction.

### 4. Legislative Committee

The Legislative Committee shall assist in developing and pursuing the program of the Union and the Local in the Legislative field.

### 5. Membership Committee

The Membership Committee or Membership Committees shall accept or reject membership applications in accordance with the By-laws and rules of this Local and Article 5 of the Constitution and policies of the Union.

### 6. Community Services Committee

The Community Services Committee shall assist in developing Community Service programs.

### 7. 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.

### 8. Safety and Health Committee

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

### 9. 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.

### 10. Trustee Committee

The Trustee Committee shall:

- a) Exercise general supervision over the property of the Local, subject to such instructions as they may from time to time receive from the Local;
- b) 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;
- c) Audit the books of the Local at the end of each 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;
- d) Verify that all transactions involving Local funds and properties were properly authorized;

- e) 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.

#### 11. Social Committee

The Social Committee shall co-ordinate social functions of the Local.

#### 12. Women's Committee

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

### **ARTICLE 11 - ORDER OF BUSINESS**

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

1. Call to Order
2. Roll Call of Officers
3. Reading and Actions on Minutes of Previous Meeting
4. Reports of Officers
5. Reports of Committees
6. Unfinished Business
7. New Business
8. 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

a) The Officers of the Local shall be:

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

b) The duties of Local Officers shall be as follows:

#### 1. The President shall:

- a) Be responsible for the conduct of all Local business;
- b) Preside at Membership, Executive Board, and Officers meetings;
- c) Prosecute grievances and appeal them to higher levels of the Union when not satisfactorily settled;
- d) Supervise all Committees;

- e) Approve all bills to be paid, and countersign all cheques drawn on the Treasury;
- f) Be the official spokesman of the Local;
- g) Perform whatever additional duties may be assigned by the Local membership or required by the policies of Constitution of the Union.

2. The Vice-President shall:

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

3. The Secretary shall:

- a) Maintain a record of the Local membership;
- b) Record and maintain the minutes of all meetings of the Local, the Executive Board, or the Officers;
- c) 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;
- d) Participate on the Membership Committee;
- e) Perform such other duties as may be assigned by the Local membership, the Executive Board, or by the 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 Local funds or property in accordance with the Constitution or any other law;
- d) Cause the payment of all bills approved by the Local President;
- e) Provide the necessary documents for an annual audit to the Trustee Committee;
- f) 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

1. The duties of the Chief Stewards shall be as follows:

- a) Familiarize all Stewards with the provisions of their appropriate Collective Agreement and thoroughly investigate all grievances;
- b) Serve on the appropriate Grievance Committees;

- c) Be members of the Executive Board;
- d) Perform such other duties as may be assigned by the President or the Executive Board.

2. The duties of the Stewards shall be as follows:

- a) To become familiar with all provisions of their bargaining unit Collective Agreement and thoroughly investigate all grievances and complaints coming within their jurisdiction;
- b) To be completely familiar with the grievance procedure of their bargaining unit;
- c) 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;
- d) To refer all grievances and complaints that have not been satisfactorily adjusted to their Chief Steward, or the President if the grievance arises in a location where there is no Chief Steward;
- e) To report all grievances settled satisfactorily to their Chief Steward;
- f) To instruct the Deputy Steward in his duties;
- g) 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 thereof;
- h) To carry out such other duties as may be prescribed from time to time by the Local.

3. The duties of a Deputy Steward shall be as follows:

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

**ARTICLE 13 - NOMINATION AND ELECTION OF LOCAL OFFICERS,  
CHIEF STEWARDS AND STEWARDS**

SECTION 1 - Nominations

- a) Local Officers shall be nominated in October of each even numbered year.
- b) Chief Stewards shall be nominated from the existing Stewards within their bargaining unit, in April of each odd numbered year.
- c) Stewards shall be nominated in March of each odd numbered year.

SECTION 2 - Elections

- a) Election of Local Officers shall be by secret mailout ballot of the membership in November of each even numbered year.
- b) Election of Chief Steward (s) shall be by secret ballot of their membership in May of each odd numbered year.

- c) Election of Stewards shall be by secret ballot of the members they will represent in March of each odd numbered year. Where the members fail to elect a steward, or where a vacancy occurs, the President may appoint one, subject to the right of the membership to overrule such appointment.

### 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 may appoint Stewards subject to the right of the membership to overrule such appointments.
- c) There shall be as many Deputy Stewards as deemed necessary by the Local.
- d) 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.
- e) Only members of the Local in good standing shall be eligible to vote or to hold office.
- f) Officers shall take office on January 1, of each odd numbered year and Chief Stewards and Stewards shall take office when elected.

### SECTION 4 - Vacancies

- a) A vacancy of a Local Officer shall be filled in accordance with Article 14 of the Constitution.
- b) 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**

- a) 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.
- b) 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.
- c) The number constituting a quorum for Bargaining Unit meetings shall be ten (10).
- d) 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**

- a) Any elected officer of this local may be recalled in accordance with provisions of Article 17 of the Union Constitution.
- b) 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.
- c) 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 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:

- a) 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.
- b) Referendum of the membership.

## **ARTICLE 19 - REFERENDUM OF THE LOCAL**

- a) 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.
- b) Questions submitted to referendum shall be determined by a majority vote of those voting on the question.
- c) 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**

- a) The fiscal year of this Local shall be the calendar year from January 1st of each year up to and including December 31st of that year.
- b) 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.
- c) The Executive Board shall provide a yearly budget subject to the approval of the membership.
- d) Unbudgeted expenditures in excess of \$400 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 26, 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 my 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 June 10, 1993.

By-laws Amended March 13, 1997.

By-laws Amended February 12, 1998.

By-laws Amended September 9, 1999.

By-laws Amended March 8, 2001.

By-laws Amended September 13, 2001.