

**September
2015**

By-Laws

**Unifor Local Union
No. 52-A**



unifor
Local **52A** | Canada

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Unifor Local Union No. 52-A

By-Laws

Article I Name and Jurisdiction

Section 1 This Local Union shall be known as Unifor Local Union No. 52-A, hereinafter called the “Local”.

Section 2 This Local has been established and exists by virtue of a charter issued to it by Unifor pursuant to the Constitution of the National Union. The Constitution of this Local shall be the Constitution of the National Union, Unifor, and these By-Laws shall be in all respects subordinate to said Constitution and all applications and interpretations thereof.

Section 3 The Local includes the following bargaining units

1. Local Union No. 52-A.01 - The Support Staff of:
Edmonton Catholic Separate School District No. 7
2. Local Union No. 52-A.02 - The Support Staff of:
Greater North Central Francophone Education Region No. 2

Article II Objects

Section 1 The purpose and objects of this amalgamated Local, chartered by the National, are to unite all workers within its jurisdiction for the following purposes:

- a) To establish and maintain collective bargaining for the benefit of the workers within its jurisdiction and to conduct a never-ceasing effort to secure just compensation for the workers, reasonable hours of work and working conditions conducive to safety, good health and full enjoyment of life;
- b) To secure legislation safeguarding and promoting economic security and social welfare of all workers, and to remain vigilant in the interest of preserving and extending civil rights and liberties within a free and democratic society;
- c) To organize persons engaged within the jurisdiction of the Union and assist in the organization of all working people;
- d) To improve wages, hours of work, employment security and other conditions of employment;
- e) To strive for equality regardless of race, creed, colour, age, marital status, family status, ancestry, place of origin, ethnic origin, citizenship, language, religious beliefs, sex, sexual orientation, disability, records of offense or political affiliation;
- f) To assist in advancing the social, economic and general welfare of working people through political, educational, civic and other activities;
- g) To safeguard, protect and extend freedom, civil liberties, democracy and democratic trade unionism;
- h) To engage in political activities to secure beneficial legislation and obtain the defeat

and repeal of harmful legislation;

- i) To aid and cooperate with other trade unions and other organizations whose purpose are in accordance with the purposes of this union, and to affiliate with organizations which meet our goals and to participate in such organizations;
- j) To promote the policies and goals of the Local and the National Union; and
- k) To ensure fair representation of bargaining units within the Local and promote mutual support and solidarity through the Local's internal structures and activities.

Article III Headquarters

The address of the Local's headquarters is:

5, 9343 50 Street NW, Edmonton AB T6B 2L5

The mailing address for the Local's headquarters is:

Box 1323, Edmonton AB T5J 2N2

Article IV Fiscal Year

The fiscal year of this Local shall begin on September 1st and end August 31st.

Article V Powers of Administration

Section 1 The membership is the highest authority of this Local and shall be empowered to take or direct any action not inconsistent with the Constitution or By-Laws.

Section 2 Between membership meetings, the Executive Board shall be the highest authority of this Local and shall be empowered to act on behalf of the membership to the extend where urgent business requires prompt and decisive action, subject to subsequent membership approval, but the Executive Board may not take action affecting the vital interest of this Local without prior membership approval.

Section 3 Between meetings of the Executive Board, the President shall exercise general administrative authority and shall be empowered to act on behalf of, and take action permitted, to the Executive Board subject to subsequent approval of the Executive Board.

Section 4 The Local recognizes and authorizes the power of its bargaining units to make decisions concerning the:

- a) election of its bargaining unit Executive;

- b) election of its bargaining unit negotiating committees;
- c) choice of bargaining unit members for training courses;
- d) choice of bargaining unit members for workplace committees or other such committees;
- e) funding for their bargaining unit; and
- f) transactions of bargaining unit matters and/or the need to address special concerns at regular or special meetings as may be required.

Section 5 Bargaining units will not take any action, which conflicts with either the Local By-Laws or National Union Constitution. All actions not specifically authorized by any bargaining unit shall be subject to review by the Local.

Article VI Meetings

Section 1 General Meetings

- a) The General Meetings (GM) are the highest authority of the Local. The Executive Board and all other committees of the Local are accountable to the membership of the Local, and are subject to the membership approval at general meetings except as may be otherwise provided.
- b) The general membership of the Local shall meet a minimum of four times per year, except during July and August. The time, place and date of the meeting shall be determined by the Executive Board.
- c) The GM shall be held within ninety (90) days after the fiscal year end.
- d) Notice of the GM shall be of thirty (30) days and must include date, time and location of this said meeting. Furthermore, it shall be properly posted so that all members may be informed in order to attend.
- e) A quorum for the purpose of transacting any business by the Local at the GM shall consist of no less than two percent (2%) of the members at large.
- f) All decisions at the GM shall be by a majority vote stated by a showing of hands, unless stipulated by a motion, that a secret ballot be taken.

Section 2 Executive Board Meetings

- a) A meeting of the Executive Board shall be held twice a year between September to June.
- b) Dates, time and location for the duration of the fiscal year will be determined at the first meeting of the Executive Board held each September.
- c) A quorum for the purpose of transacting any business by the Local shall consist of no less than three (3) members, at least one representative of each bargaining unit.

Section 3 Special Meetings

- a) The President shall call a Special Meeting pertaining to Local matters at the request of the Executive Board, or on the written request of two percent (2%) of the total membership of the Local. It shall be mandatory that those members who petition the President for a Special Meeting be present at the Special Meeting, unless they can provide good reason why they cannot attend.
- b) The President shall also call a Special Meeting of the Local, in accordance with the Executive Board if, in the opinion of the Executive Board, a motion is proposed at an GM which may prove to be detrimental to the Local.
- c) No less than seven (7) days' notice of a Special Meeting shall be given to the members and shall be properly posted so that all members be informed and may attend.
- d) The notice shall include date, time and location. The purpose for which the meeting is called shall also be stated. No business other than that for which the meeting is called may be transacted.
- e) A quorum for the purpose of transacting any business by the Local at a Special Meeting shall consist of a majority of the executive board, all the petitioners and two percent (2%) of the balance of members.

Section 4 Bourinot's Rules of Order

The rules of order not specifically covered by these By-Laws or the Constitution of the National Union shall be in accordance with Bourinot's Rules of Order.

Section 5 Conduct

Any member who attends a meeting under the influence of alcohol or drugs and/or creates a disturbance, or becomes unruly shall loose voice and his/her right to vote at said meeting. Where necessary to maintain order, the member may be evicted from the meeting by order of the President subject to the challenge of the membership. Flagrant or persistent violation of this section by any member shall be conduct unbecoming a union member.

Article VII Executive

Section 1 The Executive of the Local shall be known as the Executive Board. It will comprise of:

- **President** who is bargaining unit Chairperson of 52A.01,
- **1st Vice-President** who is bargaining unit Vice-Chairperson of 52A.01,
- **2nd (3rd, etc.) Vice-President** who will be bargaining unit Chairperson of each of all other bargaining units in numerical order,
- **Financial Secretary** who is Treasurer of 52A.01, and
- **Recording Secretary** who is Vice-Chairperson of a bargaining unit other than 52A.01.

It is the duty of each Executive Officer to attend all meetings of the Local unless excused by the President or designate.

Section 2 Eligibility

No member shall be eligible for appointment to any office in the Local, or as a delegate to the National Convention, or as a representative of the Local, or any other subordinate body of the National Union or Local, unless he/she shall have been a member in good standing in this Local continuously for one year immediately preceding his/her appointment.

Section 3 Terms of Office

The term of office for all executive officers of the Local shall be three years.

Section 4 Vacancies

In case of a vacancy in the office of President, the 1st Vice-President shall immediately assume all responsibilities of that office until a successor has been elected in Unit 52-A.01. Vacancies in other offices shall be filled by appointment in accordance with bargaining unit By-Laws.

Section 5 Resignations

An Executive Officer may resign from his/her office upon giving notice to the executive board of the Local in writing and such resignation shall take effect immediately. Upon resignation all properties of the Union will be immediately turned in.

Section 6 Duties of the President

- a) To preside at all meetings of the Local;
- b) to have signing authority for the withdrawal of the funds of the Local;
- c) to appoint and be an ex-officio member of all Local committees;
- d) to enforce the National Constitution, Local By-Laws and all union rules and regulations;
- e) to represent the Local in all affairs that he/she feels necessary to efficiently serve the best interest of the Local Executive;
- f) to attend all National Conventions;
- g) to distribute all correspondence addressed to the Local to the appropriate persons and keep on file all documents which are necessary for the accountability of the Local; and
- h) to forward all information from the National Union to the chairperson of each bargaining unit.

Section 7 Duties of the 1st Vice-President

- a) To assist the President in the performance of his/her duties;
- b) to act for the President in his/her absence; and

- c) in the event of a vacancy, to immediately assume all responsibilities of that office until a successor has been elected in bargaining unit 52-A.01.

Section 8 *Duties of other Vice-Presidents*

- a) To assist the President in the performance of his/her duties; and
- b) to represent their bargaining unit.

Section 9 Duties of the Recording-Secretary

- a) To record and distribute detailed minutes of Local AGM, Executive Board and Special Meetings and ensure copies with respective agendas be received by the general membership and Executive Officers; and
- b) to conduct all correspondence of the Local.

Section 10 Duties of the Financial-Secretary

- a) To submit any reports and information to the National President as the National President may require;
- b) to collect all monies paid to the Local, including membership dues;
- c) to deposit same in the name of the Local in such bank or banks as the executive may direct;
- d) to confirm legitimacy of expenditures regarding bargaining units with ;
- e) to countersign all cheques or other authorizations for the removal of funds of the Local;
- f) to keep true and accurate accounts of all transactions, clearly outlining separately each bargaining unit's cash and in-kind contributions and expenditures;
- g) to present financial reports for each bargaining unit to their chairperson monthly;
- h) to ensure monthly financial reports are available to the general membership upon request;
- i) to keep a record of the names and addresses of all members of the Local, and their status;
- j) to submit a written report of the finances and the membership of the Local in such manner and at such times as the National President or National Secretary-Treasurer require;
- k) to make all record keeping available for quarterly audits; and
- l) in the event of a strike, to keep separate accounting of all strike fund income and expenses and to distribute all strike pay.

Article VIII Trustees

Section 1 In accordance with the Constitution of Unifor, one Trustee shall be elected from each bargaining unit at the GM for a 3 year term.

Section 2 The Trustees shall be responsible for quarterly audits of the financial records of the Local.

Article IX Standing Committees

Section 1 Local standing committee members shall be brought forward and appointed by the President by the Executive Board.

Section 2 The By-Law Committee shall meet to review the By-Laws at least once every three (3) years. This review will be preferably soon after a National Constitutional Convention and the Local has received copies of the revised Constitution.

Section 3 A Local may establish but not be limited to the following Standing Committees:

- Education
- Environment
- Recreation / Social
- Community Services / Social Justice
- Human Rights
- Lesbian, Gay, Bisexual and Transgender Workers (LGBT)
- Aboriginal and Racialized Workers
- Workers with Disabilities
- Union in Politics
- Women's
- Young Workers
- Health and Safety

Section 4 Local Standing Committee members must report on all activities in writing to the Local Executive Board.

Article X Membership

Section 1 Eligibility

- a) The Local shall be composed of workers eligible for membership in Unifor, over

whom the Local has jurisdiction.

- b) Each member in good standing of this Local has the right to nominate and vote, express opinions on all subjects before the Local, to attend all membership meetings and express views, arguments and opinions on all matters and business, including candidates for office, properly before the meeting; to meet and assemble freely with other members and generally, to participate in the activities of the Local in a responsible manner consistent with good conscience in order to present and discuss factually and honestly the issues upon which the membership must base its decisions. These rights shall at all times be subject to the rules of procedure governing meetings and other Unifor rules and regulations contained in the Constitution, By-Laws and other official rules of the Local.

A member in exercising the foregoing rights and privileges shall not take any irresponsible action which would tend to jeopardize or destroy, or be detrimental to, either the Local or National Union as organizations, or their free democratic heritage, or which would interfere with the performance by this Local or the National Union of its legal or contractual obligations as a collective bargaining agent, or interfere with the legal or contractual obligations of this Local as an affiliate of the National Union.

Violation, or abuse of these rights and privileges of membership, or engaging in conduct prohibited by this section, may be grounds for the commencement of a charge against a member pursuant to *Article 18* of the National Union Constitution.

- c) The membership shall strive to obtain the objectives set forth in the Constitution and additional objectives as established as the policy of the National Union; to maintain free relations with other organizations; to do all in its power to strengthen and promote the labour movement; to co-operate with National Board Members, the National Representatives and help promote organizational activities.

Section 2 Dues

- a) Each member of this Local shall pay dues to the Local on basic gross salary, in the amount equal to two times the National per capita
- b) This amount shall automatically be deducted from each employee's pay.
- c) Per capita to the National Union shall be as provided in the Constitution of the National Union.
- d) When the National Union implements a temporary per capita dues increase, the Executive Board after consideration of the Local's financial position, may choose to absorb the total, or any portion, of this temporary per capita increase, rather than increasing Local dues to the membership.
- e) Further provided that if an amendment shall alter the amount of the initiation fee or dues as fixed by Article VII, Section 2 of these By-Laws, the vote must be taken by secret ballot by the members and no less than seven (7) days' notice of the intention to vote upon the question. The proposed amendment(s) may be adopted, by the affirmative vote of a two-thirds (2/3) majority of the members voting on the question at a Special Meeting called for that purpose.

Article XI Financial

Section 1 Honorariums shall be given out in June of each year in the following amounts:

- President \$1000.00
- 1st Vice-President \$1000.00
- Other Vice-Presidents \$1000.00
- Recording-Secretary \$ 500.00
- Financial-Secretary \$2500.00
- Trustee \$ 100.00

Section 2 Honorarium expenses will be equally divided by bargaining units.

Section 3 Other expenses shared by all bargaining units will be prorated by the number of members that each bargaining unit has in the month of the expense.

Article XII National Conventions

Section 1 All National Conventions are to be attended by no less than two delegates, one of which will be the President. Refer to National Constitution, *Article 6:B Composition of Convention*.

Article XIII Property

Section 1 No funds or property of this Local shall be loaned, given or expended, to promote, support, endorse, assist or oppose directly or indirectly the candidacy of a member seeking office or seeking to retain office in this Local.

Section 2 No funds or property of this Local shall be given away or expended to assist any seceding, dual or antagonistic organization, or any Local which is violating the Constitution of the National. The funds and property of this Local shall be used only to give effect to the purposes and objects of this Local under and subject to the provisions of the National Union Constitution.

Article XIV Constitution of Unifor

Section 1 All terms and provisions of the Constitution of the National Union shall be deemed a part of these By-Laws.

Section 2 In the event of a conflict between these By-Laws and the provisions of the Constitution of the National Union, the Constitution of the National Union shall prevail.

Section 3 This Local has no power to make any contract or incur any liability binding upon the National Union, without the written consent of the National President and the approval of the National Executive Board. The National Union shall not be liable under any contract or for any acts of this Local or its officers or its members unless they have been authorized in writing to enter into such contract or perform such acts.

Article XV Discipline, Trials and Appeals

Section 1 Every member of this Local shall be entitled to a just and impartial trial for any offense of which he/she may be charged, in accordance with *Article 18:C Charges of the National Constitution*.

Article XVI By-Laws - Adoptions

Section 1 These By-Laws shall become effective when ratified at an General Meeting or Special Meeting and approved by the National President.

Article XVII By-Laws – Amendment Procedure

Section 1 These By-Laws may be amended by presenting a motion in writing setting forth the amendments sought to an Executive Board meeting. The motion shall be read to that meeting and referred to the By-Law Committee for review and consideration. Recommendations from the By-Law Committee shall then be reported back to the Executive Board in writing.

Section 2 The Executive Board shall then report to the succeeding General Meeting or Special Meeting called for said purpose, the notice of which must contain a notice of the particular By-Law amendments that will be considered. Notice of the proposed amendment, modification or repeal must be given to the members no less than thirty (30) days prior to the vote. If approved by two-thirds (2/3) of the membership voting thereon at this succeeding meeting, the amendments shall be considered adopted by the membership. Amendments to existing By-Laws or new By-Laws must be submitted to the National Executive Board for approval. The amendments, or the new By-Laws are not effective until approved by the National Executive Board.

Section 3 This Local has no power to modify, amend or repeal the terms and provisions of the Constitution of the National Union.

Presented and Approved at Local General Meeting of ECSSA	October 28, 1998
Presented and Approved at Local General Meeting of ECSSA	June 06, 2002
Presented and Approved at Local General Meeting of CEP-Local 52-A	April 27, 2005
Presented and Approved at Local General Meeting of CEP-Local 52-A	February 21, 2007
Presented and Approved at Local General Meeting of CEP-Local 52-A	May 25, 2010
Presented and Approved at Local General Meeting of CEP-Local 52-A	January 22, 2013
Presented and Approved at General Meeting of Unifor Local Union No. 52-A	January 26, 2016

