



**REPRESENTING THE OPERATING ENGINEERS AT THE  
UNIVERSITY OF TORONTO**

**BYLAWS FOR CAW NATIONAL  
October 30, 2003  
Revised December 2010**

## INDEX

<u>ARTICLE</u>	<u>PAGE NUMBER</u>
1. NAME	2
2. CONSTITUTION AND BYLAWS	2
3. FISCAL YEAR	2
4. MEMBERSHIP, INITIATION FEES AND DUES	2
5. MEMBERSHIP MEETINGS	3
6. POWERS OF ADMINISTRATION	4
7. LOCAL UNION OFFICERS	5
8. EXECUTIVE BOARD	5
9. STEWARDS AND COMMITTEE PERSONS	6
10. STANDING COMMITTEES	6
11. EXECUTIVE ELECTIONS AND ELECTION COMMITTEES	7
12. FINANCES	8
13. ELIGIBILITY FOR ELECTED OFFICE	9
14. ATTENDANCE RULES	9
15. DELEGATES FROM LOCAL	10
16. ORDER OF BUSINESS	10
17. APPEALS	10
18. STRIKES AND STRIKE COMMITTEES	11
19. GENERAL	11
20. AMENDMENTS	11

## **ARTICLE 1 - NAME**

This organization shall be known as Canadian Auto Workers Local 2003 representing the Operating Engineers at the University of Toronto, of the National Automobile, Aerospace, Transportation and General Workers' Union of Canada (CAW-CANADA). Hereinafter referred to as the 'Local Union'.

## **ARTICLE 2 – CONSTITUTION AND BYLAWS**

The Constitution of this Local Union shall be the Constitution of the National Union, CAW-Canada, and these Bylaws shall be in all respects subordinate to said Constitution and all applications and interpretations thereof.

## **ARTICLE 3 – FISCAL YEAR**

The fiscal year of this Local Union shall begin on January 1 and end on December 31.

## **ARTICLE 4 – MEMBERSHIP, INITIATION FEES AND DUES**

### **ACTIVE MEMBERS**

- (a) The Local Union shall be composed of workers eligible for membership in the National Automobile, Aerospace, Transportation and General Workers' Union of Canada (CAW-Canada), over whom the Local Union has jurisdiction.
- (b) Each member in good standing of this Local Union has the right to nominate and vote, express opinions on all subjects before the Local Union, 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 Union in a responsible manner consistent with good conscience in order to present and discuss factually and honestly the issues and personalities 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 uniform rules and regulations contained in the Constitution, Bylaws and other official rules of the Local Union.

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 Unions as organizations, or their free democratic heritage, or which would interfere with the performance by this Local Union 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 Union 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, shall be considered conduct unbecoming a union member.

- (c) When the Local Union suspends or expels any member from this Local for cause the Local shall notify the National Secretary-Treasurer and the latter shall notify all Local Unions of this fact forthwith. A person who has been suspended or expelled by this Local Union shall not be eligible for membership in

any other Local Union matters until all claims or charges against such person have been satisfactorily settled with the Local Union suspending or expelling. A written notice to this effect will be furnished by the Local Union to such person who seeks such readmission.

- (d) 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.
- (e) Every member authorizes the Local Union to act as their exclusive bargaining representative. Any grievance, difficulty or dispute arising under the Collective Labour Agreement shall be dealt with in such a manner as the Local Union deems to be in the best interest of the Membership.
- (f) An applicant shall be considered a member once the applicant has met all of the following requirements:
  - i) A signed and witnessed by signature application to the Local Union must be accompanied by initiation fee in full.
  - ii) The initiation fee shall be (\$10.00) dollars for membership in this Local Union of the National Automobile, Aerospace, Transportation and General Workers' Union of Canada (CAW – Canada), which may be waived by the membership.
- (g) Dues payable to CAW Local 2003 shall be such amounts as set out by the National Constitution plus any additional dues that may be levied by membership action in accordance with the National Constitution.

### **RETIRED MEMBERS**

An Active Member who retires is entitled to retired membership status and does not pay dues. The retired member has all the rights and privileges of active membership except the right to vote in strike votes, collective agreement ratification and workplace elections and the right to hold office on the executive.

### **HONORARY MEMBERS**

Honorary members are by invitation of the President of the Local and the Local Union approval. Honorary members shall have no voting privileges.

## **ARTICLE 5 – MEMBERSHIP MEETINGS**

- (a) A general membership meeting of the Local Union shall be held on the second (2<sup>nd</sup>) Wednesday of each month except for the months of July and August when regular meetings will be suspended. However, if meeting space is not available, the Executive will choose an alternative date. At least a seven (7) day notice shall be given which will be posted on Local Union bulletin board in each corresponding area.
- (b) General Membership meetings shall begin promptly at 5:30 PM and shall finish by 7:30 PM unless a motion is passed by a majority of the members in attendance to extend it.
- (c) A quorum shall consist of seven (7) members in attendance.
- (d) Bourinots Rules of Order shall govern the order of meetings.
- (e) Questions of a parliamentary nature shall be decided by Bourinot's Rules of Order.

- (f) Any member who attends a meeting under the influence of alcohol or drugs and/or creates a disturbance, or becomes unruly shall lose voice and her/his right to vote at said meeting. Where necessary to maintain order, the member may be evicted from the meeting by order of the Chairperson subject to the challenge of the membership. Flagrant or persistent violation of this section by any member shall be conduct unbecoming a union member.
- (g) Where necessary to maintain order, the member by order of the Chairperson, subject to the challenge of the membership may be evicted.
- (h) Any member desiring to speak shall first attract the attention of the Chair by raising their hand, and remain seated until recognized by the Chair. The member shall give their name and workplace before speaking.
- (i) The member shall confine their remarks to the order of business of the Motion under discussion and shall be allowed a maximum of five (5) minutes. The member shall speak only once on the matter under discussion until all other speakers have had their say. For the member to speak a second time, a vote will be put to the membership, and if passed the member will be allowed to speak another three (3) minutes on the matter. After this, the Motion will be voted on or the meeting will move to next issue of business on the meeting agenda.
- (j) Motions are to be sent to the Recording Secretary by the first (1<sup>st</sup>) of each month to be discussed and voted at that months meeting. These motions will be sent out with the General Membership Meeting notice for posting.
- (k) Any new motions brought forward during a meeting outside the course of that meeting will not be voted on during that meeting. Amendments to existing motions that have been posted will be entertained and voted on. New motions will be noted and posted with the next General Membership Meeting notice.
- (l) Any member who attends a meeting must produce his/her membership card or identification upon request by the Sergeant at Arms and also enter his/her name in the attendance book. Those who do not have their membership card or proper identification must have another member in good standing vouch for them.
- (m) The President or Executive has the right to call a special meeting, giving reasonable notice. The Local Union should either provide that those members in attendance at a meeting would constitute a quorum, or otherwise provide a reasonable quorum requirement.
- (n) No member shall be admitted, nor leave the Local meeting room, while any member has the floor, or until such member has the consent of the Chair. Upon a member disregarding this rule, they shall be informed of their obligation by the Sergeant at Arms before leaving the hall.
- (o) A break of fifteen (15) minutes shall be permitted once during a meeting. No meeting business will take place during this break.

## **ARTICLE 6 – POWERS OF ADMINISTRATION**

- (a) The membership is the highest authority of this Local Union and shall be empowered to take or direct any action not, inconsistent with the Constitution or Bylaws.
- (b) Between membership meetings, the Executive Board shall be the highest authority of the Local Union and shall be empowered to act on behalf of the membership to the extent urgent business requires prompt and decisive action, subject to subsequent membership approval.

- (c) 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.
- (d) The Executive Board, in financial matters, without approval of the Membership, cannot exceed five hundred (\$500.00) dollars.

## **ARTICLE 7 – LOCAL UNION OFFICERS**

- (a) The Local Union Executive Officers shall consist of a President, Vice-President, Recording Secretary, Financial Secretary, and three (3) Trustees, Sergeant at Arms, and Guide.
- (b) The Vice President shall take over the duties of the President during their absence. In case of a vacancy in the office of the President, the Vice-President shall automatically fill the vacancy for the unexpired term.
- (c) All vacancies in the Local Union shall be filled promptly by election.
- (d) Members must be notified seven days in advance of the time and place of nominations. There must be at least seven days between the time of nominations and the date of the election. A notice containing the time and place of elections and the time and place for any possible run-off election must be given to members at least 15 days before the election.
- (e) Where a vacancy occurs on or before sixty (60) days in which the term expires, no election shall take place to fill such a vacancy until the following General Local Union Election. Upon notice of this vacancy the Executive may appoint a member of the Local Union until the General Local Union Election is held.
- (f) The duties of the President, Vice President, Recording Secretary, Financial Secretary, Trustees, Sergeant at Arms, and Guide shall be as outlined in the National Constitution.
- (g) Where and when applicable, additional duties of the Recording Secretary will be to maintain and update the Local Union web site.
- (h) The term of the Local Union elected Officers shall be three (3) years. Elections and month of elections will be held every three (3) years as outlined in the National Constitution.

## **ARTICLE 8 – EXECUTIVE BOARD**

- (a) The Executive Board shall consist of all elected Local Union Officers as set out in Article 7 (a) of these bylaws.
- (b) There will be a minimum of six (6) Executive Board Meetings per year, called by the President and all the Executive Board members must be advised of such meetings.
- (c) A simple majority of the Local Union Executive Board shall constitute a quorum.
- (d) The Executive Board is authorized to conduct the affairs of the Local Union in accordance with the National Constitution. The Executive Board shall make or amend, subject to Membership approval, rules and regulations that are not inconsistent with these bylaws.

- (e) Minutes will be taken of all Executive Board Meetings by the Recording Secretary and shall be read and approved at the next Executive Board Meeting.
- (f) All decisions and recommendations of the Executive Board shall be referred to the next regular membership meeting.
- (g) The President will be an ex officio of the Plant Bargaining Committee.
- (h) The Executive Board shall appoint the President or at least one of its members to each of the standing committees in liaison or advisory capacity except, however, the Plant Bargaining Committees or any Trial Committee or Election Committee.
- (i) The Executive Board shall review each issue of the Local Union newsletter, and where necessary shall take steps to bring the contents and policy of the newsletter into conformity with the policy of the National Union. (This inclusion is particularly desirable to conform to Article 22 of the Constitution).

## **ARTICLE 9 – STEWARDS AND COMMITTEE PERSONS**

- (a) The eligibility for nomination of a Steward or Committee Person is that they must be a member of the Local Union, in good standing for one (1) year.
- (b) Election of Stewards will be held in each area.
- (c) There shall be one (1) Steward for each area representing the Local Union. These areas will consist of Erindale, Scarborough, and the five (5) areas (North, Central, Southeast, Southwest, and Central Steam Plant) of the St. George Campus.
- (d) The Stewards or Committee Persons are to be elected by a simple plurality (more votes than any other candidate) vote by the members of the Local Union.
- (e) All Stewards and/or Committee Persons shall be elected for a three (3) year term. Elections and month of elections will be held every three (3) years as outlined in the National Constitution.
- (f) There shall be a by-election in the event of a vacancy in a Steward or Committee Person position. One or more Stewards or Committee Persons shall be elected within thirty (30) days.

## **ARTICLE 10 – STANDING COMMITTEES**

- (a) The following shall be the Standing Committee of the Local Union and such Committees, as the Local Union deems necessary.
  - i) Constitution and Bylaws Committee.
  - ii) Education, Political, and Union Label Committee.
  - iii) Environmental, Health and Safety Committee.
  - iv) Engineering Committee.
  - v) Bargaining Committee.
  - vi) Recreation Committee
  - vii) Human Rights Committee
  - viii) Women's Committee

- (b) These committees shall perform all duties assigned to them by the Constitution and Bylaws and such additional duties as they may be directed to perform from time to time by the Executive Board or the membership.

## **ARTICLE 11 – EXECUTIVE ELECTIONS AND ELECTION COMMITTEES**

- (a) Every Member in good standing shall be entitled to vote at all Local Union Executive elections.
- (b) All elections shall be held under the supervision of a democratically elected Election Committee.
- (c) The Election Committee shall be elected by the membership and consist of three (3) members in good standing.
- (d) The Election Committee shall be elected prior to the nomination meeting for a three (3) year term.
- (e) No candidate in any election shall be a member of the Election Committee having supervision over such election.
- (f) The Election Committee shall report the results immediately following the Executive election. A written report will be submitted at the next General Membership meeting
- (g) The Election Committee must check the membership records of all nominees in order to determine whether or not the nominee was in continuous good standing for one (1) year immediately preceding the nomination.
- (h) Ballot boxes shall remain open and be located as specified by the Election Committee and approved by the Executive Board.
- (i) All ballots and other election records in any election must be kept for one year. The local Union may then destroy them unless appeal is pending. In this case they must be preserved until the appeal has been decided and the decision is final.
- (j) The notice of the Executive nomination meeting to the membership will be sent out in April of the election year. Exception: in the year 2003, inaugural election in November. (Exception clause expires December 01, 2003).
- (k) Executive nominations will be sent by fax, emailed, written, or be presented in person at the nomination meeting. The nomination meeting will be held in May of the election year. Exception: in the year 2003, inaugural election in November. (Exception clause expires December 01, 2003).
- (l) Executive nominees must accept their nominations in writing unless they have orally accepted at the nomination meeting in May of the election year. Exception: in the year 2003, inaugural election in November. (Exception clause expires December 01, 2003).
- (m) Executive elections of the Local Union shall take place at the General Membership meeting in June of the election year. Elections shall be of secret ballot under the supervision of the Election Committee. Exception: in the year 2003, inaugural election in November. (Exception clause expires December 01, 2003).



- (n) Each Executive candidate has the right to have one challenger (scrutinizer) present when the votes are cast and when they are tabulated. The challenger (scrutinizer) must be a member of the Local Union in good standing.
- (o) All members of the Executive Board shall be elected for a three (3) year term. Exception: in the year 2003, inaugural election in November. (Exception clause expires December 01, 2003).
- (p) Steward Elections will be held at each area as stated in Article 9(c) of these bylaws.

**ARTICLE 12 – FINANCES**

- (a) The following officers shall be reimbursement of expenses incurred in the performance of their duties, which include such things as lobbying and conferring with Civic Leaders, members of the Provincial Legislature, members of Parliament and other, on matters which may affect the Local Union membership and to meet, confer with and act as advocates on behalf of the membership with U.I.C, W.C.B., Human Rights Commission, etc.

The following reimbursements will be made quarterly upon presentation of receipts and vouchers:

Local President	up to	\$60.00	Per Month
Vice President	up to	\$60.00	Per Month
Financial Secretary	up to	\$60.00	Per Month
Recording Secretary	up to	\$60.00	Per Month
Sergeant at Arms	up to	\$30.00	Per Month

- (b) The three (3) trustees will do the audits on a lost time basis and receive a per diem as per the By-laws.
- (c) The Local Union shall pay a member lost time only when that member is performing necessary duties and on behalf of the Local Union business during a time for which they would otherwise have received from his/her employer for the same time. The amount of lost time should never exceed the amount which the Local Union member would otherwise have received from her/his employer for the same period of the time which s/he is being compensated by the Local Union
- (d) A member performing Union duties in the Local Union area and delegates to paid Seminars shall be paid ten dollars (\$10.00) per half day and twenty dollars (\$20.00) per full day without any receipts plus lost time as mentioned in Article 12.h.
- (e) A delegate to Conventions or Conferences in the GTA shall be paid twenty five dollars (\$25.00) per day, expenses without receipts and fifteen dollars (\$15.00) per half day if a meal is provided. Conventions and Conferences that begin on an evening or end in the morning shall be considered a half day. Receipts will be paid on approval of the Executive Board.
- (f) A delegate to Conventions or Conferences outside the GTA shall be paid sixty dollars (\$60.00) per day, expenses without receipts and thirty dollars (\$30.00) per half day if a meal is provided. Conventions and Conferences that begin on an evening or end in the morning shall be considered a half day. Receipts will be paid on approval of the Executive Board.
- (g) The Local Union will provide a per diem of twenty dollars (\$20.00) per day each member participating in negotiations or arbitration proceedings, at the request of the Local Union.
- (h) Retirees of the Local Union shall receive their last 6 months Union dues or equivalent gift, upon retirement.

- (i) A gift of up to sixty-five dollars (\$65.00) at the discretion of the Good and Welfare Committee will be sent to a member after sick leave of 14 calendar days.
- (j) Bereavement: A wreath or donation will be sent or as otherwise requested, to a maximum of one hundred dollars (\$100.00) should a Local Union member or their spouse decease.
- (k) The Local Union may donate up to one hundred dollars (\$100.00) to any CAW Local Union on strike or lockout.
- (l) The monthly office expenses of phone, stationary, do not require motions to be paid, but the Financial Secretary shall report on each expense each monthly General Membership Meeting.
- (m) The Local Union shall purchase one (1) laptop computer and any accessories needed for the Recording Secretary to carry out his/her responsibilities. The laptop and accessories will be given to any newly elected Recording Secretary. The laptop purchase shall not exceed two thousand five hundred dollars (\$2,500.00).
- (n) The Local Union shall purchase financial software for the Financial Secretary. The Financial Secretary will also be sent to a course to learn how to use this software. The financial software will be given to any newly elected Financial Secretary. He or she will be sent to a course to learn how to use this software. The purchase of software and course shall not exceed one thousand five hundred dollars (\$1,500.00).
- (o) Donations to any charity, or other organization that has not been mentioned shall not exceed two hundred dollars (\$200.00) per fiscal year.
- (p) A donation shall mean twenty-five dollars (\$25.00).
- (q) All finances shall be revised annually and any changes are subject to the amendment procedure outlined in Article 20 of these Bylaws.
- (r) The local Union will not loan money from union funds to any member, at any time.

### **ARTICLE 13 – ELIGIBILITY FOR ELECTED OFFICE**

- (a) Eligibility for the constitutional or executive offices is set forth by the National Constitution as stated in Article 35, Section 4.

### **ARTICLE 14 – ATTENDANCE RULES**

All members of this local Union holding an elective position are required to attend:

- (a) Two (2) out of three (3) consecutive membership meetings unless officially excused for cause by the local Union Executive Board.
- (b) Two (2) out of three (3) consecutive meetings expected of their respective office or position unless otherwise excused for cause by the local Union Executive Board.

Failure to comply with the regulations outlined in (a) or (b) without valid and legitimate excuse will result in the following action:

1. For the first offence, a letter will be sent out notifying of the meetings missed.
2. For the second offence of the two (2) out of three (3) consecutive meetings missed, automatic removal of that member from his/her local Union position.

Removal from office under these regulations shall render the offender ineligible to run for any elective position for the remainder of the term of office from which he/she was so removed, except as a delegate to the CAW Constitutional Convention.

## **ARTICLE 15 – DELEGATES FROM LOCAL**

- (a) All delegates to the National Convention, Ontario Federation of Labour and Canadian Labour Congress Convention shall be chosen pursuant to the provisions laid down in the National Constitution.

## **ARTICLE 16 – ORDER OF BUSINESS**

- (a) The following shall be the order of business of CAW Local 2003:

- i) Call to Order.
- ii) Roll call of officers.
- iii) Reading of previous General Membership meetings minutes.
- iv) Business arising from the minutes.
- v) Application of membership.
- vi) Voting on applications.
- vii) Initiation of candidates.
- viii) Report of Financial Secretary.
- ix) Reports of:
  - a) Officers
  - b) Committees
  - c) Delegates
- x) Communications and bills.
- xi) Unfinished business.
- xii) Good and Welfare.
- xiii) Any members out of work or distress.
- xiv) New business.
- xv) Adjournment.

## **ARTICLE 17 – APPEALS**

- (a) A member feeling themselves aggrieved by some action of the Local Union or one of its representatives must initiate their complaint or appeal from that action within thirty (30) days.

## **ARTICLE 18 – STRIKES AND STRIKE COMMITTEES**

- (a) All strikes shall be called or terminate only in strict conformance with Article 45 of the National Constitution.

## **ARTICLE 19 – GENERAL**

- (a) All Local Union Officers, Committees, Stewards and other members handling funds or other property of the Local Union shall, at the completion of their duties, turn over all papers, documents, funds and/or Local Union property to the properly constituted Local Union Officers.
- (b) Wherever in these Bylaws a pronoun is used it refers equally, where the reference is applicable, to both men and women in the singular and in the plural.

## **ARTICLE 20 – AMENDMENTS**

- (a) These Bylaws may be amended by presenting a motion in writing setting forth the amendments sought to a General Membership meeting.
- (b) The motion shall be read to that meeting and referred to the Constitution and Bylaws Committee which will report to the succeeding General Membership meeting, the notice of which must contain a notice of the particular Bylaw amendments that will be considered.
- (c) If approved by two-thirds of the membership vote thereon at this succeeding meeting, the amendment shall be considered adopted by the membership. See Article 31, Section 2, of the CAW-Canada Constitution.