



**UNIFOR**  
theUnion | Canada

**LOCAL 333**  
**BY-LAWS**

PREAMBLE - STATEMENT OF PRINCIPLES.....	1
ARTICLE 1 - NAME.....	2
ARTICLE 2 - TRADE UNION STATUS .....	2
ARTICLE 3 - CONSTITUTION AND BY-LAWS .....	3
ARTICLE 4 - FISCAL YEAR.....	3
ARTICLE 5 - MEMBERSHIP .....	4
ARTICLE 6 - RETIRED WORKERS CHAPTER.....	5
ARTICLE 7 - MEETINGS, DUTIES AND PROCEDURES .....	9
ARTICLE 8 - POWERS OF ADMINISTRATION .....	11
ARTICLE 9 - LOCAL OFFICERS .....	11
ARTICLE 10 - LOCAL EXECUTIVE BOARD .....	16
ARTICLE 11 - STEWARDS & COMMITTEE PERSONS .....	17
ARTICLE 12 - BARGAINING COMMITTEES.....	18
ARTICLE 13 - NOMINATIONS and ELECTIONS .....	18
ARTICLE 14 - LOCAL STAFF BENEFITS .....	20
ARTICLE 15 - UNIFORM CONVENTION .....	21
ARTICLE 16 - GENERAL RULES.....	22
ARTICLE 17 - CHARGES, TRIALS AND APPEALS .....	27
ARTICLE 18 - AFFILIATIONS.....	27
ARTICLE 19 - AMENDMENTS TO BY-LAWS .....	288

## **PREAMBLE**

### **STATEMENT OF PRINCIPLES**

#### ***Working People Need Unions***

We formed our union because we could not depend on employers to provide us with dignity, a measure of security and rising standards of living. And, over the years, we did make impressive gains. But our objectives remain far from fulfilled, and even our past gains are under attack, we need unions today as much as we ever did.

#### ***Democratic Unionism***

Unions are voluntary organizations. We can only be effective if the membership knows the union truly belongs to them. This means a union, which reflects the goals of its membership, allows the membership full participation, and encourages workers to develop their own skills and understanding. Internal democracy also means we view each other as equals. Racial discrimination or sexual harassment violate our principles, undermine our solidarity and erode our strength. We not only oppose such responses but will actively work to overcome them.

#### ***Unions and a Democratic Society***

In our society, private corporations control the workplace and set the framework for all employees. By way of this economic power, they influence the laws, policies, and ideas of society. Unions are central to our society being democratic because: Unions bring a measure of democracy to the place of work, which is so central to peoples' lives. Unions act as partial counterweight to corporate power and the corporate agenda in society more generally. We believe that a Democratic Union is best expressed in a sovereign union headquartered in Canada. Our Union Local's history reflects the struggle for a sovereign labour movement in Canada.

#### ***Social Unionism***

Our collective bargaining strength is based on our internal organization and mobilization, but it is also influenced by the more general climate around us: laws, policies, the economy, and social attitudes. Furthermore, our lives extend beyond collective bargaining and the workplace and we must concern ourselves with issues like housing, taxation, education, medical services, the environment, and the international economy. Social unionism means unionism, which is rooted in the workplace but understands the importance of participating in, and influencing, the general direction of society.

#### ***Building Tomorrow***

Unions were born out of struggles to change the status quo. Our successes extended progress beyond unions themselves, and our struggles became part of a social movement for a more human society here and for peace and justice internationally. These struggles were first steps towards developing the confidence that change is possible and that our vision is not just a dream. We are proud of the leadership role we have played, aware of the difficulties continued progressive change will face, and committed to building the social solidarity that can take on this change.

## **ARTICLE 1**

### **NAME**

This Local Union shall be known as Unifor Local 333 (hereinafter referred to as "the Local") of Unifor.

The Local has been established and exists by virtue of a charter issued to it by Unifor (hereinafter called the "National Union") pursuant to the Constitution of the National Union.

## **ARTICLE 2**

### **TRADE UNION STATUS**

#### ***THE OBJECTIVES OF THE LOCAL SHALL BE:***

1. To organize persons engaged within the jurisdiction of the National Union and assist in the organization of all working people.
2. To improve wages, hours of work, employment security, and to secure working conditions conducive to safety and good health and other conditions of employment through collective bargaining and labour relations.
3. To promote their social, political, cultural, economic and recreational interests, to encourage their participation in political activities and to urge the exercise of their responsibilities as citizens.
4. To strive for equality, regardless of race, creed, colour, age, marital status, family status, ancestry, place of origin, ethnic origin, citizenship, language, religious beliefs, gender, sexual orientation, disability, records of offense or political affiliation.
5. To safeguard, protect and extend freedom, civil liberties, democracy and democratic trade unionism.
6. To participate actively in the political and legislative processes at all levels, with special regard to legislation affecting the welfare of the members and do all things reasonable and necessary to accelerate the adoption of laws which may be beneficial and to encourage, defeat or cause the repeal of laws which may be detrimental to working people.

7. To aid and co-operate with other trade unions and other organizations whose purposes are in accord with the purposes of the Local, and to affiliate with organizations which meet our goals and to participate in such organizations.
8. To protect and strengthen the Local and the National Union and to keep it free from any and all corrupt and subversive influences.
9. To establish such committees as may be necessary to implement the policies of the Local and the National Union.
10. To encourage participation of all Workplace Representatives including Local Officers and Stewards in appropriate training schools and programs.
11. To process grievances in accordance with its responsibility and grievances shall remain property of the Local.
12. To respect picket lines of any Local of the National Union engaged in a strike authorized and conducted in accordance with the Constitution, unless otherwise authorized by the striking Local or the National Executive Board of the National Union.

### **ARTICLE 3**

### **CONSTITUTION AND BY-LAWS**

The Constitution of the Local shall be the Constitution of the National Union and these By-Laws shall in all respects remain in accordance with the Constitution of the National Union.

### **ARTICLE 4**

### **FISCAL YEAR**

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

## **ARTICLE 5**

### **MEMBERSHIP**

1. The Local shall be composed of workers eligible for membership in Unifor, over whom the Local has jurisdiction.
2. Each member in good standing of the 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 uniform 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 the 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 the 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 Constitution of the National Union.

3. 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.
4. New members are required to present themselves for initiation into full membership at a time and place designated for that purpose; which may be a Bargaining Unit Meeting or a General Membership Meeting.
5. The President/Business Agent must maintain full membership in Local 333.

***UNION DUES***

Each and every member of the Local shall pay Union Dues in the amount established by the Constitution of the National Union and Local 333 By-Laws and/or Policies.

**ARTICLE 6****RETIRED WORKERS CHAPTER**

1. There shall be established within the Local a Retired Workers Chapter, which shall be named **Retired Workers Chapter 333** ("RW Chapter").
2. The RW Chapter shall be subordinate to the Local and the National Union. None of the provisions in these By-Laws shall conflict with the Local By-Laws or the Constitution of the National Union.

***Membership***

3. Membership in the RW Chapter is available to all retired members of the Local, provided they are eligible, under Article 12, #3 of the Constitution of the National Union.
4. Any retired member eligible for retired membership in the RW Chapter, in accordance with #1 and #2 above, is eligible to pay voluntary dues to the RW Chapter. Such voluntary membership dues shall be in the amount of one (\$1.00) dollar per month (please note this amount is determined by the Chapter or the Executive).
5. The retirees may pay such dues to the Financial Secretary of the RW Chapter annually, if applicable, as per Article 12, #34 of the Constitution of the National Union.
6. A former member of the Local, who is receiving a vested or deferred pension or has severed his/her employment relationship with a particular employer in the expectation of receiving a pension or retirement income under the Local contract may be eligible for membership in the RW Chapter by paying a one (\$1.00) dollar per month membership dues to the RW Chapter.

### ***Membership Meetings***

7. There shall be a regular membership meeting of the RW Chapter in accordance with Article 12, #5 of the Constitution of the National Union.
8. The Local, in consultation with the RW Chapter, shall develop notice procedures for regular RW Chapter membership meetings or special meetings.
9. All retired members of the RW Chapter in attendance at the meeting will constitute a quorum.
10. The following order of business will constitute the regular agenda for RW Chapter meetings:
  - anti-harassment statement
  - roll call of officers
  - respect to deceased members
  - reading of minutes of previous meeting
  - new member introduction
  - business arising
  - correspondence
  - financial report
  - report of officers, committees and/or delegates
  - report of Local president or his/her designated representative, if applicable
  - old business
  - new business
  - adjournment

### ***RW Chapter Officers***

11. The officers of the RW Chapter will include: Chairperson, Secretary-Treasurer and Sergeant-at-arms.
12. The duties of these officers shall be as prescribed by the RW Chapter in the By-Laws, as follows:

Chairperson: The Chairperson shall preside at the RW Chapter membership and Executive Board meetings and sign all vouchers authorizing withdrawals from the RW Chapter funds.

Secretary-Treasurer: The Secretary-Treasurer shall assist the chairperson and assume the duties of the Chairperson in his/her absence.



The Secretary-Treasurer shall keep minutes of all RW Chapter membership and Executive Board meetings, read all documents and conduct the general correspondence pertaining to the RW Chapter.

Sergeant-At-Arms: The sergeant-at-arms shall assist the Chairperson in preserving order when called upon to do so and read the anti-harassment statement.

### ***Election of RW Chapter Officers***

13. All officers of the RW Chapter shall be elected by secret ballot. These officers shall be elected by majority vote and shall serve for a period of three (3) years.
14. Any retired member in good standing is eligible to be a candidate for RW Chapter office.
15. The membership of the RW Chapter shall elect a retired member from its membership to serve as a member of the Local Executive Board with voice and vote in accordance with Article 12, #6 of the Constitution of the National Union, except in the case of Predecessor-CEP Locals, as per Article 12, #12.

### ***FILLING OF VACANCIES***

16. In the event of a vacancy in the office of Chairperson for any reason, the Secretary-Treasurer shall automatically fill the office of Chairperson for the unexpired term.
17. In the event of a vacancy in any other Retired Worker Executive office for any reason, such vacancy shall be filled by election at the earliest opportunity.
18. Where a vacancy occurs on or after sixty (60) days prior to the regular Chapter elections, no election shall take place to fill any vacancy and said office shall remain vacant until the following Chapter elections. In case of emergency the Executive may appoint an interim officer or delegates, etc.).
19. Procedures for filling vacancies shall be determined by the RW Chapter and the Constitution of the National Union.

### ***Power of Administration***

20. The membership in attendance at a meeting is the highest authority of the RW Chapter.

21. Between membership meetings, the RW Chapter Executive Board shall be empowered to act on behalf of the membership to the extent urgent business requires prompt and decisive action, subject to the general policies established by the RW Chapter membership, the Local and the National Union.
22. Between meetings of the RW Chapter Executive Board, the Chairperson shall be empowered to act on behalf of the Executive Board, in consultation with the Local President subject to the general policies established by the RW Chapter and the subsequent approval of the RW Chapter Executive Board and membership.

### ***Composition of the RW Chapter Executive Board***

23. Composition of the RW Chapter Executive Board will include the RW Chapter officers mentioned in paragraph #11 above, plus Local President or his/her designee, as per Article 12, #7 of the Constitution of the National Union.

### ***Retired Workers' Area Council***

24. In accordance with the Constitution of the National Union, the representation to this Council will be a delegate or delegates from the RW Chapter. These delegates will be Executive Members elected by the Retired Workers' Executive Board and will serve for a period consistent with their term of office.

### ***Finances***

25. All membership dues collected by the Local Financial Secretary shall be submitted to the National Secretary-Treasurer who shall allocate such monies to the respective bodies in accordance with Article 12, #35 of the Constitution of the National Union.
26. All monies collected by and on behalf of the RW Chapter shall be kept in the funds of the Local Financial Secretary and shall be disbursed upon the request of the RW Chapter upon presentation of a voucher signed by the proper RW Chapter officers.

### ***Amendment Procedure***

27. These By-Laws, at the outset, may be adopted by the RW Chapter at a special meeting called for that purpose, with due notice, after the provisions contained therein have been established for the operations of the RW Chapter.

28. In accordance with the Constitution of the National Union, these By-Laws and any future amendments must be submitted to the Unifor National Executive Board for approval.
29. These By-Laws may be amended, once adopted, by the following procedure:
- Proposals to amend the By-Laws may be submitted at any regular RW Chapter meeting by the membership within the RW Chapter.
  - The recommendation of the RW Chapter Executive Board relative to the submitted By-Law provision or provisions shall be presented at the next regular RW Chapter meeting for action by the RW Chapter membership. A two-thirds (2/3) vote of the membership in attendance at the RW Chapter meeting will be required for adoption.

## **ARTICLE 7**

### **MEETINGS, DUTIES AND PROCEDURES**

#### ***GENERAL MEMBERSHIP MEETINGS***

General Membership meetings will be held in January, March, June, September and November or in any other manner as determined by the Executive Board.

Notices will be posted for a minimum of fifteen (15) days in advance of the meeting in all Bargaining Units so that the Members will be aware of the General Membership Meeting.

A special Membership Meeting may be called at the discretion of the Executive Board or Officers. Only the item (s) posted for discussion will form the agenda. Such a meeting will also be called at the request of twenty percent 20% of the Bargaining Units.

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.

For clarity and information of the membership, "questions of a parliamentary nature shall be decided by Bourinot's Rules of Order."

It will be the responsibility of the Chairpersons to attend Executive Board Meetings and General Membership Meetings.

The President/Business Agent must attend all meetings called.

### ***EXECUTIVE BOARD MEETINGS***

Executive Board Meetings will be held January, March, June, September and November prior to the General Membership Meeting or in any other manner designated by the Executive Board.

#### **MOTIONS:**

All motions brought forward by an individual member must have a seconder.

The motion shall be forwarded to all Executive Board members.

The motion shall be debated and voted on at the next EBGMM.

It will be the responsibility of the Chairpersons to attend Executive Board Meetings and General Membership Meetings.

The President/Business Agent must attend all meetings called.

### ***EXECUTIVE OFFICERS MEETINGS***

Executive Officers will meet on a monthly basis or in any other manner designated by the Executive Officers.

The President/Business Agent must attend all meetings called.

### ***BARGAINING UNIT MEETINGS***

Individual Bargaining Units will meet as often as required. Bargaining Unit meetings may be called at the discretion of the President/Business Agent and/or Bargaining Unit Chairperson. Notice of the Bargaining Unit meeting will be posted by the Chairperson for a minimum of five (5) days in advance of the meeting.

Bargaining Unit meetings may be grouped Geographically, Sectorally or in any other manner that may be determined to best service the membership but in any event will not preclude individual Bargaining Units the right to call membership meetings for the members of their own Bargaining Unit only.

The Chairperson will chair the Bargaining Unit meeting and will ensure minutes are taken to be read out and approved at the next meeting.

Each individual Bargaining Unit will make the decision whether to forward a grievance to arbitration which may be subject to a legal opinion from a lawyer or labour consultant.

Due to shift scheduling a Bargaining Unit may hold more than one (1) session for its Bargaining Unit meeting.

Should a Bargaining Unit hold more than one (1) session as stated above, a motion shall take place as follows:

- (a) Should a motion be brought forward at the first session it may be seconded at either the first or second session. There will be no voting at either meeting but it may be debated.
- (b) Should a motion be brought forward at the second session it may be seconded at either the second session or the first session of the next bargaining unit meeting.
- (c) The motion shall then be in order for debate and voting at the next meeting.

Special Bargaining Unit meetings will be held at the request of thirty percent 30% of the membership in a Bargaining Unit.

## **ARTICLE 8**

### **POWERS OF ADMINISTRATION**

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

Between membership meetings, the Executive Board shall be the highest authority of the Local 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, but the Executive Board may not take action affecting the vital interests of the Local without prior membership approval.

Between meetings of the Executive Board, the President/Business Agent 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.

## **ARTICLE 9**

### **LOCAL EXECUTIVE BOARD OFFICERS**

The Officers of the Local shall be:

President/Business Agent  
 Vice-President(s)  
 Treasurer/Financial Secretary  
 Recording Secretary  
 Guard  
 Trustees (3)

### ***RESPONSIBILITIES OF LOCAL EXECUTIVE BOARD OFFICERS***

1. The responsibilities of the Local and its Executive Board Officers, in addition to those set forth in the Constitution, and in its respective Local By-Laws shall include:
  - The pursuit of the objectives set out in the Constitution.
  - The implementation of all Union programs and policies.
  - Active participation in political affairs and legislative processes at all levels.
  - Support of the participation of Local Executive Board Officers, Committeepersons, Steward and members in educational programs, courses and training.
  - The protection of the Local's assets, funds and other property.
2. Local Executive Board Officers and all workplace representatives are required to take a week long, forty (40) hour Human Rights Training Course. The National Union will develop a plan for delivery of this course in concert with the Local.
3. To conduct the affairs of the Local and in keeping with the Local's objectives, the President/Business Agent, Vice-President or Treasurer/Financial Secretary have the authority to sign, administer and enforce any commercial contract between the Local and another party. This does not apply to collective bargaining.
4. The President/Business Agent is the principal spokesperson and leader of the Local. He or she works to protect and advance the interests of the Local. He or she coordinates the efforts of the Local Executive Board and membership to achieve the objectives of the Local.
5. The President/Business Agent will chair all Local meetings, enforce the Constitution and appoint committees not otherwise provided for. The President/Business Agent will sign all requisitions for expenditures authorized by the Local and countersign all cheques issued by the Treasurer/Financial Secretary. The President/Business Agent will be an ex-officio member of all committees with the exception of the election committee.

6. The President/Business Agent will appoint a person who will act as the Local's organizing liaison. The Organizing liaison's duties will be to coordinate the Local's organizing activities, to work with the National Organizing Department and to report on organizing initiatives and issues to the President/Business Agent, the Local Executive Board and the Local membership.
7. The Vice-President(s) will assist the President/Business Agent in his/her duties and attend all Local meetings. If the President/Business Agent is absent or incapacitated, the Officer identified in the Local's By-Laws as the interim replacement of the President/Business Agent or the Vice-President will perform the President/Business Agent's duties. Where there is more than one Vice-President, the Local will determine which one will assume the duties.
8. The Recording Secretary or Treasurer/Financial Secretary will keep a correct record of the Local proceedings and sign all requisitions for funds that have been authorized by the Local. He/she will read all documents and handle correspondence that does not pertain directly to another officer's duties. He/she will file documents and correspondence for future reference. The Treasurer/Financial Secretary or Recording Secretary will bring any correspondence requiring action to the member's attention.
9. The Treasurer/Financial Secretary will write and sign all cheques. He/she will report in writing to the Local's regular meeting. The report will include amounts received and spent since the last report, listed by kind of income and expenditure, as well as the amounts remaining in the Local's funds.
10. The Treasurer/Financial Secretary will deposit all Local income and money in the accounts set up in the name and number of the Local in banks, credit unions or trust companies as the Local Executive Board directs.
11. The Treasurer/Financial Secretary will make available to each member a copy of the Constitution of the National Union and Local By-Laws.
12. The Treasurer/Financial Secretary will keep an inventory of all Local records and property. When possible, he/she will include the date of purchase and amount paid for each article. He/she will notify members in arrears of the amount of their debt. When asked, the Treasurer/Financial Secretary will turn over the books to the person assigned to audit the financial books and records of the Local, for audit and approval. On demand of the Secretary-Treasurer of the National Union, he/she will produce the books for examination and audit.
13. The Treasurer/Financial Secretary shall submit National Union dues to the Secretary-Treasurer of the National Union by the last day of the month following collection. He/she shall also deliver, at the same time, a complete dues list, including the names of the persons who paid their dues, the relevant rate of pay, regularly scheduled hours worked, and any other information requested by the Secretary-Treasurer of the National Union.

14. The Treasurer/Financial Secretary will give the Secretary-Treasurer of the National Union, the names and addresses of all the Local Executive Board Officers. The Treasurer/Financial Secretary will notify the Secretary-Treasurer of the National Union and keep a record of all members initiated, suspended, expelled, deceased, transferred in or out or reinstated. He/she will keep a complete record of all active members of the Local, including the date of initiation, the date and cause of suspension or expulsion, the date of reinstatement, the date of death, home address and any other information needed to keep a record of the history of a person's membership.
15. The Treasurer/Financial Secretary shall record all financial transactions in the books of the Local.
16. All Local Executive Board Officers will deliver all Local files, records, and papers to his/her successor.
17. The responsibilities of the Recording Secretary and Financial Secretary may be combined in the single position of Treasurer/Financial Secretary.
18. All vacancies in the Local offices must be filled promptly by election, unless Local By-Laws stipulate other means for a timely filling of the vacancy until the term is completed.

### ***ADDITIONAL RESPONSIBILITIES***

#### ***VICE-PRESIDENT***

It shall be the duty of the Vice-President to attend and preside at all Executive Board meetings, General Membership meetings and Officers meetings. The Vice-President will assist the President/Business Agent in the performance of his duties and will enforce the Constitution of the National Union, Local 333 By-Laws and all other Local Policies, rules and regulations.

#### ***TREASURER***

It shall be the duty of the Treasurer to attend all Executive Board meetings, General Membership meetings and Officers meetings and to establish investment policies for Local funds which will be subject to the approval of the Local Executive Board.

The Treasurer will monitor the cash flow and submit a detailed financial statement and report financial activities to the Executive Board and General Membership meetings and to prepare an annual budget for presentation to the Local Executive Board for approval.

The Treasurer will also assume the duties of the Financial Secretary keeping an accurate monthly record of the total number of members, paying members and non



paying members and will submit these reports to the National Union. This report will also be announced at Executive Board and General Membership meetings.

### ***RECORDING SECRETARY***

It shall be the duty of the Recording Secretary to attend all Executive Board meetings, General Membership meetings and Officers meetings of the Local and keep precise and accurate minutes of proceedings, which will be forwarded to the Local Office for distribution.

### ***GUARD***

The Guard shall attend all Executive Board meetings, General Membership meetings and Officers meetings. He/she shall act as warden of the door, admitting no one who is not a member, without the permission of the governing body. He/she shall escort all visitors to the rostrum and introduce them to the Chairperson and in general to assist the President/Business Agent to keep order.

### ***TRUSTEES***

It shall be the duty of Trustees to attend all Executive Board meetings, General Membership meetings and Officers meetings. The Trustees shall audit the books and records of the Local at least every three (3) months and shall submit a written report on each audit to the Local at the Executive Board meetings. Copies of said reports will then be forwarded to the National Secretary-Treasurer.

- (a) Review all the Local's financial records carefully;
- (b) Check that all information is accurate;
- (c) Check all Local's assets;
- (d) Ensure compliance with Executive Board decisions;
- (e) Ensure compliance with Local By-Laws;
- (f) Complete the Trustees' Report;
- (g) Sign the report with fellow Trustees and the Local President/Business Agent;
- (h) Send a copy of the Trustees' Report with bank statements, to the National Union;
- (i) Report to the Executive Board and General Membership Meeting.

### ***DUTIES OF PRESIDENT/BUSINESS AGENT***

The President/Business Agent of the Local shall attend all meetings of the Local and its Executive Board. The President/Business Agent shall sign all authorizations for the withdrawal of the funds of the Local. Subject to the approval of the Local Executive Board, the President/Business Agent shall appoint and be an ex officio member of all Local Committees. The President/Business Agent shall enforce the Constitution of the National Union, Local By-Laws and all Local Policies, rules and regulations except Elections Committee.

The President/Business Agent shall act as fulcrum in all negotiations, to advise and assist in any way required, negotiating and shop committees on all matters pertinent to the well-being of the Local.

The President/Business Agent shall represent the Local on matters at councils, and in all day to day public and industrial relations with governments, educational authorities management councils and any or all groups concerned with good relations and the strengthening of the Trade Union Movement.

The President/Business Agent shall organize wherever possible and shall be empowered to call on any Local Member or Members to assist in practical ways with regard to organizing campaigns.

The President/Business Agent shall assist in grievances, and in any matter which concerns the well-being of the Local Members.

The President/Business Agent shall interpret these By-Laws and that interpretation shall be binding unless amended or reversed by the Local Executive Board.

In taking office, the President/Business Agent will be administered the oath of office prescribed for the President/Business Agent pursuant to the Constitution of the National Union.

For reason of absence due to illness, accident or approved leave in excess of fourteen (14) calendar days, the President/Business Agent will have his duties carried out by the Vice-President and Treasurer until his return.

## **ARTICLE 10**

### **LOCAL EXECUTIVE BOARD**

1. The above named officers and Bargaining Unit Chairpersons elected by the membership of each Bargaining Unit and the elected representatives of Co-op

housing Bargaining Units shall be known as the Local Executive Board and shall be responsible for the operation of the Local between General Membership meetings.

2. Local Executive Board Officers who miss two (2) out of three (3) consecutive Officers' meetings without just cause, may be removed from office by a majority decision at a General Membership Meeting.
3. An elected Local Executive Board member may be recalled by the members for failing to perform the duties of their office. A recall is initiated by a petition signed by twenty-five percent (25%) of the members that the Executive Board member represents. The petition must provide specific complaints against the Executive Board member and be submitted to the Recording Secretary of the Local. The Local shall notify the Executive Board member of the complaints and provide a copy of the petition.
4. The Local shall call a special recall meeting with a minimum of seven (7) days' notice with the sole purpose of addressing the specific complaints identified in the petition. A quorum for a recall meeting shall be fifty percent (50%) of the members represented by the Executive Board member. A two-thirds (2/3) majority vote of those present shall be required to recall an elected Executive Board member.
5. An elected Executive Board member can face recall only once during his/her term of office.

## **ARTICLE 11**

### **STEWARDS & COMMITTEE PERSONS**

Each Member Bargaining Unit shall elect its Chairperson, Stewards and other committees prior to January every third year and those elected shall fill their office as of January 1<sup>st</sup>.

However, if contract negotiations are in progress, the newly elected committee shall take office following the conclusion of negotiations.

Failing nomination of Stewards, the Bargaining Unit Chairperson will appoint Stewards as required. Failing nomination of Bargaining Unit Chairperson, the President/Business Agent will make the appointment.

### ***TEMPORARY APPOINTMENTS***

All temporary appointments shall be until the next meeting takes place for the purposes of conducting an election.

## **ARTICLE 12**

### **BARGAINING COMMITTEES**

The Chairperson in the respective Bargaining Units will automatically hold a seat on the Bargaining Committee as well as the President/Business Agent.

Additional Bargaining Committee Members will be elected by the Bargaining Unit membership from the remaining Officers and/or Stewards in the respective Bargaining Unit.

The President/Business Agent will assist the Bargaining Committee and will not have a vote at any ratification meeting of the individual Bargaining Units.

## **ARTICLE 13**

### **NOMINATIONS AND ELECTIONS**

#### ***LOCAL EXECUTIVE BOARD OFFICERS – BY RANK***

- a. President /Business Agent
- b. Vice-President
- c. Treasurer / Financial Secretary
- d. Recording Secretary
- e. Guard
- f. Trustees (3)

#### ***ELIGIBILITY:***

No member shall be eligible for nomination or election, for any of the above Local Executive Board Officer positions, unless he/she has been a member in good standing continuously for one year prior to the nomination meeting and after the ratification of a first collective agreement.

***NOMINATIONS:***

In order to be eligible for election to the position of President/Business Agent the member must have been nominated by a minimum of four (4) members in good standing each from separate bargaining units.

***TERM OF OFFICE:***

**President/Business Agent**

The term of office for President/Business Agent shall be for three (3) years and will be elected by referendum of the membership of all Bargaining Units in the Local.

Nominations will be held at the General Membership meeting in June every three (3) years.

Nominations for candidates for the following Officers of the Local shall be held at the General Membership meeting in September every three (3) years

**Vice-President  
Treasurer/Financial Secretary  
Recording Secretary  
Guard  
Trustees (3)**

Candidates nominated for Local Office shall have their names, previous Union Office and place of employment posted on the bulletin boards of the various workplaces and such notices shall be posted at least fifteen (15) days prior to the date of balloting.

Any Member who cannot attend the nomination meeting must submit in writing to the Executive Board their intentions to accept their nomination indicating for which office no later than the September meeting.

All members in good standing may run for one (1) Officer position only. (Subject to the eligibility provisions in these By-Laws and/or Local Policies).

***ELECTIONS***

Elections for the above named Officers will be held at the General Membership meeting in November every three (3) years by a secret ballot vote.

Ballots will be counted at the November meeting and the successful candidates' names announced at the November meeting and subsequently posted on all bulletin boards.

The candidate receiving the highest number of votes will be declared elected.

Should there be a tie in votes a run off election will be held between the tied candidates.

In the case of Trustees and a tie in votes for the last position(s), a runoff election will be held between the tied candidates.

The voting list shall be the latest membership list on file in the Local Office. The membership list will be delivered with the ballot box.

The outgoing officers shall immediately turn over all papers, money, rights, titles, chattels, books, records, property and assets, belonging to the Local, to the President/Business Agent of the Local.

## **ARTICLE 14**

### **LOCAL STAFF BENEFITS**

#### 1. President/Business Agent

- The annual salary for the Local President/Business Agent as of January 1, 2018 shall be \$72,000.00;
- Effective January 1, 2019 and continuing every January 1 thereafter, the salary shall increase by the percentage amount reflecting the weighted average wage increase of the membership of Unifor in the preceding year;
- The weighted average wage increase shall include all regular wages but will not include lump sums, bonuses or other special adjustments;
- The weighted average wage increase will be prepared by the Director of Research and presented to the National Executive Board for approval at the first regular meeting of each year;
- Members that are newly elected into the position will be paid at eighty percent (80%) of the rate in effect for the first year, ninety percent (90%) of the rate in effect for the second year and one hundred percent (100%) of the rate in effect for the third year;
- The President/Business Agent will be entitled to the amount of vacation time with pay as they would have had if they remained in their respective Bargaining Unit.

In case of illness, salary will continue until eligible for Long Term Disability.

#### 2. Administrative Assistant

The Executive Board will determine wages to be paid and hours to be worked.

The Executive Board will determine wages to be paid and hours to be worked for all other employees.

3. Local staff will be covered by the Unifor health, welfare, and insurance plans (except pension plan) the cost of which will be borne by the Local and premiums remitted to the National Union.

Pension coverage, including costs, will be included in an agreement letter signed by the Local and the President/Business Agent.

The Local shall have the exclusive right to amend Article 13 should there be a newly elected President/Business Agent and/or newly hired Administrative Assistant.

In the case of a newly elected President/Business Agent the parties shall meet as soon as practicable after the election and the terms shall be agreed to prior to January 1<sup>st</sup> of the following year.

## **ARTICLE 15**

### **UNIFOR CONVENTION**

#### ***DELEGATES TO THE UNIFOR CONVENTION SHALL BE ELECTED AS FOLLOWS:***

Should the Executive Board send one (1) delegate to the convention, the President/Business Agent will automatically attend.

When two (2) or more delegates are to attend the convention the additional delegates will be nominated and elected by secret ballot as follows:

Second Delegate: To be nominated and elected from the membership by the membership

Third Delegate: A local officer to be nominated and elected by the membership

Fourth Delegate: To be nominated and elected from the membership by the membership

All remaining delegates will be in rotation between Local officers and Local members.

The number of delegates to attend conventions will be determined by the Local Executive Board Officers.

***ELIGIBILITY***

**OFFICERS**

To be eligible as a delegate to the convention all Local Executive Board Officers must have attended at least fifty percent (50%) of all Officers, Executive Board and General Membership meetings since their most recent election to office.

**EXECUTIVE BOARD MEMBERS**

To be eligible as a delegate to the convention an Executive Board member must have attended at least fifty (50%) of Executive Board meetings and General Membership meetings held since their election to their office.

**MEMBERS**

To be eligible as a delegate to the convention a Member must have attended at least fifty percent (50%) of General Membership Meetings held since the previous Convention.

No member shall be eligible to attend convention unless he/she has been a member at least one (1) year from the ratification of the bargaining unit's first collective agreement.

**ARTICLE 16**

**GENERAL RULES**

1. **QUORUMS**

***OFFICERS MEETINGS***

A quorum for the purpose of transacting any business by the Local during Executive Board Officers meetings shall consist of not less than four (4) Officers.

***EXECUTIVE BOARD MEETINGS***

A quorum for the purpose of transacting any business by the Local during Executive Board meetings shall consist of not less than fifty percent (50%) of the Executive Board Members or thirteen (13) whichever is less.



No action of any meeting shall be invalid for lack of a quorum unless the question of lack of a quorum was raised before such action was taken.

### ***GENERAL MEMBERSHIP MEETINGS***

Twenty (20) members in good standing with the Local will constitute a quorum at all General Membership meetings.

No action of any meeting shall be invalid for lack of a quorum unless the question of lack of a quorum was raised before such action was taken.

### ***BARGAINING UNIT MEETINGS***

2. Ten (10) members in good standing or fifty percent (50%) of the total Bargaining Unit membership whichever the lesser will constitute a quorum for Bargaining Unit meetings.

No action of any meeting shall be invalid for lack of a quorum unless the question of lack of a quorum was raised before such action was taken.

3. No motion to dissolve or divide the Local shall be in order as long as seven (7) members are in favour to continue the same.
4. No member shall speak more than five (5) minutes on any motion and shall not speak a second time while there are members requesting the floor who have not spoken to the motion under debate.
5. The President/Business Agent, Vice-President and Treasurer will be bonded by a reliable Surety Company which has been approved by the Local, if bonding coverage required extends that provided by the National Union.
6. The Local Executive Board will not divert more than five hundred dollars (\$500.00) to Unifor appeals or three hundred dollars (\$300.00) to other organizations on strike/locked out in any one month.
7. The President/Business Agent will be a member of all negotiating committees and shall assist the Bargaining Unit Committees in settling grievances.
8. Any member or members attending or taking part in a meeting not called or approved by the Local where matters of a subversive nature to the Local are discussed, shall be subject to investigation.
9. No bills or accounts shall be charged to the Local except with the approval of the Executive Board unless otherwise provided for in these By-Laws.

10. Any member using obscene language during his or her remarks shall be ruled out of order forthwith.
11. The rules of order not specifically covered by these By-Laws shall be in accordance with the Constitution of the National Union.

12. **ELECTIONS**

All elected positions require both a nominator and a seconder.

Upon completion of the nominations those nominated shall either accept or decline their nomination.

Each nominator will then be entitled to introduce their candidate with a speech to a maximum of five (5) minutes.

The speeches will be in the same order as were the nominations.

Upon completion of the nominator's speeches the accepted candidates will be entitled to speak to a maximum of five (5) minutes.

The speeches will be in the same order as the nominator's speeches.

13. **PICKETING**

Every member shall perform picketing duties as assigned by the Local Executive Board Officers or a Committee acting on behalf of the Local Officers. It is a violation of the By-Laws to fail, without a valid reason acceptable to the Local, to perform picketing duties. Any committee acting on behalf of the Local Executive Board Officers shall be appointed by the President/Business Agent.

14. **OATH OF MEMBERSHIP**

At the Local Union level a ceremony may be performed by the Local President, National Representative or Bargaining Unit Chairperson.

The Installing Officer says:

"Give attention while I read to you the obligation:

"Do you pledge on your honour to perform the duties of your respective offices as required by the Constitution of the Union and to bear true and faithful allegiance to Unifor?"

Do you pledge to promote a harassment and discrimination-free environment and work to ensure the human rights of all members are respected?"

Do you pledge to support, advance and carry out all official policies of the Union and to work tirelessly to advance and build the membership of our Union?

Do you pledge to deliver all books, papers, and other property of the Union that may be in your possession at the end of your term to your successor in office, and at all times conduct yourself as becomes a member of this Union?"

Officers respond, "I do."

The Installing Officer then says:

"Your responsibilities are defined in the By-Laws, Constitution and policies of Unifor. Should any emergency arise not provided for in these, you are expected to act according to the dictates of common sense, guided by an earnest desire to advance the best interest of the Union. I trust you will all faithfully perform your duties so that you may gain the esteem of your brothers and sisters and the approval of your conscience.

"You will now assume your respective offices."

15. **RECALL OF STEWARDS**

A vote on the question of recalling a Steward or Committeeperson may be initiated by a petition setting forth the reasons why the recall is sought, and signed by at least twenty-five percent (25%) of the current members working under the jurisdiction of the Steward or Committeeperson.

Twenty-five percent (25%) of the current members working under the jurisdiction of the Steward or Committeeperson must be present at the recall meeting to establish a quorum.

A two-thirds (2/3) vote of those present and voting is necessary to recall.

16. **REVIEW OF DECISIONS**

Article 18 Section B of the Constitution provides that a member feeling her/himself aggrieved by some action of the Local or one of its representatives must initiate her/his complaint or appeal from that action within thirty (30) days of the time he/she is aware of the action or reasonably should have been aware.

Any person dissatisfied with the action or decision of the Local or any representative thereof, other than the action or decision of the membership of the Local shall take her/his appeal or complaint to the Local Recording Secretary within thirty 30 days as permitted by Article 18 of the Constitution.

Such introductory section could, as an example, be followed with the following provisions:

- (a) The Executive Board shall refer the matter to the Bargaining Committee if it involves collective bargaining. Otherwise, the Executive Board shall consider the matter itself.
- (b) Whichever of these bodies the matter is referred to shall consult with the grievant, permit her/him full opportunity to be heard, and shall reach a decision.
- (c) Within thirty (30) days of receiving a notice of such a decision, the grievant, if wishing to appeal further, shall submit her/his appeal to the Recording Secretary in writing for consideration by the earliest possible membership meeting.

## **ARTICLE 17**

### **CHARGES, TRIALS AND APPEALS**

Any charges, trials or appeals will be conducted in accordance with the Constitution of the National Union.

## **ARTICLE 18**

### **AFFILIATIONS**

The Local will be affiliated to:

Ontario Federation of Labour

Ontario Primary Forest Council (OPFC),

Ontario Federation of Labour Union Retirees (OFLUR)

New Democratic Party (NDP)

Affiliation to the Labour Councils must be approved by the Local.

## **ARTICLE 19**

### **AMENDMENTS TO BY-LAWS**

To amend these By-Laws requires a Notice of Motion by ten (10) members from a minimum of four (4) Bargaining Units in good standing with the Local. The Notice of Motion shall then be presented to the By-Laws Committee who will make recommendations at the General Membership meeting or should there not be a quorum, the Executive Board meeting.

It shall then be returned to the table to become the first item under Unfinished Business at the next General Membership meeting, at which time it shall be read out, debated and voted upon by the members in attendance. Should there be no quorum, the Executive Board's recommendations will stand.

To be accepted it must have a two-thirds (2/3) majority of the total votes cast, and shall then become operative upon the approval by the National President. If it is defeated, it shall close the issue.

Any By-Law amendment whose content can be construed as affecting the autonomy of one or any of the several Bargaining Units which constitute Local 333 can only be proclaimed as a By-Law by conducting a referendum vote on the proposed amendment.

**APPROVED BY** JAMES M. BUCHANAN  
NATIONAL PRESIDENT  
NOVEMBER 27, 1987

**AMENDED** MARCH 26<sup>TH</sup> and 27<sup>TH</sup>, 1988

**APPROVED BY** JAMES M. BUCHANAN  
NATIONAL PRESIDENT  
JULY 19, 1988

**AMENDED** NOVEMBER 4, 1989

**APPROVED BY** DONALD HOLDER  
NATIONAL PRESIDENT  
DECEMBER 8, 1989

**AMENDED** JUNE 5, 1993

**APPROVED BY** DONALD HOLDER  
NATIONAL PRESIDENT  
JUNE 14, 1993

**AMENDED** SEPTEMBER 4, 1997

**APPROVED BY** FRED POMEROY  
NATIONAL PRESIDENT

**AMENDED** JUNE 23, 2001

**APPROVED BY** BRIAN PAYNE  
NATIONAL PRESIDENT  
SEPTEMBER 12, 2001

**AMENDED** SEPTEMBER 16, 2006

**APPROVED BY** DAVID COLES  
NATIONAL PRESIDENT

**AMENDED** JUNE 11, 2016

**APPROVED BY**

**AMENDED** JANUARY 27, 2018

**APPROVED BY** GARY BECK  
NATIONAL REPRESENTATIVE,  
CONSTITUTIONAL MATTERS  
MAY 23, 2018