

CEP

Local 899

Bylaws

Revised June, 2009

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ARTICLE 1 – ORGANIZATION

- 1.1 This organization shall be known as Local 899 of the Communications, Energy and Paperworkers Union of Canada (CEP), hereinafter referred to as "the Local".
- 1.2 The Local shall be organized subject to the Constitution of the Communications, Energy and Paperworkers of Canada.
- 1.3 The Local shall be affiliated with the Alberta Federation of Labour and the District Labour Councils of Calgary and Edmonton.
- 1.4 The geographic jurisdiction of the Local shall be over employees within the media industry in Alberta.
- 1.5 The Local shall consist of two “locations”, consisting of the place of employment of members at or from either Calgary or Edmonton.

ARTICLE 2 – ADMINISTRATION

- 2.1 The Local shall be administered by the Local Executive Board, which shall consist of the President, Vice President-Calgary, Vice President-Edmonton, Secretary, Associate Secretary, Treasurer, Associate Treasurer, Chief Steward-Calgary and Chief Steward-Edmonton.
- 2.2 The Local Executive Board shall be the legislative, judicial and administrative body of the Local. It shall have the full authority to govern the Local and to conduct its affairs pursuant to the Constitution and Bylaws of CEP and of the Local.
 - (a) The Executive Board shall have authority to act for the membership between general membership meetings with any action reported to the Union General membership.
- 2.3 In the event that a vacancy should occur in one of the offices set out in Article 2.1, the Local Executive Board may fill such vacancy on a temporary basis, by appointment of a member in good standing until the next membership meeting, at which time an election will be held. If a temporary appointment cannot be found then an Executive member will fulfill the duties of the vacant position in accordance with the following:
 - (a) President – the position shall be filled by the Vice President-Calgary in an even-numbered year and by the Vice President-Edmonton in an odd-numbered year.

- (b) Vice-President – the position shall be combined with the office of Chief Steward at the location affected.
 - (c) Secretary – the position shall be combined with the office of Associate Secretary.
 - (d) Treasurer – the position shall be combined with the office of Associate Treasurer.
 - (e) Chief Steward – the Executive Board shall appoint a temporary replacement from among the stewards at the location affected.
- 2.4 Local officers shall be paid a monthly honorarium as follows:
- (a) President – two hundred dollars (\$200.00)
 - (b) Vice Presidents – one hundred and fifty dollars (\$150.00)
 - (c) Secretary, Associate Secretary and Associate Treasurer – one hundred dollars (\$100.00)
 - (d) Treasurer – one hundred and fifty dollars (\$150.00)
 - (e) Chief Stewards – seventy five dollars (\$75.00)
- 2.5 Each member of the Local Executive Board shall receive miscellaneous expenses incurred in connection with his/her office. This shall be paid by the Treasurer when authorized by the Executive Board and upon presentation of vouchers.

ARTICLE 3 – DUTIES OF LOCAL OFFICERS

3.1 President

- 3.1.1 The President shall be responsible for executing the policies and decisions of the membership and the Local Executive Board.
- 3.1.2 The President shall call and convene meetings of the membership and the Executive Board as established under these Bylaws. The President and his/her designate shall preside over all such meetings.
- 3.1.3 The President shall promptly have removed from any meeting, any member who disturbs the peace.
- 3.1.4 The President may appoint such special committees as he/she may deem necessary to assist him/her in carrying out his/her functions and duties, provided

that such appointments shall not conflict with the CEP Constitution. The appointment or change of such committees shall be ratified at the next regular Local Executive Board meeting.

3.1.5 The President shall be the spokesperson for the Local Union.

3.1.6 The President shall automatically be a member of all committees by virtue of his/her office.

3.2 Vice Presidents

3.2.1 The Vice Presidents shall be responsible for the day to day administration of Local Union matters within their respective locations and as further assigned by the President.

3.2.2 The Vice Presidents shall preside over membership meetings at their respective locations when the President is unable to attend.

3.2.3 The Vice President-Calgary shall act in the temporary absence of the President during even-numbered years. The Vice President-Edmonton shall act in the temporary absence of the President during odd-numbered years.

3.3 Secretary

3.3.1 The Secretary shall conduct the correspondence pertaining to the business of the Local and shall keep the official records of the Local.

3.3.2 The Secretary shall give notice of all General, Special and Executive Board meetings and all elections, as provided in these bylaws.

3.3.3 The Secretary shall record the minutes of membership meetings.

3.3.4 The Secretary shall act in the temporary absence of the Associate Secretary.

3.4 Associate Secretary

3.4.1 The Associate Secretary is elected at the location based on the results of the election of the Secretary.

3.4.2 The Associate Secretary shall record the minutes of membership meetings at his/her location and provide copies to the Secretary.

3.4.3 The Associate Secretary shall receive membership applications from his/her location and submit the applications to the Secretary.

3.4.4 The Associate Secretary shall act in the temporary absence of the Secretary.

3.5 Treasurer

- 3.5.1 The Treasurer shall pay all bills of the Local which have been approved by the Local Executive Board or which are authorized by the Local bylaws.
- 3.5.2 The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Local, receive and give receipts for all monies due and payable to the Local from any source whatsoever and deposit all such monies in the name of the Local with such banks or investment institutions as shall be authorized as depositories by the Local Executive Board.
- 3.5.3 The Treasurer shall render an accounting to the Executive Board at each regular Board meeting and to the membership at all General Membership Meetings of all the monies disbursed and collected.
- 3.5.4 The Treasurer shall act in the temporary absence of the Associate Treasurer.

3.6 Associate Treasurer

- 3.6.1 The Associate Treasurer location will be based on the results of the election of the Treasurer.
- 3.6.2 The Associate Treasurer shall have charge and custody of and be responsible for all funds and securities issued out of their respective location. They will receive and give receipts for all monies due and payable to the Local from any source whatsoever and deposit all such monies in the name of the Local with such banks or investment institutions as shall be authorized as depositories by the Local Executive Board.
- 3.6.3 The Associate Treasurer shall have signing authority, but be limited to issuing cheques of not more than \$1000, without prior approval from the Local Executive Board or the Membership.
- 3.6.4 The Associate Treasurer shall submit all receipts and a record of transactions via e-mail to the Treasurer every (2) two weeks. Hard Copies of all transactions must be submitted to the Treasurer (1) week prior to the next regularly scheduled Local Executive Board meeting.
- 3.6.5 The Associate Treasurer shall act in the temporary absence of the Treasurer.

3.7 Chief Stewards

- 3.7.1 The Chief Stewards shall perform all the duties of a Steward as set out in these bylaws and shall act as Chairperson of all Stewards' meetings at their respective locations.

3.7.2 The Chief Stewards shall act in the temporary absence of the Vice President at the affected location.

3.7.3 The Chief Stewards shall have charge of and be responsible for the handling of applications for membership in the Local.

3.8 Stewards

3.8.1 The Steward shall be responsible for the enforcement of the Constitution and Bylaws of CEP and the current Collective Agreement.

3.8.2 The Steward shall give counsel and educate his/her constituents on all matters pertaining to employment, working or Union conditions.

3.8.3 Each Steward shall appoint a permanent alternate, subject to the approval of his/her constituents, who shall act in his/her absence. Further, the Steward shall be empowered to appoint any member of his/her constituents in the absence of himself/herself and his/her alternate

3.8.4 The Local Executive Board shall determine the number of Stewards at each location and shall appoint Stewards upon recommendation of the Chief Stewards. Wherever possible, Stewards shall be appointed to represent a specific department or area of the employer's operations.

3.8.5 The Executive may appoint a Communications Officer to maintain the website and edit a newsletter. This person shall receive an honorarium of fifty dollars (\$50.00) per month, plus internet fee and reimbursement for website renewal cost.

3.9 Local Members

3.9.1 It shall be the duty of all members to be familiar with the Constitution and Bylaws of CEP, and with the current Collective Agreement.

3.9.2 It is the duty of all members to attend all General Membership meetings.

3.9.3 A member accused of conduct detrimental to the advancement of the purposes of CEP or reflecting discredit upon it by improper performance of their rightful duties shall be subject to disciplinary action as provided in the CEP Constitution.

3.9.4 Members of the Local shall receive reasonable out-of-pocket expenses incurred on Local Union business when approved by the Local Executive Board

ARTICLE 4 – ELECTIONS

- 4.1 Elections for the Local Executive Board shall be conducted at a General Membership meeting during the month of April of each year. The date of such meeting shall be deemed to be the election date.
 - 4.1.1 Special elections may be called by the Local Executive Board at any time, or by the direction of the National Executive Board at any time.
- 4.2 Election of the President, Treasurer, Associate Treasurer and Chief Stewards shall be held during even-numbered years. Election of the Vice Presidents and Secretary and Associate Secretary shall be held during odd-numbered years. The candidate receiving the largest number of votes cast in each position shall be deemed elected.
 - 4.2.1 Election of the President, Treasurer, and Secretary shall be by a majority of those voting in both locations combined. Election of the Vice Presidents, Associate Treasurer, Associate Secretary and Chief Stewards shall be by a majority of those voting at their respective locations.
- 4.3 The successful candidates for Local Executive Board shall take office on May 1st following their election and shall hold office for two (2) years, or until removed, or until their successors have been installed into office.
- 4.4 Not less than fifteen (15) days prior to the elections, the Chief Stewards in each location shall mail or distribute notice of the election to each member in good standing and book the facility to hold the meetings.
- 4.5 The Secretary shall determine the type and manner of ballot, issue ballots to the Election Committee and declare and notify the elected member.
- 4.6 Nominations
 - 4.6.1 Nominations for elections shall be by nominating petition signed by three (3) Local Members in good standing. The petition forms shall be drawn up by the Secretary and made available to the membership of the Local.
 - 4.6.2 Nominating petitions shall be filed with the Secretary no later than one week (7) days prior to the elections and shall bear the signature of the candidate, indicating his/her acceptance of the nomination.
 - 4.6.3 The Secretary shall verify the petitions no later than five (5) days prior to the election.

4.7 Eligibility

- 4.7.1 Only members in good standing shall vote or hold office in the Local. Members are not in good standing if they are in arrears in dues, initiation fees, assessments or if they are under suspension. No member shall simultaneously be a candidate for, or hold more than one Local Officer Position.
- 4.7.2 The Secretary shall prepare an Eligibility List for each election which shall be issued to the Elections Committee not less than two (2) days in advance of the election date.
- 4.7.3 Any member in good standing whose name does not appear on the Eligibility List may appeal to the Secretary requesting the addition of such member's name to the Eligibility List, provided such appeal is submitted no less than two (2) days (excluding Saturdays, Sundays, and Holidays) prior to the election date.
- 4.7.4 Ballots shall be issued from the Eligibility List and the number of eligible voters shown shall be used as the official count in computing results for that particular balloting
- 4.7.5 Unemployed Members.
 - (a) An unemployed member shall be defined as a temporary or casual employee who has not worked for the employer within the previous fifteen (15) days and/or is not scheduled to work for the employer in the next fifteen days.
 - (b) An unemployed member shall be allowed to attend Local union meetings and shall have voice and vote at such meetings, subject to (c) below.
 - (c) An unemployed member shall not be eligible to participate in any vote connected with the collective agreement, e.g. ratification vote, strike vote.

4.8 Election Committee

- 4.8.1 Not less than two (2) days prior to an election, the Local Executive Board shall appoint an Election Committee, consisting of one member in good standing from each location, neither of whom shall be a candidate in the election.
- 4.8.2 The Election Committee shall conduct all elections and referenda of the Local and shall determine dates and times of elections in accordance with the CEP Constitution & Local Union Executive, with reasonable opportunities for all members to vote in both locations. The Election Committee will be in charge of counting the ballots at their respective locations.
- 4.8.3 All elections shall be conducted by secret ballot
- 4.8.4 Ballots must be marked as indicate, otherwise they shall be considered spoiled.

- 4.8.5 Each candidate shall be allowed one (1) scrutineer in each location, if so desired, when ballots are counted.
- 4.8.6 All questions arising from the conduct of elections, and referenda and challenges of validity, shall be made to the Election Committee for clarification. The resolution shall be determined by the Election committee. Further appeals may be made to the Executive Board of the Local, then to the Membership.
- 4.8.7 Challenges must be submitted to the Election Committee in writing within five (5) days of the official announcement, and further appeals within five (5) days of a ruling.
- 4.8.8 Full disclosure of all election and referenda results shall be made available to the membership of the Local.
- 4.8.9 Ballots may only be destroyed when the deadline for appeals has lapsed or when all appeal procedures have been exhausted.
- 4.8.10 If a tie renders any election indecisive, a run off election shall be conducted and the nominees who tied for such position shall be automatic nominees on the next ballot.
- 4.8.11 If, in the view of the Election Committee, certain provisions of these “Rules and Procedures” would prevent fair elections, alternate arrangements may be made with the approval of either the Executive board or the membership.

4.9 Challenge

- 4.9.1 Any member may challenge the legality of any election in accordance with article 14.04.01 of the CEP Constitution, which states “all questions concerning the conduct and challenge of elections shall be determined by the election committee”.
- 4.9.2 The Election Committee shall retain all ballots for a period of thirty (30) days from the election date, during which time they may be inspected by any member in good standing. If no complaint of election irregularity has been made in writing to the Local Executive Board within such thirty (30) day period, the Election Committee shall destroy the ballots.
- 4.9.3 If a challenge is filed with the Election Committee within the specified time, the Committee shall hold the ballots until directed to dispose of them by the Local Executive Board.
- 4.9.4 If a Challenge is submitted, the Election Committee officer who receives the challenge shall contact and inform the other Election Committee officer. The

Committee will discuss their positions, and have five (5) days to respond to the challenge.

4.9.5 If the Election Committee cannot come to consensus on the challenge, each Committee member will in writing, state their position on the matter, and address the letter to the Local Executive Board, copy the Candidates affected, and the Complainant. The Local Union Executive will meet with the Election Committee members and discuss the challenge, with intent to resolve the issue. If a resolution cannot be found, the Challenge will be taken to the membership to vote on the challenge.

4:10 Referendum of the Local

4:11 The Local election committee shall submit any questions to a referendum of the membership when twenty percent (20%) of the membership of the Local have signed a petition containing the referendum question.
Referendum of the Local

ARTICLE 5 – MEMBERSHIP

5.1 Eligibility for membership in the Local shall be determined by the Constitution of CEP.

5.2 Applications for membership shall be made on a form approved by the Local Executive Board. An applicant for membership shall become a member upon approval of the application by the Local Executive Board and upon payment of appropriate fees and dues. The name of each member accepted by the Local Executive Board shall be included in the minutes of the meeting of the Local Executive Board and a membership card shall be issued to the member.

5.3 When a member is accepted into the Local, the Chief Steward shall provide the member with an up-to-date copy of each of the following:

- (a) CEP Constitution
- (b) Local Bylaws
- (c) Applicable Collective Agreement
- (d) CEP Card

ARTICLE 6 – UNION DUES AND FEES

6.1 Union dues and Local dues rebates shall be in accordance with the Constitution of CEP.

6.2 Nothing contained herein shall be construed as preventing the Local Executive Board from levying and collecting special assessments in accordance with the

Constitution of CEP. Members not in good standing shall be unacceptable for any membership referendum regarding a special assessment.

- 6.3 Assessments may be paid by cash in person, cheque or money order made payable to CEP Local 899.
- 6.4 If all or any part of special assessments are not paid by the due date, the member shall be considered as being in arrears and not in good standing in CEP. When a member is thirty (30) days in arrears, it shall be the duty of the Secretary to notify the member by registered mail, stating the amount and date due and the fact that his/her name will be added to the delinquent list for publication to the membership.

ARTICLE 7 – MEETINGS

7.1 General Membership Meetings

- 7.1.1 There will be a minimum of four (4) General membership meetings per year. The general membership meetings shall be in January, April, June and September. There will be an afternoon and evening meeting in each location. Times shall be determined by Executive Members in each location. The general meetings shall alternate in each location after each occasion and at the beginning of each calendar year, the rotation shall alternate. The September General Meeting shall be designated as the Annual General Meeting (AGM).
- 7.1.2 At all General membership meetings a quorum shall consist of not less than fifteen percent (15%) of all members in good standing of the Local at the location where the meeting is held.
(a) In the event of a failure to reach a quorum for the general meeting, article 2.2(a) shall apply.
- 7.1.3 Roberts' Rules of Order shall prevail at all General membership meetings and meetings of the Local Executive Board.
- 7.1.4 The Regular Order of business at membership and Executive Board meetings shall be:
- Call to order by the Chair
 - Anti-Harassment Policy to be read by the Chief Steward
 - Approval of minutes of previous meetings as read/circulated
 - Membership report
 - Treasurer's report
 - President's report
 - Chief Steward's report
 - Committee reports
 - Trust Fund report

- Deferred business
- New business
- Discussion period
- Adjournment

7.1.5 The Regular Order of business may be changed during special meetings called for specific purposes.

7.1.6 A majority vote among members at both locations combined shall be required to pass or fail a motion.

7.2 Local Executive Board Meetings

7.2.1 The Local Executive Board shall meet at least once per month at the call of the Local President. The Board shall hold not less than one meeting in a location determined by the Executive per year at which Board members are present in person. The remaining Board meetings may be conducted by telephone conference call as determined by the President.

7.2.2 At all Local Executive Board meetings a quorum shall consist of a majority of Board members.

7.2.3 At each regular meeting of the Local Executive Board, the following reports shall be presented:

(a) The President, Vice Presidents, Chief Stewards, Committee Chairpersons and Trust Fund Representative shall present a report covering their activities since the previous Board meeting.

(b) The Chief Stewards shall present a report on current Local membership, and shall include the names of those members who have joined or left the Union since the previous Board meeting.

(c) The Treasurer shall present a report that shall include an itemized list of revenues and expenditures for the previous month which shows the financial condition of the Local.

7.2.4 Where it is unquestionably necessary for the security of the Union or the protections of any of its members there may be omitted from the minutes of any General meeting of Local Executive Board meeting, any discussion or questions, or names connected therewith, or voting thereon.

ARTICLE 8 – ANNUAL AUDIT

- 8.1 As per article 12.07.12 of the CEP Constitution, quarterly audits of the financial records of the Local will be done by Local Union trustees and/or other competent persons. A copy of the audit shall be supplied to each member of the Local at least five (5) working days prior to the Local's Annual Membership meeting.
- 8.2 The fiscal year of the Local shall cover the twelve (12) months up to and including June 30th.

ARTICLE 9 – COLLECTIVE BARGAINING PROCEDURES

9.1 Negotiating Committee

- 9.1.1 Not less than three (3) months prior to the commencement of collective bargaining the Local membership shall elect a Local Negotiating Committee, which shall consist of two (2) members from each location.
- 9.1.2 In addition to Article 9.1.1, the President shall automatically be a member of the Local Negotiating Committee making the total five (5) members.
- 9.1.3 The election of the Local Negotiating Committee shall be conducted in the same manner as set out in Articles 4.4 through 4.9 of these bylaws, except that members shall vote only for candidates to represent their location.
- 9.1.4 In the event that a vacancy should occur on the Negotiating Committee, the Local Executive Board shall fill such vacancy on a temporary basis, subject to ratification by the membership, until such time as an election can be held.
- 9.1.5 The Negotiating Committee shall be responsible for conducting collective bargaining with the employer, subject to final ratification by the membership.
- 9.1.6 A majority vote among Negotiating Committee members shall be required to approve any decision that is brought to a vote by the Committee. Any member of the Negotiating Committee shall have the right to call a vote on any issue to be decided by the Committee.

9.2 Ratification and Strike Votes

- 9.2.1 Members of the Negotiating Committee shall be responsible for conducting ratification and strike votes at duly called membership meetings at their respective locations.

- 9.2.2 A majority vote among members at both locations combined shall be required to ratify or reject a collective agreement or to authorize strike action.
- 9.2.3 Voting shall be by secret ballot.
- 9.2.4 The Negotiating Committee shall determine the type and manner of ballot to be used for a ratification or strike vote and in consultation with the President, determine the date or dates when such votes will be conducted.

ARTICLE 10 – GROUP RRSP

- 10.1 The Local shall operate and administer the CEP Local 899 Group Registered Retirement Savings Plan on behalf of participating members in accordance with the procedures established by the Local Executive Board.

ARTICLE 11 – AMENDMENT OF BYLAWS

- 11.1 These Bylaws may be amended by a two-thirds (2/3) majority vote of those members in good standing present at a General Membership meeting, provided that notice of the proposed amendment has been furnished to each member at least five (5) days prior to the holding of such meeting.
- 11.2 A copy of these Bylaws or any amendment thereafter adopted shall be submitted to the National President for approval and shall become effective only after such approval has been granted.

ARTICLE 12 – SOCIAL FUND

- 12.1 A social fund of \$2000 per calendar year shall exist for use subject to the “bereavement leave” provisions of the collective agreement. It is the duty of a member to arrange for the purchase and delivery of flowers etc. to be sent on behalf of the Union, when a circumstance arises. The claim for each occasion may not exceed \$75.00. Members shall be reimbursed by the local treasurer upon submission of verifiable receipts. The social policy shall be re-evaluated by the local executive board annually.

Approved By:
National President

Date: