



**unifor**  
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# LOCAL 26 BY-LAWS

**UNIFOR**  
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**ARTICLE 1 - NAME**

This organization shall be known as UNIFOR Local 26.

**ARTICLE 2 - JURISDICTION**

Jurisdiction of this local shall be the jurisdiction assigned by the National Union.

**ARTICLE 3 – TRADE UNION STATUS**

The Objects of Unifor Local 26 shall the regulations of labour relations and collective bargaining between employees and employers.

**ARTICLE 4 – CONSTITUTION AND BY-LAWS**

The Constitution of this Local Union shall be the Constitution of the National Union, Unifor, and these By-Laws shall be in all respects subordinate to said Constitution and all applications and interpretations.

**ARTICLE 5 – FISCAL YEAR**

The Fiscal Year of this Local Union shall begin on January 1 and end on December 31.

**ARTICLE 6 - MEMBERSHIP**

Section 1 - Eligibility

- (a) The Local Union shall be composed of workers eligible for membership in Unifor, 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 upon which the

membership must base its decisions. These rights shall at all times be subject to the rules of procedure governing meetings and other Unifor rules and regulations contained in the Constitution, By-Laws and other official rules of the Local 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 Union 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, may be grounds for the commencement of a charge against a member pursuant to Article 18 of the National Union Constitution.

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

## Section 2 - Application

Membership in the Local shall be obtained after payment of the local initiation fee, subject to Article 5 of the Constitution and upon the approval of any Membership Committee authorized to accept or reject membership on behalf of the Local, subject to the right of the Local to overrule the decision of a Membership Committee.

## Section 3 Transfers

The Transfer of membership from this Local to the jurisdiction of another Local and from another Local to the jurisdiction of this Local shall be made in accordance with Article 5 of the Constitution.

## Section 4 Continuous Good Standing and Termination

Membership in the Union shall be terminated when a member accepts a position which would render the member ineligible for membership. A member who temporarily assumes such a position may retain membership, but that member shall not hold any office within the Union or attend any Local or other Union meetings while the member is considered to not be in Good Standing, except where prohibited by law, and shall not have any voting privileges.

For a member to be considered in Continuous Good Standing the member must be paying dues to the Local, have signed a membership application and be within the Bargaining Unit for six continuous months after returning to the Bargaining Unit including but not limited to completion of an Acting or Interim Manager assignment.

## **ARTICLE 7– MEMBERSHIP MEETING**

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

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

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

The number constituting a quorum for Local monthly meetings shall be twenty (20). However, no quorum is required if at the previous Regular Meeting no quorum was present. Due notice of no quorum meetings shall be given.

The number constituting a quorum for Bargaining Unit meetings shall be those members in attendance.

For Executive Board Meetings and Committee Meetings a majority of the Officers or a majority of the members of a Committee shall constitute a quorum for these bodies.

## **CONDUCT OF MEETINGS, OTHER LOCAL BUSINESS AND QUORUM**

Membership meetings and any other business of this Local shall be conducted under these By-laws and rules of the Local and in conformity with the Union Constitution. On questions where the Local By-laws, the Local rules or the Union Constitution do not clearly apply, Bourinot's Rules of Order shall govern.

## **ARTICLE 8 – POWERS OF ADMINISTRATION**

To provide for the administration of the Local Union, provisions along the following lines should be included:

- (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 By-Laws.
- (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.

## **ARTICLE 9 – LOCAL UNION OFFICERS**

The Officers of the Local shall be:

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

The duties of the Executive Officers are as set forth in Article 15 Section C of the National Constitution

## **ARTICLE 10 – EXECUTIVE BOARD**

The Local Executive Board shall consist of the Following:

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

### Executive Board Conduct:

The Executive Board shall meet of the second Thursday of every month.

- (a) A simple majority of the Local Union Executive Board shall constitute a quorum.
- (b) Minutes will be taken of all Executive Board Meetings by the Recording Secretary and shall be available to the membership at meetings.
- (c) All decisions and recommendations of the Executive Board shall be referred to the next regular membership meeting.
- (d) The Executive Board shall appoint at least one of its members to each of the standing committees in liaison or advisory capacity, except, however, the Workplace Bargaining Committees, or Election Committee.

- (e) The Executive Board shall review each issue of the Local Union paper, and where necessary shall take steps to bring the contents and policy of the paper into conformity with the policy of the National Union.

## **ARTICLE 11 – STEWARDS AND CHIEF STEWARDS**

### **1. The Duties of the Chief Stewards shall be as follows:**

- a) Familiarize all Stewards with the provisions of their appropriate Collective Agreement and thoroughly investigate all grievances;
- b) Serve on the appropriate Grievance Committees;
- c) Be members of the Executive Board;
- d) Perform such other duties as may be assigned by the President or the Executive Board.

### **2. The Duties of the Stewards shall be as follows:**

- a) To become familiar with all provisions of their bargaining unit Collective Agreement and thoroughly investigate all grievances and complaints coming within their jurisdiction;
- b) To be completely familiar with the grievance procedure of their bargaining unit;
- c) To receive complaints and grievances from their members and make every effort in conformity with the grievance machinery to satisfactorily adjust and settle all grievances;
- d) To refer all grievances and complaints that have not been satisfactorily adjusted to their Chief Steward, or the President if the grievance arises in a location where there is no Chief Steward;
- e) To report all grievances settled satisfactorily to their Chief Steward;
- f) To turn over all papers, documents, funds or other property at the conclusion of the term of office to the Local or to his successor in office and obtain a receipt thereof;
- g) To carry out such other duties as may be prescribed from time to time by the Local.

## ARTICLE 12 – COMMITTEES

a) The Local shall have the following regular committees:

- 1) Constitution and By-laws Committee
- 2) Education Committee
- 3) Organizing Committee
- 4) Community Services Committee
- 5) Human Rights Committee
- 6) LGBT Committee
- 7) Aboriginal and Workers of Colour Committee
- 8) Workers with Disabilities Committee
- 9) Women's Committee
- 10) Young Workers
- 11) Health and Safety
- 12) Trustee Committee
- 13) Membership and Excuse Committee
- 14) Grievance Committee

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

c) Vacancies on committees shall be filled in the same manner as the original placements.

d) A member of any Local committee may be removed by a majority vote of the Local Executive Board, subject to the right of the Local membership to overrule such decisions. Any committee member may also be removed by action of the Local in a membership meeting. Members of the Trustee Committee are subject to removal in accordance with the recall provisions of Article 15 of the Unifor Constitution.

e) The committees shall perform all duties assigned to them by the Constitution and By-Laws and such additional duties as they may be directed to perform from time to time by the Executive Board or the membership

f) Duties of committees:

### 1. Constitution and By-laws Committee

The Constitution and By-laws Committee shall propose amendments to the By-laws as needed in accordance with Article 22 of these By-laws.

### 2. Education Committee

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

### 3. Organizing Committee

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

### 4. Community Services Committee

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

### 5. Human Rights Committee

The Human Rights Committee shall provide support and information to members of the Local and encourage awareness within the communities in which we have jurisdiction.

### 6. LGBT Committee

The LGBT Committee shall encourage participation from the LGBT members of the Local and provide support and information to same, and encourage awareness within the communities in which we have jurisdiction.

### 7. Aboriginal and Workers of Colour Committee

The Aboriginal and Workers of Colour Committee shall encourage participation from the Aboriginal and Workers of Colour members of the Local and provide support and information to same and encourage awareness within the communities in which we have jurisdiction.

### 8. Workers with Disabilities Committee

The Workers with Disabilities Committee shall encourage participation from Workers with Disabilities members of the Local and provide support and information to same and encourage awareness within the communities in which we have jurisdiction.

### 9. Women's Committee

The Women's Committee shall encourage participation from the women members of the Local and provide support and information to same and encourage awareness within the communities in which we have jurisdiction.

### 10. Young Workers

The Young Workers Committee shall encourage participation from the young members (under age 35) of the Local and provide support and information to same.

### 11. Health and Safety

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



## 12. Trustee Committee

The Trustee Committee shall:

- a) Exercise general supervision over the property of the Local, subject to such instructions as they may from time to time receive from the Local;
- b) Ensure that proper procedures are instituted and maintained by the Executives to provide for detailed, up-to-date recording and accounting of all transactions involving any funds and properties of the Local;
- c) Audit the books of the Local at the end of each quarter, or, at the request of the Local Executive Board, or, at the Trustee Committee's discretion. A report shall be made to the Local members thereon and forward a copy to the Secretary Treasurer of the National Union;
- d) Verify that all transactions involving Local funds and properties were properly authorized;
- e) Require the Treasurer, to deposit all monies belonging to the Local in such bank as the Executive Board may designate, and require the Treasurer, or any other Officer of the Local handling funds of the Local to be bonded in such amount as the Local may direct, to be paid for by the Local.

## 13. Membership and Excuse Committee

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

The Excuse committee will validate a members' excuse for being absent from a meeting to which they wish to be excused.

## 14. Grievance Committee

The Grievance Committee shall co-ordinate all grievances and report the status of such grievances at Regular Membership Meetings. The Local Executive shall be advised of grievances to be taken to the National Union.

## **ARTICLE 13 – ELECTIONS AND ELECTIONS COMMITTEE**

The Election Committee shall conduct all nominations and elections and referendum of this Local. This committee shall have the authority and responsibility to see that nominations and elections are conducted in accordance with the Union Constitution, and these By-laws, with reasonable opportunity for each member to nominate and vote for the candidate of their choice. The Election Committee shall also conduct any referendum submitted to the membership. A member shall not be permitted to serve on the Election Committee if he is a candidate for any office of the Local or delegate to the Convention. All questions concerning the conduct and challenges of elections shall be determined by the Election Committee, subject to the right of appeal to the Governing Board or membership of the Local.

## SECTION 1 - Nominations

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

## SECTION 2 - Elections

- a) Election of Local Officers shall be by a secure and confidential electronic voting system of the membership in November of each even numbered year.
- b) Election of Chief Steward (s) shall be by secret ballot of their membership in May of each odd numbered year.
- c) Election of Stewards shall be by secret ballot of the members they will represent in March of each odd numbered year. Where the members fail to elect a Steward, or where a vacancy occurs, the President may temporarily appoint one, subject to membership elections.

## SECTION 3 - General Provisions

- a) There shall be as many Stewards as the Local deems necessary subject to the terms of the Collective Agreement(s).
- b) The President may temporarily appoint Stewards subject to membership elections.
- c) The nominee in any election receiving a simple majority of the votes cast shall be declared elected.
- d) Only members of the Local in good standing shall be eligible to vote or to hold office.
- e) Officers shall take office on January 1, of each odd numbered year and Chief Stewards and Stewards shall take office when elected.

## SECTION 4 - Vacancies

All vacancies in Local Union Offices except the President's position must be filled promptly by appointment from the Executive Board subject to membership elections until the term is completed. If the President's office become vacant, the Vice-President will fill the vacancy for the unexpired term and an election will be held for the office of Vice-President.

## **ARTICLE 14 – Finances**

### Section 1 Local Dues

- a) Each member of the Local shall pay dues in the amount of 1.35 % of their basic salary. This amount is to include the National portion of dues. Membership dues may

be changed only by a majority of those voting on the question by a secret ballot referendum to members in good standing.

- b) Notwithstanding the provisions of Article 6, Section 1 (a) above, Dues will be subject to any mandatory increase or decrease by the National Union. The amount remitted to the Local shall be no less than 0.6015%.

### Section 2 - Local Special Assessments

The Membership of this Local may levy special assessments only in the same manner as provided for changing Local dues.

### Section 3 - Local Special Assessments Expenditures

- a) The financial records of this Local shall be audited by the Trustee Committee at the end of each quarter. The result of such audit shall be made available for inspection of any member of the Local.
- b) The Executive Board shall provide a yearly budget subject to the approval of the membership.
- c) Unbudgeted expenditures in excess of \$1,000 per month shall require prior membership approval
- d) The Local Union shall pay a representative or member lost time only when that representative or member is performing necessary duties for and on behalf of the Local Union during the time for which he /she would otherwise be compensated at regular rate of pay by the employer. The amount of lost time should never exceed the amount which the Local Union representative or member would otherwise have received from her/his employer for the same period of the time which he/ she is being compensated by the Local Union.
- e) All expenses incurred will be reimbursed in accordance with the Local Expense Rules.

## **ARTICLE 15 –ELIGIBILITY FOR ELECTED OFFICES**

A member must be in continuous good standing, for a period of one year, in order to be eligible to seek or hold office.

## **ARTICLE 16 – ATTENDANCE RULES**

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

1. Two out of three consecutive membership meetings unless officially excused for cause by the Local Union Excuse Committee;
2. Two out of three consecutive meetings other than membership meetings expected of their respective office or position, unless officially excused for cause by the Local Union Excuse Committee;

3. Failure of any elected official to comply with the above attendance rules shall result in automatic removal from their respective office or position, and they shall not be permitted to run for any elective office for the balance of the term of office from which they were removed, except as a delegate to the Constitutional Convention.

## **ARTICLE 17 – DELEGATES FROM LOCAL**

### Conventions, Councils and Sub-Councils

The President shall be the Head of the delegation to all UNIFOR, CLC and subsidiary body councils and conventions. The President will be first delegate to all non-Unifor functions and has the right to run for official delegate status to any Unifor function.

Delegates to Ontario Communications Council will be comprised from the Local's Executive Board.

Delegates to National Convention, Ontario Region Council, Canadian Council and Industry Council will be elected from eligible members in Continuous Good Standing. The President shall be the first delegate to the Industry Council as per the Council's By-Laws.

### CLC, OFL Conventions and Other Conferences

Delegates to CLC, OFL Conventions and other Conferences must meet the requirements as identified below in order to be nominated and elected:

1. Be a member in continuous good standing.
2. Must have attended two out of the last three consecutive membership meetings unless officially excused for cause by the Local Union Excuse Committee
3. An elected delegate to any event must report back at the first Membership Meeting following the event to remain eligible to run for future events.

## **ARTICLE 18 – ORDER OF BUSINESS**

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

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

b) The order of business may be suspended by a two thirds (2/3) vote of the members present.

## **ARTICLE 19 - REVIEW OF DECISIONS**

The affairs of this Local shall be governed by its membership in accordance with the Constitution and policies of the Union in the following manner:

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

The actions and decisions of the Executive Board and Officers of the Local between Local meetings may be overruled by the membership in a Local meeting or by referendum.

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

## **REFERENDUM OF THE LOCAL**

- a) The Local Election Committee shall submit any questions to a referendum of the membership when directed to do so by action of a regular or special membership meeting.
- b) Questions submitted to referendum shall be determined by a majority vote of those voting on the question.
- c) All motions made at Local Meetings of over \$ 1,500.00 (one thousand, five hundred dollars) that exceed budgeted amounts may, at the discretion of the Executive Board, go to a referendum vote.

## **ARTICLE 20 – STRIKES AND STRIKE COMMITTEE**

The calling, conduct and termination of strikes affecting this Local shall at all times be carried on in compliance with the rules prescribed by the Union and Article 17 of the Constitution.

## **ARTICLE 21 – GENERAL**

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.

Wherever in these By-Laws 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 22 – AMENDMENTS**

After adoption, these By-laws may be amended by either of the following methods:

- a) A two thirds (2/3) majority vote of the members present in a Local meeting, if the proposed amendment has been introduced at a previous membership meeting or has been advertised to the membership at least seven (7) days in advance of the meeting by the use of bulletin boards, electronic means or Royal Mail postage prepaid.
- b) Referendum of the membership resulting in a two thirds (2/3) majority vote in favour of the amendment.

## **ARTICLE 23 - OATH OF OFFICE**

Each elected Officer of the Local, after meeting all other qualifications, shall be duly installed upon taking the Oath of Office.

## **ARTICLE 24 - ADOPTION**

These By-laws shall be adopted upon the approval of a two thirds (2/3) majority of the members voting upon their adoption in the membership meeting called for that purpose and acceptance by the National Office.

By-laws Adopted                **April 21, 2015**          

By-laws Amended              **November 12, 2015**          

By-laws Amended              **July 21, 2016**