

By-Laws

Unifor Local Union No. 52A



unifor
Local **52A** | Canada

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Unifor Local Union No. 52A

By-Laws

Article 1 Name

- 1.01** This Amalgamated Local Union shall be known as Unifor Local Union No. 52A, hereinafter called the “Local”.
- 1.02** This Local has been established and exists by virtue of a charter issued to it by Unifor pursuant to the Constitution of the National Union. The Constitution of this Local shall be the Constitution of the National Union, Unifor, and these By-Laws shall be in all respects subordinate to said Constitution and all applications and interpretations thereof.
- 1.03** The Local includes the following Bargaining Units
- a) The Support Staff of:
The Edmonton Catholic Separate School Division referred to as Unit 1.
 - b) The Support Staff of:
Conseil scolaire Centre-Nord (The Greater North Central Francophone Education Region), referred to as Unit 2.

Article 2 Objectives

- 2.01** The purpose and objectives of this amalgamated Local, chartered by the National, are to unite all workers within its jurisdiction for the following purposes:
- a) To improve wages, hours of work, employment security and other conditions of employment.
 - b) To strive for equality regardless of race, creed, colour, age, marital status, family status, ancestry, place of origin, ethnic origin, citizenship, language, religious beliefs, sexual orientation, gender identity, disability, records of offence or political affiliation.
 - c) To assist in advancing the social, economic, and general welfare of working people through political, educational, civic, and other activities.
 - d) To safeguard, protect and extend freedom, civil liberties, democracy, and democratic trade unionism.
 - e) To engage in political activities to secure beneficial legislation and obtain the defeat and repeal of harmful legislation.

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

Article 3 Constitution of Unifor

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

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

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

Article 4 Fiscal Year

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

Article 5 Membership

5.01 Eligibility

- a) The Local shall be composed of workers eligible for membership in Unifor, over whom the Local has jurisdiction.
- b) Each member in good standing of this Local has the right to nominate and vote, express opinions on all subjects before the Local, to attend all membership meetings and express views, and opinions on all matters and business, including candidates for office.

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

Article 6 Meetings

6.01 Local Executive Board Meetings

- a) Executive Boards meetings shall be held at least six (6) times per year between September and June as decided by the Executive Board.
- b) Special meetings may be called by either the President or Recording Secretary or a majority of the Board Members, all Executive Board members must be notified of such meetings.
- c) Dates, time, and location for the duration of the fiscal year will be determined at the first meeting of the Executive Board held each September.

- d) A quorum for the purpose of transacting any business by the Local Executive Board shall consist of no less than five (5) members and at least one representative of each bargaining unit.
- e) All decisions shall be decided by a majority vote by the Executive Board members present and voting.
- f) All decisions and recommendations of the Executive Board shall be referred to the next General Membership Meeting for approval, and/or information.
- g) For meeting purposes, no Unit shall be handicapped if a Chairperson, Vice-Chairperson or Trustee holds a dual Local Officer position. Unit Chair shall appoint alternates.

6.02

General Membership Meetings

- a) The General Membership Meetings (GM) are the highest authority of the Local. The Executive Board and all other committees of the Local are accountable to the membership of the Local and are subject to the membership approval at GM except as may be otherwise provided.
- b) The general membership of the Local shall meet a minimum of four (4) times per year, except during July and August. The Executive Board shall determine the time, place, and date of the meeting.
- c) A General Membership Meeting (GM) shall be held within ninety (90) days after the fiscal year end.
- d) A minimum of fifteen (15) days' notice of a GM shall be given and must include date, time, and location. Furthermore, it shall be properly communicated so that all members can attend.
- e) Notice of meetings shall include the agenda and minutes of the previous meeting. The financial report will be provided at the membership meeting.
- f) A quorum for the purpose of transacting any business at the GM shall consist of those members present.
- g) All decisions at the GM shall be by a majority vote stated by the showing of hands, unless stipulated by a motion, that a secret ballot be taken.

- h) National Officers, staff personnel and local union officers may attend Local, Unit or group meetings with the right to speak.
- i) The regular order of business shall be as follows:
 - 1) Call to Order
 - 2) Land Acknowledgement
 - 3) Unifor Anti-Harassment Policy
 - 4) Approval of Agenda
 - 5) Approval of previous Minutes
 - 6) Financial report
 - 7) Correspondence
 - 8) Reports; Executive board, Unit, Committee and Delegates
 - 9) Unfinished business
 - 10) New business
 - 11) Adjournment

6.03 Special Meetings

- a) A special meeting may be called; by the Local President or most of the Local Executive Board or upon request of the President of the National Union or Agent, or upon the written request of twenty (20) Local members and presented to the Local President.
- b) The President shall also call a Special Meeting of the Local, in accordance with the Executive Board if, in the opinion of the Executive Board, a motion is proposed at a GM which may prove to be detrimental to the Local.
- c) No less than seven (7) days' notice of a Special Meeting shall be given to the members and shall be properly posted so that all members be informed and may attend.
- d) The notice shall include date, time, and location. The purpose for which the meeting is called shall also be stated. No business other than that for which the meeting is called may be transacted.
- e) A quorum for the purpose of transacting any business of the Local at a Special Meeting called by the President or Executive Board shall consist of majority of the Executive Board and all members in attendance.
- f) A quorum for the purpose of transacting any business of the Local at a Special Meeting called by the members shall consist of all petitioners (unless

they can provide a reason for not attending), majority of the Executive Board and all members in attendance.

- g) All decisions at a Special Meeting shall be by a majority vote stated by a showing of hands, unless stipulated by a motion, that a secret ballot be taken.

6.04 Bourinot's Rules of Order

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

6.05 Conduct

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 the right to vote at said meeting. Where necessary to maintain order, the member may be evicted from the meeting by order of the President subject to the challenge of the membership. Flagrant or persistent violation of this section by any member shall be conduct unbecoming a union member.

Article 7 Powers of Administration

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

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

7.03 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, by the Executive Board subject to subsequent approval of the Executive Board and the General Membership.

Article 8 Local and Unit Executive Board Officers

8.01 The Local shall have an Executive Board composed of the following Local Executive Officers:

- a) President
- b) Vice-President
- c) Financial Treasurer
- d) Recording Secretary
- e) Member at Large

And the following positions from each Unit: elected in accordance with Article 15 Section B paragraph 5 of the Constitution unless other provisions are in these By-Laws:

- a) Chairperson
- b) Vice-Chairperson
- c) Trustee

8.02 The duties of the Local Executive Officers are specifically set forth in Article 15, Section C of the National Constitution.

Duties of President

- a) To Chair all meetings of the Local.
- b) To have signing authority for the withdrawal of the funds of the Local.
- c) To appoint, in consultation with the Executive Board, and be an ex-officio member of all Local standing committees.
- d) To enforce the National Constitution, Local By-Laws and all union rules and regulations.
- e) To represent the Local in all affairs necessary to efficiently serve the best interest of the Local.
- f) To attend all National Conventions.
- g) To distribute all correspondence addressed to the Local to the appropriate persons and keep on file all documents that are necessary for the accountability of the Local.

- h) To forward all information from the National Union to the chairperson of each bargaining unit.
- i) The President shall be entitled to vote on questions of membership and other matters voted on by secret ballot. As the Chairperson of the meeting, the President may cast only the deciding vote on all other matters.

Duties of Vice-President

- a) To assist the President in the performance of presidential duties.
- b) To act for the President in their absence
- c) In the event of a vacancy, to immediately assume all responsibilities of that office until a successor has been elected.

Duties of Financial-Treasurer

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

Duties of Recording-Secretary

- a) To record and distribute detailed minutes of Local Executive Board meetings, General meetings, and Special meetings. To ensure copies with respective agendas are received by the general membership.
- b) To conduct all correspondence of the Local.
- c) To have signing authority for the withdrawal of the funds of the Local.**

Duties of Member At Large

- a) To attend Local meetings.
- b) To allow any member in good standing, staff persons, National Officer and invited guests to enter the meetings.
- c) Assists to maintain orderly conduct at all meetings.

Duties of Unit Chairperson

- a) To attend Local and Unit meetings.
- b) To represent the Unit in all affairs that are necessary to efficiently serve the best interest of the Executive Board.
- c) To Chair all meetings of the Unit.
- d) To appoint and be an ex-officio member of all Unit workplace committees.
- e) To enforce the National Constitution, Local By-Laws, Unit By-Laws and all union rules and regulations.
- f) To forward all information received from the National Union and Local to the members of the Unit.

Duties of Unit Vice-Chairperson

- a) To attend Local and Unit meetings.
- b) To assist the Unit Chairperson in the performance of their duties and represent the Unit.

Duties of Unit Trustee

- a) To attend the Local and Unit meetings.
- b) To review and present the Local Treasurer's Financial report to the Unit.

c) Participates in the quarterly audits of the financial records of the Local.

8.03 Terms of Office

The term of office for all Local Executive Officers shall be three (3) years.

8.04 Attendance & Rules

All Local Executive Board Members are required to attend:

- a) Two (2) out of three (3) consecutive Local membership meetings unless officially excused by the Local President.
- b) Two (2) out of three (3) consecutive meetings other than membership meeting (general meetings) expected of their respective office or position, unless officially excused by the Local President.
- c) 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 executive office for the balance of the term of office from which they were removed.

8.05 Vacancies

In case of a vacancy in the office of President, the Vice-President shall immediately assume all responsibilities of that office until a successor has been elected. In the event of other vacancies, the president shall appoint an executive board member to fill the vacancy for the remainder of the term. The President of the Local will notify the membership of the appointment.

8.06 Resignations

An Executive Board member may resign from their office upon giving notice to the Executive Board of the Local in writing and such resignation shall take effect immediately. Upon resignation all properties of the Union will be immediately turned in.

Article 9 Standing Committees

9.01 Standing Committees should be established as per Article 15 Section D of the Constitution, but not limited to the following:

- Constitution and By-Laws
- Education
- Environment
- Recreation / Social
- Community Services / Social Justice
- Human Rights
- LGBTQ2+
- EDIAR – Equity, Diversity, Inclusion & Anti-Racism
- Workers with Disabilities
- Union in Politics
- Women’s
- Young Workers
- Health and Safety
- Communications

9.02 The Executive Board shall appoint the Standing Committees.

9.03 The term of office will be for three (3) years.

9.04 Committee members must report on all activities in writing to the Executive Board.

9.05 When a member of an appointed committee fails to discharge their duties, they may be dismissed from the committee by the Executive Board.

Article 10 Local Constitution and By-Law Committee

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

Article 11 Establishment and Governing of Units

11.01 Each bargaining unit of the Local shall be known as a “Unit”.

The Local recognizes and authorizes the power of its Units to make decisions concerning the:

- a) Election of its bargaining unit Executive.
- b) Election of its bargaining unit negotiating committees.
- c) Choice of bargaining unit members for training courses.
- d) Choice of bargaining unit members for workplace committees.
- e) Funding for their bargaining unit.
- f) Appointment of Alternates for dual Executive Board members.
- g) Transactions of bargaining unit matters and/or the need to address special concerns at regular or special meetings as may be required.

11.02 Bargaining units will not take any action, which conflicts with these Local By-Laws or National Union Constitution.

11.03 The Units Executive Officers shall be selected as per the Units By-laws.

Article 12 Election Committee, Elections and Voting

12.01 Election Guide and Constitution

Specific rules for nominations and elections are set forth in Article 15 Section B paragraph 5 of the Constitution. In addition to the Constitution, Local 52-A shall adopt and follow *Unifor Local Union Elections Policy* unless specific exceptions are outlined in these By-Laws.

12.02 Election Committee

Elections shall be held under the supervision of an Election Committee composed of no less than three (3) members. They shall always remain impartial during each election. Members of this committee may also serve as the returning officers on election day.

12.03 The election of the members of the election committee shall take place at a GM. The term of office will be up to three (3) years.

12.04 The Election Committee shall have full charge of all elections and be responsible to the Local. They shall be governed by the National Constitution, Local By-Laws, Unifor Election Policy, and any instructions given by the membership prior to the election.

12.05 Eligibility for Nomination

a) To be eligible for election a candidate must have been a member in good standing in the Local for a continuous period of eight (8) months immediately preceding the election.

b) Any member in good standing may nominate candidates or themselves, for elected office.

c) One candidate running will be elected by acclamation. More than one will result in vote by secret ballot.

12.06 Notice of Election

a) Notice shall be sent to the members at least thirty (30) days before the election and include the time and place of nominations and elections.

b) Nominations will **open** at the same time notice is given and will **close fourteen (14)** days prior to election. No additional nominations will be accepted once nominations close.

c) Campaigning may commence at the close of nominations and will continue for seven (7) days prior to election.

d) Nominations will be accepted electronically and should be sent directly to the Election committee. (URL address will be sent out with notice).

e) Nominations will also be accepted in writing and may be mailed or delivered to the Local 52-A office.

12.07 Voting Process

In all cases, the method of voting shall be reasonably convenient to members, (may be in person, by electronic/online means or a combination of both). All methods of voting shall be secure and shall be secret so that each member's choice cannot be identified.

Article 13 Finances

13.01 Union Dues

- a) Each member of this Local shall pay dues to the Local on basic gross salary, in the amount equal to two times the National per capita
- b) This amount shall automatically be deducted from each employee's pay.
- c) Per capita to the National Union shall be as provided in the Constitution of the National Union.
- d) When the National Union implements a temporary per capita dues increase, the Executive Board after consideration of the Local's financial position, may choose to absorb the total, or any portion, of this temporary per capita increase, rather than increasing Local dues to the membership.
- e) If an amendment shall alter the amount of initiation fees or dues, the vote, by members, must be taken by secret ballot. The proposed amendment(s) may be adopted, by the affirmative vote of **50% +1** of the members voting on the question at a Special Meeting called for that purpose

13.02 Union Expenditures

- a) The funds of the Local shall be used to defray all necessary expenses.
- b) Any expense over and above \$5,000.00, not including the monthly payment of dues, expenditures related to training, conventions, conferences, collective bargaining, legal costs, arbitration, or any other expense deemed necessary for the defense of members requires the approval of the membership at the next General Membership Meeting or Special Meeting called for that purpose.

13.03 Unifor Local 52A Policies and Procedures

The Local will establish and review their Policies and Procedures as required and may include but are not limited to the following: Out of town travel expenses, Union Duty expenses, Per Diem, Mileage, Professional Development Fund, Caring, Long Service, Retirement, Union Professional Development, Scholarships and Donations.

13.04 Lost Time

The authorization for lost time shall be the responsibility of the President to authorize such lost time as is necessary for union business.

The compensation of any member of this Amalgamated Local Union shall be approved only when that representative or member is performing necessary duties for and on behalf of the Local Union during the time for which they would otherwise be compensated by the employer. The amount of lost time should never exceed the amount that the member would otherwise have received from their employer for the same period of time.

The amount which the Local Union representative or member would have received from their employer for the same period will be compensated by the Local Union.

The Local Union will not be responsible for the payment of lost time at overtime rates or premium rates.

13.05 Honorariums for Local and Unit Executive Board Officers shall be given out in June of each year in the following amounts:

- President \$2500.00
 - Vice-President \$1500.00
- Financial Treasurer \$6250.00
- Recording Secretary \$1500.00
 - Member At Large \$ 500.00

- Chairperson
 - Members (0-200) \$2000.00
 - Members (201-500) \$3000.00
 - Members (501+) \$5550.00
- Vice-Chairperson
 - Members (0-200) \$1500.00
 - Members (201-500) \$2000.00

	Members (501+)	\$3550.00
• Trustee		\$ 750.00

13.06 Each Unit may have a Recording Secretary in their Executive.

• Recording Secretary	Members (0-200)	\$ 750.00
	Members (201-500)	\$1375.00
	Members (501+)	\$2750.00

13.07 Executive Board Officers are required to attend a minimum of eighty percent (80%) of the Executive Board meetings, GM meetings and Unit meetings (if applicable) to receive their honorariums in the current fiscal year.

13.08 **Executive Board Alternates Honorarium**
The honorarium for Unit alternates shall be \$50.00 per Local Executive Board meeting attended.

13.09 **Standing Committees**

- a) The honorariums for standing committee members shall be \$50.00 for each committee meeting attended.
- b) The number of meetings will be as required and within reason.
- c) The committee must submit a written report of their activities to the Executive Board President and report at GM.

13.10 **Workplace Committees**

- a) The honorariums for workplace committee members shall be \$50.00 for each committee meeting attended.
- b) The number of meetings will be as required and within reason.
- c) The committee must submit a written report of their activities to the Unit Chairperson and report at Unit GM.

13.11 Executive Board Officers will not receive an honorarium for attending Standing committee meetings or workplace committee meetings.

13.12 Financial obligations to the National Union must be paid before any other obligations are met.

Article 14 Property

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

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

Article 15 Delegates from Local

15.01 All delegates to National Conventions, Canadian Councils and Regional shall be chosen pursuant to provisions of Article 6, Article 9 and Article 10 of the Constitution. All National Conventions are to be attended by no less than two (2) delegates, one of which will be the President.

Article 16 Review of Decisions

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

Article 17 Strikes and Strike Committee

17.01 All strikes shall be called or terminated only in strict conformance with Article 17 Section B of the Constitution.

Article 18 General

18.01 The Local office is situated in Edmonton, Alberta, Canada.

18.02 Any provisions that are not covered within these By-Laws, shall refer to the National Constitution.

Article 19 By-Laws

These by-laws shall be amended, altered or revised only in conformity with the following procedure:

19.01 Amendments and Approval

- a) A resolution or motion in writing, calling for an amendment, alteration or revision shall be presented to a general membership meeting. A member, other than the mover, must second it.
 - b) The resolution or motion shall then be referred to the By-Laws Committee and shall be read out at the next regular membership meeting, together with the recommendation of the Committee.
 - c) The notice of which must contain a notice of the particular By-Law amendments that will be considered.
 - d) If approved by two thirds (2/3) of the membership vote thereon at this succeeding meeting, the amendment shall be considered adopted by the membership.
 - e) Amendments to existing By-Laws or new By-Laws must be submitted to the National Executive Board for approval.
 - f) The amendments or the new By-Laws are not effective until approved by the National Executive Board.
1. When submitting By-Law amendments to the National Union, the By-Laws committee will provide a cover letter indicating such amendments were approved and the date the meeting took place.
 2. The By-Laws of the Local shall always be subordinate and subject to the provisions of the Constitution of the National Union as it now exists, or may from time-to-time, hereafter be altered or amended and in the event of any conflict, the constitution of the National Union shall govern.

Presented and Approved at a Local General Meeting of ECS

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

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