

# DRAFT- Local 317 Bylaws

Adopted by Local 317 General Membership on February 18, 2016

Updated on November 23, 2016

## MEMBERSHIP

### Article 1

- 1.1 This organization shall be known as Ontario Public Service Employees Union (OPSEU) Local 317. The short form is "OPSEU Local 317".
- 1.2 Local 317 is a composite local, with members from a number of Ontario Public Service (OPS) ministries as well as the Municipal Property Assessment Corporation (MPAC) and Carillion, both part of the Broader Public Sector (BPS).

## CONSTITUTION AND BYLAWS

### Article 2

- 2.1 The Constitution of this organization shall be the Constitution of the Ontario Public Service Employees Union (OPSEU) and these Bylaws shall in all respects be subordinate to said Constitution and all applications and interpretations thereof.

## STEWARD SYSTEM AND LOCAL STRUCTURE

### Article 3

- 3.1 Units within the local represent members who work under one collective agreement. The following shall be defined as units for the purposes of these by-laws;  
  
UNIFIED - Unified, Ontario Public Service  
CORRECTIONS - Corrections, Ontario Public Service  
CARILLION - Private Contractors  
MPAC - Municipal Property Assessment Corporation
- 3.2 The Local shall be organized into Worksites. Worksites are defined as one or more working areas from a single unit based in the same building or property. The Members in each work site shall elect one or more Shop Stewards from among themselves.
- 3.3 The Shop Stewards will form the Unit Committee. The membership of each Unit shall elect the Unit Steward from amongst the Shop Stewards. The membership of the Local shall elect the Officers of the Local Executive Committee (LEC) from among the Unit/Shop Stewards.

- 3.4 The Unit Committee shall elect one of the Unit Stewards to act as Chair and may elect members to act as secretary, treasurer, or secretary-treasurer of the Unit. The duties of the Unit Committee shall be to police all collective agreements, to be responsible for Unit negotiations, and to act as a channel of communications between the Members and the LEC.

## EXECUTIVE OFFICERS AND LOCAL EXECUTIVE COMMITTEE

### Article 4

- 4.1 Executive Officers of the Local shall be the President, Vice President, Secretary, Treasurer or Secretary-Treasurer.
- 4.2 The President shall preside at Local meetings; be an ex-officio member of all Local committees; generally supervise the affairs and operations of the Local; carry out such other duties as may be prescribed by Local Bylaws.
- 4.3 The Vice-President shall perform all the Presidential functions during any absence of the President and accept and exercise such other duties and powers as may be designated by the Local Executive Committee or the President.
- 4.4 The Secretary shall attend all meetings of the Local and keep Minutes; distribute notices to all members of the Local, as required; answer and/or forward all pertinent correspondence; and forward all pertinent membership information to the appropriate union regional office.
- 4.5 The Treasurer shall be responsible for proper administration of the assets of the Local, including the operating funds.
- 4.6 The Executive Officers of the Local, together with the Unit Stewards shall constitute the Local Executive Committee. The immediate Past-President may serve on the Committee as an Ex-officio member with voice but no vote.
- 4.7 Executive Officers are entitled to one regularly scheduled day off with pay up to a maximum of eight hours on a quarterly basis for union business.

## TRUSTEES

### Article 5

- 5.1 The Local shall elect an audit committee composed of at least two members to be known as Trustees. The Trustees shall be elected at a general membership meeting from among the members and may not hold any other office in any Local. They shall hold office for a two-year term.
- 5.2 The Trustees shall examine all books, records, and properties of their Local, including any Unit thereof, at least twice each year. All Officers of the Local are required to make available all necessary documents to the Trustees on reasonable notice. The

Trustees shall file an audit report every six months to the Regional Office and shall also make a full report to the first general membership meeting following each audit.

## ELECTIONS

### Article 6

- 6.1 Elections shall be conducted at a General Membership Meeting of the members concerned. In special circumstances, the Local President may setup other means deemed appropriate, in order that the General Membership may cast a vote provided authorization has been obtained from the President of the Union.
- 6.2 Elected term of office for Executive Officers and Stewards shall be for a 2 year period.
- 6.3 Officers of the Local Executive Committee may stand for re-election provided the Officer has first been elected or re-elected as a Unit Steward. Nominations will be accepted from the floor at a General Membership Meeting. Written nominations when signed by the nominee and witnessed shall also be accepted.
- 6.4 Candidates in an election may not act in any official capacity, but may appoint a member of the local as scrutineer to represent them in the tabulation of results of the election.
- 6.5 All elections of Stewards, Delegates and Local Executive Committees shall be based on the principle of winning a clear majority of 50% plus 1, with run-off ballots, if necessary.
- 6.6 Mid-term vacancies occurring among Stewards and Members of the LEC shall be filled promptly by election at a General Membership Meeting, except where the vacancy occurs within six months of the expiry of the term of office the vacancy may be filled by appointment by the President of the Local. In every case of filling a vacancy, the new incumbent shall serve only the unexpired portion of the term of office in question.

## MEMBERSHIP MEETINGS

### Article 7

- 7.1 General Membership Meetings of all members shall be convened at least twice each year. Meetings of the members from each unit shall also be convened at least twice each year.
- 7.2 A special meeting of the General Membership may also be convened upon the written request of at least ten percent of the General Membership.
- 7.3 The Local Executive Committee shall meet at least every 3 months. The President shall call and determine the date, time and place of the meeting unless previously directed by the Committee.

- 7.4 The Unit Committees shall meet at least once every 3 months. The Chair of the Unit Committee shall call and determine the date, time and place of the meeting unless previously directed by the committee.
- 7.5 The Chair of any Committee may call a Committee Meeting at any time to deal with business of an urgent nature. A Committee Meeting may also be convened upon the written request of at least fifty percent of the Committee Members.
- 7.6 No Member of the Local shall be denied or excluded from attending any meeting within the jurisdiction of the Local, whatever the nature of the meeting shall be.

## QUORUM

### Article 8

- 8.1 Quorum shall be defined as 10 members or 5 percent of the members, whichever is greater, of the most recent published list from OPSEU Head Office. In the event that a quorum is not obtained, the President or Chair of any Committee (provided there are at least 50% of the Committee Members in attendance) may call a Committee Meeting. The General Membership may attend any Committee Meeting with voice, but no vote.
- 8.2 Committee Meetings shall compose of at least 50% of its Committee Members.

## NOTICES

### Article 9

- 9.1 All meetings of the Local that fall within its jurisdiction shall be subject to no less than 10 days notice (other than emergency meetings) either by individual notification to the membership, or the posting of same in areas where members normally work and in locations utilized for such postings.
- 9.2 Notice of meetings shall indicate the type of meeting, date, time, place and the reason for which it has been called.

## POWER OF ADMINISTRATION

### Article 10

- 10.1 The membership is the highest authority of this Local Union and shall be empowered to take or direct any action consistent with the Constitution or Bylaws.
- 10.2 Between General Membership Meetings, the Local Executive Committee (LEC), shall administer the affairs of the Local in accordance with the OPSEU Constitution, the Local Bylaws and the wishes of the membership.
- 10.3 Between the Local Executive Committee (LEC) meetings, the Local Executive Officers shall be empowered to act on behalf of the membership to the extent that

urgent business requires prompt action, subject to the approval of the LEC and the membership.

## FINANCIAL OPERATION

### Article 11

- 11.1 The fiscal year of the Local shall be the calendar year beginning January 1 and ending December 31 of any given year.
- 11.2 Accounting for revenue and disbursements shall be done in a proper and businesslike manner. All expenditures shall be by cheque and shall be properly supported by vouchers. All cheques issued from the Local must include signatures from any two (2) of the Local Executive Officers.
- 11.3 Operational funds shall be disbursed for the legitimate purposes of the Local. Expenses not normally covered by the Union shall be borne by the Local under the direction of the Local Executive Committee.
- 11.4 Financial control of Units shall rest with the Local Executive Committee. Notwithstanding the Local's financial control, the Local shall be obligated to supply sufficient funds for the holding of Unit and Worksite meetings.
- 11.5 The LEC shall present a budget to the annual general membership meeting of the Local. The budget shall include budget lines for each unit, based on the number of dues-paying members in the unit and the projected unit activity for the year.
- 11.6 The President in consultation with the Executive Officers shall have the power to authorize expenditures, not already authorised by the budget, up to \$500.00 on any occasion to a total of not more than \$1000.00 in any fiscal year.
- 11.7 The LEC shall have the power to authorize expenditures, not already authorised by the budget, of not more than \$1000.00 on any single occasion to a total of not more than \$2000.00 in any fiscal year.

## HONORARIA AND MEMBER EXPENSES

- 12.1 Delegates and Alternate Delegates may request single accommodation for Convention, Conferences/Educationals and Regional Meetings. Local 317 will pay the difference between shared accommodation covered by OPSEU and the single accommodation rate.
- 12.2 The Local will cover course fees, accommodations, travel expenses and meals for courses and conferences that are approved by the executive which will benefit the local. Members will receive reimbursement for such expenditures when the expenditures are not covered by other sources. OPSEU Policy shall be used to determine eligible expenses and amounts.

- 12.3 The Local will monetarily contribute to the purchase and operation of a mobile device (such as a laptop, tablet or smartphone) and/or communication service when such duties, in the opinion of the LEC, necessitate the provision of such devices and/or service.
- a. Device Allowance—provides a periodic monetary contribution toward the personal acquisition of a device. The device allowance may be paid only once every two years.
  - b. Monthly Communication Allowance—provides a monthly supplement for the operation of a communication device and/or broadband services.
- Such amounts are not intended to fully reimburse the member for the total out-of-pocket costs of acquisition and activation given that the device is expected to be owned by the member and used for both personal and union business.
- 12.4 LEC members shall each receive an honorarium, the amount to be determined in the annual budget. All honoraria shall be paid in equal quarterly instalments and shall be made subject to attendance at LEC meetings.

## CONTINGENCY FUND

### Article 13

- 13.1 The Local shall maintain a Contingency Fund. The Treasurer or designated officer is responsible for the managing of the Fund and transferring surpluses from general operating funds when appropriate. Investments in the Fund shall consist of secure instruments only.
- 13.2 The Contingency Fund will be used for hardship, strike pay and expenses related to strikes, lockouts and other work stoppage situations involving members and for the future needs of the Local as approved by the LEC.
- 13.3 The local will establish a Hardship Committee to determine eligibility for assistance for local members in good standing who are experiencing an immediate, severe and temporary financial situation due to an unexpected emergency.

## AMENDMENTS TO THE BYLAWS

### Article 14

- 14.1 Articles referred to in these Bylaws may be amended at any General Membership Meeting provided that notices of such are posted pursuant to Articles 7.1 and 7.2 of the Bylaws. In order to amend any article, an affirmative vote of two-thirds (2/3) of the General Membership in attendance must be obtained.
- 14.2 These Bylaws and any amendments to them shall only become effective following approval by the President of the Union in accordance with Article 12.5.2 of the Constitution.

# UNION CONSTITUTION

## Article 15

- 15.1 In the event that an Article in the Bylaws does not cover a specific act or election, the Constitution shall be referred to.
- 15.2 All Articles stated herein shall constitute the governing Bylaws of the Local. Where conflict may exist in the implementation, interpretation or the legality of any Article(s) in the Bylaws, the Constitution shall be referred to and have full force and effect.