

UNIT BY-LAWS

of the

CANADIAN OFFICE & PROFESSIONAL EMPLOYEES UNION

Local 343 – Ombudsman Ontario

**Approved by COPE Local 343
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ARTICLE 1 - NAME

This organization shall be known as the Canadian Office & Professional Employees [COPE] Union Local 343, Ombudsman Ontario Bargaining Unit ("Bargaining Unit").

ARTICLE 2 - MEMBERSHIP

All members shall be in good standing and entitled to participate fully as members in the affairs of this Bargaining Unit, including having voice and vote in all proceedings of this Bargaining Unit, and after becoming a member with seniority and be in good standing, shall be entitled to seek election as an officer or member of a committee of this Bargaining Unit.

ARTICLE 3 - MEMBERSHIP MEETINGS

3.1 - BARGAINING UNIT MEETINGS

The Stewards shall hold a meeting during the calendar year for the following purpose:

1. electing Stewards, committee members and Union delegates;
2. to receive reports from all committees;
3. to provide a report of Steward activities; and
4. conduct any other business.

The Stewards may call a meeting of the membership as deemed necessary.

The Chief Steward shall select the time and location of each meeting, which may be outside regular work hours and at a venue near the workplace. Notice of such a meeting will be provided to all members at least three (3) weeks in advance of the meeting wherever possible, but no less than 24 hours.

When the Chief Steward wants to hold a meeting outside of regular work hours and at a venue near the workplace, the Chief Steward will consult with the Staff representative and make the request to Local 343.

3.2 - OTHER MEETINGS

Bargaining unit members may request a meeting of the membership. A meeting shall be held if the request is endorsed by at least ten (10%) percent of the membership.

3.3 - QUORUM

The quorum for meetings is ten (10%) percent of members of the Bargaining Unit. The quorum can be no less than three (3) members.

3.4 - ABSENT MEMBERS

Members who cannot attend a meeting and wish to have their opinion/concerns considered in the meeting shall provide a written submission to a Steward prior to the meeting. The Steward will communicate the member's submission to the membership during the meeting.

3.5 - GUIDING AUTHORITY

All meetings shall be conducted according to Bourinot's Rules of Order Revised and/or the Constitution and By-Laws of the COPE Union Local 343.

ARTICLE 4 - STEWARDS

4.1 - COMPOSITION OF STEWARDS

There are four Stewards. It shall be the aim of the Bargaining Unit to have representation from all areas of the office.

4.2 - STEWARDS ELECTION AND TERMS

Stewards are elected for a two-year term. The term of a steward starts immediately following his /her election.

There is no limit on the number of terms to which a Steward can be elected.

To the extent possible, to provide for continuity of experience, two Stewards will be elected annually.

In the event of a vacancy, a Steward election will be held within one (1) month of the vacancy being created. A Steward elected to fill an unexpected vacancy will serve the remainder of the term of the vacated position.

4.3 - STEWARD DUTIES

A Steward should seek out training that would assist him/her to successfully carry out his/her responsibilities.

The Stewards will assist the Chief Steward in performing his/her duties.

The Stewards will meet regularly with the Chief Steward to report on and discuss their activities, including workplace issues or individual concerns. The Stewards will keep minutes of their meetings, to be able to report on the Stewards' activities at meetings of the membership.

It will be the duty of a Steward to work with the Staff Representative to represent a member when a dispute between the Employer and the member arises out of the application or interpretation of the Collective Agreement. It will also be the responsibility of a Steward to process a member's grievance under Article 16 of the Collective Agreement.

It will be the duty of the Steward to ensure that the integrity of the Collective Agreement is maintained between periods of negotiations by processing grievances and maintaining grievance files.

It will be the duty of a Steward to act as recording secretary and take minutes at all meetings of the membership. It is also the responsibility of a Steward to prepare the minutes as soon as possible after the meetings, and to make them available to members.

It will be the duty of two Stewards to sit on the Labour Management Relations Committee (LMRC) to raise issues of concern to members and ensure that an accurate record of the LMRC meeting is available to members.

It will be the duty of a Steward to attend meetings when a member or the Employer requests his/her attendance and keep a record of that meeting.

It will be the duty of the Stewards to report on their activities, including any training undertaken or given, at meetings of the membership. It is also the responsibility of the Stewards to respond to questions from the membership about issues of significance and provide the rationale for the outcome/action(s) taken regarding those issues.

4.4 - CHIEF STEWARD DUTIES

The Steward to hold the position of Chief Steward will be determined by the four Stewards.

In addition to the duties of Steward, the Chief Steward or his/or her designate will:

- Chair all meetings of the membership and ensure that minutes are maintained as part of the Bargaining unit's records.
- Communicate with the Staff Representative.

- Ensure that a record is kept of resolutions and outcomes of each vote taken during meetings of the membership.
- Ensure that unit records are maintained according to these by-laws.
- In consultation with the Staff Representative, the Chief Steward will call a meeting of the membership to advise the members of an agreement/settlement or letter of understanding that has been signed with the Employer, which effectively amends and/or changes the current Collective Agreement.
- Monitor the employee recall list to ensure accuracy and compliance by Management and attempt to contact employees on lay off whom the Employer has recalled by registered mail.
- Monitor Bargaining Unit Committees to ensure necessary membership.
- Once the need for ad hoc committees for tasks has been identified, either request volunteers or hold elections.
- Prepare amendments to the Collective Agreement together with duly elected Negotiation Committee and the Staff Representative, regardless of whether or not the Chief Steward is an elected member of the Negotiation Committee.
- Shall be an ex-officio member of all committees, but shall hold no Committee voting rights.
- Meet with all new employees to assist the new employee in understanding of his/her responsibilities as a Union member and provide information about the Collective Agreement.

- Notify the Staff representative and the Employer of the names of members elected or appointed as Steward and to the following committees: LMRC, Job Evaluation, Joint Health and Safety and Negotiations.
- For the purpose of continuity, ensure that bargaining unit records are retained and that the Staff Representative receives a copy of the minutes from all membership meetings.

ARTICLE 5 - ELECTIONS

5.1 - BALLOTS

All elections for Steward and Standing Committee positions will be conducted by secret ballot. The candidate(s) receiving the greatest number of votes for the respective office will be declared the winner.

5.2 - PROXIES

No proxies are permitted.

5.3 - ELECTIONS COMMITTEE

Whenever an election is to be held, the Chief Steward shall request at least two (2) volunteers for an elections committee.

Following balloting, the elections committee shall count the ballots and keep them for two (2) business days, after which time they will be destroyed.

The elections committee will report to the Chief Steward the total votes cast and the number of votes that each candidate received. The Chief Steward shall announce the results of the election to the membership.

5.4 - NOMINATIONS

At a meeting of the Bargaining Unit, nominations will be made, as necessary for the following positions as per the Collective Agreement.

- Stewards
- Health and Safety Committee members
- Job Evaluation Committee members
- Negotiation Committee members

5.5 - ALTERNATES

The role of the alternate is to fill in should a vacancy occur in a Standing Committee and the Negotiating Committee. The term of the alternate extends until the next election or the ratification of the Collective Agreement, depending on the committee. The alternate is the candidate that had the next highest vote total after the position(s) was filled.

ARTICLE 6 – COMMITTEES

6.1 - PROFESSIONAL DEVELOPMENT

All members of Bargaining Unit committees and alternates should seek out training that would assist them to successfully carry out their responsibilities.

6.2 - STANDING COMMITTEES

The Standing Committees of the Bargaining Unit are the Job Evaluation Committee and the Joint Health and Safety Committee.

6.2.1. - TERM

There is no limit to the number of terms to which a Standing Committee member may be elected.

Standing Committee members are elected for a three (3) year term. The term of a Standing Committee member will start immediately following their election.

6.2.2 - DUTIES

Standing Committee members shall ensure that the planning of activities and decisions of their committee are properly recorded, including but no limited to:

- Terms of reference
- Dates of meetings and minutes of those meetings
- Report at meetings of the membership on issues of significance and the rationale for the outcome/action(s) taken regarding those issues.

6.3 - NEGOTIATIONS COMMITTEE

The committee members should avail themselves of negotiation and/or collective bargaining training and the costs will be born by the Local.

6.3.1 - TERM

The Negotiating Committee member's terms begins six (6) months before the expiry of the Collective Agreement. The Negotiating Committee members' term is determined by the time required to negotiate and ratify the Collective Agreement.

6.3.2 - DUTIES

The committee members will be responsible for the following:

1. Administering a survey to the bargaining unit members prior to the onset of negotiations for the purpose of determining issues of concern.
2. Communicating the issues of concern to the bargaining unit members prior to the onset of negotiations.
3. Periodically updating the bargaining unit members regarding the status of negotiations, as the committee deems appropriate.

4. Providing a minimum of 48 hours notice to the bargaining unit members that a ratification vote is to be held. The notice will include the date and time of the ratification meeting. It will also include instructions for members who are unable to attend the meeting due to scheduled work assignments, scheduled absences or leaves covered under the Collective Agreement.

6.4 - AD HOC COMMITTEES

Membership for ad hoc committees will be determined by one of the following methods:

- The Chief Steward requests volunteers for a positions and the member is appointed; or
- The membership decides to hold an election and the member is a successful candidate.

6.4.1 - TERM

An Ad hoc Committee will be dissolved once the planning, activities and purpose for which the Committee was formed is completed. The Committee will provide written notification to the Chief Steward outlining the completion of the Committee's mandate.

6.4.2 - DUTIES

Ad hoc Committee members shall ensure that the planning, activities and decisions of the committee are appropriately recorded, including but not limited to:

- Date of creation, rationale for creation, membership
- Terms of reference
- Dates of meetings and purpose of same
- Dissolution of the Committee.

ARTICLE 7 - ACCESS TO UNIT RECORDS

Members of the Bargaining Unit are entitled to access minutes of the LMRC, the Standing Committees, ad hoc committees and meetings of the membership. The membership may also receive written communications from the Stewards and the Negotiating Committee.

These records may not disclose information about individual members, or matters that are intended to be confidential, such as related to negotiations or a grievance.

ARTICLE 8 - RATIFICATIONS/STRIKES

Strike mandates are conducted in accordance with Article 17 of the Local 343 Constitution and By-Laws.

ARTICLE 9 - AMENDMENTS TO BY-LAWS

An amendment to these by-laws may be introduced by a petition containing the proposed amendment. The petition must be signed by at least two members of the bargaining unit. The petition must be presented to the Chief Steward who will include the matter as an item of business to be placed before the membership of the bargaining unit for consideration at the next meeting of the membership

For there to be consent, at least two-thirds (2/3) of those present must vote in favour of the amendment. With the membership's consent, the Chief Steward will then refer the matter to the Local 343 Executive for approval.

Upon approval from the Local 343 Executive, the amendment will be made to the by-laws. Any amendment to these by-laws shall take effect after the Local 343 Executive has approved them.

If the Local 343 Executive does not approve the amendment, the Chief steward will inform the Bargaining Unit. The Bargaining unit will consider striking an ad hoc committee to determine whether or not to pursue the matter further.

ARTICLE 10 - DISCIPLINE

Disciplinary procedures are outlined in Article 14 of the COPE Union Local 343's Constitution.

ARTICLE 11 - COPE LOCAL 343 CONSTITUTION AND BY-LAW

Where a conflict or difference of opinion arises out of the interpretation of breach of these by-laws or where there is any conflict between the Local 343 Constitution and By-laws, the Local 343 Constitution and By-laws shall govern.