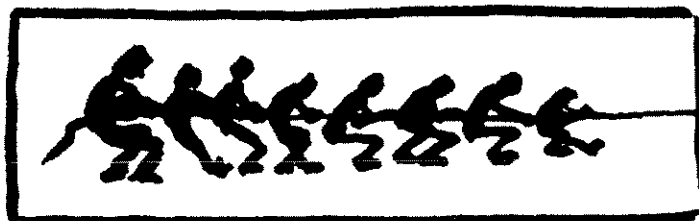


UNIT BY-LAWS
OF THE
CANADIAN OFFICE &
PROFESSIONAL EMPLOYEES
UNION
(COPE)

LOCAL 343 - CAW UNIT

November 2007



Together we can be STRONG!

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ARTICLE I

NAME

The organization shall be known as the Canadian Office & Professional Employees Union (COPE), Local 343, CAW Bargaining Unit (hereinafter referred to as "this local unit" or "the local unit").

ARTICLE II

MEMBERSHIP

Refer to Article V - Membership - of the Constitution and By-laws for COPE LOCAL 343.

ARTICLE III

MEETING

Section 1

Meetings of the Membership of this Local Unit shall be held quarterly.

Section 2

A special meeting of the Unit may be called by the Executive Committee if it deems such action necessary or a special meeting of the Unit may be called upon request submitted to the Chairperson by not less than ten percent (10%) of the Members in good standing, but said meeting shall not take place on the day of adjournment of any regular meeting.

Section 3

The Recording Secretary shall send out notices of any special meeting, stating the purpose of such meeting to all the Members at least two (2) weeks before it convenes. No other business shall be transacted at such special meetings.

Section 4

10% of the Members in good standing shall constitute a quorum for any regular or special meeting of the Local Unit. No meeting shall be called to order unless such quorum is present.

Section 5

Only Members fulfilling the requirements of Articles V and XXIII of the By-Laws of Local 343 shall be eligible to attend meetings of this Unit and to participate to the extent as set fourth in those articles; except that invited guests of the Executive Board of Local 343 may attend and participate to the extent of the purpose for which they are invited, but shall not vote.

ARTICLE IV

EXECUTIVE COMMITTEE

Section 1

The Executive Committee of this Local Unit shall be composed of a Chairperson, Chief Steward, Assistant Steward, Recording Secretary and a Health and Safety Rep.

Section 2

Each member of the Executive Committee shall have one (1) vote, except the Chairperson. The Chairperson shall have a voice but not vote, except in the event of a tie vote by the Executive Committee, in which event he/she shall have a vote.

Section 3

Three (3) members of the Executive Committee shall constitute a quorum, and such quorum shall have the power to transact all business of the Executive Committee. Special meetings of the Executive Committee may be called by the Chairperson, and must be called by him/her upon the request of a majority of the members of the Committee. All members of the Committee shall be given reasonable notification by the Recording Secretary of any special meeting of the Committee.

Section 4

The Executive Committee shall conduct the affairs of the Unit in the intervals between general membership meetings. It is empowered to authorize and perform all acts for the conduct of the Unit's business between such meetings.

Section 5

Any member of the Executive Committee as enumerated in Section 1 of this article, who fails to attend two (2) successive meetings, be it Executive Committee or General Membership Meetings, without being excused from such attendance by the Executive Committee shall be deemed to have forfeited his/her office, and the Executive Committee pursuant to Article XXIII of Local 343 By-Laws may appoint a successor for the balance of the unexpired terms; provided, however, that if the office of the Chairperson is thus declared vacant, the Vice-Chairperson shall perform the duties of the Chairperson until such vacancy is filled by an election as provided for in Article VIII of these Unit By-Laws.

ARTICLE V

DUTIES OF OFFICERS AND STEWARDS

Section 1

The Chairperson

- a) The Chairperson shall preside at all General and Special Membership Meetings of the Local Unit and shall preserve order during its deliberations; shall transact such other business as may of right pertain to his/her office

and which may be necessary to the proper functioning of this Unit; appoint Committees and Members not otherwise elected; shall be ex-officio on all Committees; shall have a voice but not a vote, except in the event of a tie vote, in which event he/she shall then have a vote.

- b) It will be the duty of the Chief Steward and/or assistant stewards to represent a Member when a dispute between the Employer and a Member arises out of the application or interpretation of the Collective Bargaining Agreement. It will also be the responsibility of the Chief Steward to process Unit Members grievances under Article 18 of the Collective Agreement from the second step on.

It shall be the duty of the Chief Steward to police all of the Collective Bargaining Agreement, ensuring that the integrity of the Agreement is maintained between periods of negotiations.

- c) It shall be the duty of the Chief Steward to prepare amendments to the collective agreement together with the duly elected bargaining committee and the business representative of the union, whether or not the Chief Steward is an elected member of the bargaining committee.
- d) It shall be the duty of the Chairperson to meet with all new employees of CAW on the first working day and explain the functions of the Union and the Collective Bargaining Agreement. New employees will be given a copy of the Collective Agreement at this first meeting.
- e) It will be the duty of the Chief Steward or assistant stewards to attend meetings when such attendance is requested by the Member.
- f) It shall be the duty of the Chief Steward to attempt to contact a laid-off member on recall whom the employer has recalled by registered mail.
- g) It shall be the duty of the Chairperson to represent the Unit at a joint meeting with the employer and new employees where the purpose of such meeting will be to give new employees better understanding and first-hand knowledge of both parties along with information on his/her rights and responsibilities as a Union member within the first thirty (30) days of employment.

Section 2

The Assistant Steward

The Assistant Steward shall assist the Chief Steward in the discharge of his/her duties and during his/her absence shall perform the duties of the Chief Steward. The Assistant Steward will be responsible for grievances of the Toronto office up to conclusion of the first step. In the event a temporary vacancy occurs in the office of the Chief Steward, the Assistant Steward will act as Chief Steward. The Assistant Steward will inform the Chief Steward immediately upon his/her return of any transactions during his/her absence.

Section 3

The Recording Secretary

- a) The Recording Secretary shall keep the minutes of all meetings and proceedings of the Local Unit and the Executive Committee; shall be responsible for sending out all meeting notices.
- b) The Recording Secretary shall be responsible for maintaining accurate records and receipts pertaining to all elections and shall turn over such receipts upon request, to the Election Chairperson for the purposes of conducting an election.

Section 4

Health & Safety Representative

The Health & Safety Rep shall be responsible for monitoring all aspects of health and safety in the workplace for the benefit of the membership.

ARTICLE VI

COMMITTEES

Section 1

- a) All Committees shall elect or select a Chairperson and must establish terms of reference with respect to the purpose and duties of the Committee which must be made part of the minutes. In any event such Committees shall not perform functions belonging to other Committees; shall not exceed the authority granted to them by the Membership.
- b) The Chairperson of the Unit shall be ex-officio member of all Committees.
- c) All Committees shall report to the Executive Committee from time to time as may be necessary in order that the Executive Committee is aware of any changes that may affect the Membership.
- d) All members of the Executive Committee may receive information and reports from any Committee, but must bring such information to the attention of the other Executive Committee Members without delay; additionally all information shared with Executive Committee Members must remain of a confidential nature until after being released at a regular or special meeting of the Membership.
- e) In the event that a Committee fails to elect or select a Chairperson, the Chairperson of the Unit may appoint a Chairperson from among the Members elected to serve on the Committee.

Negotiating Committee

- a) The Negotiating Committee shall be responsible for negotiating a new Collective Bargaining Agreement with the Employer as stipulated in the Ontario Labour Relations Act and in accordance with Article 63 of the current collective agreement.

- b) The Negotiating Committee shall consist of three (3) members of the Bargaining Unit duly elected from any office throughout Canada.

Tech Change Committee

- a) The Tech Change Committee shall be comprised of four (4) Members, to be elected by the Membership according to Article VIII of these Unit By-Laws. The Tech Change Committee shall be responsible for monitoring and developing policies regarding tech change in the workplace.
- b) The Tech Change Committee must report back to the Executive Committee with any report or recommendation.

Flex Time Committee

- a) The Flex Time Committee shall be comprised of five (5) Members, to be elected by the Membership according to Article VIII of these Unit By-Laws. The Flex Time Committee shall be responsible for researching and monitoring and developing policy regarding hours of work in the workplace.
- b) The FlexTime Committee must report back to the Executive Committee with any report or recommendation.

Unit By-Laws Committee

- a) The Unit By-Laws Committee shall be comprised of two (2) Members, to be elected by the Membership according to Article VII of these Unit By-Laws. The Unit By-Laws Committee shall be responsible for maintaining the Local Unit By-Laws, including advising the Executive Committee in regard to any amendments that may be introduced according to Article VIII of these Unit By-Laws.
- b) The Unit By-Laws Committee must report back to the Executive Committee with any report or recommendation.

ARTICLE VII

LIMITATIONS ON COMMITTEES

Section 1

In addition to other committees and boards established by this Constitution and By-Laws, this Union shall provide for such other standing committees, and from time to time such special committees, as may be proper and necessary to conduct the business of this Union.

Section 2

In establishing such other committees, the duties of the committee and the extent of its authority must be made a part of the minutes. In any event, such committees shall not be permitted to exercise functions belonging to other committees or boards; and shall not exceed the authority granted to them by the membership. The Chairperson shall be an ex-officio member of all committees.

ARTICLE VIII

ELECTIONS

Section 1

It shall be the aim of the Local Unit to elect to the Executive Committee, Steward Body and Committees the most capable members of the Local Unit.

Section 2

No member of this Local Unit shall be permitted to vote unless he/she is a Member in good standing in the Unit.

Section 3

- a) An Election Committee shall be elected at the first regular meeting of the Local Unit in the election year.
- b) Nominations for Election Committee Members will be held and accepted during the same meeting.
- c) Any member accepting nomination for Election Committee must be present or have indicated his/her desire to do so in writing to the Recording Secretary prior to commencement of the meeting.
- d) Any member serving as an Election Committee Member shall not qualify as a candidate during such election.

Section 4

- a) Chairperson, Chief Steward, Assistant Stewards, Recording Secretary and Health & Safety Representative shall be elected by a majority vote by the Members in good standing participating in a secret ballot vote, not to exceed a two (2) year term of office.
- b) All Committee members shall be elected by a majority vote by the members in good standing participating in secret ballot vote, not to exceed a two (2) year term of office.

To allow for continuity, two (2) members of the first committee will serve for four (4) years. These two (2) will be chosen by lot. In case of resignation, the Chairperson will appoint a replacement.

Section 5

- a) The date of Local Unit nominations and elections for offices must be advertised among the members as follows:
at least fourteen (14) consecutive days for nominations and at least fourteen (14) consecutive days for elections, previous to the date of nominations or election, by individual inter-office mailing in the Toronto office and mailing/faxing notices to each area office.

- b) The election notice shall include the following information; date, place, hours and any other such pertinent information as the Election Committee deems necessary for the purpose of carrying out the election.

Section 6

- a) No person shall be elected or appointed to any office on the Executive of this Unit unless he/she has been a Member of the Unit in continuous good standing for three (3) months immediately preceding the close of nominations.
- b) It shall be the duty of the Election Committee to ensure that all nominees meet all election requirements.
- c) No sticker or write-in candidates.
- d) No voting by proxy.
- e) The Election Committee shall be responsible for mailing, receiving and counting the ballots; shall be responsible for the security of ballots until after announcing the results of the election and shall, upon completion of such announcement, turn over all ballots to the Recording Secretary of the Local Unit.
- f) The Candidate receiving the greatest number of votes for the respective office shall be declared elected.
- g) All officers and Executive Committee Members shall be inaugurated at the next meeting immediately following their election and shall assume office immediately after such inauguration.
- h) The Chairperson of the Election Committee shall announce the results of the election to the Chairperson of the Unit and by mailing/faxing the election results to each location mentioned in Article VII sub section 5 immediately following the counting of the ballots.
- i) Ballots shall be kept by the Local Unit Recording Secretary until the next election has been completed or until a vote of the Membership has been taken and it has been decided by the majority of the Members voting that the ballots be destroyed.

ARTICLE IX

AMENDMENTS

Section 1

A proposed amendment of these Unit By-Laws may be introduced by the Executive Committee of Local 343 CAW Unit or by a petition containing the proposed amendment which has been signed by at least two (2) members in good standing. Such petition must be presented to the Executive Board of the Unit which shall refer it to the By-Laws Committee for examination, report

and recommendation before it can be considered by the Executive Committee of this Unit.

Section 2

- a) The Executive Committee shall include the proposed amendment as part of the regular meeting notice to be mailed to all Members in good standing prior to the next regular meeting of the Membership; provided the Unit By-Laws Committee has returned the amendment to the Executive Committee of the Unit with any recommendations seven (7) days prior to the mailing of such notice. If the proposed amendment is not returned within the time limit listed above the amendment will form part of the agenda for the next regular meeting of the Membership, unless a special meeting is called as provided for in Article III Sub Section 2 of these Unit By-Laws.
- b) Full discussion regarding the proposed amendment will take place at such meeting. At this time an Election Committee will be nominated and elected, who will be responsible for mailing, receiving, and counting the ballots.
- c) The voting procedure is the same as stipulated in Article VIII of this Guideline.
- d) The Election Committee structure is the same as in Article VIII of this Guideline.
- e) The voting results shall be announced in the same manner as in Article VIII of the By-Laws.

Section 3

No amendment to these Unit By-Laws shall take effect until the approval of COPE 343 Executive Committee has been secured.

ARTICLE X **STRIKES**

Refer to Article XXII of the COPE Local 343 By-Laws.

ARTICLE XI **VACANCIES IN OFFICE**

Refer to Article XXI of the COPE Local 343 By-Laws.

STANDING ORDERS

The following are the rules of this Unit:

The Order of Business of regular meetings of this Unit shall be as follows:

- 1 Opening
- 2 Minutes of previous meeting

- 3 Introduction of new members (if any)
- 4 Report of Chairperson
- 5 Report of the Chief Steward
- 6 Reports of Officers and Committees
- 7 Reports of Delegates
- 8 Unfinished Business
- 9 New Business
- 10 Closing

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