

# By-Laws

Unifor Local 199

**LOCAL 199**

Amended in 2021

Approved by Unifor National CCM Nov 2021

# By-Laws

## Unifor Local 199

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## BYLAWS OF UNIFOR LOCAL 199

### Article 1. Name

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This organization shall be known as Amalgamated Local 199 (UNIFOR. - Canada).

### Article 2. Trade Union Status/Objectives

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In accordance with (Article 3 of the Constitution), The objectives of the Local Union shall include.

1. The regulation of labour relations and collective bargaining between employers and employees
2. To regulate and improve wages, pensions and benefits, hours of work, employment security and working conditions through collective bargaining and political action.
3. To strive for a safe and healthy work environment.
4. To ensure equality regardless of race, sex, age, creed, colour, marital status, sexual orientation, gender identity, disability, religion, political affiliation or place of origin.
5. To educate our membership in the history of the labour movement and to develop and maintain an educated and respectful membership; to vote and work for the election of candidates and the passage of improved legislation in the interest of all labour.
6. To enforce existing laws; to work for the repeal all of those which are unjust, to work for legislation on a national scale, having as its object the establishment of real social justice.
7. To engage in legislative, political, education, civic welfare and other activities which further, directly or indirectly, the joint interests of the membership of this organization in the improvement of general economic and social conditions in Canada, and in the nations of the world.

8. To work as an autonomous Local Union with other International and National Unions & Labour organizations, for solidification of the entire labour movement, and provide assistance, financial and otherwise, to labour and other organizations in Canada, and other parts of the world having purposes and objectives similar or related to those sought by this organization.

### Article 3. Constitution and By-Laws

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1. To comply with Article 1 of the National Union, Unifor Constitution (*hereinafter referred to as the "Constitution"*) 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 thereof.
2. Any unit of Local 199 that approves By-Laws to govern the respective unit. These unit By-Laws are in effect a supplement to the By-Laws of Local 199 and wherein these unit By-Laws do not provide for Constitution provisions, the By-Laws of Local 199 will be used. In addition, the unit and Local Union By-Laws shall be in all respects subordinate to the Constitution and all applications and interpretations thereof.
3. The Bylaws committee shall be the President, Vice President & Secretary Treasurer. They are responsible to review these bylaws, ensure they are in compliance with the Constitution, recommend changes to the membership, and submit to the National Union for approval. The Bylaws committee may appoint a Sub Committee to review the bylaws.

### Article 4. Fiscal Year

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1. For reporting, accounting and other purposes, the fiscal year of this Local Union shall begin on January 1 and end on December 31.



## Article 5. Membership

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1. The Local Union shall be composed of workers eligible for membership in Unifor, over whom the Local Union has jurisdiction.
2. Each member in good standing of this Local Union has the right to nominate, vote and 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 and personalities 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 uniform rules and regulations contained in the Constitution, Bylaws and other official rules of the Local Union.
3. 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.
4. 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).
5. 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.
6. Local 199 may open its membership to establish a Community Chapter. By-Laws establishing a Community Chapter shall express
  - a. The objectives of the Community Chapter and define the membership to be included in the Local Union through the Community Chapter.

- b. The right of members in Community Chapters to participate in the activities of the Local Union.
- c. The rights and limits of members in Community Chapters to voice and/or vote in Union affairs and structures.
- d. The services the Local Union expects to provide members in Community Chapters.

## Article 6. Membership Meetings

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1. Pursuant to Article 15 section F of the Constitution: Membership Meetings shall be scheduled at least once a month on the 3<sup>rd</sup> Wednesday of each month, at 6 p.m. at the Local Union Hall, except July and August. This is subject to change by approval of the membership and/or the Executive Board.
2. A special or an Emergency meeting of the Local Union may be called by the President or a majority of the Executive Board or a petition signed by not less than 25% of the membership. (Notification of such meetings to be made by Posting for as many hours as possible with verbal notification by Committeepersons and Stewards to as many members as they could contact.)
3. No plant, department or committee meeting shall be called which would in any way conflict with a Local Union Meeting
4. Those members in attendance present at any duly advertised meeting shall constitute a quorum, or the Chairperson may conduct a regularly called meeting after obtaining a 2/3 majority vote of all members present, providing that there are not less than (40) such members. In the event that there are less than (40) members present fifteen (15) minutes after the schedule time for beginning a membership meeting, the presiding officer shall adjourn the meeting and declare all business referred to the Executive Board. The President may continue with an information meeting of committee/chair reports and general information.
5. For clarity and information of the membership, Questions of Parliamentary Procedure shall be decided by Bourinot's Rules of Order.
6. 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 her/his right to vote at said meeting. Where necessary to maintain order, the member may be evicted from the meeting by order



of the Chairperson 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**

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1. 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 Bylaws.
2. 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, but the Executive Board may not take action affecting the vital interests of the Local Union without prior membership approval.
3. 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 of subsequent approval of the Executive Board.

## **Article 8. Local Union Executive Officers**

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1. In accordance with (Article 15 Section B of the Constitution) The Local Union shall have the following Executive Officers:
  - a. President,
  - b. Vice President
  - c. Financial Secretary
    - i. Secretary Treasurer
      1. During the Executive Board Election scheduled for 2022 the position and responsibilities of Financial Secretary and Recording Secretary will be amalgamated and named Secretary Treasurer.
  - d. Retiree Chapter Chairperson One (1) who is elected by the retiree chapter of Unifor Local 199.

2. In accordance with Article 15 Section C Paragraph 19 of the Constitution, a prompt special election will be called to fill the vacancy in any Executive Office other than the Presidency, unless Article 9, Paragraph 5 of these by-laws is applied.
3. The President shall be a full-time officer and shall represent the Local Union between Executive Board meetings. He/she shall also be the overseer of the union hall and property.
  - a. In the event the office of President becomes vacant, the Vice President shall assume that office for the balance of the term
  - b. If the President is absent for a week or more the Vice President shall assume that office for that period of time.
  - c. If the president is absent for less than a week, the president may request the Vice President fill in for all or any part or all of the absence.
  - d. The primary function of the Vice President is to fill in for the president and must fulfill that responsibility before any other elected or appointed positions, such as a delegate at a conference.
  - e. If the President is unable to perform their duties, they may appoint the Vice President as his/her designate to represent the Local Union at another event or function.
4. The President, Vice President and the Financial Secretary (Secretary Treasurer, as of 2022 Election) shall be bonded by such methods and agencies as the National Executive Board may determine. It shall be mandatory that such financial officers be bonded in an amount which shall cover at least 75% of the funds available to them, and in no case for less than five thousand dollars (\$5,000.00).
5. Specific and detailed procedures for conducting elections for Local Union officers will be contained in the *Unifor Policy Regarding Local Union Elections* and the *By-laws of Local 199*.
6. When an election is called for the Executive officers of Local 199, the number of full-time positions on the Executive Board shall be reviewed and a recommendation made by the Executive Board, requires approval by the membership.
  - a. Income from projected union dues and local union funds must be available to cover all cost associated to full time officers, for the term of office (3 years).
  - b. If there is a significant change in the finances or membership numbers of the local union the President may recommend increasing or decreasing the number of full-time executive officers during the term. Any change must be approved by the Executive Board and membership.



## Article 9. Local Union Executive Board

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1. In Addition to the constitutional requirement Local 199 shall elect the following Executive Board members.
  - (a) Recording Secretary (1)
    - i. During 2022 tri-annual Election this position will be amalgamed with the Financial Secretary to be called the Secretary Treasurer.
  - (b) Sergeant -at-Arms (1)
    - i. During 2022 tri-annual Election this position will be eliminated.
  - (c) Guide (1)
  - (d) Three (3) Trustees
    - i. During 2022 tri-annual Election the number of Trustees on the board will be reduced from (3) to one (1).
  - (e) Two (2) Members at Large - one (1) to be a woman one (1) will be the Chairperson of the Unit Council.
    - i. During the 2022 tri-annual Election a third Member-at-Large position will be created
      1. This position will be titled Member-at-Large, Chairperson of the Largest Unit and will be assigned by virtue of their elected position
  - (f) Young Worker (1) (who must be under the age of 35 at the time of election)
2. These Executive Board Members will be elected in accordance with Article 15 Section B Paragraph 5 of the Constitution - Executive Board Unifor – Unifor Election Policy, unless other provisions are in these bylaws.
3. The Executive Board shall be composed of the thirteen (13) Executive Officers mentioned in (Articles 8 and 9) of these bylaws.
  - a. The board will be reduced from 13 to 10 members by 2022.
4. These officers shall serve for a term of up to three (3) years.
5. In the event any Executive Board position, except President becomes vacant, subject to the approval of the membership, the President has the authority to appoint a temporary replacement, until an election can be held.

6. The Executive Board will meet monthly or more often if required. Regular scheduled meetings shall be on the Monday prior to the general Membership meeting, in the offices of the Local Union. This is subject to change by approval of the Executive Board or President. The meeting may be by telephone conference call or video conference.
7. A simple majority of the Local Union Executive Board shall constitute a quorum.
8. Emergency meetings of the Executive Board may be called by either the President or Recording Secretary or a majority of the Board members, all board members must be notified of such meetings.
9. The Executive Board shall represent the Local Union between membership meetings.
10. The duties of the Executive Officers are set forth in Article 15 Section C of the Constitution.
11. Minutes will be taken of all Executive Board Meetings by the Recording Secretary and shall be available to the membership at meetings
12. All decisions and recommendations of the Executive Board shall be referred to the next regular membership meeting.
13. The Executive Board shall appoint at least one of its members to each of the standing committees in liaison or advisory capacity, except, the Workplace Bargaining Committees, or Election Committee.
14. The Editorial Committee shall be comprised of the following elected Executive Officers, The President, Vice President and Financial Secretary. Who shall review all each issue of the Local Union paper, leaflets and electronic communications such as the website Facebook and Apps, and where necessary shall take steps to bring the contents and policy of the paper into conformity with the policy of the National Union.
  - a. The Executive Board may overturn any decision of the editorial board by a majority

## **Article 10. Elected Workplace Representatives**

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This article contains necessary provisions establishing the nomination and election procedures of Elected Workplace Representatives which may include Stewards, Committeepersons & Bargaining Unit Representatives, Benefit Representatives, Union Counsellors and Woman's Equity Representatives the methods and places of balloting and the required notice procedures.



1. All members in good standing working under the jurisdiction to be represented by the Elected Workplace Representative shall be eligible to nominate and vote for the Workplace Representative.
2. In conformity with Article 15 section E of the National Constitution there shall be a recall procedure for Elected Workplace Representatives. This procedure can only be carried out in the following manner:
  - (a) Elected Workplace Representatives can only be recalled for failure to perform his/her duties by the members he/she represents.
  - (b) A valid petition setting forth specific complaints of failure to perform these duties shall be signed by at 25% of the members represented before being recognized.
  - (c) The Elected Workplace Representative so complained about shall receive notice of the specific complaints.
  - (d) Upon the filing of such a valid petition with the Local Union Executive Board, a special meeting for recall shall be held of the members represented with at least seven (7) days prior notice being given.
  - (e) A quorum of such special meeting shall be 50% of the members represented.
  - (f) To carry the recall, the recorded vote must carry with a 2/3 majority.
3. In the event of a vacancy in an Elected Workplace Representative position a Representative must be elected. A Unit Chairperson may appoint until the election is held.
  - a. These by-elections will be held as hall votes

## Article 11. Councils and Committees

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1. The local Union may establish Councils and committees as required to represent the members under our jurisdiction. The Councils shall exclusively perform advisory functions and shall be a non-legislative body within the Local Union structure.
  - a. **Unit Chairpersons Council.** Membership of the Chair Council is limited to elected Chairpersons of Local 199. The Council shall elect a member of the Council to act as Chairperson of the Unit Council. The Unit Council shall meet quarterly to discuss issues that affect the units and the members they represent. The Chairperson of the Unit Chair Council shall report to the Executive Board.

- b. **General Motors Skilled Trades Council**, membership is comprised of all GM elected Skilled Trades Committee persons and alternates, plus the GM Plant Chairperson. The Committee will meet at least twice yearly, to deal with problems specific to GM Skilled Trades. The Committee will elect a Chairperson and Secretary whose term coincides with that of the G.M. Bargaining Committee.
  - c. **GM Bargaining Committee**, membership is comprised of all elected GM committee persons, alternates and shop representatives. The committee shall meet weekly.
2. The membership may establish other Councils and Committees as required by amending these bylaws. The Bylaws will establish the name of the Committee or council, membership eligibility, function and frequency of meetings.

## Article 12. Standing Committees

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1. (Article 15 Section D of the Constitution) references the standing committees that a Local Union should establish. Unifor Local 199 has established the following committees:
- a. Constitution and Bylaws
  - b. Education
  - c. Environmental and Community Services
  - d. Recreation
  - e. Human Rights, Aboriginal, racialized & workers with disabilities.
  - f. Lesbian, Gay Bisexual and Transgender Workers (LGBT)
  - g. Unions in Politics
  - h. Women's
  - i. Young Workers
  - j. Health and Safety
2. Unifor Local 199 may consolidate or establish other Standing Committees as required.
3. Committee members may be elected or appointed by the Local Union Executive Board.
4. Standing Committees funding. Each standing committee shall receive an annual budget to be used for the operation of the committee.



- a. The funding may be used for donations, to run events, attendance, lost time at conferences and will require Executive Board approval.
  - b. Committee per diems will be paid from the General Fund
  - c. In January each Standing Committee's fund will be topped up to \$1000 with the following exceptions the Recreation shall receive \$2,000 and the Education Committee shall receive \$3,500 per year which shall be added to the current balance.
  - d. Additional funding may be requested, subject to approval of the Executive Board and Membership.
5. The appointment of all Standing Committees shall take place during the months of October or November following the Executive Board elections. The term of office will be for three (3) years.
  - a. A notice of shall be posted in all workplaces October/November.
  - b. Members are required to submit their names to the President's office.
  - c. The President will appoint all interested members to their requested committees.
  - d. No member can be Chair or Recording Secretary of more than one committee.
  - e. The appointed committee shall at the first meeting elect a Chairperson and Recording Secretary from within the committee members.
6. Standing Committees may be combined to function as one committee.
7. These 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 by the Executive Board or the membership.
8. Each Standing Committee shall meet not less than 4 times per year. They shall meet after working hours unless otherwise authorized by membership, the Executive Board, or in the case of emergency, the President.
9. A simple majority of any standing committee shall constitute a quorum.
10. The duties of each standing committee member include.
  - a. Committee Chairperson.
    - i. Direct the activities of the Committee in accordance with these Bylaws and the National Constitution
    - ii. Have authority only to the extent of carrying out the decisions of the Committee that have been approved by the membership or the Executive Board.

- iii. Be responsible for the function of all Sub Committees established by his/her particular Committee
- iv. Submit written reports of their activities to the Executive Board liaison and report at General Membership meetings.

b. Committee Recording Secretary

- i. Perform the Duties of the chair in his/her absence.
- ii. Shall keep an accurate record of all proceedings of all the meetings of the Committee and furnish the Recording Secretary of the Local with a copy of same.
- iii. Shall keep a record of all the activities of the Committee and once each month shall prepare a summarized statement for the General Membership Meeting.
- iv. Shall notify all members of the Committee as to the time, date and place of all regular or special meeting, sufficiently in advance to enable them to attend.

11. The Chairperson and Recording Secretary or designate of a standing committee shall have the opportunity to attend one conference per three-year term of office.

- a. The Chairperson and Recording Secretary or designate may request to attend the same conference in the three-year term. However, they are still limited to one conference every three years.
- b. Attendance at a conference requires board approval and sufficient funds must be available.

12. Each officer and member of the various Committees at the completion of their duties shall turn over all papers, documents, funds and any union property in his/her possession to the properly constituted Local Union officers.

13. Communications Standing Committee, membership is comprised of 5 appointed members who must be members of Unifor Local 199. The committee shall oversee all online electronic communications including Facebook, Twitter the Website and any other means of electronic communications that may become available.

- a. The committee shall review and recommend any online advertising on Local Union Media to the Executive Board.
- b. The committee shall receive \$2,000 funding per year which shall be added to the previous years balance. This funding shall be used to advance the

communications of the Local Union, for conferences, or other Local Union specific business.

- i. Revenue from advertising shall be directed to the Communications Account and will be used for Communication expenses such as website redesign.
- ii. Revenue from advertising will be solely used for advancement of the Local's activities and will not be distributed to members

## Article 13. Election Committee, Elections, & Voting

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### Election Guide & 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 199 shall adopt and follow *Unifor Election Policy* unless specific exceptions are outlined in these bylaws. These bylaws may establish additional bylaws to cover elections, however all bylaws must be consistent with the Unifor Constitution, be approved by the membership of the Local Union and National Union.

### Elections Committee

1. Under the Constitution, there must be a democratically elected Election Committee to conduct all elections for Executive Officers, Workplace Representatives, National Convention, Regional and Canadian Council delegates as required. The committee shall also conduct ratification and strike votes when requested. The Committee's term which under Article 15 Section B Paragraph 4 of the Constitution, would be synonymous with the three-year terms of the elected officers. The Committee shall be convened by the President within 30 days of the results being known.
2. An Election Committee shall be selected by a democratic election.
  - a. The election shall be at a Local Union memberships meeting.
  - b. Will take place during the months of January or February following the Executive Board election.



- c. An Election Committee of no less than three (3) members shall be elected as per Article 12 of these Bylaws.
- d. The term of office will be for up to three (3) years. The Executive Board shall appoint an Executive Board member to supervise the election of this committee.
- e. The Election Committee shall have full charge of all elections and be responsible to the Local Union. They shall be governed by the National Constitution, Local union Bylaws, Unifor Election Policy and any instructions given by the membership prior to the election.

### **Eligibility to Vote**

- 3. Every member of Local 199 in good standing that is employed by a Member Unit represented by Unifor Local 199 is entitled to vote in Local Union elections, strike, and ratification votes, unless disqualified from voting by a provision of the Unifor Constitution, these bylaws, or the workplace collective agreement. Unifor Constitution, Article 5, (b) 13 Members who have recall rights and work elsewhere are required to pay union dues to their local union to remain in good standing.
  - a. Summer Students are eligible to vote in elections, strike, and ratification votes, provided they are a member in good standing.
  - b. Temporary Part Time employees (TPT's) at General Motors are eligible to vote in elections, strike, and ratification votes, provided they are a member in good standing.
  - c. Members who have an approved leave of absence from the workplace and have the right to return to the bargaining unit, may vote in; Executive Board Elections, Bargaining Unit Elections, ratification & strike votes.
    - i. Staff of the National Union as defined in Article 14 of the Unifor Constitution (who are members of Unifor Local 199) may only vote in Local Union Executive Elections.
  - d. As per Article 12 Section 3 of the Constitution Retirees have all the privileges of membership except the right to vote on contract demands, strike votes, ratifications of collective agreements and on matters pertaining to the administration of the collective agreement. In addition, retired members cannot run for Local Union Executive office and cannot vote in elections for workplace representatives.
  - e. Members who are on permanent lay off from a member unit can vote in elections strike and ratification votes, providing they have recall rights. However, members



who have been preferentially hired to another location that is represented by another Unifor local union, shall have voting rights at that location.

4. As per Article 5 of the constitution, any member absent from work because of illness or injury remains in good standing for the period of illness or injury as long as he/she has a reasonable prospect of returning to work and is eligible to vote in all elections based on their unit/department on record.
5. Every member who votes must do so in person, unless another means, such as electronic voting has been approved by the Local Union.

### **Eligibility for Nomination**

6. Every member in continuous good standing for one year, that is employed by a Member Unit represented by Unifor Local 199 may be nominated and be eligible hold office, unless disqualified from voting by a provision of the Unifor Constitution or these bylaws.
  - a. Executive Board members and officers must have been a member in good standing for 1 year. (The member may have been a member in good standing in another Unifor Local Union that has amalgamated with Unifor Local 199)
  - b. No member who is nominated for an elected position can have any supervisory role in that election process. Members of the Elections Committee must resign in order to run for any elected position.
7. No member of any unit holding an elected position shall force an election for his/her position by resigning his/her position and then running for the same position during the same term of office.
8. No Member of any unit holding a full-time elected position in which an election was conducted by the Local Union Election Committee shall be eligible to run for another full-time elected position unless he/she resigns such position prior to the opening of nominations.
  - a. Any member holding a General Motors elected position or full-time Executive Board position must resign to run for the position of General Motors Chairperson in by-election.
  - b. Except for anyone running for the position of Unit Chairperson during a by-election.
9. No member can submit nomination more than one Executive office in the same election on the same ballot.
10. No member can submit nomination for more than one Full-Time position in any election.
11. Only nominated candidates may be elected.

12. Nominations will only be accepted from members for elected position pertaining to the department/unit of record, on the date when the nomination box is closed opened.
13. The election of a retired worker representative to the local Union Executive Board by the members of a retiree chapter shall be held on the day of a regularly scheduled Retiree Chapter meeting or by electronic means.

#### **Election Date, time, location, and frequency**

14. After consultation with the Unit Chair and President of the Local Union the Chair of Elections shall determine the method, date, time and locations of the election. Arrangements for these elections shall be made by the President of the Local Union, the Chairperson of the Shop Committee for each unit concerned and the Chairperson of the Election Committee.
15. Voting shall be open long enough and at such hours and places to provide members a reasonable opportunity to vote.
16. Voting will only be permitted during posted times and locations, however any voter in line, at the polls at time of closing, shall be permitted to vote.
17. Voting may be conducted in the workplace, at the union hall or by electronic means, such as online voting.
  - a. By-elections may be held on the day of a membership meeting at the Union Hall.
  - b. Elections for the Elections Committee, if required will be held on the day of a Membership meeting at the Union Hall.
18. Election of Executive Board, Shop and/or Bargaining Committees, Elections committee and all delegates will take place every three (3) years or less.
  - a. Executive Board elections will be held the month of (March, April or May) every three years.
  - b. GM Unit elections will be held in the month of (March, April or May) at the same time as Executive Board elections
  - c. Election Committee Elections will be during the month of (January or February) following the Executive Board elections.
  - d. All other election will be scheduled as required by the chairperson of the Elections committee.
  - e. All other Unit Elections shall occur every three year or less.



## Voting Process

19. 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.
  - a. All elective positions of the Local Union shall be decided by a secret ballot.
  - b. A voting station will be available for members to vote.
  - c. Member's names will be checked on departmental seniority list, given ballots for the applicable election/s.
  - d. Completed ballots will be deposited by members into a sealed and locked ballot box, unless by electronic vote.
  - e. Any voter spoiling his/her ballot shall return it to the voting station and be issued a new ballot. The Elections Committee will place spoiled ballots in a separate sealed envelope to be stored with counted ballots upon completion of election.
  - f. An electronic vote, once confirmed, cannot be changed.
  - g. Voters having cast their ballot shall not be allowed to loiter in the voting place.
20. Advanced polls for Local Union elections will be allowed in line with procedures established by the National Union. The date and time of the advanced polls will be published with the notices of nomination and elections.
  - a. All physical advanced polls shall be conducted at the Local Union Hall.
  - b. The day of the advance polls shall be no less than two (2) days prior to the scheduled election day.
  - c. Electronic advance polls may be made available to all units electronically, when possible.
21. A member who will be away from their Local Union during the entire period of an election on a work assignment for their employer or on Local Union business may apply for an absentee ballot by filing with their Local Union, by mail (registered or certified) or in person, a signed statement that they will be away from their Local Union for the entire period of the election on work assignment for their employer or on Local Union business. Such statement or request must be filed with the Local Union in sufficient time for the member to secure a ballot and re-deposit the same with the Local Union prior to the start of the elections.
  - a. Upon such certified application, the Local Union shall immediately provide the member with a ballot and two (2) envelopes, one return addressed. The member

shall place their marked ballot in the unmarked envelope and enclose it in the return-addressed envelope. The ballot as indicated may then be presented to the Local Union in person or as contained in the return-addressed envelope returned by mail (registered or certified). However, under either circumstance, the ballot must be received by the Local Union before the start of the election.

22. Copies of the Election Policy shall be placed in a prominent position in each election place and members of the Election Committee shall make themselves acquainted with same.
23. Each candidate shall have the right to have one (1) challenger present when the votes are cast and when they are tabulated provided that such challenger shall be a member of the Local Union.
24. No candidate in an election can be a challenger for another person within the current election.

#### **Notice of Election**

25. Members must be notified in advance of the time and place of nominations and elections.
  - a. To allow members who may be required to resign to be eligible to run for an elected position a (3) day "Notice of Notice" of an upcoming election will be posted where required.
  - b. At the end of the Notice of Notice period any position that became vacant due to resignations, will be added to the notice of nomination and election.
  - c. Prior to the opening of nominations, a minimum of seven (7) days' notice will be posted.
  - d. The nomination box shall be open for a minimum of (7) days.
  - e. Elections shall take place no less than seven (7) days following the closing of nominations.
  - f. The election pre vote/advance poll may fall within this (7) day period.
26. Notification of Nomination and Election will be posted in the workplace, at the Union Hall, and may also include electronic notification on the local Union Website and by e mail.
27. Sufficient time for the Election Committee to arrange for and conduct the elections must be allowed.



## Nomination Process

28. All eligible members must nominate themselves for elected office subject to the Constitution and the Bylaws.
- a. All members who wish to nominate themselves must provide a signed membership card or photo ID to receive the nomination package.
  - b. The nomination form will contain election rules and regulations.
  - c. The members' signature on the election nomination form constitutes acceptance of the rules and regulations of the electoral process.
29. Any eligible candidate in any election shall have the right to submit his/her commonly known name to the Election Committee in writing as he/she desires it to appear on the ballot. Which is subject to the approval of the Election Committee chairperson.

## Run Off Elections

Runoff elections shall be conducted in the same manner as the election.

30. Candidates for an Executive Office or any other position to which only one (1) member may be elected must receive a majority of the votes cast for that office to be declared elected. If no candidate receives a majority of the votes cast, a run-off election shall be confined to the two (2) candidates receiving the highest number of votes.
- a. In the event that more than one (1) candidate is to be elected to the position, in these elections, a simple plurality vote (first past the post) will decide the winners.
  - b. In the event of a tied vote, a recount will take place. If there is no change in the results a runoff election will be required.
  - c. Members-at-Large shall be elected by plurality vote (simple majority)
31. Where there are three or more candidates running for a position and the candidate with the most votes did not receive a majority and there is a tie for second place. A runoff election between the tied candidates is required to determine who will be in the runoff election with the candidate who received the most votes.
- a. A run-off election shall be conducted in the same manner as the election.
32. Where three Trustees are to be elected and no candidate receives a majority, the runoff will be confined to the six receiving the highest number of votes. If one received a majority, the runoff will be among the candidates receiving the second, third, fourth and fifth highest

votes. If two receive a majority, the runoff will be between those receiving the third and fourth highest votes.

- a. This process will end in 2022 triennial election when the trustee positions are reduced from three to one.
33. Any other position where there is more than one position to be filled, such as off shift committee person, the candidates with the highest number of votes (first past the post) that correspond to the number of positions to be filled shall be elected, no runoff is required
34. When an election is called to select delegates for councils and conferences, candidates with the most votes shall be elected.

### **Election Results**

35. The Election Committee Chairperson shall make a written report to the Membership Meeting following the election which will include the number of votes received, number of spoiled ballots, and number of challenged ballots. A gate-by-gate report may be requested by the Executive Board.
36. Election results will be posted in the workplace, indicating who was elected, in a runoff defeated, and total votes each candidate received.

### **Election Campaigning**

37. No member of the Elections Committee who has supervisory responsibility for the election process can campaign for any candidate.
38. Campaigning, posters and election literature shall not be allowed in and about the voting place, or within 50 feet of the entrance to the voting place on the day voting will take place.
39. Any campaigning whether, in person, by social media, email or distribution of literature will not be permitted after 10 pm the day prior to the election, or on the day (calendar date) of the election at any location.
40. There shall be no election campaign literature prepared on union premises.
41. Candidates are not entitled to copies of any members personal information however are entitled to inspect the membership list if so requested.
42. Candidates who have access to membership list through their elected position are prohibited to use the information for any other purpose than its original intended use.



43. A candidate and other members may use social media such as Facebook, Twitter, e-mail and other electronic means for campaigning purposes.
44. A candidate's election materials may include images or logos of Unifor and of the Local Union.

### **Term and Vacancy of Office**

45. The term of office is for a period of up to, but no more than three years.
46. The term of office shall start on the first Monday of the month, once all the election results are known, which includes runoff elections results, if required.
47. Newly elected reps/officers will be installed at the next regularly scheduled Membership Meeting.
48. An Executive Board member who holds office by virtue of holding another office in the Local Union automatically ceases to be an Executive Board member when s/he ceases to hold the other position. (Example Retiree Chairperson or Unit Council Chairperson)
49. All vacancies in Local Union Offices except President, must be filled promptly by election. The Local Union may use other means for filling the vacancies until the election. If the President's office is vacant, the Vice President will fill the vacancy for the unexpired term. Where there is more than one Vice President, the local union shall set a fair procedure for determining which Vice President will fill the vacancy.
50. An Alternate may be elected for each committee member. If a workplace representative is absent the Alternate shall act in his/her place, and the company shall be so notified.
51. If any elected position becomes vacant within the General Motors Unit that has an alternate, the alternate shall fill in until the election.
52. If any elected position becomes vacant within a Unit, the Chairperson shall reserve the right to appoint until the election.
53. If any elected position becomes vacant on the Executive Board, the President shall reserve the right to appoint until the election.
54. If the position of Chairperson becomes vacant the President shall reserve the right to appoint until the election, unless the bylaws state otherwise.

### **Election Review**

55. Despite any time, limit contained in any other policy, a request by a member for a review of decision concerning an election related decision or action shall not be considered



unless it is raised within seven days of the closing of the polls or at the next Membership Meeting, whichever is later. A request made prior to the Membership Meeting must be submitted in writing the attention of Local Union Executive Board.

56. Any candidate may request a recount by the Elections Committee.
- a. Such request must be in writing addressed to the Chair of Elections Committee and received within one (1) week after the ballots are first counted and the results are posted at the Union Hall. However, in the event a runoff election is required the request for a recount must be made within 24 hours of the results being posted at the Union Hall.
  - b. If the difference of votes between the person receiving the highest number of votes and the candidate who is requesting the recount is less than 1% of the total votes cast, the Elections committee shall automatically grant a recount upon request.
  - c. The Election Committee shall use sound judgement based primarily upon the closeness of the vote and the number of ballots cast and may grant or deny a recount.
  - d. If a recount is granted the same general method used to count the ballots shall be used.
  - e. If a candidate who is requesting a recount is dissatisfied with the decision of the Elections Committee, they may appeal the decision at the next Local Union Meeting
57. Any member of the Election Committee, or any member of the Local Union violating any of the election rules shall be reported to the next General Membership meeting.

### **Election, Strike and Ratification Records**

58. All ballots and other election records in any election must be kept in a sealed and secured box following each day of polling and for one year immediately following the election. The Local Union may then destroy the ballots unless a review is pending. If a review of decision is pending, the ballots must be preserved until the review has been completed and resolved.
- a. A motion must be made to destroy the ballots of strikes and ratification votes once the results are known and unchallenged.

## **Elections Miscellaneous**

59. The method of election of Chairperson and Shop Committees shall be at the option of the unit concerned but of necessity in conformity with contract provisions negotiated with the individual companies.
60. Where positions in the unit are selected by the elected committee (i.e.: chairpersons, shop committee members, etc.) those positions will be elected at the first meeting of the Shop and/or Bargaining Committee. This meeting will be convened by the President within thirty (30) days of the result of the election of in-plant committees.
61. The local Union may be eligible to send delegates to regional and National conventions as outlined, but not limited to, Article 17 of these bylaws. Election of delegate must be in compliance with the Constitution and bylaws of the Local Union.
  - a. The election may be by, the applicable committee, workplace, or membership, process subject to the approval of the membership.
  - b. As per article 17 section 2 of these bylaws, Local Union Delegates may be elected by position.

## **Article 14. Finances**

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### **Initiation Fees**

1. As per Article 15 Section G of the Constitution, an initiation fee may only be charged against new members entering an existing bargaining unit, or when and where the law requires such an initiation fee be paid.
  - a. Local 199 shall charge new members an initiation fee of \$15, the average required under the constitution.

### **Union Dues**

2. The Local Union Shall direct the monies received as its share of dues to the following funds in the shares set out below.
  - a. General Fund 75%
  - b. Convention 14%

- c. Bargaining 7%
- d. Standing Committees 2.5%
- e. Communications 1%
- f. Donations 0.5%

### **Union Expenditures**

3. The funds of the Local Union shall be used to defray all necessary expenses and the Executive Board shall be empowered to pay all current expenses such as per capita tax, wages, rents, lights, heat, telephone, shop committee expenses, lost time, building expenses necessary to maintain the Union property in a state of good repair when duly authorized. They shall be further empowered to authorize payments for supplies and purchase of equipment, furniture, installations, and incidentals to a maximum of \$5,000.00.
4. The Trustee shall report approval or disapproval of all expenditures to the regular Executive Board meetings.
5. The Executive Board will be limited to the sum of \$250.00 for any one donation to any organization. Where business of a general membership meeting is referred to the Executive for lack of quorum, the Executive shall be empowered to exceed the above limitations.
6. There shall be no loans to anyone at any time.
7. 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 s/he would otherwise be compensated 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 s/he is being compensated by the Local Union.

### **Out of Town Travel Expenses**

8. Unifor Local 199 will reimburse members travel expenses while on union business. Expenses may include lost time, a daily per diem, accommodation, air fare, mileage and parking.
  - a. Lost time will be paid for regularly scheduled hours and shift premium, overtime hours will not be reimbursed.



- b. \$90 per diem per day, plus hotel where an overnight stay is required.
  - c. \$20 per day per diem on a return day from an overnight stay, provided the distance is greater than 160 kms.
  - d. \$45 per diem per day, same day return, provided the member travels at least 160 kms one way
  - e. \$20 Per diem per day for out-of-pocket expenses for eight (8) hour (Day) meetings where travel is less than 160 kms one way, or if meals are provided, i.e., Unifor Education Centre, Port Elgin Ontario
  - f. Mileage/gas will be reimbursed at a rate of 48 cents per km traveled which will be paid to the driver only, this rate will be revised periodically and adjusted to the rate provided by the National Union.
  - g. Hotel room and applicable taxes when approved will be reimbursed.
    - i. if the travel distance is over 120 kms and attendance is required for the full day.
    - ii. If travel distance is over 160 kms a hotel room will be approved.
    - iii. Travel distance is calculated from local union office to hotel.
    - iv. Receipts must be provided.
  - h. Airfare reimbursement subject to approval prior to travel occurs
  - i. Any other expenses such as parking must have prior approval of the Financial Secretary
9. Overnight accommodation members may be reimbursed for hotel accommodation and applicable taxes for overnight accommodation, when approved. If the accommodation is shared  $\frac{1}{2}$  the room rate will be reimbursed to each member.
10. To be reimbursed at the single room rate, original hotel/motel bill must be submitted to the Financial Secretary of the Local Union upon return.
11. For workshops, institutes and/or summer school, etc. approved by the Local union where meals and lodging are included subject to the limitations and procedures of the paid education leave \$20.00 per day.
12. In addition to the foregoing, where a member suffers unusual, legitimate expenses while traveling alone or because of unforeseen circumstances (expensive accommodations, parking, etc.) travel and expenses must be approved by the Executive Board and reported to the membership.
13. In all other cases, travel and expenses must be approved by the Executive Board, having due regard to distance, mode of travel available and length of meeting. Conferences,

meetings, etc. held in the United States, expenses will be paid in U.S. currency and reported to membership.

14. Should a member use his/her own car in carrying out union business, with the prior approval of the Executive Board, he/she shall be paid mileage which shall not be less than the maximum amount approved from time to time by the National Executive Board and duly reported to membership each time. -"Immediately following the membership meeting at which the change is reported, the President of the National Union will be notified in writing of the date the increase was reported to the Local 199 membership, together with the amount reported."

### **Lost Time**

15. The authorization for lost time shall be the responsibility of the President to authorize such lost time as is necessary for union business.
16. Any member who is properly authorized to represent the Local Union, or his/her plant unit at any conference, convention, council, institute, school, etc. or to do any other union business shall be compensated for it to the extent of actual lost time from the normal hours of his/her job. Maximum lost time so authorized will be a normally scheduled workday or work week and shall exclude any time claimed which would be overtime hours. In the event a member is unemployed for any reason and performs duties authorized by the Union, he/she must be in receipt of benefits (EI, SUB, IMP) to be paid the difference between the benefits he/she is receiving and his/her actual rate of the job he/she last performed. The total amount of lost time and any benefits received must never exceed the amount which the Local Union representative or member would otherwise have received from his/her employer for the same period of time for which he/she is being compensation by the Local Union.
17. Any member who is called by the Local Union to be a witness at an arbitration hearing shall be reimbursed for lost time for the days they are required to testify.
18. During negotiations of contracts with an employer the negotiating committee be paid at their rate X 48 hours providing they do not return to their regular employment for that complete calendar week, Monday to Sunday and further provided that negotiations are held Monday to Friday.



19. There will only be authorized compensation for any loss of benefits that would have otherwise been payable to a member had he/she not engaged in Local Union activity when the sole cause of said absence is Local Union activity. This is intended specifically to cover any loss in vacation pay as determined by the scale of hours worked under negotiated contracts, unemployment insurance and SUB benefits as determined by qualifying periods in the plant and generally any other loss of benefits he/she would have been entitled to except for absence from the plant on authorized Local Union activity.
20. Full time executive officers shall be paid weekly salaries based on the electrician rate X 48 hours straight time hours, including cost of living as per Collective Agreements between Local 199 Unifor and General Motors of Canada Limited, except any week he/she shall be absent at his/her own requested leave of absence, excluding sickness. Any weekly or monthly indemnity plan available to the full-time officers through their individual companies will be deducted for his/her salary.
  - a. Adjustments in the above salaries of the full-time officers will be made to reflect the cost-of-living allowance adjustments and reported to the Membership.
  - b. If the President, Vice President or Financial Secretary is absent from the Local Union office, the Executive Board or the President may appoint another officer from the Executive Board to fill such vacancy on a temporary basis. The member filling such office shall be paid, on a pro-rated basis, the salary of that office.
  - c. The Local Union shall pay the full cost of the Presidents', Vice Presidents' and the Financial Secretary's' existing hospital medical and surgical insurance on assuming office and will pay also the full cost of \$10,000 Group Life Insurance.
  - d. Full time Executive officers who are entitled to benefits from their employer but are denied coverage due to being elected, such benefits will be paid by the local union, subject to Membership approval.

### **Expenses of Office**

21. When performing the duties of elected office and acting as an advocate of behalf of the membership, miscellaneous expenses may include the use of personal computers, cell phone, office supplies, and use of personal vehicle for local travel. Advocacy may include meeting with members, lobbying and meeting with Civic Leaders, Members of the Provincial Legislature, Members of Parliament, and other functions which may affect the Local Union membership. To cover these costs, the local union will pay a weekly or monthly per diem as follows.



## **Executive Board**

- (a) President - \$100 weekly
- (b) Vice President – \$80 monthly
- (c) Financial Secretary - \$75 weekly
- (d) Recording Secretary - \$90 monthly
  - i. Remove after 2022 election
- (e) All other Executive Board members other than above - \$80.00 monthly.

## **Unit Chairpersons**

- (f) Units less than 399 - \$75 month
- (g) Units between 400-699 members - \$200 month
- (h) Units with 700 or more members - \$100 weekly

## **General Motors**

- (i) Shop Committee \$30 weekly
- (j) Benefits Rep. \$30 weekly
- (k) Pension Rep \$30 weekly
- (l) EI/SUB Rep \$30 monthly
- (m) Health & Safety Rep \$30 monthly
- (n) Committeepersons (Afternoon/Midnight Representatives) \$20 weekly
- (o) Employment Equity Reps \$30 monthly
- (p) Apprentice Reps. \$30 monthly
- (q) Placement Rep. \$30 monthly

## **Unit Committee Persons**

- (r) Unit Committeepersons - \$20 monthly

## **Standing Committee**

- (s) Chairperson \$25 monthly, Recording Secretary \$20, Effective September 2022.

## **Other**

(t) Communications/ Website Administration \$30 weekly

22. All of the above reimbursement and expenses are paid by direct deposit, no cheques will be issued. Members are required to provide banking information.
23. Expenses of office shall be withheld when an elected officer is not performing his/her duties of office (as mandated by the Constitution and Bylaws) due to illness, on a leave of absence, vacation, Non-attendance at unit, Standing Committee meetings or General Membership meetings, or resigns from office.
24. Union positions temporarily filled or left vacant for vacation or while performing other union business will have all associated weekly or monthly expenses prorated to reflect the absence and/or appointment of the position.

### **Vacation Pay Full Time Officers**

25. Any full-time officer shall be entitled to two (2) weeks' vacation pay after one (1) year of service and three (3) weeks' vacation with pay after three (3) years of services - the dates to be determined by the Executive Board. Except, that when a newly elected officer entitled to vacation pay would have received more than these amounts had he/she remained in the workplace, then the greater of the two amounts shall be paid.
26. The intent of Article 26 above shall apply also to any full-time officer who because of leaving office is denied benefits to which he/she otherwise could have been entitled.
27. Any member required to perform services for this Local Union for workshop, institute and/or schools, councils, conventions, arbitrations, and conferences held in the Niagara Region and Local negotiations of all units when held with management will receive a \$20.00 per diem per day.

### **Election Committee**

28. Election Committee members will be paid remuneration for services rendered during the days of balloting and counting the ballots on the following basis.
  - a. Election Committee members shall receive \$20 per diem per day for the days of polling and ballot counting.
  - b. Lost time shall be paid pursuant to Article 14 section 17 of these bylaws. Time in lieu may be approved by the President.

## Article 15. Eligibility for Elected Office

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1. Eligibility for elected position for the Local Union or workplace is set forth by the National Union Constitution, as per Article 5: Section B Paragraph 6:
  - a. A Member must in continuous good standing, as per Article 5 of the National Union Constitution, for one year before being eligible to run for office.
    - i. A member in good standing means the member.
      1. Has paid an initiation fee to Unifor
      2. Is paying Union dues and is not in arrears
      3. In the event of a merger with an another Unifor Local Union, membership in good standing will be recognized.
  - b. Members that wish to be nominated should verify their eligibility to be nominated with the chair of the Elections Committee, prior to nomination.
  - c. Members elected to a full-time position who wish to be eligible for another full-time position must resign prior to the opening of nominations or will be ruled ineligible.
2. Conflict in Office
  - a. Members are eligible to be nominated for and hold more than one elected position so long as they do not create a conflict, when they shall be performed.
    - i. If a member chooses to run for office where conflict will occur, they must resign their previous position to run in the election.
      1. For example, a part-time General Motors representative who chooses to run for Chairperson of General Motors must resign their position during the Notice of Notice period.
      2. For example, an Elected Workplace Representative can be elected to an Executive Board position, so long as the Executive Board position is not full-time. Currently the President & Financial Secretary are fulltime positions.
    - ii. If the Vice President position becomes full-time or they are called up to be full-time for the balance of the Presidents term, they shall be required to resign any other alternate or full-time position they hold.
  - ii. Members can only be nominated for and hold one full-time position.



- iii. The Chairperson of the largest unit cannot be the Unit Council Chair by virtue of their Member-at-Large position on the Executive Board.
- 3. Any member holding an elected position that forces an election for their position by resigning is ineligible to be nominated for the same position, during the same term of office.
- 4. Eligibility to be nominated and hold the following positions is limited as follows.
  - a. Unit Chairperson must be employed in the unit
  - b. Skilled trades rep must be a skilled trade
  - c. Vice Chairperson G.M. Unit must be a G.M. Unit Shop Committeeperson.
  - d. If the Chairperson of the GM Unit is from production the G.M. vice chair must be a skilled trade person and vice versa.
  - e. G.M. Unit Shop Committeeperson must be a dayshift committeeperson.
  - f. Woman's Equity Rep, must be a woman
  - g. Young Worker on the Executive Board, must be under 35
  - h. Retiree on the Executive Board, must be a retired worker from Local 199

## Article 16. Attendance Rules

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- 1. Any member holding a Local Union position, either elected or appointed, shall be required to attend at least two (2) General Membership meetings in a three (3) month period.
- 2. Any member holding an elected position either on the Executive Board or his/her respective unit, shop or bargaining committee shall be required to attend at least two (2) out of the three (3) meetings of his/her respective unit.
- 3. Executive Board members shall be required to attend two (2) out of three (3) consecutive Executive Board meetings.
- 4. Shop or Bargaining Committee members shall be required to attend two (2) out of three (3) consecutive shop or bargaining committee meetings.
- 5. Members who do not attend meetings shall be marked as absent. Such elected members may be absent above these limits with valid and legitimate excuse, such excuse to be review by the Unit Chairperson, Financial Secretary or meeting Chairperson as the case may be and approved by the president. Acceptable reasons to be excused shall include:
  - a. Working
  - b. Off work for medical reasons
  - c. Off work on vacation

- d. Family emergency
  - e. On union business
  - f. Attending education course or conference
  - g. Extreme weather conditions
6. Failure to comply with the above bylaws and without valid and legitimate excuse may result in the following penalties:
- a. Withhold monthly expenses.
  - b. For the second offense, a letter of warning will be sent out.
  - c. For the third offense, an automatic removal of that member from his/her Local Union position.
7. Removal from office under these regulations shall render the offender ineligible to run for any elective position for the remainder of their term of office from which he/she was so removed, with the exception of delegates to the National Convention.
8. Candidates for elective office will be notified of the obligation to attend meetings under the Bylaws. Such notice will appear on the notice of nomination.

## Article 17. Local Union Delegates

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1. The local union can send delegates to Unifor Conventions and Councils which may include.
  - a. Unifor Constitution Convention, held every three years
  - b. Unifor Canadian Council, which is held each year when there is no Unifor Constitutional Convention
  - c. Unifor Regional Council (Ontario) held at least once per year.
2. The Local Union Delegate entitlement is specified in (Article 6, Article 9, & Article 10 of the constitution). Local Union Delegates will be determined by their elected position, when the call letter is received. Where the Local unions delegate entitlement is four or less and funding being available the delegates sent shall be in the following.
  - a. One delegate, the President or Vice President. The primary purpose of the VP is to fill in for the President when absent, if the president is a delegate the VP fills in



- as president. If the president stays at the union hall the VP can be sent as the first delegate.
- b. Second Delegate, the Financial Secretary (Secretary Treasurer)
  - c. Third Delegate, Chairperson of the largest unit so long as the members in this unit are more than (250) members
  - d. Fourth Delegate, the Chairperson of Local 199 Unit Council, or designate from the council.
  - e. Where the delegate entitlement is more than four delegates, subject to membership approval and funding being available the president may call for an election for any other delegate.
3. It shall be the duty of the Executive Board to ascertain whether the other units are eligible and wish to elect delegates as separate units, where their membership is sufficient, or be represented by the President or the Unit Chairs Chairperson.
  4. All Delegates are required to:
    - a. Attend meetings, participate, and act in the best interest of the membership at the convention or council
    - b. Submit a written report to the Executive Board and provide a verbal report at the next General Membership meeting.
  7. The local union can send delegates to conventions and Unit specific meetings, the number of members sent will not exceed the Local Unions entitlement and only if funding is available.
    - a. Canadian Labour Congress CLC, Ontario Federation of Labour OFL, and Niagara Regional labour Council, when affiliated. Delegate shall be by elected position as per Article 17 section 2 of these bylaws.
    - b. Political Conventions, Delegates will be recommended by the Executive Board and approved by the membership and subject to funds being available.
    - c. Auto Council & GM Council meetings, the number of members sent will be recommended by the GM Unit Chairperson and approved by the Executive Board and membership, subject to funds being available.
  8. Subject to the approval of the Executive Board, Local 199 may send members from the Niagara Area Skilled Trade Council to meetings and councils.
    - i. The number of Skilled Trades delegates from Local 199 will be limited to (1) Representative per 150 skilled trades represented.
    - ii. Attendance will be limited to meetings and conventions in Ontario.



- iii. Conventions outside of Ontario may be considered and approved by the Executive Board, subject to cost and funding being available.
- iv. Associated costs including lost time, travel, per diem and accommodations will be shared 50/50 between the Local Union and the Niagara Area Skilled Trade Council.
- v. The Skilled Trades Committee can send more members at their expense if they have the funding to cover the costs 100%.

## **Article 18. Order of Business**

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1. Following the call of order, the order of business of the General Membership Meeting shall be:
  - (a) Roll Call of Local 199 Leadership
  - (b) Respect to Deceased Members
  - (c) Minutes of the Previous Meeting
  - (d) Business Arising from the Previous meeting
  - (e) Correspondence from Executive Board
  - (f) Financial Reports
  - (g) Delegates Reports
  - (h) Standing Committee Reports
  - (i) Shop Committee Reports
  - (j) Old & New Business
  - (k) Adjournment
2. The above order of business may be altered by a simple majority of those present.
3. Action on Executive Recommendations shall take place immediately following the Executive Board Report. Any other action required by passage or rejection of the recommendations (i.e., Elections) shall take place immediately following presentation of all the recommendations.

## **Article 19. Review of Decisions**

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1. Should a member feel aggrieved by some action of the Local Union or one of its representatives, the matter should be brought to the attention of the Local Union within 30 days of the time the member is aware of the action or reasonably should have been aware.
  2. Any member 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 their appeal or complaint to the Local Union Financial Secretary within 30 days as permitted by Article 18 of the Constitution, and submit a Review of Decision.
    - a. The Executive Board shall refer the matter to the Bargaining Committee (or Stewards Council) if it involves collective bargaining, which will be considered at its next regular meeting. Otherwise, the Executive Board shall consider the matter itself at its next regular meeting.
    - b. Whichever of these bodies the matter is referred to shall consult with the grievant, permit them full opportunity to be heard, and shall reach a decision within 30 days.
    - c. Within 30 days of receiving a notice of such a decision, the grievant, if wishing to appeal further, shall submit their appeal to the Recording Secretary in writing for consideration by the earliest possible membership meeting.
    - d. Within 30 days of a decision by the Local Union membership the member may inform the Office of the President – Committee on Constitutional Matters in writing to request a further review. A full record of the matter shall be forwarded to the Committee.
  3. A Procedure Policy on Constitutional Matters is referenced in Article 18 Section B Paragraph 2 of the Constitution is available to Locals and members, and shall determine time limits and procedure requirements to govern the implementation of all Review of Decisions

## **Article 20. Strikes and Strike Committee**

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1. All strikes shall be called or terminated only in strict conformity with Article 17 b of the Constitution.
2. In the event of an emergency arising in a unit, or a unit goes on strike, policy for dealing with the specific situation may be set by the unit chairperson, the shop and/or bargaining



committee, or Local Union Executive Board members elected from that unit, and such officers and members as may be designated by that units' membership.

## Article 21. General

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1. 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.
2. 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.
3. Local Union Executive Officers shall have authority to attend any Unit or Local Council Meeting with voice but no vote except in that Unit or Local Council where they are duly qualified members.
4. The circulation, sale or distribution of any literature or printed matter published by any organization outside of Unifor will not be permitted on Local Union property unless authorized by the Executive Board subject to the approval of the membership.
5. All Local Union business shall be channeled through the Local Union office.
6. The Chairperson of the Shop or Workplace Bargaining Committee shall chair that Workplace Unit Meeting and conduct its business. The Secretary of the Shop or Workplace-Bargaining Committee shall act as unit secretary and keep the record of such business transacted.
7. All Workplace, Unit, Department or Committee Meetings other than regularly scheduled meetings must be booked through the President's office and, except in an emergency, at least three (3) clear days' notice must be given.
8. Intoxicating beverages or illegal drugs shall not be allowed on Union Hall premises at any time except beverages by permit of the LCBO. No person who under the influence of spirits or drugs who is unruly shall be permitted to remain in the Union Hall or premises.
9. The Local Union shall employ such permanent and part time employees as deemed necessary by the Executive Board, upon approval of the membership.
10. The President shall be in direct charge of all employees and shall issue all orders affecting employees.



## Article 22. Amendments & Approval

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1. These By Laws shall be amended, altered or revised only in conformity with the following procedure:
  - (a) A resolution or motion in writing, calling for amendment, alteration or revision shall be presented to a general membership meeting. It must be seconded by a member other than the mover.
  - (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 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.
2. When submitting By-Law amendments to the National Union, the bylaws committee will provide a cover letter indicating such amendments were approved and the date the meeting took place.
3. The Bylaws of the Local Union shall at all times 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.

## Article 23. How to Submit Local Union Bylaws

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1. By-Laws submitted to the National Union for review and approval should be typed or printed on 8 ½ x 11 sized paper. To re-submit your By-Laws with changes, revisions and/or amendments, please take the following steps:
  - a. **Step 1** Take each page of the By-Laws that needs to be changed and mark the sections you want to change/revise.
  - b. **Step 2** Retype the entire page with change(s) typed in.
  - c. **Step 3** Underline the changes on the new page in red pencil or red ink. (If you deleted a portion of the old By-Law without substituting anything new for it, and therefore you have nothing to underline, make a note in red that the section was changed.)
  - d. **Step 4** Insert the new page, with changes, into the By-Laws and discard the old page.
  - e. **Step 5** Send one complete set of the revised By-Laws to the National Union. A report will be submitted to your Local Union after they have been processed.
  - f. **Step 6** In addition, Local Unions are encouraged to submit By-Laws and amendments in electronic format

## Article 24. Oath of Office

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1. All elected and appointed members of Local 199 shall be sworn in.
2. The installation ceremony of Local 199 may be performed by the Outgoing President, or National Representative.
3. The swearing in ceremony shall be held at the next regularly scheduled membership meeting following the election.
4. The installing officer shall require the officers to make the following pledge:

**Installing Officer says,** "Give attention while I read you the obligation:

Do you pledge on your honour to perform the duties of your respective office as required by the Constitution of the Union and to bear true and faithful allegiance to Unifor?

Do you pledge to promote a harassment and discrimination free environment and work to ensure the human rights of all members are respected?

Do you pledge to support, advance and carry out all official policies of the union and to work tirelessly to advance and build the membership of our Union?

Do you pledge to deliver all books, papers and other property of the Union that may be in your position at the end of your term to your successor in office, and at all times conduct yourself as becomes a member of this Union?"

**Elected members being sworn in shall respond, "I do"**

**The installing officer then says**

"Your responsibilities are defined in the By-laws, Constitution and policies of Unifor. Should any emergency arise not provided for in these, you are expected to act according to the dictates of common sense, guided by an earnest desire to advance the best interest of the Union. I trust you will all faithfully perform your duties so that you may gain the esteem of your brothers and sisters and the approval of your conscience. You will now assume your respective offices."

**Dated This 1<sup>st</sup> Day Of December 2021**

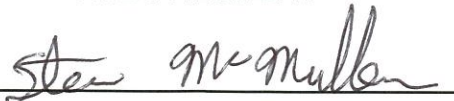
BYLAWS COMMITTEE:



PRESIDENT



VICE-PRESIDENT



SECRETARY TREASURER