

# NELSON LOCAL By-laws

## Article 1 Name

- 1.1 Subject to and in accordance with the provisions provided in the National Constitution of the Canadian Union of Postal Workers, the following by-laws shall apply to all members of the Nelson local.
- 1.2 The name of the union shall be the Canadian Union of Postal Workers Nelson Local.
- 1.3 The local shall be affiliated with the British Columbia Federation of Labour and the West Kootenay Labour Council.
- 1.4 The local is composed of the members as a whole. It is comprised of a local executive committee which consists of five members in good standing.
- 1.5 The members, at regular meetings or by a referendum vote are the supreme authority of the local.

## Article 2 Objectives

- 2.1 The objectives of this local shall be:
  - a) to improve the general well-being of the members and, in particular, the wages, hours of work and working conditions;
  - b) to promote the fundamental principles of trade-unionism and the improvement of conditions of all workers;
  - c) to defend the rights and benefits acquired by the union.

## Article 3 Membership

- 3.1 An employee of Canada's postal system, communications and related services, who does not perform managerial functions is eligible for membership in the Union under the following conditions:
  - a) Signs an application for membership card
  - b) Undertakes to comply with the constitution and policies of the Union
  - c) Pays the initiation fee
  - d) Is accepted by the localAll members of the Union enjoy equal rights and this is without discrimination.
- 3.2 A person shall no longer be a member in good standing of the Union when;
  - a) Such person has been suspended from the membership in accordance with Article 8 of the National Constitution.
  - b) Such person is in arrears of three months or more in payment of Union dues or assessment.
  - c) Such person is performing managerial functions on a temporary basis in a position outside the bargaining for which the Union is the bargaining agent.A person who is not a member in good standing may not exercise any of the rights afforded to a member under the Constitution and by-laws of the local or hold office in the Union or Local.
- 3.3 The loss of status of member in good standing is automatic.
- 3.4 A person may be reinstated as a member in good standing when:
  - a) The suspension imposed has ended
  - b) Such person has paid all arrears in union dues and assessments
  - c) Such person has ceased to perform managerial functions on a temporary basis.
- 3.5 The reinstatement of a person as a member in good standing shall comply with the provisions of Article 1.10 of the National Constitution.
- 3.6 The loss of membership status shall only occur under the provisions of the National Constitution. (Articles 1.11 to 1.17).
- 3.7 The local shall abide by the obligations and responsibilities that are placed upon it by the National Constitution.

## Article 4 Dues and Initiation Fees

- 4.1 Dues shall be based on the minimum requirements of the National Constitution.
- 4.2 The local shall require an initiation fee of Five dollars from any new members, except during organization campaigns where the amount of initiation fee shall be the same as that required under the relevant legislation. The initiation fee is the property of the local.

4.3 Each member shall comply with the National Constitution and policies of the Union and Local by-laws in the payment of any dues or assessments that are in accordance with the provisions of the National Constitution.

#### **Article 5 Local Executive Committee**

5.1 The Local Executive Committee shall consist of five officers: President, Vice-President, Secretary-Treasurer, Chief Shop Steward and Health & Safety Officer.

5.2 The Local Executive Committee shall;

- a) be composed of Local Officers who shall be responsible for the direction and administration of the Local in line with the orientation decided by the members according to the Constitution, the resolutions adopted at regular meetings or the mandates via referendum.
- b) have the obligation to enforce the National Constitution.
- c) be responsible for all representations before the employer;
- d) be responsible for all public statements of the Union at the local level;
- e) receive and study all reports and other matters concerning the welfare of the Union duly referred to it;
- f) be the only one responsible to make recommendations to the members or to take decisions in line with the Constitution and policies of the Union unless otherwise stated in the Constitution.
- g) have the obligation to meet prior to a regular membership meeting
- h) work to spread the most complete understanding possible of the Union's policies, the nature of the Union's struggle and all other matters concerning the Union and the trade union movement in general.
- i) shall be responsible for the implementation of the Union's policies in matters of organization, preparation of strike structures, recruiting or any other organizational campaign launched by the National Executive Board;
- j) establish and maintain communications between the members and the main organisms of the Union;
- k) be responsible for the local education program;
- l) inform the members and promote Union education through bulletins, communiqués and any other adequate means;
- m) be responsible for the orientation, preparation and distribution of all publications intended for the members.

5.3 All Local Officers shall be elected by the general membership and shall be members of the Local Executive Committee.

5.4 All elected members and the Local Executive Committee must be members in good standing at the date of election and remain in good standing during the term of office.

5.5 Elections of the Local Executive Committee shall be for a term of three years commencing with a general membership meeting following the National Convention.

5.6 A minimum of three voting members of the executive shall be required for a quorum for the transaction of any business at a Local Executive meeting.

5.7 No person shall hold more than one office, but any executive member is to be qualified to act a shop steward on the work floor.

5.8 Vacancies of the Local Executive Committee, other than the position of President, shall be filled in a democratic manner by election at the next general membership meeting.

#### **Article 6 Duties of the Local Executive Committee**

6.1 The Local President shall:

- a) be the senior officer of the Local
- b) have the responsibility for the enforcement of the National Constitution and policies of the Union;
- c) be responsible for grievances in his/her local;
- d) be responsible for local union-management meetings;

- e) implement the decisions of the members assembled at general meetings or by referendum;
- f) have the right to look into any matter falling under the jurisdiction of the Union at the local level and take measures to ensure that all Local Officers and members comply with the obligations and duties of their positions;
- g) interpret the by-laws of his/her Local and his/her interpretation shall be maintained unless it is contested and such contest is supported by the majority of members of the Local Executive Committee or by the majority of the members assembled at a general membership meeting;
- h) take initiatives for the good and welfare of the Union on matters not provided for in the Local by-laws, subject to the approval of the members;
- i) co-ordinate the work of all Local Officers;
- j) chair the meetings of the Local Executive Committee, the permanent committees and any other committee, as well as membership meetings;
- k) impose, as a policy of the Union, the rule according to which no Local Officer may meet alone with a representative of the employer to discuss Union matters;
- l) ensure the implementation of the Union's policies in all representations before the Employer at the Local level;
- m) be responsible for public relations at his/her Local level;
- n) report to the members on the decisions and recommendations of the Local Executive Committee.

6.2 The Local Vice-President shall:

- a) assist the Local President in the performance of his duties;
- b) replace the President in his/her absence, in which case he/she shall exercise full power;
- c) chair in the absence or at the request of the President;
- d) sign cheques along with the Secretary-Treasurer in the President's absence;
- e) be a member of the Organization Committee and of the Legislative Committee and direct their work.

6.3 The Local Secretary-Treasurer shall:

- a) be responsible for all official documents of the local;
- b) be responsible for the Local's correspondence and shall convey it to the Local Executive Committee and the general meetings;
- c) keep a record of the discussions of the Local Executive Committee and general meetings;
- d) be entrusted with the funds of the Local, approve all cheques to be signed for expenses authorized under the National Constitution the resolutions passed at meetings, deposit immediately all moneys he/she receives on behalf of the Local and sign cheques along with the President or, in his/her absence, the Vice-President;
- e) be responsible for bookkeeping records of the local and keep them ready for submission to the Local's Trustees at least once per fiscal year;
- f) prepare an annual financial report which is submitted to the Local Executive and to a membership meeting and a copy of this report is sent to the National Secretary-Treasurer and National Director;
- g) present a report on the state of the Local's finances to general meetings and he/she shall, at least every two months, submit a financial report to the National Director.
- h) keep an up-to-date mailing list of the membership;
- i) establish an adequate filing system for the secretariat and treasury;
- j) establish and maintain an efficient system for the membership control and check-offs.

6.4 The Local Shop Steward shall:

- a) be the link between the Local Executive Committee and the members of his/her work area.

- b) promote the policies of the Union and enforce the National Constitution and the decisions of the members taken at Convention, through a referendum or at a general meeting.
- c) ensure a strong Union presence on his/her work shift;
- d) enforce the Collective Agreement;
- e) regularly inform the members of the decision of a general meeting the activities of the Union, the Union publications and any other item of interest for the Union and the well-being of the members;
- f) decline to use his/her function to convey, propagate or promote any cause or organism aimed at weakening, dividing or destroying the Union or it's members.

6.5 The Health & Safety Officer shall:

- a) chair and co-ordinate the activities of the Health and Safety Committee, and shall have the right to delegate duties to other members of the committee.
- b) implement and maintain an adequate filing system for Health and Safety, with the assistance of the Secretariat.
- c) co-chair the Joint Health and Safety Committee and shall attend Joint meetings.
- d) work with and assist the Education and Grievance Committees on matters dealing with Health and Safety, W.C.B., and rehabilitation or modified duties.
- e) be responsible to ensure that minutes are taken of Committee meetings and that all complaints about health hazards within the Local, accident reports and any other matters pertaining to Health and Safety are dealt with by the Committee.
- f) be responsible for concerns arising from rehabilitation positions, modified duties and light duties.

6.6 It shall be the duty of the senior officers of the local in the event of it becoming dissolved to deliver the charter and other property to National Headquarters and they shall be responsible for the payment of all dues in arrears. The charter and other property received from a dissolved local shall be restored in the event of it's being restored.

### **Article 7 Finances**

- 7.1 Local Union funds shall be used for union purposes only. The definition of Union purposes shall be as outlined in Article 9.32 of the National Constitution.
- 7.2 It shall be the duty of the Local Secretary-Treasurer to prepare a budget annually by the September general meeting.

### **Article 8 Elections**

- 8.1 In order to be eligible as a candidate to the Local Executive Committee or any Union representative position, the nominee must be a member in good standing in the Local.
- 8.2 Ballots shall be counted by persons decided upon by the members of the meeting. Ballot counters must not be the candidates for that particular office.
- 8.3 All elections held in the Local shall be in accordance with Article 3.29 of the Constitution.
- 8.4 There shall be no voting by proxy and the voting shall be held over in the event of a tie. If a tie vote cannot be broken a vote shall be held for that particular position at the following general membership meeting.

### **Article 9 Meetings**

- 9.1 There will be a minimum of six membership meetings per year. Meetings are to be held every two months or sooner.
- 9.2 Notice of all membership meetings, regular or special shall be posted at least seven days prior to the date of the meeting.
- 9.3 A quorum for a regular general meeting or a special meeting called by the President or 50% of the Local Executive Committee shall be six members. A quorum for a special meeting called by 50% of the membership, shall be 50% of the membership.
- 9.4 Special meetings shall be called on the initiative of the Local President or at the request of 50% of the Local Executive Committee or at the request of 50% of the membership. Special meetings shall only deal with items specifically written in a posted agenda.
- 9.5 The procedure to be followed at all membership meetings shall be Bourinot's Rules of Order subject to the provisions of the National Constitution and the Local By-laws.

- 9.6 By-law changes must be proceeded by a notice of motion to be read out at the general meeting immediately before the general meeting in which a vote is held. Amendments must have a 50% plus one majority in order to pass.

### **Article 10 Election of Delegates and Representatives**

- 10.1 To be eligible to represent the local as a delegate a member must be a member in good standing.
- 10.2 All delegates to represent the Local must be elected by the members at a membership meeting. Alternates shall be the runners-up in order of votes received.
- 10.3 Area council representative elections shall be for a term of three years commencing with general membership meeting following the National Convention.
- 10.4 Labour Council representative elections shall be for a term of three years commencing with general membership meeting following the National Convention.
- 10.5 A trustee shall be elected from the members at large. The trustee must be a member in good standing but must not be an executive member. This trustee shall be elected following the National Convention. The trustee may examine the books of the Local at any time to verify if the expenses are in accordance with the by-laws and the decisions adopted by the membership or the Local Executive Committee. The trustee must examine the annual audit of the Local.
- 10.6 Nominations for elections shall be opened up at the general meeting following the National Convention and be held open until the election is held. Only members in good standing have the right to nominate.

### **Article 11 Committees**

- 11.1 The Local Executive Committee shall bear the responsibility for the Legislative Committee, the Organization Committee, the Grievance Committee, and the Education Committee. Subject to membership approval these committees shall be open to members in good standing who are not executive committee members.
- 11.2 There shall be a Local Women's Committee, and, where such a committee cannot be established, the responsibility becomes the jurisdiction of the Local Executive Committee.
- 11.3 The Local Women's Committee shall maintain an ongoing communication with the National Women's committee regarding matters which are of concern to the women's committees of the Union.
- 11.4 There shall be a Local Human Rights Committee and for Locals where such a Committee cannot be established, the responsibility of this Committee becomes the jurisdiction of the Local Executive Committee.
- 11.5 The Local Human Rights Committee function shall be to study issues and concerns affecting people of colour, disabled people, lesbians and gays, and aboriginal people and shall make recommendations to the Local Executive Committee on:
- a) the involvement of people of colour disabled people, lesbians and gays, and aboriginal people in the Union with the goal of full participation of such people in all levels of the Union;
  - b) the education of the membership on equality issues facing people of colour, disabled people, lesbians and gays, and aboriginal people;
  - c) the situation of people of colour disabled people, lesbians and gays, and aboriginal people in the post office and ways to improve it;
  - d) fighting racism, homophobia, and discrimination against people with disabilities.
- 11.6 The Local Human Rights Committee shall maintain an ongoing communication with the National Human Rights Committee regarding matters which are of concern to the Human Rights Committees of the Union.

### **Article 12 Discipline**

Article 8 of the National Constitution shall be used in it's entirety by the Local.

### **Article 13 General**

- 13.1 Per capita tax and assessments shall be held as a standing appropriation and shall require no motion of the Local to pay.
- 13.2 The Local shall not submit any resolutions with regard to legislation or any other cause to any central labour body or outside source which is not consistent to the aims and objectives of the Union as outlined in the National Constitution.

- 13.3 Any officer of the Local shall make it his particular duty to comply with and implement national policies of the Union adopted by the Convention or by the members through a referendum vote and the decisions of the National Executive Board.
- 13.4 The Local Vice-President shall be the third signing officer of the Local in order to act in the absence of either the Local President or the Local Secretary-Treasurer.
- 13.5 Any provisions in the Local By-laws which is contrary to the letter or spirit of the present National Constitution shall be null and void.

2003-04-28