

Ontario Public Service Employee's Union Local 330

BY-LAWS

PREAMBLE

The following by-laws are adopted by Local 330, and to supplement the OPSEU constitution, and to involve as many members as possible through the democratic sharing of duties, responsibilities and information.

ARTICLE 1 – NAME

This organization shall be known as Local 330, Ontario Public Services Employee's Union (OPSEU).

ARTICLE 2 – OBJECTIVES

The objectives of the Local and its members are to:

- 2.1 Uphold and abide by the OPSEU Constitution and all applications and interpretations thereof.
- 2.2 Encourage active participation by all members in union activities.
- 2.3 Provide an opportunity for all members to influence and shape their future through free democratic trade unionism.
- 2.4 Encourage settlement by negotiation and mediation, of all disputes between members and the employer
- 2.5 Ensure safe workplace through strict enforcement of Health and Safety standards.
- 2.6 Strive for member satisfaction with their working life through encouragement of a productive and enriching work environment, free from discrimination, harassment and unfair employment practices.
- 2.7 Uphold and abide by duly accepted OPSEU corporate policy.

ARTICLE 3 - AFFILIATIONS

Local 330 may affiliate with Orillia Area Council and Local district Labour Council. In case of affiliation, fees will be paid according to Council.

ARTICLE 4 - CONSTITUTION AND BY-LAWS

The Constitution of this Local shall be the Constitution of the Ontario Public Service Employees Union and these by-laws shall in all respects be subordinate to the said Constitution and all applications thereof.

ARTICLE 5 - MEMBERSHIP

- 5.1 Local 330 shall be open to all employees eligible for membership in OPSEU and employed by Simcoe County District School Board. (SCDSB)
- 5.2 Each member in good standing of this Union (Article 6) has the right to nominate and vote during all elections and at all general membership meetings. To attend all membership meetings and express views, arguments and opinions on all matters of business before any meeting. To meet and assemble freely with other members; and generally, to participate in all the activities of the Local in a responsible manner. To present and discuss factually and honestly, the issues upon which the membership must base its decision. 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 and By-laws. (Roberts Rules of Order)
- 5.3 The membership shall strive to obtain the objectives set forth in the OPSEU Constitution and these by-laws. In accordance with OPSEU policy, the Local and its members shall strive to maintain

constructive relations with other organizations, to do all in their power to strengthen and promote the labour movement, to cooperate with the Executive Board Members, OPSEU staff and help promote organizational activities.

ARTICLE 6 - MEMBERSHIP RIGHTS

Every member in good standing is entitled:

- 6.1 To be represented by the Local;
- 6.2 Subject to any qualifications stipulated in these by-laws, to be nominated for and hold one or more offices in the Local;
- 6.3 To attend the open session of the Local Executive Committee, notwithstanding that they may have a voice but no vote;
- 6.4 To attend any general meeting and that they may have both voice and vote;
- 6.5 To have the by-laws made available to them.

ARTICLE 7 - MEMBERSHIP MEETINGS

- 7.1 General membership meetings of all members of this Local shall be convened at least twice a year; the quorum shall be five (5%) of the membership.
- 7.2 Notification of general membership meetings will be given to the membership at least fifteen (15) working days in advance of the meeting.
- 7.3 A special general meeting of the Local may be called by the President or a majority of the LEC, or by a petition signed by not less than ten percent (10%) of the membership.
- 7.4 An agenda for general meetings will be made available to the membership prior to the meeting, including electronic means.
- 7.5 No member disrupting any meeting shall be allowed to remain after being warned twice by the Chairperson. To this end, a Sergeant at Arms might be appointed at each general membership meeting.

ARTICLE 8 - POWER OF ADMINISTRATION

- 8.1 The membership is the highest authority of this Local and shall be empowered to take or direct any action not consistent with the By-Laws. This action may include initiating independent investigations into issues of importance to the membership, enlisting the aid of OPSEU corporate staff and the President. An investigation of this nature may result in whatever corrective actions that OPSEU corporate and a majority of the Local may deem necessary, up to and including the removal of any member occupying any position on any committee (e.g. LEC, standing or ad-hoc committees, etc...)
- 8.2 Between membership meetings, the Local Executive Committee (LEC), consisting of all stewards including Local officers, shall administer the affairs of the Local in accordance with the Constitution, the Local by-laws and the wishes of the membership.
- 8.3 Between LEC meetings, the Local officers (President, Vice Presidents, Secretary, Treasurer, and Chief Steward) shall be empowered to act on behalf of the membership.

ARTICLE 9 - LOCAL EXECUTIVE COMMITTEE

- 9.1 The officers of the Local along with all remaining stewards shall constitute the Local Executive Committee (LEC)

- 9.2 The officers of the LEC shall be the President, 1st and 2nd Vice Presidents, Secretary, Treasurer, and Chief Steward.
- 9.3 The immediate Past President may serve as an honorary member of the LEC executive with voice but no vote.
- 9.4 A quorum of the LEC shall be 50% of its members. (Section 3 - OPSEU Constitution).
- 9.5 Meetings of the LEC shall be held at least once a month, excluding July and August. Meetings may temporarily be suspended on a vote of the Officers of the LEC. Special LEC meetings may be called by the President or by a majority of the LEC members.
- 9.6 Duties of the Officers of the Local shall be :
- a) President
The President shall enforce compliance with by-laws and regulations of the Union and Local; preside at local meetings; be an ex-officio member of all Local committees; generally supervise the affairs and operation of the Local; carry out such other duties as may be prescribed by the Local by-laws.
 - b) Vice Presidents
The 1st and 2nd Vice Presidents shall perform all the duties of the Presidential function during any absence of the President and accept and exercise such duties and powers as may be designated by the LEC or the President. A Vice President may also attend all functions of the Union in place of the President when the President cannot attend. A Vice President may be required to work with or assume the role of Chief Steward.
 - c) Secretary
The Secretary shall attend all meetings of the Local and keep minutes.
 - d) Treasurer
The Treasurer shall be responsible for proper administration of the funds of the Local.
 - e) Chief Steward
The Chief Steward will be available to assist all area stewards and coordinate all Local grievances.

ARTICLE 10 - DISTRICT STEWARDS

- 10.1 The Government of the Local shall be based on the district Steward System and the election of the officers of the LEC shall be from among the district stewards.
- 10.2 Members of this Local shall be organized into districts. The peers of their immediate districts shall determine stewards. The stewards will be considered stewards at large and responsible to represent the entire Local.
- 10.3 Duties of Stewards shall be to administer, monitor and assist members with the Collective Agreement, as well as act as a channel of communication between the members and the LEC.

ARTICLE 11 - ELECTIONS

- 11.1 Elections for the office shall be held in the fall of every second year with the term to commence January 1st.
- 11.2 District Stewards shall be elected by a majority vote within their respective district.
- 11.3 To ensure equal representation of Officers of the Local Executive Committee should the 1st Vice-President elect be employed from Group 1, the election of the 2nd Vice-President would be elected from Group 2 or **vice-versa**. For election purposes, Group 1 is defined as "Educational Assistants" and Group 2 is defined as "all other employee groups."

- 11.4 All elections for LEC positions shall be by clear majority, with run-off elections if necessary. Nominees may select a scrutinizer if desired; however, a candidate may not be a scrutinizer. Scrutinizers will be assisted by at least one (1) OPSEU staff member.
- 11.5 By-elections shall be held within sixty (60) working days after a position has become vacant, except when the vacancy occurs within three (3) months of the expiry of the term of office.

ARTICLE 12 - TRUSTEE

Every Local shall elect an audit committee composed of at least two members, to be known as Trustees. The Trustees shall be elected at a general membership meeting from among the members and shall not hold any other office in any Local. They shall hold office for a two-year term, but at the first election in a Local the terms may be varied to provide for overlapping terms.

The Trustees shall examine all books, records, and properties of their Local, at least twice each year. All Officers of the Local are required to make available all necessary documents to the Trustees on reasonable notice. The Trustees shall file an audit report, in a form specified by OPSEU headquarters.

ARTICLE 13 - FINANCES

The fiscal year (accounting cycle) of this Local shall begin at 00:01 hours January 1st and end at 24:00 hours December 31st.

- 13.1 The LEC shall have a budget made available to the general membership annually. A budget will be struck for each fiscal year.
- 13.2 The signing officers shall consist of the Treasurer and any two officers of the local as designated by the LEC.
- 13.3 All Cheques must be signed by two of the signing officers.
- 13.4 Any member, attending LEC approved educational seminars or who is authorized to act on behalf of the Local at any meeting except Local Executive, LEC, general membership and standing committee shall be compensated for out of pocket expenses. Such compensation shall apply only when the member is not receiving wages and other out of pocket expenses from OPSEU or the employer (per diem.)
- 13.5 Authorized expenses for approved educational seminars, not reimbursed by head office, shall be covered by Local 330 upon proof of expense.
- 13.6 Within reason, and in order to encourage participation the Local will cover the expenses of Observers to BPS Conference and OPSEU Convention as in Article 13.5 above. The LEC has the authority to set reasonable limits on the number of Observers to any function.
- 13.7 Responsibility Allowance may be paid to such officers and or others and such amounts as determined by the LEC. These allowances shall be based on a per member basis.

ARTICLE 14 - DELEGATES AND ALTERNATES

- 14.1 It is the responsibility of all delegates to ensure that the Local is represented on the floor of Convention, either in person or by the Alternate. The credentials must be properly handed over to the Alternate.
- 14.2 Delegates and alternates to BPS Conference and OPSEU Conventions shall be elected at a general membership meeting from the LEC/Stewards. It is understood that the President is an automatic delegate to convention using the convention formula.

ARTICLE 15 - COMMITTEES

- 15.1 The membership of the Local at a general membership meeting shall elect the members of each established committee, unless otherwise mandated.

- 15.2 The following are currently established committees: Joint Health and Safety Committee, PD Committee and Social Committee.
- 15.3 Other legally or corporately mandated committees may be formed as required (e.g. Human Rights, Social or Welfare, Political Action, etc...)
- 15.4 The Union Health and Safety rep shall be appointed by the LEC. During their term, the committee members must complete the educational requirements as prescribed by OPSEU Policy.
- 15.5 The Employee/Employer Relations Committee (ERC) shall be comprised of the Officers of the LEC and shall be appointed by the LEC.
- 15.6 Any member wishing to attend any committee meeting should request guest status through the Chair of the committee. Guest should be accommodated whenever practicable.
- 15.7 Unless otherwise stated, the Chair of each committee will be elected by the members of the committee.
- 15.8 Special ad-hoc committees may be formed from time to time by the President, a membership meeting or by a majority of the LEC. Members may be appointed by the LEC if a general meeting is not practical.

ARTICLE 16 - AMENDMENTS

- 16.1 These by-laws may be amended by presenting the amendments in writing to the LEC at least 10 days prior to a general membership meeting. The amendments will be studied by the LEC for presentation to the next general membership meeting. The agenda for that meeting must contain a notice of all amendments to be considered.
- 16.2 Approval by the two-thirds (2/3) of the membership present and voting at a meeting with a quorum will render the amendment adopted.
- 16.3 No amendments to these by-laws shall take affect until they have been approved by the President of OPSEU.