



Ontario Public Service Employees Union

Local 649 Bylaws

September 2008



LOCAL 649

BY-LAWS

Timmins, Ontario

September 2008

O.P.S.E.U. LOCAL 649

BY-LAWS

Timmins, Ontario

Article 1 - Name 4
Article 2 - Constitution and By-Laws 4
Article 3 – Membership..... 4
Article 4 - Membership Meetings 5
Article 5 - Power of Administration 6
Article 6 - Local Executive Committee..... 6
Article 7 - Term of Office..... 7
Article 8 - Election of Local Executive Officers and Stewards 7
Article 9 - Duties of Officers..... 8
Article 10 - Financial Operations..... 9
Article 11 - Trustees 10
Article 12 - Amendments..... 11

O.P.S.E.U. LOCAL 649

BY-LAWS

Timmins, Ontario

The following By-Laws are adopted by the members of OPSEU Local 649 pursuant to, and to supplement, the O.P.S.E.U. Constitution, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties, responsibilities and information.

Article 1 - Name

1.1 This organization shall be known as the Ontario Public Service Employees Union (OPSEU) Local 649.

Article 2 - Constitution and By-Laws

2.1 The Constitution of this organization shall be the *Constitution of OPSEU* and these By-Laws shall be subordinate to said Constitution and all applications and interpretations thereof.

Article 3 – Membership

3.1 This Local shall consist of all bargaining unit members from the Ontario Public Service (OPS) and the Broader Public Service (BPS) who have signed and submitted to the Union a membership application form indicating OPSEU Local 649 and who have otherwise complied with the requirements of *Article 6 of the OPSEU Constitution*.

3.2 Each Local member in good standing has the right to nominate and vote, express opinions on all subjects before the Local, attend all membership meetings and express views, arguments and opinions on all matters and business that are properly before the meeting, meet and assemble freely with other members, and generally to participate in the activities of the Local. The term "in good standing" is understood to mean a member who has signed and submitted a Union application form and who has not otherwise contravened *Article 30 of the OPSEU Constitution* as it pertains to strikebreaking. These rights shall at all times be subject to the rules of procedure governing meetings and other uniform rules and regulations contained in the OPSEU Constitution and the By-Laws of Local 649.

3.3 The membership shall strive to obtain the objectives set forth in the OPSEU Constitution and additional objectives established as the policy of OPSEU, to maintain free relations with other organizations, to do all in its power to strengthen and promote

the labour movement, to cooperate with Executive Board Members and Staff to help promote organizational activities.

Article 4 - Membership Meetings

4.1 General Membership Meetings of all members of this Local shall be convened at least two (2) times each year. The quorum shall be as defined in the *OPSEU Constitution in Article 29.8.2*, i.e., 201 or more members, five per cent (5%) of the members.

4.2 A special meeting of the Local may be called by the President or a majority of the Local Executive Committee (LEC) or by a petition signed by at least ten per cent (10%) of the membership who shall be members in good standing.

4.3 Advance notice of not less than one week shall be given for all meetings. A copy of the proposed agenda shall be posted not less than one week prior to any meeting.

4.4 The Local President shall be the Chairperson at all General Membership Meetings, Local Executive Committee meetings, and special meetings. In the absence of the President, the Vice-President will chair such meetings. In special circumstances, a person designated by first, the President or alternatively, the LEC, may chair the meeting.

4.5 Attendance and participation at Local meetings shall be exclusive to the members in good standing of this Local, except that others may attend at the invitation of the LEC or by assignment by the President of OPSEU.

4.6 With respect to the OPSEU Harassment and Discrimination policy, no form of harassment or discrimination will be tolerated at any Local 649 function, including all General Membership, LEC and Unit meetings. Each member has the right to be treated with dignity and respect; free from discrimination, coercion, intimidation or harassment practiced by a Local member with respect to another Local member.

4.7 The Local will be required to hold at least one General Membership Meeting prior to the Regional and/or Annual Conventions, Conferences (BPS), and Collective Bargaining conventions for the purpose of consulting the membership and approving any spending for Delegates, Alternates and/or Observers over and above any amounts not previously authorized in the Annual Budget. The LEC shall ensure that such a meeting is held early enough to comply with any OPSEU deadline requirements for proposed submissions (e.g. amendments).

4.8 The order of business at a General Membership Meeting shall be:

1. Call to Order
2. Statement of Respect
3. Adoption of Agenda
4. Minutes of Previous Meeting
5. Business Arising
6. Treasurer's Report

7. Correspondence
8. Introduction of New Members
9. Reports Executive Officers
10. Reports of Committees
11. Nominations and/or Elections
12. New Business
13. Adjournment

4.9 This Local shall follow the Rules of Order laid down in *Article 29.7.3 of the OPSEU Constitution* and shall otherwise be governed by Robert's Rules of Order.

4.10 Minutes of all General Meetings shall be posted within thirty (30) days of the meeting.

Article 5 - Power of Administration

5.1 The membership is the highest authority of this Local and shall be empowered to take or direct any action consistent with the Constitution or By-Laws.

5.2 Between membership meetings, the Local Executive Committee shall be the highest authority of the Local and shall be empowered to act on behalf of the membership to the extent that urgent business requires prompt and decisive action.

5.3 Between membership meetings, the Local Executive Committee, the President, or in his/her absence, the Vice-President, Treasurer, or Secretary shall exercise general administrative authority and shall be empowered to act on behalf of the LEC, subject to its approval.

Article 6 - Local Executive Committee

6.1 The Officers of this Local shall be the President, Vice President, Treasurer, Secretary, and Chief Steward and shall be elected by the general membership from amongst the Stewards.

6.2 Each OPS Ministry and BPS Agency shall be represented at the LEC by a Unit Steward and/or alternate Unit Steward.

6.3 The Officers of the Local together with the Unit Stewards shall constitute the Local Executive Committee (LEC) which shall administer the affairs of this Local in accordance with the OPSEU Constitution, the By-Laws of Local 649 and the wishes of its members.

6.4 Meetings of the LEC shall be held at least three (3) times per year with no more than four months between meetings. Special meetings may be called by the President or by a majority of the committee members.

6.5 Fifty per cent (50%) of the LEC members shall constitute a quorum, as per [Article 29.8.2 of the OPSEU Constitution](#), including at least one (1) of the President or Vice-President.

6.6 Minutes of all LEC meetings shall be sent to all Stewards within fourteen (14) days of the meeting. The Minutes shall state the names of all stewards, both those present for and those absent from the meeting.

6.7 Any member of the LEC absent for two (2) LEC consecutive meetings without a valid explanation (acceptable to the LEC) will be considered to have vacated his/her position. The vacancy(ies) will then be filled according to the procedure of the current OPSEU Constitution.

6.8 Minutes of all Local Executive Committee meetings shall be made available for examination at regular/General Membership Meetings.

Article 7 - Term of Office

7.1 A member must first be elected or re-elected as a Steward before he/she can be elected or re-elected as an Officer.

7.2 The term of office for Unit Stewards and all Officers of the LEC shall be two (2) years.

7.3 The term of office shall begin immediately upon election of Officers and shall be for a period of two (2) years.

Article 8 - Election of Local Executive Officers and Stewards

8.1 The members of Local 649 shall elect, from among the Stewards, the Local Executive Officers referred to in [Article 6](#) of these By-Laws. The members nominated as Stewards or Executive Officers must be members in good standing with the Local.

8.2 Elections of Officers shall take place at least every 2nd year at a General Membership Meeting. Reasonable notice (*at least 30 calendar days*) of the meeting and of the elections to take place must be given. Candidates for Steward or Officer positions are encouraged to submit application to the then current LEC but this expectation shall in no way limit a member's right to be nominated and elected at the General Membership Meeting itself. The interim election Officers shall take place at the General Membership Meeting in order to ensure continuity and effective operation of the Local.

8.3 As per [Article 7.3 of the OPSEU Constitution](#), proxy voting is not permitted at-any level of the Union.

8.4 Election of Stewards shall be conducted by secret ballot. Stewards, Unit Stewards and Alternate Unit Stewards shall be elected from time to time by the membership of the respective Unit.

8.5 Election of Executive Officers shall be conducted by secret ballot of the entire membership.

8.6 As per [Article 6.2](#), Each OPS Ministry and/or BPS Agency shall elect a Unit Steward and Alternate Steward to the LEC. In the case of the larger ministries/agencies, having more than thirty members, the membership may elect one Unit Steward for every thirty members in good standing.

8.7 All elections of Stewards and Executive Officers shall be based on the principle of winning a clear majority (*more than 50%*), with run-off ballots if necessary.

8.8 Mid-term vacancies occurring among Stewards or Executive Officers shall be filled within 30 calendar days by election, except where the vacancy occurs within three months of expiry of the two year term of office. In every case of filling a vacancy, the new incumbent shall serve only the unexpired portion of the term of office, as per [Article 29.4.2 of the OPSEU Constitution](#).

8.9 As per [Article 29.9 in the OPSEU Constitution](#) as it pertains to oaths, all Local Officers shall take the Oath of Office prescribed in [Article 14.7 of the OPSEU Constitution](#) before being allowed to take office. The oath shall be administered at a General Membership Meeting or at a meeting of the LEC. All Local Stewards shall take the oath, as per [Article 29.9.2 of the OPSEU Constitution](#) before being allowed to take office. The oath shall be administered at a General Membership Meeting or at a meeting of the LEC. Every new member shall, as part of his/her application for membership in the Union, be required to sign a declaration as per [Article 29.9.3 of the OPSEU Constitution](#). Finally, as per [Article 29.9.4 of the OPSEU Constitution](#), it shall be the duty of all Officers and Members to uphold their respective oaths and failure to act in accordance with them shall be deemed to be contrary to the OPSEU Constitution.

Article 9 - Duties of Officers

9.1 President

The President shall enforce compliance with the By-Laws and policies of OPSEU and the Local, preside at Local meetings, be an ex-officio member of all Local Committees, and supervise the affairs of this Local.

9.2 Vice-President

The Vice-President shall perform all of the Presidential functions during the absence of the President and assist Stewards with complaints, grievances, etc.

9.3 Treasurer

The Treasurer shall be responsible for proper administration of the operating funds of the Local and is required to make available all necessary documents to the Trustees within 30 days after June 30th and December 31st of each fiscal year.

9.4 Secretary

The Secretary shall attend all meetings of the Local and keep Minutes, distribute notices to Local members as required, and answer and forward all pertinent correspondence.

9.5 Chief Steward

Chief Steward shall coordinate, supervise and assist the activities of Unit & Shop Stewards.

Article 10 - Financial Operations

10.1 All funds of Local 649 shall be used only for legitimate trade union purposes. Accounting for revenue and disbursements shall be done in a proper and business-like manner. Except for reasonable amounts in petty cash accounts, all expenditures shall be by cheque and shall be properly supported by vouchers and/or receipts. The signing officers of Local 649 shall be any two of the President, Vice-President, or Treasurer.

10.2 Financial control of Local 649 shall rest with the Local Executive Committee, subject to ratification by the General Membership.

10.3 No individual officer of Local 649 shall have the power to incur any indebtedness on its behalf or appropriate any money without authority from these By-Laws or from the General Membership.

10.4 The Local Executive Officers (LEO) shall be authorized to spend up to \$500.00 or 20 per cent of the most recent rebate cheque at any one time so that Local union business can be dealt with more efficiently. Any expenditure outside of itemized expenditures in the budget exceeding this amount would require the General Membership's approval.

10.5 The LEO will be authorized to spend an amount, not to exceed \$100.00 for floral arrangements, cards or a memorial donation for a member who is recently deceased, or for a bereaved member who has recently lost an immediate family member (i.e. spouse or child).

10.6 The Local shall pay for labour education courses and educationals not paid for by OPSEU Head Office on submission of the applicable receipt(s).

10.7 The Local shall pay out-of-pocket expenses not paid for by OPSEU Head Office, in accordance with the OPSEU expense guide (such as meals, ½ room costs, parking, day-care, and public transit fares) to any Local member who is attending any meeting or function that is authorized by the Local. This would include Delegates, Alternates, and Observers to Convention, conferences, educationals, BPS Conferences, Timmins &

District Labour Council, Women's Committee meetings and any other Union-related functions. It is understood that these total expenses for the year shall be a line item in the budget.

10.8 For events authorized by Head Office that require overnight accommodations, the Local shall pay \$30.00 to any Local member as a host gift in lieu of ½ room costs, when private accommodations at relatives or friends are made instead of staying at commercial lodgings.

10.9 Except in a strike year, the Local shall not operate at a deficit.

10.10 The Treasurer shall present financial reports as needed and, an annual budget in writing to a General Membership Meeting for ratification at least once per year. The fiscal year of the Local shall be the calendar year from January 1st to December 31st of any given year.

10.11 The Local President shall have the authority to spend up to \$100.00 or 5 per cent of the most recent rebate cheque quarterly at his/her discretion for union/local related expenditures. This is exclusive of the conditions identified in [Article 10.4](#) of these Bylaws. It is understood that these total expenditures for the year shall be a line item in the budget.

10.12 The Local shall maintain a separate Strike Fund. Funds from this account shall not be released back into General Revenues.

10.13 [Article 10.7](#) will not apply, if there is a failure to submit an itemized expense account within 90 days of any authorized event.

10.14 This Local shall appoint a donation committee composed of at least three members from amongst the members at large. This committee will follow the Local 649 Donation Policy currently in place.

Article 11 – Trustees

11.1 This Local shall elect an audit committee composed of at least two members to be elected at a General Membership Meeting from amongst the members at large. They may not hold any other office in the Local. They shall hold office for a two-year term, but are eligible for re-election.

11.2 The Trustees shall examine all the books, records and properties of this Local at least twice per year. 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 the format specified by Head Office) to Head Office at least once every six (6) months and shall also make a full report to the first General Membership Meeting following the audit.

Article 12 – Amendments

12.1 These By-Laws may be amended by presenting the amendments in writing to the LEC at least thirty (30) calendar days prior to a General Membership meeting. The amendments will be studied by the LEC and presented at the General Membership meeting.

12.2 Any By-Laws adopted by this Local and any subsequent changes to them, must not be in conflict with the OPSEU Constitution and must be adopted by at least two-thirds of the members voting at a General Membership meeting for which reasonable notice has been posted of the intention to deal with the Local's Bylaws.

12.3 No supplemental Bylaws or changes to them shall take effect until the President of OPSEU in accordance with the Constitution has approved them.



ONTARIO PUBLIC SERVICE EMPLOYEES UNION

LOCAL 649

BY-LAWS

Timmins, Ontario

Jim Finnigan,
OPSEU Local 649 President

“Smokey” Warren Thomas,
OPSEU President

Gordon King,
OPSEU Local 649 Vice President

RATIFIED: *September 30, 2008*
AMENDED: *February 26, 2009*