

# BY-LAWS

## LOCAL 2289

COMMUNICATIONS, ENERGY &  
PAPERWORKERS UNION OF CANADA

Approved by CEP NATIONAL September 10, 2009

Amendments Approved by Annual Local Meeting June 12, 2009

**ARTICLE 1, NAME AND JURISDICTION**

- Section 1. This organization shall be known as Communications Energy and Paperworkers Union of Canada, Local 2289 (hereinafter called the “local”).
- Section 2. This local has been established and exists by virtue of a charter issued to it by the Communications, Energy and Paperworkers Union of Canada (hereinafter called the “National Union”) pursuant to the Constitution of the National Union.
- Section 3. The plural and masculine herein includes the singular and feminine throughout, and vice versa.
- Section 4. The local, its Executive Board Members and all those elected, appointed or employed to act on its behalf will not threaten, intimidate, or unlawfully discriminate against any member for reason of that member’s pregnancy, age, marital status, disability, sex, sexual orientation, race, creed, colour, religious beliefs, national origin, political affiliation, records of offense or for exercising any rights under the Constitution, Policies, By Laws or Collective Agreement. The local will not subject a member to harassment.
- Section 5. This local shall be subdivided into four (4) Districts. These Districts shall be broken into ten (10) Units. They shall be as follows:

District #1	Unit #1	Sydney
	Unit #10	Port Hawkesbury
District #2	Unit #2	New Glasgow
	Unit #3	Truro
	Unit #4	Amherst
District #3,	Unit #5	Halifax, Dartmouth, Sackville, Bedford
District #4	Unit #6	Bridgewater
	Unit #7	Yarmouth
	Unit #8	Kentville
	Unit #9	Digby

**ARTICLE 2, OBJECTS**

- Section 1. The purpose and objects of this local are to unite all workers within its jurisdiction for the following purposes:
- (a) To improve their wages and hours of work, to increase their job security and to secure working conditions conducive to safety and good health;
  - (b) To advance their economic, social, political and cultural interests; To disseminate information among workers regarding economic, social, political and other matters affecting their lives and welfare;

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- (c) To give assistance and encouragement to organizations in organizing workers and to engage in such other activities as may be necessary or proper to strengthen the labour movement and to extend the process of collective bargaining throughout all trades and industries;
- (d) To secure legislation safeguarding and promoting economic security and the social welfare of all workers;
- (e) To preserve and extend civil rights and liberties within a free and democratic society;
- (f) To promote the policies and goals of the national Union.
- (g) To promote and uphold the by-laws and policies of the Local and the Constitution and policies of the National Union.

Section 2. This local shall endeavour to accomplish the foregoing purposes by organizing the unorganized workers within its jurisdiction, educating its membership, negotiating collective bargaining agreements with employers, securing progressive legislation, and by all other appropriate means within the National Union.

**ARTICLE 3, LOCAL STRUCTURE**

Section 1. The structure of the local shall consist of the following (in no specific order):

- Membership
- Executive Board
- Unit Representatives
- Chief Stewards
- Shop Stewards
- Committees

Section 2. The headquarters and main office of this local shall be in the Halifax Regional Municipality, Nova Scotia or such other place as may be designated by the Executive Board of Local 2289.

**ARTICLE 4, MEMBERSHIP**

Section 1. Eligibility

Any person eligible for membership in the Communications, Energy and Paperworkers Union of Canada, as defined in Article 5 of its Constitution shall be eligible for membership in this local, if performing work within the local's assigned jurisdiction or on temporary transfer outside the local's assigned jurisdiction, or if employed on a part-time or full-time basis by the Union, or if dismissed and the grievance is not yet resolved or on layoff with recall rights. If there is no reasonable chance of recall, a person is not eligible for membership.

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Local 2289 may accept into membership any person who has applied for membership in the Communications, Energy and Paperworkers Union of Canada, and has paid the appropriate fees.

A member in good standing is a person who has signed a membership card and paid the required initiation fee, and who is not in arrears on dues or assessments for a period longer than two (2) months. A member in good standing may also be a member on an Honorary Withdrawal Card as well as be employed within the jurisdiction of the Union. The member must adhere to all rules as stipulated on the application form.

### Section 2. Application & Initiation Fees

Application for membership shall be submitted to the local. The form of the application for membership shall be supplied by the Communications, Energy and Paperworkers Union of Canada. An initiation fee in the amount of \$35.00 shall be submitted along with the written application for membership unless the initiation fee has been waived by action of the local. A membership card will be issued to each applicant upon approval of the local.

For newly organized members the initiation fee, dues and all other fees shall be the minimum required by law in the jurisdiction concerned.

### Section 3. Transfers

The transfer of membership from this local to the jurisdiction of another local and from another local to the jurisdiction of this local shall be made in accordance with Article 5 of the Union Constitution.

### Section 4. All eligible members, before being admitted to full membership, shall subscribe to the following obligation:

“I, (name of individual), pledge my honour to faithfully observe the Constitution and laws of this Union; to comply with all the rules and regulations for the government thereof; not to divulge or make known any private proceedings of this union; to faithfully perform all the duties assigned to me; that I will not wrong a member, or see him or he wronged, if in my power to prevent; to so conduct myself at all times as not to bring reproach upon my Union, and at all times to bear true and faithful allegiance to the Communications, Energy and Paperworkers Union of Canada”.

The local membership present: “Your pledge will be remembered”.

The above obligation of membership may be administered by an officer or representative of the National Union to any person applying for membership in the CEP.

Failure to pronounce this obligation shall not prejudice the majority status of the bargaining unit.

## **ARTICLE 5, LOCAL DUES AND ASSESSMENTS**

Each member of the local shall pay monthly dues of 1.75 % of their gross earnings. **From this amount the Local shall pay per capita dues in accordance with Article 6 of the CEP National Constitution.** The local shall notify the membership immediately after the National Union gives notice that the Defense Fund Per Capita dues is implemented or ceased.

Membership dues may be changed only by majority of those voting on the question by secret ballot referendum of the entire membership of the local, or by a majority vote in an Annual Local Meeting.

The local may impose a special assessment on dues only in the same manner as changing membership dues.

## **ARTICLE 6, GOVERNING AUTHORITY**

### Section 1. Membership

The affairs of the local shall be governed by its membership in accordance with the CEP Constitution, By Laws and Policies of the Local in the following manner:

- (a) Through action taken in the Annual Local Meeting or a Special Local Meeting or by referendum of the membership.
- (b) Through actions and decisions of the Executive Board between Annual Local Meetings.
- (c) The actions and decisions of the Executive Board may be overruled by the membership at the Annual Local Meeting or by referendum.

### Section 2. Referendum

The Local Executive Board shall order a secret ballot referendum vote if a petition signed by twenty percent (20%) of the local membership or by a petition signed by a majority of members of the Local Executive Board is received which calls for or certifies the desire for a referendum on any particular subject other than monetary assessments. The majority of the votes cast shall decide the referendum. The petition must be legible with printed name, address and signature of each member in good standing and will be verified by the Election Committee.

### Section 3. Executive Board

- (a) The officers of this local shall be:  
  
President  
Vice President

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Secretary/Treasurer

1 Regional Director, District 1

1 Regional Director, District 2

1 Regional Directors, District 3

1 Regional Director, District 4

- (b) All decisions of the Executive Board shall be by majority vote of the Officers in attendance.
- (c)
  - (i) Any Officer of the Executive Board failing to discharge the duties of his office for two (2) consecutive meetings, unless satisfactory excuse is given in writing to the Executive Board, shall have his office declared vacant by the president. In the case of a vacancy of Vice-President, or Secretary/Treasurer, whether by resignation or a declaration by the President, an election will be called to fill the position.
  - (ii) Any Officer of the Executive Board who occupies a positions of Acting Management, applies for or interviews for a management positions shall have his/her position declared vacant by the President. When the officer is the President, the Executive Board shall declare the position vacant.
  - (iii) Any Officer of the Executive Board who has had his/her position declared vacant by the President or by the Executive Board, shall be deemed ineligible in any and all local elections until the end of the term for which his/her position was declared vacant.
- (d) Vacancies:
  - (i) In case of vacancy in the office of President, one of the Executive shall immediately assume all responsibilities of that office as decided upon by the majority of the Executive Board, and an election will be called to fill the position.
  - (ii) In the case of a vacancy in the office of Regional Director for the unexpired term of less than six (6) months, the President shall appoint a new Regional Director, and the members shall approved the replacement at the next Membership meeting.
  - (iii) In the case of a vacancy in the office of Regional Director for the term of more than six (6) months, and election will be called and voted on per Article 12.4 of these bylaws.
  - (iv) During the temporary absence of any officer (other than the President), the President shall appoint a member to serve for the interim of the absence.

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- (e) Term of Office for Local Officers shall be as follows:

President – elected by the entire membership every three (3) years and automatic delegate to the National CEP Convention.

Vice President – elected by the entire membership every three (3) years.

Secretary/Treasurer – Elected by the entire membership every three (3) years and Delegate to the National CEP Convention when feasible.

Regional Directors – Elected by the members in their Region every three (3) years.

Section 4. Duties of the Local Officers:

1. The **Local President** shall:
  - (a) Be responsible for the conduct of all local business.
  - (b) Preside at local membership and Executive Board meetings.
  - (c) He shall decide all questions of order according to the parliamentary rules and have the deciding vote in the case of a tie.
  - (d) Prosecute grievances and appeal them to a higher level for the Union when not satisfactorily settled.
  - (e) Be the official spokesperson for the local.
  - (f) Support and enforce the Constitution and these By Laws and act within the policies established by the National Union and the local.
  - (g) Shall appoint all committees, act as ex-officio member of all committees, and appoint all delegates to all bodies with which the Union is affiliated. Where the Union has professional staff they may be named by the President as delegates. He shall be first delegate to all CEP, CLC and subsidiary body conventions or conferences. **In the event the President cannot attend the CEP Convention, the Vice President shall attend in his absence.**
  - (h) Shall see that all committees perform the duties assigned to them within a reasonable time. He shall promptly remove any committee member not performing his duties and appoint another.
  - (i) He shall appoint all Chief Shop Stewards and Shop Stewards.

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- (j) Shall see that all Chief Shop Steward and/or Shop Stewards perform the duties assigned to them within a reasonable time. He shall promptly remove any Chief Shop Steward and/or Shop Steward not performing his duties and appoint another.
- (k) Shall ensure that all funds of the local have been deposited in a Chartered Bank, Trust Company or Credit Union in the name of the local, subject to withdrawal by cheques signed, by two of the three signing officers in the name of the local and countersigned by any two of the following: The President, the Secretary/Treasurer or the Regional Director of District 3. He shall see that no disbursements are made except on an order countersigned by any two of the three signing officers or such other person designated by the Executive Board. No vouchers or orders are necessary to pay regular standing bills such as rent, salaries and general conduct of business.
- (l) Is required to work in conjunction with the Secretary/Treasurer in the investment of local funds.
- (m) Shall co-operate with the professional staff of the local and shall not work in conflict with them. In the event of any dispute between the President and the professional staff the matter shall be referred to the Executive board for resolution.
- (n) Approve all bills to be paid and countersign all cheques drawn on the local treasury.
- (o) May, when necessary and when approved by the Executive Board, employ such clerical assistance as may be required for the efficient operation of the financial affairs of the local and the overall administration of the local office.
- (p) May, when necessary, assign responsibilities to a member of the bargaining unit, as may be required for the efficient operation of the local.
- (q) Be bonded, as must any other person who handles local funds or other property in accordance with the National Union Constitution or any law.
- (r) Perform whatever additional duties may be assigned by the local or required by the Policies or Constitution of the National Union.
- (s) Turn over all papers, documents, funds or other property at the conclusion of his appointment.

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- (t) Decide all questions or order according to the parliamentary rules, and have the deciding vote in case of a tie at the District level.
2. The **Local Vice President** shall:
- (a) Work under the direction of the local President.
  - (b) Assist the President in the discharge of his duties and perform such other duties as are required of him by the local and the Constitution of the National Union.
3. The **Local Secretary/Treasurer** shall:
- (a) Maintain a record of the local membership.
  - (b) Record and maintain the minutes of all meeting of the local's Executive Board.
  - (c) Receive and distribute minutes of Regional meetings to members of the Executive Board.
  - (d) Provide the Executive Board of the local with copies of any changes in these By Laws within thirty (30) days after changes are made.
  - (e) Be a signing officer of the local.
  - (f) Be custodian of all assets of the local.
  - (g) Submit his books and records for inspection or audit when called upon by the President or Executive Board and to comply with Article 12.07.12 of the National Constitution.
  - (h) Prepare reports in writing for Executive Board meetings on the financial status of the local.
  - (i) Shall ensure that all funds of the local have been deposited in a Chartered Bank, Trust Company or Credit Union in the name of the local, subject to withdrawal by cheques signed, by two of the three signing officers in the name of the local and countersigned by any two of the following: The President, the Secretary/Treasurer or the Regional Director of District 3. He shall see that no disbursements are made except on an order countersigned by any two of the three signing officers or such other person designated by the Executive Board. No vouchers or orders are necessary to pay regular standing bills such as rent, salaries and general conduct of business.

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- (j) Is required to work in conjunction with the President in the investment of local funds.
- (k) Be bonded, as must any other person who handles local funds or other property in accordance with the National Union Constitution or any law.
- (l) Perform such other duties as may be assigned by the President, Executive Board or the local.

4. The **Local Regional Director** shall:

- (a) Work under the direction of the President.
- (b) Represent the District on the Executive Board.
- (c) The Halifax Regional Director shall be a signing officer.
- (d) If a signing officer, Shall ensure that all funds of the local have been deposited in a Chartered Bank, Trust Company or Credit Union in the name of the local, subject to withdrawal by cheques signed, by two of the three signing officers in the name of the local and countersigned by any two of the following: The President, the Secretary/Treasurer or the Regional Director of District 3. He shall see that no disbursements are made except on an order countersigned by any two of the three signing officers or such other person designated by the Executive Board. No vouchers or orders are necessary to pay regular standing bills such as rent, salaries and general conduct of business.
- (e) In the case of a vacancy in any Unit position, the Local regional Director may appoint a member to serve for the remainder of the term. If the remainder of the term is in excess of six (6) months, an election must be held to replace the Unit position.
- (f) Decide all questions or order according to the parliamentary rules, and have the deciding vote in case of a tie at the District level.
- (g) Meet with the Unit Representatives of his District on a quarterly basis (four times per year) at a central location within the District, and whenever possible at least one week prior to the scheduled quarterly Executive Board Meetings.
- (h) Submit a written report to the Executive Board, on a quarterly basis, concerning the outcomes of his meeting with his Unit Representatives. Whenever possible this report should reach the union office at least three days prior to the Executive Board Meeting.

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- (i) Perform such other duties as may be assigned by the President, Executive Board or the local.

### 5. General:

Any function(s) assigned to any Officer, by the local, the Executive Board or the Constitution of the National Union, may be delegated to a member of the local's staff, subject to the approval of the Executive Board.

### Section 5. Duties of the Unit Chairperson

- (a) Unit Chairperson shall be members of the respective Unit and each Unit may have the following Officers: Chairperson, Co-Chairperson and Unit Recorder.
- (b) A Unit Chairperson shall prepare an agenda for each Unit meeting and shall chair such meeting.
- (c) In the event the Unit Chairperson is unable to attend the unit meeting or district Meeting, the Co-Chairperson will perform the duties of the Unit Chairperson.
- (d) In the event the Co-Chairperson is unable to attend the unit meeting or district meeting, the Unit Recorder will perform the duties of the Unit Chairperson.

### Section 6. Duties of the Chief Shop Stewards

- (a) Chief Shop Stewards shall be appointed by the President to co-ordinate the duties of Shop Stewards in areas assigned to them by the President. The number of Chief Shops Stewards shall be appointed as required.
- (b) Be familiar with all provisions of the Collective Agreement and thoroughly investigate all grievances coming within his jurisdiction.
- (c) Be completely familiar with the grievance procedure
- (d) Keep the members they represent informed of union matters.
- (e) Have available at all times a copy of the local Collective Agreement, By Laws and Union Constitution
- (f) Chief Shop Stewards must attend at least four (4) of the regular meetings of their unit for the year unless a satisfactory excuse is forwarded to the union office in writing by fax, mail or e-mail to the attention of the President and to be received within 30 days of the meeting missed and be a member of the local in good standing.

- (g) Turn over all papers, documents, funds or other property at the conclusion of his appointment.

Section 7. Duties of the Shop Stewards

- (a) Shop Stewards shall be appointed by the President in such numbers as are required by the Units for their purposes. Before appointing Shop Stewards, the President shall consult with the Unit, but the final discretion in the appointment shall lie with the President. The President shall advise the employer in writing of the appointment.
- (b) Be familiar with all provisions of the Collective Agreement and thoroughly investigate all grievances coming within his jurisdiction.
- (c) Be completely familiar with the grievance procedure
- (d) Keep the members they represent informed of union matters.
- (e) Have available at all times a copy of the local Collective Agreement, By Laws and Union Constitution.
- (f) Shop Stewards must attend at least four (4) of the regular meetings of their unit for the year unless a satisfactory excuse is forwarded to the union office in writing by fax, mail or e-mail to the attention of the President and to be received within 30 days of the meeting missed and be a member of the local in good standing.
- (g) Carry out such duties as may be prescribed by the President, the Local Executive Board or any Chief Shop Steward.
- (h) Turn over all papers, documents, funds or other property at the conclusion of his appointment.

Section 8. Oath of Office:

Each elected Officer of the local, after meeting all other qualifications shall be duly installed upon the following oath:

“Do you solemnly affirm to faithfully execute the office to which you have been elected, and will, to the best of your ability preserve, protect and defend the Constitution of the Communications, Energy and Paperworkers Union of Canada, and the Local By Laws, and upon completion of your term of office, deliver to your successor all Union books, papers and property that may be in your possession?”

Response: “I do.”

**ARTICLE 7, EXECUTIVE BOARD MEETINGS**

- Section 1. The Executive Board shall meet at least quarterly at a place and location determined by the President.
- Section 2. The President, alone, or any four (4) other members of the Executive Board may call a special meeting of the Executive Board at a feasible time and location as determined by the party calling such meeting. Notice of a special meeting shall be given to the Executive Board. The notice shall include the date, time and place of meeting and state the purpose for which the meeting is called. No business other than that for which the meeting is called may be transacted.
- Section 3. If time does not permit an Executive Board meeting for a specific issue which requires a vote, all Executive Board Members shall be called and a unanimous ruling applies.
- Section 4. The quorum of the Executive Board shall be any four (4) members of the Board.
- Section 5. The meeting of the Executive Board shall be open to all of the membership of the local, but only the Executive Board members have the right to speak and vote, and members at large shall have opportunity to speak only when given permission by the chair. Members at Large (other than Executive Board Members or those specifically requested to attend) would attend these meetings at their own expense.
- Section 6. The Executive Board has the right to go “In Camera” to deal with private and/or confidential matters. Records of ‘In Camera” discussion shall be taken, but these shall only be available to members of the Executive Board, President or National Union.
- Section 7. The Secretary/Treasurer shall submit minutes of all Executive Board meetings to the members of the Executive Board. The Regional Directors will review these minutes with the Unit Chairpeople in their respective regions.

**ARTICLE 8, ORDER OF BUSINESS**

The Order of Business at meetings shall be:

1. Call to Order
2. Roll Call
3. Reading and Approval of Previous Meeting Minutes
4. Business Arising from Minutes
5. Financial Report
6. Communications
7. Committee Reports
8. Old Business
9. New Business
10. Adjournment

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The rules of order not specifically covered by these By-laws or the Constitution of the National Union shall be in accordance with Bourinot's Rules of Order.

At a local meeting the order of business may be suspended by a two-thirds vote of the members present.

### ARTICLE 9, REGIONAL MEETINGS

- (a) Regional Directors and all Unit Chairs will meet together twice (2) per year at a central location. Whenever possible these meetings are to be held at least one (1) week prior to the Executive Board meetings.
- (b) A quorum of the Regional Meeting will consist of at least one (1) Regional Director and the majority of Unit Chairs.
- (c) Regional Directors will report their findings from these meetings in their report to the Executive Board Meeting (which should take place within a week of such meeting – as per (a) above).
- (d) Minutes from these meetings will be forwarded to the Local of the union no later than one month following the date of the meeting.

### ARTICLE 10, UNIT AND/OR SPECIAL MEETINGS

- (a) The dates and locations of the Unit/Special Meetings may be set by the President, Regional Directors, Unit Chairpersons and/or the Executive Board who shall give at least seven (7) days notice of same. Minutes of such meetings must be sent to the local.
- (b) There shall be nine (9) monthly meetings per year. Regular meetings will not be held in the months of January, July and August.
  - (i) The Unit Chair shall have the discretion to change the meeting normally held in December to January, while still adhering to nine (9) meetings in a calendar year. 30 days notice must be given in writing to the union office if they intend to change the December meeting to January. This change will take effect in January 2010.
- (c) Unit meetings shall adjourn not later than 11:00 pm prevailing time.
- (d) Special Meetings shall be called, within their jurisdiction, by the President, Regional Director or Unit Chairperson. A special meeting may be called by the Unit Recorder upon written receipt of a request from a majority of the local Regional Directors and/or Unit Officers or a petition signed by 20% of the Unit or by a majority of members voting on the question at a regular monthly unit meeting. Upon receipt of such a request, a meeting shall be called within 10 days, and notices of such meeting shall be posted seven (7) days prior to the meeting.

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The notice shall state the nature of business to be transacted at the meeting and no business other than that specified in the notice shall be transacted at such meeting.

(e) A quorum of a Unit meeting is defined as the Unit Chairperson or Co-Chairperson/Recorder and at least one (1) member in good standing.

(i) A quorum of a Special Unit Meeting is defined as the Unit Chairperson or Co-Chairperson/Recorder and at least three (3) members in good standing.

**ARTICLE 11, LOCAL COMMITTEES**

1. Election Committee

In the month of March of the election year, the President shall appoint an Election Judge and as many Tellers as are necessary, but not less than three (3) and not more than nine (9) shall serve as an Election Committee to conduct the election. No candidate for office shall be eligible to serve on the Election Committee.

The Election Committee shall turn over to the Secretary/Treasurer all ballots and records used in an election or referendum to be preserved for a period of twelve (12) months following such elections or referendum.

2. Occupational Health & Safety Committee

Police and enforce Occupational Health and Safety in the workplace and participate on Joint Occupational Health and Safety Committees and report to the Executive Board and Membership.

**ARTICLE 12, ELECTIONS**

**Election of Executive Board Officers**

1. All Officers of the local shall hold office for a term of three (3) years.
2. Nominations for the local shall be held at the regular meeting of each unit in the month of April, with the election to follow in the month of June.
3. No members shall be candidate for more than one (1) office. If nominated for more than one (1) office, he shall immediately declare for which office he will be a candidate.
4. Members of one (1) District may nominate members of another District for local office. It is not necessary that such nominees be confined to a particular District except for the positions of Regional Directors. The candidates for these positions must be from the District and will only be voted on by the members of their respective District. A member placing the name of another member in nomination for office, when the nominated member is not present, shall at the time the nomination is made, give to the Unit Recorder evidence in writing signed by the nominee, that the nominee agrees to be a candidate for the specific local office. However, any member being nominated in this manner cannot signify his intentions to be a candidate for more than one (1) specific local office.

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5. Immediately after nominations, the Unit Recorder or Unit Chairperson shall forward a list of names of the Candidates to the Secretary/Treasurer of the local.
6. After nominations have been made, and those nominated are found to be qualified, the Election Committee shall have separate ballots prepared for each office, listing in alphabetical order, the names of all candidates for each office. Such ballots shall not contain any identifying numbers or marks.
7.
  - (a) All voting will be by secret ballot.
  - (b) If voting is done by mail out ballots that envelopes with proper postage will be used.
8. The Secretary/Treasurer shall furnish to the Election Judge, not less than twenty-one (21) days before the election, an alphabetical list of all members eligible to vote. All members in good standing and qualified shall be entitled to vote. A member in good standing is a person who has signed a membership card and paid the required initiation fee, and who is not in arrears on dues or assessments for a period longer than two (2) months. A member in good standing may also be a member on an Honorary Withdrawal Card. (See Article 5 of the CEP Constitution.
9. The Election Board shall decide the date, location, and time of the Unit Meeting for the purpose of conducting the election for the Union. The Election Board shall decide the time and location when ballots will be counted on the last regular business day of June.
10. The Election Board shall count the ballots and certify the results in writing to the Executive Board immediately after the ballots have been counted.
11. All election records including ballots shall be preserved for one (1) year from the date of election, after which it shall be destroyed unless a question has arisen in connection therewith.
12. Any candidate for office may be present or have a CEP member as an observer present at the voting by the local and at the counting of the ballots. Expenses incurred for this purpose shall be the responsibility of the member. Any member running as a candidate for any office, shall be notified of results as soon as possible following the ballot counting. Also, the candidate shall be given the actual ballot count if requested.
13. The elections shall be decided by the candidate receiving the most votes for a specific office. In the event of a tie vote the two (2) successful candidates shall stand again for election before the 15th day of August and the procedure aforementioned, with respect to the casting of ballots, shall be repeated . Only the tied candidates may stand for election.
14. Notice shall be mailed to all members at least twenty (20) days prior to the meeting for nominations in election years with all information regarding nomination, list of offices to be filled, and date of election.

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15. Every candidate shall have the right once within thirty (30) days prior to the election to inspect a list containing the names and last known addresses of all members of the local. Such list of members shall be maintained and kept by the local.
16. No member shall be eligible to run for office unless he has been a member of the CEP in continuous good standing for a minimum of one (1) year immediately prior to nomination. This does not stand in the case of the first election.
17. The member must also attend at least four (4) of the regular unit meetings of their local, maximum of one (1) meeting per month, for the twelve (12) month period immediately preceding the month in which nominations are held, or if a member of the Executive Board, must attend any combination of four (4) meetings of Executive Board, or his local, for the twelve (12) month period immediately preceding the month in which the nominations are held. If a Unit position, the member must attend any combination of four (4) meetings of the regular unit or quarterly Regional meetings.
18. An Executive Board member, if he is unable to attend an Executive Board meeting may receive credit for the meeting provided he files an acceptable excuse to the attention of the Executive Board to the local office by mail or fax within thirty (30) days after the date of the meeting he fails to attend. The Secretary/Treasurer shall advise the member in writing whether his/her excuse has been accepted.
19. A member of the local, if he is unable to attend a meeting, may receive credit for the meeting provided he files an acceptable excuse to the attention of the Regional Director of the Unit to the union office by mail, e-mail or fax within thirty (30) days after the date of the meeting he fails to attend. The Regional Director of the Unit shall advise the member in writing whether his/her excuse has been accepted.
20. Candidates profiles are a requisite and must be submitted within (15) fifteen days of nominations. The Local office shall send profile forms to the Units for their regular meeting in April.

### **12 B Election of Unit Officers**

1. The Executive of the Local shall establish the Units of the Local in their absolute discretion. The Units may be altered or amended at any time at the discretion of the Executive Board. The purpose of the Unit is to facilitate the function of the Local and to better serve the interests of the membership of the Unit.
2. Unit Officers shall be members of the respective Unit and each Unit shall have the following Officers: Chairperson, Co-Chairperson and Unit Recorder. **Effective in elections in 2011 the officers shall be Chairperson, Co-Chairperson/Recorder.**
3. Elections of Unit Officers shall be conducted at the June Unit meeting during the election year. Elections shall be conducted by secret ballot. An Officer of the Unit must have attended or been given credit for four (4) regular meetings of the previous 12 months preceding this meeting. Names of successful candidates must be sent to the Local office as soon as possible.

4. A Unit Officer must be a member of the Unit and shall serve for a period of three (3) years and their term of office shall coincide exactly with the term of office of the Executive Board of the Local.

### **12 C Election of CEP National Convention Delegates**

1. Delegates to the National CEP Convention will be per Article 8.06.03 of the CEP Constitution. The Executive Board will consider the number of delegates that may attend per the CEP Constitution and the financial resources available to determine the number of delegates that may be sent to this Convention.
  - (a) That by virtue of their office the Vice President and four Regional Directors will attend the Convention along with one Delegate to be voted at large. The election will be held according to rules of elections Article 12 Election of Executive Boards officers in our Bylaws. Alternates for the Convention will be chosen in descending order of votes of those not chosen for delegate at large.

### **ARTICLE 13, RECALL**

- (a) Any elected Officer of this Local may be recalled in accordance with the provisions of Article 17 of the Union Constitution.

### **ARTICLE 14, CHARGES, TRIALS AND APPEALS**

As defined under Article 17 of the National Constitution.

### **ARTICLE 15, STRIKES**

The calling, conduct and termination of strikes affecting this Local shall at all times be carried out in compliance with the rules prescribed by the Union and Article 16 of its Constitution.

### **ARTICLE 16, AMENDMENT**

1. These By Laws may only be amended by a majority vote of the delegates voting at an Annual Local Meeting or by majority vote of the delegates voting at a Special Local Meeting.
2.
  - (a) Between Annual Local Meetings policies of the Local may be created or amended by a majority vote of the Executive Board.
  - (b) Policies of the Local may be created or amended by a majority vote of the delegates voting at an Annual Local Meeting or by a majority vote of the delegates voting at a Special Local Meeting.
  - (c) Policies created or amended by the Executive Board may be repealed or amended by a majority vote of the delegates voting at an Annual Local Meeting or by a majority vote of delegates voting at a Special Local Meeting.

3. Notice to amend these By Laws shall be submitted in writing to the President of the Local who shall add it to the agenda of the next Annual Local Meeting. When times does not permit an amendment to be placed on the agenda of the next Annual Local Meeting, the President may, at his/her sole discretion, place the amendment on the agenda of the following Annual Local Meeting.

#### **ARTICLE 17, MISCELLANEOUS**

1. Each member shall keep the Secretary/Treasurer informed of his correct address.
2. Members shall show their membership cards upon request.
3. In these By Laws the mention of “Constitution” is meant to be that of the National Union.
4. Proxy voting shall not be allowed in Local voting procedures.
5. The fiscal year of the Local shall be from January 1 to and including December 31.
6. The Local shall open three accounts for the general operation of the Local business those being:
  - a. Savings Account
  - b. Checking Account
  - c. Convention Account

The signing officers for these accounts shall be: the President, the Secretary/Treasurer and the District 3 Regional Director.

7. Safety Coordinator:

As soon as possible following elections, the President shall appoint a Local Safety Coordinator. This appointment will be for a term of three (3) years, to expire at the swearing in of a new Executive.

The Safety Coordinator may review Occupational Health & Safety Committee minutes of which the Local is involved.

The Safety Coordinator may act as an Advisor to the Locals in all matters of safety; however, all safety policies of the Local shall be approved by the Executive Board.

The Safety Coordinator will operate under the direction of the president as required.

8. The Local Safety Coordinator shall report in writing to each regular Executive Board meeting. Whenever possible the Secretary/Treasurer, or person directed by the Secretary/Treasurer, will attempt to provide the Local Safety Coordinator with at least three (3) weeks notice of each regular Executive Board meeting. The written report of the Local Safety Coordinator may be in email form, but in any case shall reach the Union Office at least one (1) week prior to each regular Executive Board meeting.

The Local Safety Coordinator may be required to report in writing, or in person, to the Annual Local Meeting as directed by the President.

9. Notwithstanding Article 12.14, notice posted on the website maintained by the Local, within the timeframes described in these Bylaws, shall be considered sufficient notice for the purpose of these Bylaws.

10. The Biennial meeting will be attended by the Executive Board by virtue of their office (excluding the President based on Article 13 of the CEP/ACC By-Laws). Remaining positions will be appointed by the President, based on interest expressed in writing by any member in good standing.

## ARTICLE 18, ANNUAL LOCAL MEETING

1. At the last regular Executive Board meeting of each year the Executive Board shall call an Annual Local Meeting for the next year. The time and location of the Annual Local Meeting shall be determined by the Executive Board. The time of the Unit Delegate vote shall be determined by the Executive Board.

2. The purpose of the Annual Local Meeting is:

- (a) to exchange ideas and make recommendations to the Executive Board, the Council, and the National Union.
- (b) to provide a forum for Units to share information, coordinate activities, and build on solidarity with one another.
- (c) to assist Units in participating in the affairs of the Local.
- (d) to amend these By-Laws.

3. (a) The Annual Local Meeting shall be comprised of the President, Vice-President, Secretary/Treasurer, Directors, Unit Chair, Co-Chairperson/Recorder and one (1) Delegate elected by each unit.

- (i) The President be given the authority to appoint new members of our Local (less than 10 years service) to be observers to our Annual Local Meeting by expressions of interest to the President.

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(b) Elections of Unit Delegates shall be conducted at a Unit Meeting. Elections shall be conducted by secret ballot. Elections shall be supervised by the Director of the Unit. Candidates for Unit Delegate must be present at the vote or the Unit Chair person must be in possession of a letter, signed by the candidate, which expresses the candidate's desire to be considered, at the time of the vote. A candidate must be a member in good standing at the time of the vote in the Unit in which the vote is conducted. A candidate must have attended or been given credit for four (4) meetings in the twelve (12) months previous to the meeting at which the vote is conducted. Names of successful candidates must reach the Local Office by the last business day of the month in which the Unit Delegate vote was conducted.

(c) The President may direct the Local office staff to verify that successful candidates qualify according to (b) above. When a successful candidate does not qualify the candidate will be notified by the President in writing and the position will remain vacant.

(d) A quorum of the Local Annual Meeting will be no less than 51% of those eligible to attend per Article 18.3(a) & (b).

4. The President shall forward an agenda for the Annual Local Meeting to the delegates no less than thirty (30) days before the Meeting. The agenda shall include proposed amendments to the By-Laws.

5. The President shall act as Chairperson for the Annual Local Meeting.

6. The President may appoint committees to the Annual Local Meeting in his/her sole discretion.

7. The order of business for the Annual Local Meeting shall be:

1. Call to Order.
2. Role Call.
3. President's Report.
4. Treasurer's Report.
5. Unfinished Business.
6. New Business.
7. Adjournment.

The order of business may be suspended by a majority vote of the delegates present.

8. A delegate shall have one vote at the Annual Local Meeting. The President may vote on all matters. In the event of a tie, the President shall cast the deciding vote.

9. The Annual Local Meeting shall be open to all members in good standing of the Local, but only the delegates described in 3(a) above shall have the right to speak and vote. Members who are not delegates may speak only when given permission by the Chair. Members who are not delegates shall attend the Annual Local Meeting at their own expense. Members who wish to attend shall give reasonable notice in writing to the President.

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10. Representatives of the Council and/or the National Union may be invited to attend the Annual Local Meeting. The Local shall not pay expenses for representatives of the Council and/or the National Union and they shall have no vote and may speak only when given permission by the Chair.
11. The Local shall pay the normal and usual expenses incidental to the Annual Local Meeting together with the normal and usual expenses of the Delegates described in 3(a) above.
12. All amendments to these By-Laws shall not become effective until approved by the National Union.
13.
  - (a) A Special Local Meeting may be called by the Executive Board.
  - (b) The time and location of the Special Local Meeting shall be decided by the Executive Board.
  - (c) Action of the Special Local Meeting shall be confined to the matters for which it was called.
  - (d) All delegates to the Annual Local Meeting shall remain as delegates until the next Annual Local Meeting and shall be delegates to the Special Local Meeting; however the delegate must be a members in good standing of the Local at the time of the Special Local Meeting.
14. The rules of order for the Annual Local Meeting and/or the Special Local Meeting shall be under rules as may be adopted by the Annual Local Meeting, with Bourinot's Rules of Order prevailing under circumstances not covered by any Annual Local Meeting rules.

## Appendix A

### APPLICATION FORM - HONORARY WITHDRAWAL CARD

- 1) Application for Membership - an application form for membership shall be filled out and the "Obligation of the Local" read and signed. Each applicant, when possible, shall take the obligation before a regular meeting.
- 2) Each applicant shall pay the admission fee as stated in the Bylaws of the Local.
- 3) Each member shall pay monthly dues in accordance to the Bylaws of the Local. The Local holds the right to accept or reject membership in the Local.
- 4) Any member indebted to the Local for two months dues and/or any assessments shall stand suspended. Such member cannot be reinstated until all indebtedness has been paid, unless waived by the Executive Board. However, dues cannot be waived.
- 5) Members suspended for being in arrears for more than two months may apply for reinstatement. If eligible for reinstatement, the member shall pay all dues and assessments in arrears along with a reinstatement fee of \$35.00.
- 6) Any member desiring to maintain his standing due to leave-of-absence, maternity leave, parental leave, permanent lay-off with recall rights or such other cases as may be decided by the Local; may be issued an "Honorary Withdrawal Card" by the Secretary/Treasurer of the Union, provided dues are paid for the previous month when this request was made.
- 7) A member on Honorary Withdrawal shall pay to the Local the sum of \$3.50 per month.
- 8) Upon return to active employment, a member on Honorary Withdrawal shall deposit his Honorary Withdrawal Card with the Local and continue membership by paying the current month's dues. The payment of a new initiation fee will be waived if this card is presented to the Local office within thirty (30) days of return.
- 9) The Local may revoke any member's Honorary Withdrawal Card for violation of rules or Bylaws of the Local. Such member shall not work in conflict with the Local.
- 10) A member on an Honorary Withdrawal may be subject to charges, trials and appropriate penalty in accordance with the provisions of the Local's Bylaws and CEP Constitution.

I \_\_\_\_\_, HAVE READ AND UNDERSTAND AND I MUST ADHERE TO THE ABOVE RULES TO MAINTAIN MY HONORARY WITHDRAWAL CARD AND PRIVILEGES IN CEP, LOCAL 2289.

DATE: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

**POLICY 1**

**RETIREMENT GIFTS**

A delegated member is to present an appropriate gift. Local retirement gifts are presented at the Regular Unit Meeting or in a manner at the discretion of the Unit.

**POLICY 2**

**BEREAVEMENT GIFTS**

In the event of the death of a member, a Bible or other appropriate document shall be presented on behalf of the Local.

For other family members a card will be sent.

**POLICY 3**

**PER DIEMS**

In accordance with the CEPACC Bylaws and Policies.

**POLICY 4**

**STRIKE APPEALS**

The President may issue a cheque not to exceed \$500.00 upon receipt of a strike appeal.

The Executive Board may authorize a further \$1,000.00 by majority vote. If special circumstances warrant further assistance, it will only be done with unanimous vote of the Executive Board.

**POLICY 5**

**RULES FOR EXPENSES & TRAVELLING**

The following rules are to be strictly applied:

- a. Hotel - single accommodations - accommodations booked by Local office, total cost will be paid by the Local in accordance with these policies.
- b. Accommodations booked by member, receipts required, to a maximum of \$110.00 per night.
- c. Members, who do not return home and choose to be responsible for their own accommodations will be entitled to \$60.00 per day plus mileage not to exceed \$100.00. Mileage in this instance is considered that which is from accommodations to scheduled meeting.

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It is understood that when members choose this option, the Local accepts no responsibility, whatsoever, for loss or damage to personal property or the injury of third parties while members are at the accommodation or enroute to or from the accommodation and worksite.

- d. Per Diems - See Policy 3.
- e. Bus/Limo/Taxi – to and from airport – most economical practicable method, receipt required.
- f. (a) Airfare/Bus/Train - most economical practicable method, receipt required.  
(b) Car Rental – (cannot be considered as personal auto) under unforeseen circumstances or where it is financially less or of relatively equal cost, a union member shall be permitted to use a rental car for union business at union expense.
- g. Personal Auto = CEP National rate
- h. Parking - actual cost with receipts.
- i. Incidentals – incidental expenses on legitimate union business may be paid when accompanied by receipts.

### **POLICY 6**

#### **PRESS RELEASES**

The National Union, Local President, or his designate are the only persons allowed to make press releases and that whenever possible they are in prepared form.

### **POLICY 7**

#### **TELEPHONE CALLS WHILE ON UNION BUSINESS**

The Local will pay the cost of one personal long distance call per day for a reasonable amount of time for a member who is required to stay away from home overnight on legitimate Union business.

The Local will also pay the cost for up to three Local calls per day under the above conditions in the event the hotel charges for using their telephone equipment.

Members who choose the expense option described in Policy 5 (b) or (c), shall not be reimbursed for personal calls.

Calls relating to Union business are paid for by the Local.

Members who choose the expense option described in Policy 5 (b) or (c), may be reimbursed for calls relating to Union business. Expenses forwarded to the Local for these calls must be accompanied by a photocopy of the bill for the phone from which the calls were made.

Members shall not be reimbursed for calls that are not made.

**POLICY 8**

**INVESTMENTS**

The following policy is directed by the Executive Board and administered by the President and Secretary/Treasurer.

It is the intent of the Local to utilize the liquid funds at its disposal to invest in low risk investments.

**POLICY 9**

The person in the position of President of CEP Local 2289 receive top up of any company salary to allow their pay treatment to equate to 20% above the top scale and step of the Collective Agreement. This top up would be provided by CEP Local 2289 in equal installments to coincide with bi-weekly pay periods.

**POLICY 10**

The Local will contribute a one time per year amount of \$200.00 per unit to help support a function within their unit to promote solidarity. This amount doesn't accumulate from year to year. A detailed written request from the Unit Chair is required to be submitted to the Regional Director of their District.

When organizing a social event in Unit 5, the organizers may apply for an additional \$300.00 due to the large number of members in this unit. A detailed written request from the Unit Chair explaining the reason for the additional funds is required to be submitted to the Regional Director of their District.

**POLICY 11**

The Secretary/Treasurer shall open an account at the financial institution of his choice. This account shall be known as the Carl Simpson Memorial Strike Appeal Fund.

No later than the last business day of January of each year an amount not less than one thousand (\$1,000.00) dollars shall be deposited into this account in memory of Carl Simpson.

Disbursements shall be made from this fund according to Policy 4.

A letter shall accompany disbursements from this fund informing recipients about the Carl Simpson Memorial Strike Appeal Fund.

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All disbursements for strike appeals shall be made from this fund. Should this fund become depleted, funds may be deposited into this account at the direction of the President from general funds.

Should funds in this account reach an amount of ten thousand (\$10,000.00) dollars, deposits shall cease until such time as the balance drops to five thousand (\$5,000.00) dollars at which time deposits will recommence.