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UNIFOR

LOCAL 1999

CONSTITUTION AND BY-LAWS

Local 1999 Constitution & By-Laws

Adopted May 19th, 2022

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1) Name

This organization shall be known as Unifor Local 1999

2) Trade Union Status

1. The objectives of the Local Union include:

a. The regulation of labour relations and collective bargaining between employers and employees

b. To recognize and foster harmonious unity between workers, and to develop strength and unity between regions

c. The adopting of wage scales providing adequate remuneration for labour performed and the elevation and improvement of worth, intellectual, social and economic conditions of the worker.

d. To actively attempt to organize non-union workers wherever they may be found.

3) Constitution & By-Laws

The Unifor Local Constitution and By-Laws of the National Union, Unifor, shall remain the Constitution and By-Laws of Local 1999, except as amended by the following amendments and any subsequent amendments thereto approved by the National President. Bourinot’s Rules of Order shall be the parliamentary authority in all cases not governed by the Constitution and By-Laws.

The Convention shall be the supreme body of Local 1999, having the power to amend the Constitution, formulate rules governing the conduct of the Local Union, establish policies of the Local Union and exercise any other powers necessary in respect of the administration of the Local Union.

Amendments to this Constitution shall require a two-thirds majority of votes cast by delegates at the convention. Such amendments shall be submitted to the Secretary of the Union thirty days prior to Convention.

4) Fiscal Year

The fiscal year of Local 1999 shall begin on January 1st and end on December 31st.

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5) Membership

a. The Local Union shall be composed of workers eligible for membership in Unifor, over whom Local 1999 has jurisdiction.

b. Each member in good standing of Local 1999 has the right to nominate and vote, express opinions on all subjects before Local 1999, to attend all membership meetings and express views, arguments and opinions on all matters and business, including candidates for office, properly before the meeting; to meet and assemble freely with other members and generally, to participate in the activities of Local 1999 in a responsible manner consistent with good conscience in order to present and discuss factually and honestly the issues upon which the membership must base its decisions. These rights shall at all times be subject to the rules of procedure governing meetings and other Unifor rules and regulations contained in the Constitution, By-Laws and other official rules of Local 1999.

A member in exercising the foregoing rights and privileges shall not take any irresponsible action which would tend to jeopardize or destroy, or be detrimental to, either Local 1999 or the National Union as organizations, or their free democratic heritage, or which would interfere with the performance of Local 1999 or the National Union of its legal or contractual obligations as a collective bargaining agent, or interfere with the legal or contractual obligations of Local 1999 as an affiliate of the National Union.

Violation, or abuse of these rights and privileges of membership, or engaging in conduct prohibited by this section, may be grounds for the commencement of a charge against a member pursuant to Article 18 of the National Constitution.

6) Powers of Administration

a. The membership is the highest authority of Local 1999 and shall be empowered to take or direct any action not consistent with the Constitution or By-Laws.

b. Between conventions, the Executive Board shall be the highest authority of Local 1999 and shall be empowered to act on behalf of the membership to the extent urgent business requires prompt and decisive action, subject to subsequent membership approval, but the Executive Board may not take action affecting the vital interests of the Local without prior membership approval.

c. Between Executive Board meetings, the President shall exercise general administrative authority and shall be empowered to act on behalf of, and take action permitted, to the Executive Board subject to subsequent Executive Board approval.

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7) Local Union Officers

1. The Executive Board of Local 1999 shall ideally consist of the following:

a. Southwest & Central Regions:

One member at large per branch as elected by said branch (i.e. London elects its member at large) On a bases of 1 per branch for up to 100 members and 1 for up to every 100 members in that branch after that (i.e. Burlington 1 member at large for up to 1st hundred members and 1 for up to 200 members etc.). For clarity this applies only to the Southwest and Central areas.

b. 1 Representative from the Northeast Region

c. Additional Bargaining Units:

1 Unit Chair from each bargaining unit up to 200 members

1 Vice Chair for any bargaining unit over 200 members not represented in a,b,c.

Ideally the Representatives come from different branches

d. 1 representative who is classified as a clerical employee

2. The term of office of all Executive Board positions shall be three years, with the elections taking place prior to the triennial convention by way of mail in ballot or electronic voting. Every member in good standing shall receive a ballot in which they shall indicate their choices for all positions (ie. Three candidates for the Central Region, Three for Southwest etc,) for their respective branches.

3. The Executive Officers of the Local 1999 Executive Board shall be elected from within the Executive Board by secret ballot at the Triennial Convention by those delegates present. They shall consist of the following officers:

i. President

ii. Vice President

iii. Secretary Treasurer

iv. Recording Secretary

4. There shall also be three Trustees elected from within the Executive Board, candidates for these positions shall be nominated with due consideration of geographical and bargaining unit representation, and such that no 2 shall come from any 1 bargaining unit. There shall also be one alternate.

5. If more than two candidates are nominated for any office, the secret ballot process shall be repeated until one candidate has a clear majority of votes.

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8) Executive Board Meetings

The Executive Board shall meet a minimum of four times per calendar year, with special meetings being called as required.

A copy of the minutes of all Executive Board meetings shall be forwarded to all board members as soon as possible after the meeting. These minutes are to be presented at local home base general membership meetings.

A Quorum for the purpose of transacting any business by the Local during an Executive Board Meeting shall consist of a simple majority of Executive Board Members

All Executive board members shall be invited to all Executive Board Meetings.

All members of the Executive Board have equal voting rights on every issue.

9) Duties Of Officers\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

President

It shall be the duty of the President to preside over all Local Executive Board Meetings and the Local Convention; to preserve order and enforce the Constitution and By-Laws of the Union; to appoint, subject to the approval of the Executive Board, all special committees when elections for same are not called for; to sign the minutes of the Recording Secretary after their approval by the Executive Board. (These minutes can be used at home based meetings before official signing and Board approval): to be ex officio member of all committees; and to report on activities to the Local Executive Board.

The President shall be entitled to vote on questions of membership and other matters voted on by secret ballot. As chairperson of a meeting, the President may cast only the deciding vote on other matters. The President may attend any approved Convention or function on behalf of the Local Union.

Vice President

The Vice President shall assist the President, and act in the President’s absence, resignation or death. If the Vice President is absent from a meeting, the Executive Board will elect a Chairperson pro-tem prior to the commencement of the meeting. The Vice President shall perform other duties as assigned by the Executive Board. In addition the Vice President shall serve as Chief Steward and act as a central receiving point for all grievances and related files.

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Secretary Treasurer

The Secretary Treasurer shall oversee the issuance of receipts for all monies passing through the office; deposit monies or cheques received within five working days of receipt; pay bills authorized by the Local Union; be responsible for keeping the Local Union in compliance with the Constitution by paying any obligations required there under; make financial reports of all financial transactions to the National Secretary Treasurer in accordance with procedures established by the National Secretary Treasurer and on forms provided by the National Office; make reports at each regular Executive Board meeting and at the Local 1999 Convention on all receipts, expenditures and balances.

The Secretary Treasurer shall make all books and records available to the Local Union Trustees for examination. There shall be an up to date monthly financial report sent out to each Board member at the beginning of each month to be used at local home based meetings.

Recording Secretary

The Recording Secretary shall keep a faithful record of meetings of the Local Executive Board; conduct correspondence of the Local Union unless otherwise directed; keep a file of all matters pertaining to the office available for inspection by the Local Executive Board or Officers; and perform such duties as may be necessary for the proper administration of the Local Union affairs subject to approval of the Local Executive Board. All mail correspondence shall come to the Local by way of the Recording Secretary and the President.

Trustees

The Trustees shall keep watch over all monies and property of the Local Union. They shall approve the Secretary Treasurer’s reports. An audit shall be performed by the three Trustees at least four times a year prior to each meeting of the Local Executive Board. They shall submit a written report on each audit to the Local and to the National Secretary-Treasurer in such manner and at such times as the National Secretary-Treasurer may require, and have such further powers and duties as may be provided by the Local Union By-Laws.

Health & Safety Officer

The Health & Safety Officer shall coordinate Health & Safety training as required, coordinate all Health & Safety issues that may arise that pertain to the Local and report to the board as required.

Should it occur that no existing board member is certified in Health & Safety the board has the right to appoint someone to this position to attend meetings with a voice but no vote until such time as that position can be filled by an Executive Board member.

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10) Duties of the Executive Board\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Executive Board shall enforce the Constitution and By-Laws of the National Union and of Local 1999 and generally carry out between the conventions the purpose, policies, and program of the Union. The Executive Board shall be responsible for the day to day operation of the Union.

In the event of a vacancy on the Executive Board, the position shall be filled through appointment, by the Executive Board, within the region where the vacancy occurred. If the vacancy is also a table officer, the Executive Board will hold a vote by secret ballot to fill the vacancy.

There shall be Stewards in all home bases, if possible, to be nominated and elected at local home based meetings. Elections will take place in the Convention year following the Convention, and Stewards will hold their seat for a term of three years.

Home Base Meetings

Regional Board members are responsible for running the meetings in all home bases at least four times per calendar year. Reports of these meetings are given to the Recording Secretary of Local 1999, and passed on to all board members. Home based meetings are primarily for information purposes. However, in the event of nominations and elections of Stewards and/or other decisions that might require voting, (that deals with local home base issues only) a notice of the meeting and the reason, must be posted not less than thirty days prior to the meeting.

Steward Council Meetings

The Executive Board shall hold a Steward Council twice per calendar year with the exception of Convention year a minimum of one Steward Council meeting will be held. The Steward Council shall consist of the Executive Board Members, Stewards from each home base and the National Representative. For the purpose of transacting any business conducted at the Steward Council the quorum shall consist of not less than six Executive Board members and ten Stewards. The Executive Board shall recommend to the Stewards Council the number of delegates to attend any convention/function as deemed necessary by the board.

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11) Executive Board Committees\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Negotiating Committee

The four Executive Officers of the Executive Board shall be empowered as the accredited agents of the Union to conduct all negotiations between the Union and the Company. The Executive has the authority to appoint other spokespersons as required to ensure proper representation is maintained.

Grievance Committee

Members of the local home base for each bargaining unit shall form their own Grievance Committee for local issues. The President shall be chairperson of all Grievance Committees, or in his/her absence the local Board Member, and will attend all grievances that proceed to third step. There shall be a minimum number of two members on the Grievance Committee.

Financial Committee

There shall be a Financial Committee consisting of the Secretary Treasurer and the three Trustees and one designated alternate. The committee shall audit all expenditures and make recommendations to the Executive Board on matters of finance.

Election Committee

An Election Committee shall be appointed by the Executive Board to oversee any election as set out within these By-Laws.

Health and Safety Committee

Health and Safety Representatives shall be elected at the home base meetings. Training and Certification of the Health and Safety Representative will be provided by the Local.

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12) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Conventions\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Convention shall be held every three years. Delegates for the Convention shall consist of the following:

i. One Representative for every twenty members from each Home Base, to a maximum of four from each Home Base as defined in our Collective Agreement.

ii. One Representative from Thunder Bay or Kingston/Belleville area that is not represented on the Executive Board.

Local Executive Board Members shall be automatic participants at the Convention, along with the National Union Representative, in addition to the elected delegates.

All matters coming before the Convention, except changes to this Constitution, shall be decided upon by a majority of the votes cast by delegates to the Convention.

All changes to the Constitution shall require two-thirds majority of votes cast by delegates to the Convention including the Executive Board Members.

Any proposed amendments to the Constitution shall be submitted to the Recording Secretary at least thirty days prior to the Convention.

13) Expenditures

The Local Executive Board shall be the signing officers for the Local, and all accounts shall require two signatures for pre-authorized expenses.

An audit shall be completed by the three Trustees and presented at regularly scheduled Executive Board meetings.

The Financial Committee shall prepare a budget that shall form the basis for the following three years expenditures.

The budget shall be approved by the Executive Board and passed at the triennial Convention.

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14) Expenditure Authorization

Budgeted and non-budgeted expenditures shall be approved by the Executive Board.

The signing officers can authorize budgeted expenditures to the amount of $5,000.00, and non-budgeted expenditures up to $1000.00.

Where a Local Union member is required to perform a service for the Union, they shall be allowed, in addition to any salary reimbursement, an amount covering economy transportation, reasonable hotel expenses, and a per diem.

The per diem to be paid to such member will be equivalent to:

i. $40.00 in town.

ii. $60.00 out of town.

iii. $120.00 for an overnight stay.

iv. $150.00 for out of province/ Metropolitan function.

v. The Board reserves the right to adjust per diem according to function.

vi. Per Diem to be paid in the currency of the country where the function is being held.

If a Local Union member is required to use their personal vehicle in order to perform a service for the Union, they shall be allowed a travel allowance in the amount of $.50 per kilometer, travel allowances will only be paid to the driver, every effort should be made to carpool wherever possible.

The Executive Board, with Membership approval, may establish salaries for the Local Union Officers and employees employed by the Local Union.

Honorariums will be honored as follows:

President $3250.00

Secretary Treasurer $3000.00

Recording Secretary $2750.00

Vice President $3000.00

Trustee $1250.00

Board member at large $1000.00

Steward $500.00

The honorariums to be paid out on a pro-rated basis where required.

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15) Dues Collection

Dues shall be collected in the amount of .75 of one hour per week for each member, except that, Installers to pay dues based on 1.875% on regular earnings to a maximum based upon the following:

Senior HVAC Task Installers to be capped based on the Class 1 Service Technician hourly rate.

Water Heater Task Installers to be capped based on the Class 3 Step 4 Service Technician hourly rate.

Junior HVAC Task Installers to be capped based on the Class 3 probationary hourly rate.

Dues shall be collected on all severance packages, retro-active payments of contract settlements, progression reimbursements and all payments in lieu thereof, as well as all awards due to arbitration and grievance settlements, including out of court settlements, in the amount of 1.875%.

Dues in arrears due to Short Term Disability shall be collected by doubling up dues payments on the pays following the member’s return until arrears are collected in full.

16) Local Delegates to the National Convention

(And subsidiary body conventions)

The President of the Local shall be Chairperson of the Delegation and the first Delegate to all Unifor, CLC, OFL, and subsidiary body conventions. (i.e.: Regional Council meetings).

Additional delegates would be elected by secret ballot. The number of delegates will be based on the budget that has been approved at the previous Local 1999 Triennial Convention.

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