

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

ARTICLE 1 CONSTITUTION

- 1.01** This organization shall be known as Unifor Local 975.
- 1.02** The uniform Local Constitution and Bylaws of the National Union shall remain the Constitution and Bylaws of Local 975 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 Bylaws.
- 1.03** The membership is the highest authority of this Local Union and shall be empowered to take or direct any action not inconsistent with the Constitution or By-Laws.
- 1.04** Between 975 Conventions, the 975 Council shall be the highest authority of the Local Union 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 975 Council may not take action affecting the vital interests of the Local Union without prior membership approval.
- 1.05** Between meetings of the 975 Council, the 975 Executive Board shall exercise general administrative authority and shall be empowered to act on behalf of, and take action permitted, to the 975 Council subject to subsequent approval of the Executive Board.
- 1.06** The Convention shall be the supreme body of Local 975 having the power to amend this Constitution, formulate rules governing the conduct of the Local Union, establish policies of the Local Union and exercise any other powers necessary in respect to the administration of the Local Union.
- 1.07** Amendments to this Constitution shall require a two thirds (2/3) majority of votes cast by delegates at the convention. Such amendments shall be submitted to the Recording Secretary of the Union thirty (30) days prior to the Convention. If approved by the By-Laws Committee, the 975 Executive Board will present the recommendations to the delegates at the 975 Convention for consideration. If approved by two-thirds of the delegate vote thereon at this succeeding meeting, the amendment shall be considered adopted by the membership. Amendments to existing By-Laws, or new By-Laws must be submitted to the National Executive Board.
- 1.08** This Constitution recognizes the development of the former Local Unions and their jurisdictions.
- 1.09** This Constitution also recognizes the division of work and the addition of new Bargaining Units.

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

ARTICLE 2 OBJECT

- 2.01 To recognize and foster unity and strength between workers.
- 2.02 To do all in its power to strengthen and promote the labour movement; to cooperate with the Unifor National Executive Board and Unifor National Representatives, and help promote the organization of workers into the Union; and to regulate labour relations and collective bargaining between employers and employees.
- 2.03 Unifor 975 is fully committed to equity and inclusion. Women, Racialized and Aboriginal Workers, Lesbian, Gay, Bisexual and Transgendered Workers, Young Workers, Workers with Disabilities and other Equity seeking groups, will be represented in the structures of the union at all levels.

ARTICLE 3 975 EXECUTIVE BOARD

- 3.01 The Executive Board of this Local shall be known as the Unifor Local 975 Executive Board, or the 975 Executive Board, and shall consist of the following:
- The Chairperson of each Unit
 - Two (2) Members-at-Large, elected by each Unit
 - New Units shall be allowed one (1) Executive Board Member at a rate of 1 (one) per one-hundred (100), up to a maximum of three (3), as per the guidelines above.
- 3.02 The term of office for all Executive Board positions shall be three (3) years and shall begin sixty (60) days prior to the Convention.
- 3.03 Unit Bylaws shall determine the process for election of these offices. Election of these board members shall be completed at least sixty (60) days, and no longer than one-hundred and twenty (120) days, prior to the Local 975 Convention.
- 3.04 **975 Executive Board Meetings**
- A. The 975 Executive Board shall meet quarterly, as a minimum, or as required. Special meetings may be called as required. A copy of the minutes of all 975 Executive Board meetings shall be made available to all 975 Executive Board members prior to the start of the next meeting.
 - B. Decisions of this Board shall be made on the basis of a majority vote.
 - C. A quorum for this Board shall be fifty per cent plus one (50% + 1) members.
- 3.05 **975 Executive Board Elections**

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

- A. The Executive Officers of the 975 Executive Board shall be elected from within the 975 Executive Board by secret ballot. The 975 Executive Board shall consist of the following officers:
- President
 - Vice President
 - Treasurer
 - Recording Secretary
 - Trustees (2)
 - 975 Executive Officers (as required)
- B. The President and Vice-President's positions shall be elected from 975 Executive Officers who are "full-time" Unit Chairs.
- C. If more than two (2) candidates are nominated for any office the secret ballot process shall be repeated until one (1) candidate has a clear majority of votes.
- I. Any remaining 975 Executive Board members shall be 975 Executive Officers.
- D. In the event of a tie, the 975 Council shall conduct a secret ballot election to break it.

3.06 Duties of Officers

A. President

- It shall be the duty of the President to preside over all Local 975 Executive Board meetings, 975 Council meetings and the Local Convention; to preserve order and enforce the Constitution and Bylaws of the Union; to appoint, subject to the approval of the 975 Council, all special committees when election for same is not called for; to sign the minutes of the Recording Secretary after their approval by the 975 Executive Board; to be ex officio member of all committees of the Local 975 Executive Board, except the Elections Committee, and to report on activities to the Local 975 Executive Board.
- The President shall be entitled to vote on questions of membership and other matters voted on by secret ballot; but as chairperson OAAF 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.

B. Vice President

- The Vice President shall assist the President, and shall act in the President's absence, resignation or death. If the Vice President is absent from a meeting the 975 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 975 Executive Board.

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

C. Treasurer

- The Treasurer shall oversee the issuance of receipts for all monies passing through the office; deposit monies or cheques received within five (5) 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 975 Executive Board and 975 Council meeting and at the Local 975 Convention on all receipts, expenditures and balances. The report will include amounts received and spent since the last report, listed by kind of income and expenditure, as well as the amounts remaining in the Local Union's funds.
- The Treasurer shall make all books and records available to the Local Union Trustees for examination.
- The Treasurer and Trustees are required to file quarterly Trustee Audits to the Unifor National Secretary-Treasurer, no later than 3 months following the end of a quarter (March 31, June 30, September 30 and December 31 of each year)
- The Treasurer is responsible for preparing the Local's 3-year budget, to be presented at the Local 975 Convention.

D. Recording Secretary

- The Recording Secretary shall keep a faithful record of meetings of the Local 975 Executive Board; conduct the correspondence of the Local Union unless otherwise directed; keep a file of all matters pertaining to the office available for inspection by the Local 975 Executive Board or Officers; and perform such duties as may be necessary for the proper administration of Local Union affairs subject to approval of the Local 975 Executive Board.

3.07 Duties of the 975 Executive Board

- A. The 975 Executive Board shall enforce the Constitution and Bylaws of Unifor and of Local 975 and generally carry out between Conventions the purpose, policies and programs of the Union. The 975 Executive Board shall be responsible for the day to day administration of the Union, subject to the authority of the 975 Council as specified in this Constitution. The vacancy, or absence, of an 975 Executive Board member may be filled by an alternate from the respective Unit.
- B. In the event of a vacancy occurring in a table officer position, elections shall take place at the next 975 Executive Board meeting.
- C. Between membership meetings, the 975 Executive Board shall be the highest authority of the Local Union and shall be empowered to act on behalf of the membership to the extent urgent business requires prompt and decisive action, subject to membership approval, but the 975 Executive Board may

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

not take action affecting the vital interests of the Local Union without prior membership approval.

3.08 975 Executive Board Committees

A. Negotiating Committee

- The Negotiating Committee shall be the responsibility of each Unit and shall be covered by the Unit Bylaws. Each Negotiating Committee shall include that Unit's Chair.

B. Grievance Committee

- The Grievance Committee shall be the responsibility of each Unit and shall be covered by the Unit Bylaws. Each Grievance Committee shall include the Unit Chair.

C. Financial Committee

- There shall be a Financial Committee consisting of the Treasurer and the two (2) Trustees. The committee will audit all expenditures and make recommendations to the 975 Executive Board on matters of finance.

ARTICLE 4

975 COUNCIL

4.01 The 975 Council shall consist of the 975 Executive Board, who shall be non-voting members, and one (1) member from each Unit on the basis of 1 975 Council position per 100 members, per Unit. Units with less than 100 members shall be entitled to one (1) 975 Council position. These additional members shall be named 975 Council Members. These 975 Council Members shall be elected from the Triennial Convention. The unsuccessful candidates shall become 975 Council Alternates and will be ranked, respective to their Unit 975 Council election rankings.

4.02 New Units shall be allowed one (1) 975 Council Member.

4.03 Duties and Powers of the 975 Council

- A. The 975 Council shall meet at least twice a year in conjunction with 975 Executive Board Meetings and at any other time deemed necessary in the interests of the Union. Special meetings of the 975 Council may be called by the 975 Executive Board or by a majority of 975 Council members.
- B. A copy of the minutes of all 975 Council meetings shall be forwarded to all Units as soon as possible after the meeting.
- C. The decisions of the 975 Council shall be binding between Conventions.
- D. In the event of a vacancy in a 975 Council Member position, 975 Council may, at the following 975 Council meeting, appoint the highest-ranking 975 Council Alternate as elected at Convention from the respective Unit (as

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

determined by their ranking in the 975 Council elections) as a 975 Council Member.

- E. To oversee the policies and Constitution of the Local Union.
- F. To make decisions on behalf of the Local Union between Conventions.
- G. The quorum for a 975 Council meeting shall be fifty per cent plus one (50% + 1) members.
- H. To approve major expenditures not already approved by the Convention.
- I. To authorize, elect or appoint participants for conventions or conferences with the exception of the Local 975 Convention.

4:04 Only current, elected Stewards and Unit Executive Board Members are eligible to run for a 975 Council position.

ARTICLE 5 CONVENTIONS

- 5.01** The Convention shall be held every three (3) years. Delegates for the Convention shall be selected from within each Unit on the basis of one (1) delegate per twenty (20) members.
- 5.02** 975 Council members and current Unit 975 Executive Board Officers shall be automatic delegates to the Convention, in addition to the designated delegates.
- 5.03** All matters coming before Convention, except changes to this Constitution, shall be decided by a majority of the votes cast by delegates to the Convention.
- 5.04** All changes to the Constitution shall require two thirds (2/3) majority of votes cast by delegates to the Convention.
- 5.05** 975 Special Convention
 - A. A 975 Special Convention may be called by the 975 Executive Board if deemed necessary.

ARTICLE 6 FINANCIALS

- 6.01** The Local President, Treasurer, and two (2) other members of the 975 Executive Board shall be the signing officers for the Local. All accounts shall require two (2) of four (4) signatures for pre-authorized expenses.
- 6.02** Annual financial statements shall be completed by a qualified Public Accountant and presented to the Triennial Convention.

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

- 6.03** The Financial Committee shall seek input from each Unit of their financial requirements and prepare a budget which shall form the basis for the following three (3) years expenditures.
- 6.04** The budget shall be approved by the 975 Council and passed at the Triennial Convention.
- 6.05 Expenditure Authorization**
- A.** Budgeted expenditures shall be approved by the 975 Executive Board.
 - B.** Non-budgeted expenditures shall be approved by the 975 Council.
 - C.** The signing officers can authorize budgeted expenditures to the amount of \$2,000 and non-budgeted expenditures up to \$500.
- 6.06 Fiscal Year**
The fiscal year of this Local Union shall begin on January 1 and end on December 31.
- 6.07 A. Transportation**
The mode of transportation to conventions will be designated by the Executive Board. If a delegate chooses to travel by some other mode expenses will be paid up to the designated mode.
- B. Mileage**
Mileage will be calculated on a monthly basis at a rate designated by the Executive Board to officers or members on approved Union business.
- C. Honourariums**
- i. Honourariums for elected union representatives will be paid subject to the approval of the Convention through the budget process. Unit Chairpersons will make recommendations to the Executive Board regarding the amounts, prior to the Convention.
 - ii. The monetary value of the honourariums will be based on participation and attendance and reviewed by the Unit Chairs and passed by the 975 Executive Board.
- D. Electronic Equipment**
Electronic equipment will be provided where required on approval of the Executive Board.
- E. Long Distance Charges**
Officers or members will be reimbursed for any long-distance calls made to conduct Union business.
- F. Per Diem**

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

- \$120 Out-of-Town (paid per hotel night)
- \$80 Out-of-Town (paid per hotel night, when attending union events at Local 975 office)
- \$40 Out-of-Town (paid per hotel night, where all meals are included, (i.e.: Unifor Family Education Centre, Port Elgin)

G. Hotel Requirements

Upon approval of the President and Vice-President, Unit Chairs will determine when overnight stays are required.

H. Credit Cards

The Local shall have available 2 credit cards to be held by the 975 President and Vice-President.

I. Child Care

Necessary expenses such as child care incurred as the result of attending a convention or other function shall be paid on approval of the Executive Board or Council.

J. Refund of Dues

Reimbursement of dues in the amount of \$2,000 will be issued to members who have been in good standing for the last 10 (ten) years prior to normal retirement.

- (i) Part time variable hours and part time members averaging under thirty (30) hours per week in their last three years will be paid one-thousand (\$1,000) upon normal retirement.
- (ii) Members who nominally meet the above requirements but have done so in more than one Unit of the Local may apply for the reimbursement of dues to the Local 975 Council. Council will consider such applications at their next meeting and determine whether the request meets the spirit and intent of the reimbursement guidelines.
- (iii) Under no circumstances will the reimbursement of dues be paid to a member more than once.

ARTICLE 7

COMMITTEES

- 7.01** The following committees may be formed within the Local or Unit: Education Committee, Social Committee, Stewards Committee, Bylaw Committee, Retiree Committee, Health & Safety Committee, Human Rights Committee, Women's

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

Committee, Political Action Committee or any other committee deemed in accordance with the National Constitution.

7.02 These committees shall perform all duties assigned to them by the Constitution and By-Laws and such additional duties as they may be directed to perform from time-to-time by the Executive Board or the membership.

7.03 Elections Committee

- A.** A Standing Elections Committee will be elected by the 975 membership to oversee all Local 975 Union elections.
- B.** The term of the Standing Committee shall be 3 years.
- C.** Vacancies shall be filled promptly.
- D.** Six (6) committee members shall be elected from the Rank-and-File members, and must include a minimum of 1 member from each Unit.
- E.** In the event of a vacancy from a 975 Elections Committee position, the 975 Council may, at the following 975 Council meeting, appoint the highest-ranking 975 Elections Committee Alternate from the respective Unit (as determined by their ranking in the 975 Elections Committee) as a 975 Elections Committee Member.

ARTICLE 8

UNIT ORGANIZATION STRUCTURE

- 8.01** Each Unit shall have regular meetings to discuss and develop issues that directly affect them locally, as prescribed by Unit Bylaws.
- 8.02** Each Unit shall have an Executive Board consisting of a Chairperson, and other officers deemed appropriate by the Unit.
- 8.03** Each Unit shall develop Bylaws passed by the Unit membership that are consistent with the Local 975 Constitution, which must include language to:
 - A.** Protect against members of the 975 Council having an unfair advantage to be elected to conferences or seminars by running for election twice (unless no other member chooses to run).
 - B.** Protect against members attending educational conferences or seminars twice in a row (unless no other member chooses to attend).
 - C.** Ensure measures are taken to have women represented on the Unit Executive Boards.

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

- D. All Local Union Officers will deliver all Local Union files, records, and papers and properties purchased to the Local Union office or his/her successor within 30 days.
- 8.04** Engaging in conduct or making statements detrimental to the legitimate interests of another member or the legitimate interests of Local 975 shall be considered a violation of the procedures and responsibilities established by the By Laws of Local 975.
- A. Article 8.04 above shall be interpreted in conformity with principles enumerated in the Constitution of Unifor.
 - B. A charge initiated under Article 8.04 above must be initiated within the time limit prescribed in Article 18, Section D of the Unifor Constitution and shall be processed and disposed of in conformity with Article 18 of the Unifor Constitution.

ARTICLE #9

MEMBERSHIP

- 9.01** The Local Union shall be composed of workers eligible for membership in Unifor, over whom the Local Union has jurisdiction.
- 9.02** Each member in good standing of this Local Union has the right to nominate and vote, express opinions on all subjects before the Local Union, 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 the Local Union 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 uniform rules and regulations contained in the Constitution, By-Laws and other official rules of the Local Union.

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 the Local or National Union as organizations, or their free democratic heritage, or which would interfere with the performance by this Local Union or the National Union of its legal or contractual obligations as a collective bargaining agent, or interfere with the legal or contractual obligations of this Local Union 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 Union Constitution.

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

- 9.03** The membership shall strive to obtain the objectives set forth in the Constitution and additional objectives as established as the policy of the National Union; to maintain free relations with other organizations; to do all in its power to strengthen and promote the labour movement; to co-operate with National Board Members, the National Representatives and help promote organizational activities.

ARTICLE #10 ELECTIONS

- 10.01** These election processes will be used in all Local 975 Elections, with the exception of, the "975 Council" election, unless otherwise listed in a Unit's By Laws.

All members in good standing working under the jurisdiction to be represented by the elected union representative(s), shall be eligible to nominate and vote in an election respective to their jurisdiction.

10.02 Eligibility for Elected Office

To run in an election for a Union position, members must be in good standing for a minimum of 1 year and work within the jurisdiction to be represented by that position.

10.03 Election Notice

- The date, time, place, and method of the election shall be set by the Local Unit Executive Board.
- At least 7 days written notice of the date, time and place of the election shall be provided to the membership.
- There must be at least seven days between the date of nominations and the date of the election with a minimum of fifteen days total notice to all members of nominations and elections.

10.04 Nominations:

- Nomination forms shall be filled out correctly and completely, or will not be accepted
- All nominations will require 2 nominators.
- Nominations will be reviewed by Elections Committee to determine acceptance by the Committee.
- The Elections Committee will provide confirmation of acceptance or non-acceptance of the Nominees' nomination.
- Nominee will provide written confirmation of the acceptance of their nomination, to the Elections Committee before the deadline set for the

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

submission of campaign material, or the nomination will be deemed as non-acceptance.

10.05 Campaign Material and Process

- Upon acceptance, candidates will be given written notice of the election process and campaign material requirements.
- A candidate may use images or logos of Unifor and of the Local Union on their election materials.
- All campaign material must be submitted to and approved by the Elections Committee before they can be distributed to the membership.
- Candidates may post approved campaign material on company's Union bulletin boards and/or distribute through inter-office mail and email.
- Candidates who distribute unauthorized campaign material shall be reviewed by the Elections Committee and may be disqualified.
- The Union shall not provide access to company or union lists of eligible voters.

10.06 Elections:

- Elections Committee to review results and/or count ballots the day following the closing of the vote.
- Each candidate shall have the right to have one scrutineer present when the votes are cast and when they are counted. However, a candidate cannot be a scrutineer for another person within the current election. The scrutineer must be a member of the Local Union.
- Verbal and written confirmation of the election results will be provided to each candidate
- Candidates may request their own results only (number of votes, ranking)
- The Election Committee shall announce the results of each election or run-off election immediately after the ballots are counted and shall provide a written report of the election to the next Local Unit membership meeting.
- All ballots and other election records must be kept in a sealed and secured box following each day of polling and for one year immediately following the election. After this, the Local Union can destroy the ballots, unless there is an active Review of Decision. If a Review of Decision is pending, the Local Union must preserve the ballots until the review has been finally decided.

10.07 Run-Off Elections:

In the event of a tie, a run-off election will be held using the same balloting process as in the original election.

10.08 Vacancies in Office:

- All vacancies on the Local 975 Executive-Board, except Local President, must be filled promptly by election as per the processes reflected in each Unit's Bylaws. The Election Committee, in consultation with the Local Union Executive will set the date, time and place for the election.

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

- The Local Union may use other means to fill the vacancies until the election.
- If the Local President's office is vacant, the Vice-President will fill the vacancy for the balance of the term.

10.09 Election Reviews:

A request by a member for a Review of Decision concerning an election-related decision or action must follow the process set out in Article 18.B of the Unifor Constitution and the Procedure Policy on Constitutional Matters.

ARTICLE #11

MEMBER REQUEST FOR REVIEW OF DECISIONS

- 11.01** Any member dissatisfied with the action or decision of Local 975 or any 975 Unit, or any representative thereof, other than the action or decision of the membership of the Local Union shall take their appeal or complaint to the Local 975 President within 30 days of the time they are aware of the action or reasonably should have been aware.

The Local 975 Executive Board will review the appeal or complaint and respond in writing to the member within 30 days of receipt of the appeal or complaint.

The member may appeal the decision of the 975 Executive Board by filing a Review of Decision to the Unifor National within 30 days of receipt of the 975 Executive Board's decision.

Procedures for filing a Request for Review of Decisions (First Level) and any subsequent review requests shall be followed as listed in the Unifor Procedure Policy on Constitutional Matters, a supplement to the Unifor Constitution. The policy falls within the authority of the National Executive Board and determines time limits and procedural requirements to govern the implementation of Article 18 of the Unifor Constitution.

ARTICLE #12

CHARGES AGAINST A MEMBER

- 12.01** A member in good standing, a group of members, Local Union or subordinate body may file a charge if they have reasonable cause to believe that another member has violated the procedures and responsibilities established by the Unifor Constitution or the Code of Ethics which form part of the Unifor Constitution.

UNIFOR LOCAL 975 CONSTITUTION & BYLAWS

SPECIAL NOTE: Any alleged act of personal conduct, which constitutes harassment as defined by the National Union Anti-Harassment Policy, shall be subject to investigation and resolution under that policy and shall not be the basis for a charge. The National Union Anti-Harassment Policy is posted on the Unifor National website.

Procedures for filing a charge against a member shall be followed as listed in the Unifor Procedure Policy on Constitutional Matters, a supplement to the Unifor Constitution. The policy falls within the authority of the National Executive Board and determines time limits and procedural requirements to govern the implementation of Article 18 of the Unifor Constitution.

ARTICLE #13

RECALL OF A STEWARD OR COMMITTEEPERSONS

13.01 Unit Bylaws shall determine the process for the recall of a Steward or Committeeperson.

ARTICLE #14

STRIKES AND STRIKE COMMITTEE

14.01 All strikes shall be called or terminated only in strict conformance with Article 17 Section B of the Unifor Constitution

**THIS CONSTITUTION WAS ADOPTED AT CONVENTION
APRIL 13 & 14, 2023**

Upon adoption, all relevant numbering and sequencing of all relevant Articles, Sections and Clauses affected by these resolutions have been changed accordingly to reflect the adoption.