

BYLAWS OF LOCAL 365 OPSEU (TRENT)

Preamble:

The purpose of this union local is to represent members of the bargaining unit to the best of its ability in their relationship with Trent University and with the Provincial OPSEU office; to educate members as to their rights and obligations within the union and the labour movement in general and to enable members to continue to support Trent's reputation as a first-class post-secondary educational institution.

Article 1. Name

This organization shall be known as Local 365 (Trent University) of the Ontario Public Service Employees Union (OPSEU)

Article 2. Constitution and Bylaws

The constitution of this organization shall be the Constitution of the Ontario Public Service Employees Union (OPSEU) and these Bylaws shall be in all respects subordinate to that constitution in all its applications and interpretations.

Article 3. Membership

3.1

The local union shall be composed of staff who are eligible for membership in OPSEU Local 365 as defined in the decision of the Ontario Labour Relations Board dated September 22, 1993.

3.2

Members have rights and obligations according to the Constitution and the Human Rights Policy of the Ontario Public Service Employees Union (OPSEU).

3.3 Meetings

General membership meetings of all members of Local 365 shall be convened at least two (2) times a year.

3.4

One (1) of the two (2) general membership meetings will be held during the last week of September at an off campus location. Elections (if necessary) for positions other than steward will be held at this meeting.

3.5

The agenda and any other required information for the General Membership meetings must be distributed to members at least ten (10) working days before the meeting.

3.6

The President shall be the Chair at all general membership meetings, Local Executive Committee (LEC) and special membership meetings.

Article 4. Power of Administration

4.1

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

4.2

Between membership meetings the Local Executive Committee shall be the highest authority of the Local and shall be empowered to act on behalf of the membership.

4.3

Between meetings of the Local Executive Committee the President shall exercise general administrative authority and shall be empowered to act on behalf of the Local Executive Committee subject to consultation with the executive officers of the LEC.

4.4

The Local President, in consultation with the Executive Officers, shall not decide to make any single expenditure greater than \$500.00 without approval of the Local Executive Committee.

Article 5. Local Executive Committee (LEC)

5.1

The number of Stewards shall be determined by the following equation: work group (as defined by Article 5.6) member number (rounded to the nearest 10) / 10 = number of Stewards for work group. For example, SO worker # = 60/10=6, L workers # = 78/10=8 Stewards, SS # = 62/10= 6 Stewards. Work groups with fewer than 10 members shall round up to 10 and continue to receive Steward representation until their numbers reach "0". Any new work groups created after the printing of a collective agreement shall receive representation according to the above formula.

5.2

The Executive Officers of the LEC shall be President, Vice-President, Treasurer, Secretary and Chief Steward. See Article 28.2 of the OPSEU Constitution re: immediate Past President.

5.3

Meetings of Local 365 LEC shall generally be held once per month and shall generally be scheduled on the first Friday of each month, and the dates of these meetings will be published in the local newsletter. The executive officers of Local 365 shall meet on a weekly basis as required.

5.4

Approved minutes of all Local Executive Committee meetings shall be available to the membership. They shall be kept on file in the Local Union Office. Minutes of LEC meetings since the previous general meeting will be available at the general meetings.

5.5

For the purposes of electing Stewards the "building or part thereof" in which members work is agreed to be Trent University or any non-Trent owned property in which members of Local 365 conduct Trent business.

5.6

For the purpose of electing Stewards the work groups shall be defined and represented proportionally according to position groupings in Seniority List, i.e., L=library, SB= Services/Buildings, SO=Secretarial/Office, SS=Scientific Staff, A=Administrative, C=Computing or any other work groups created.

Article 6. The Steward System

6.1

Each work group elects Stewards based on the number of members employed in that group at the time of Steward elections. The working groups will be reviewed (equation recalculated) and automatically updated in June prior to steward elections

6.2

The Chief Steward shall be the contact steward for contract position members and will educate the other stewards of the special problems which arise in representing contract position members.

6.3

The steward body represents the general membership. Should a steward be transferred to another work group a by-election must be held to replace the

steward. Stewards on leave from work, will be replaced through a by-election unless they comply with the conditions of Article 6.3 of the OPSEU constitution.

6.4

Stewards elected in by-elections serve only the unexpired portion of the term of office in question.

6.5

All stewards must attend mandatory steward training and should actively use email, as this is our primary source of communication.

Article 7. Elections

7.1

The members in each designated work group shall elect one or more stewards according to Article 6.1.

7.2

Where more than one steward is to be elected, a list of all nominees shall be posted at the ballot box, and all members of the work group can mark their ballots up to the maximum number of positions to be filled.

7.3

Elections for stewards will take place in August 1995, and thereafter, every two years. Steward elections must be held at least twelve (12) working days prior to the general membership meeting in September. The terms of office for steward shall commence at the general meeting where election of LEC officers is taking place. The term of a steward is two years.

7.4

The Nominating committee shall call for nominations for stewards ten (10) working days before the steward elections. The nominating committee shall supervise ballot preparation and voting in each area. All nominees have the right to appoint a scrutineer.

7.4.1

Four (4) working days prior to the closing of nominations, the Nominating Committee will send out a last call for nominations including the names of the members who have declared themselves.

7.5

Polls for steward elections shall be set up in each work area where there are stewards to be elected.

7.6

The membership of Local 365 shall elect, from the newly elected stewards, the executive officers referred to in Article 5. This election will take place at the General Meeting in September 1995 and every two years after.

7.7

Nomination notices for LEC executive officers shall be distributed with a list of eligible stewards 10 working days in advance of the general meeting. The list of stewards eligible shall include their name and work location. All written nominations must be signed by the nominator and nominee. The nominations must be received by the nominating committee by the commencement of the general meeting. Nominations for the positions of officers of the LEC will also be accepted from the floor at the general meeting. Oral nominations are welcome and the nominee must be present to accept the nomination.

7.8

Nominations and elections for representatives to Local 365 committees will take place at the general membership meeting held in September. The nominations can be made from the floor if the nominee is present to accept the nomination. Written nominations signed by the nominator and accepted by the nominee will also be allowed. These written nominations must be in the hands of the Nominating committee by the commencement of the general meeting.

7.9

In the event of extended contract negotiations, all elections shall be postponed and terms of office extended. This provision will take effect if negotiations have not been successfully concluded by August 1. Once the collective agreement has been ratified by the membership, elections for stewards and subsequently, officers must take place within eight (8) weeks of ratification.

7.10

If the need for a by-election arises for either a steward or committee member, a call for nominations shall go out to the general membership through the steward body at least ten (10) working days before the date of the election. In addition, four (4) working days prior to the closing of nominations, the Nominating Committee will send out a last call for nominations, to the membership through the steward body, including the names of the members who have declared themselves. Any resulting by-election shall be held minimum of two (2) working days after the closing of nominations.

Article 8. Committees

8.1

The following shall be Local 365 standing committees. All committees must be composed of at least 3 members and, if composed of more, must total an odd number. All committees must have one member who must be a steward but who may or may not be Chair.

8.1.1 Action Committee

The Action Committee is set up to encourage a strong, vigilant local. It is responsible for identifying issues of importance to the membership. Possible action and response to problems will be recommended to the LEC or its officers for approval.

8.1.2 Communications Committee

The communications committee produces the newsletter, any special communication for the general membership and may assist in producing notices for social activities and educationals. The Trent gopher is to be used in conjunction with print information whenever possible.

8.1.3 Grievance Committee

Chair: Chaired by the Chief Steward. The function of this committee shall be to assist the steward body in the grievance process, to assist the Chief Steward in the performance of his/her duties and to assist the membership in the protection of their rights.

8.1.4 Health and Safety Committee

The Chair of this committee also sits on the Joint Health and Safety Committee. Members of the Standing Health and Safety committee are appointed by the LEC and may also sit as the OPSEU representatives on the Joint Health and Safety Committee. Health and Safety Committee members serve at the pleasure of the LEC.

8.1.5 Nominating Committee

The Nominating Committee follows procedures set out for various elections and is administratively responsible for the polls, ballots and notices required.

8.1.6 Negotiations Committee (Not Negotiating Team)

Committee set up to receive and track suggestions for contract changes. Committee shall consolidate suggestions for contract changes and will issue report to all members prior to any demand setting meeting.

8.1.7 Pension Subcommittee

A subcommittee of the Joint Committee on the Administration of the Collective Agreement. Comprised of three (3) representatives of OPSEU (along with 2 representatives of the Board of Governors and one representative of the Exempt

Employees). For complete details on this committee refer to The Contributory Pension Plan for Employees of Trent University (Restated effective July 1, 1998), Section 1 – Administration of the Plan. OPSEU representatives shall be elected annually for staggered three-year terms. The first three-year term representative shall be elected at the September 1999 General Meeting. At the September 2000 General meeting one three-year representative and one one-year representative shall be elected. Thereafter, one three-year representative shall be elected annually.

8.1.8 Joint Job Evaluation Committee

A subcommittee of Joint Committee which evaluates the classification of OPSEU positions. Committee membership will consist of a two year rotating term, one as new and one as experience. Elections will take place at the September General Meeting.

8.1.9 Bylaw Committee

The function of this committee is to review the current bylaws to ensure they are relevant to current operating conditions (i.e., university structure etc...) and review any proposed Bylaw changes (additions/changes/ deletions) to ensure proposed amendments are not in conflict with the OPSEU Constitution, our Collective Agreement or any other provincial/federal statutes. The committee will create its Terms Of Reference for approval by the LEC.

8.2

The LEC may form ad hoc committees at any time to deal with particular matters. Ad hoc committee members should be nominated from and elected by the general membership whenever possible. Ad hoc committees will be chaired by a member of the LEC.

8.3

All Committees must forward copies of agendas and minutes of meetings to the Secretary of the Local within two weeks of receipt

Article 9. Financial Operation

9.1

The fiscal year of Local 365 shall be the calendar year.

9.2

A budget report shall be available to the general membership 10 working days prior to the general membership meeting held in September. A budget will include forecasts of quarterly revenues and expenses, capital expenditures and cash flow for the next fiscal year. A forecast of the financial position of Local 365 at the end of the fiscal year shall also be given.

9.3

A contingency fund shall be established for Local 365. Annual deposits shall total 5% (percent) of the annual Local rebate from OPSEU provincial. These funds shall be prudently invested for the future needs of Local 365.

Article 10. Amendments to Bylaws

10.1

Any request to change or amend these bylaws must be submitted in writing to the Secretary of the Local at least 20 working days before a general or special membership meeting. Each request must be accompanied with the signature of 10 members who support the change. These requests will be added to the agenda of the next general meeting. If the amendment to the bylaws is not passed at the general meeting, it may not be voted on again for 12 months. See Article 12.5.1 and 12.5.2 of the OPSEU Constitution.

Approved by Leah Casselman, President OPSEU, March 31, 2005