

ONTARIO PUBLIC SERVICE EMPLOYEES UNION

Waypoint Centre for Mental Health Care

500 Church Street

Penetanguishene Ontario L9M 1G3

Adopted by Executive Members February 2011

MEMBERSHIP

Article 1

- 1.1 Membership in Local 329 shall be open to all employees in the Bargaining Unit and employed within the Waypoint Centre for Mental Health Care, and will be known as a composite local.

EXECUTIVE OFFICERS AND LOCAL EXECUTIVE COMMITTEE

Article 2

- 2.1 Executive Officers of the Local shall be the President, Vice President, Chief Steward, Secretary and Treasurer. The office of Secretary and Treasurer may, if necessary, be combined.
- 2.2 Local Executive Committee shall be comprised on a President, Vice President, Secretary, Treasurer, and all shop stewards.

ELECTIONS

Article 3

- 3.1 Shop Stewards of the Local shall be elected from among the membership. They shall be the official representative for the membership on the Local Executive Committee.
- 3.2 Executive Officers of the Local (Article 2.1) shall be elected by the general membership from among the shop stewards. If a position is not filled from among the shop stewards, that position will remain vacant until a steward is willing to or can be persuaded to run.
- 3.3 Delegates shall be elected by the general membership, except that the President of the Local shall be its first delegate automatically. Delegates are elected for the same term as the Local Executive Committee, except for convention where delegates are elected annually as per motion passed by Executive Board December 2010.

- 3.4 Alternate Delegates shall be elected by the general membership up to the number of delegates to which the Local is entitled. The term for Alternate Delegates shall be the same as that of the Delegates.
- 3.5 Elections (other than the elections of shop stewards) shall be conducted at a general membership meeting. In special circumstances, the Local President may set up other means deemed appropriate, in order that the general membership may cast a vote provided authorization has been obtained from the President of the Union.
- 3.6 Elected term of office for Executive Officers and shop stewards shall be for a 2 year period.
- 3.7 Officers and stewards of the Local Executive Committee may stand for re-election. Written nominations, when signed by the nominees and witnessed, shall be accepted.
- 3.8 Candidates in an election may not act in any official capacity, but may appoint an agent to represent them in the tabulation of results of the election.
- 3.9 All elections, whatever they may be called for, within the jurisdiction of the Local, shall be by ballot and be based on the principle of winning a clear majority of 50% plus 1, with run-off ballots, if necessary.

MEMBERSHIP MEETINGS

Article 4

- 4.1 Special/emergency, general or executive meetings shall be called by the President. Such meetings may also be called, if necessary, upon receipt of a petition signed by 50% of the executive members, or no less than 10% of the general membership.
- 4.2 General membership meetings shall be called by the President if, and when, the need arises. However, general membership meetings of the Local shall be convened at least twice each year.
- 4.3 The Local Executive Committee shall meet at least every 3 months. The President shall call and determine the date, time and place of the meeting unless previously directed by the Committee. The Local Executive Committee may be convened by the President, when necessary, to deal with business of an urgent nature.

- 4.4 Any executive officer, steward or member of the Local shall not be denied or excluded from attending any meeting within the jurisdiction of the Local, whatever the nature of the meeting shall be.

QUORUM

Article 5

- 5.1 General membership meetings shall compose at least 5% of the Local members. In the event that a quorum is not obtained, the President (provided there are at least 50% of the Executive Committee members in attendance) may call a Local Executive Committee meeting to deal with matters that do not require the approval of the general membership. The general membership may attend an Executive Committee meeting with voice, but no vote.
- 5.2 Local Executive Committee meetings shall be 50% of its Committee members.
- 5.3 Special/Emergency General Membership meetings of the Local shall adhere to the same principle as Article 5.1.

NOTICES

Article 7

- 7.1 All meetings of the Local that fall within its jurisdiction shall be subject to no less than 10 days notice (other than emergency meetings) either by individual notification to the membership, or the posting of same in areas where members normally work and in locations utilized for such postings.
- 7.2 Notice of meetings shall indicate the type of meeting, date, time, place and the reason for which it has been called.

TERMINATION AND VIOLATIONS

Article 8

- 8.1 It shall be incumbent on all officers and stewards to attend and represent all members at general and executive meetings of the Local in a proper and respectful manner.

- 8.2 Any elected officer, steward or delegate/alternate who moves into an acting management position, for any length of time, must immediately resign their office/position.
- 8.3 Any elected officer, steward or delegate/alternate is liable to lose his/her position if found guilty of having:
- failed to give just cause or reasons for missing three consecutive general or executive meetings of the Local
 - disrupted or obstructed any meeting of the Local to the point where the meeting may not be fairly and reasonably conducted
 - solicited, promoted, encouraged, advocated or assisted others in doing likewise in the withdrawal of any member or members from the Union or any new employee from joining the Union
 - without just cause, wrongfully interfered with the proper duties of other Executive members, or engaged in the improper discharge of their own duties
 - violated, or tempted others to violate, any Collective Agreement, or has failed to report to the Local Executive officers, or President, any violation of the Collective Agreement, by either Management or members of the Local
 - failed to comply with Local by-laws and the Union Constitution or any other subsidiary body of which that officer, steward or delegate is a member
 - failed to account properly for receipts and disbursements of Local and Union funds, and disposition of Local equipment
 - failed to attend fully the meetings in which Local or Union funds were individually appropriated for such purposes
- 8.4 Any allegation that an officer, steward or delegate/alternate has committed any of the offences in 8.3 may be processed as a charge under Article 22 (Discipline) of the Union Constitution.

FINANCIAL OPERATION

Article 9

- 9.1 Operational funds shall be disposed of for the legitimate purposes of the Local. Expenses not normally covered by the Union shall be borne by the Local under the direction of the Local Executive Committee. It shall be incumbent upon the President and Treasurer to supply sufficient funds for any expenditure incurred by the Local.
- 9.2 Hospitality expenses shall be considered as a legitimate expense of the Local.
- 9.3 Trustees of the Local shall be composed by at least two members. The Trustees shall be elected at a General Membership meeting from among the members. They may not hold any position on the Executive. The term of office will be for a two year period. Notwithstanding, a trustee may be elected as a delegate/alternate and may serve for a period of that pursuant to Article 3 of the Local By-Laws.
- 9.4 Auditing of the books, examining records and properties of the Local shall be the responsibility of the Trustees. The Trustees shall audit the books jointly and file an audit report to the Local President who in turn will file the report to the Regional Office at least once every six months. The Treasurer of the Local shall make available all necessary documents to the Trustees.

GENERAL

Article 10

- 10.1 If for any cause an election or meeting referred to in these by-laws does not take place at the time prescribed, it shall be held as soon thereafter as practical.
- 10.2 All business and/or acts at any General, Special, Emergency or Executive meeting in the Local shall be conducted in a legitimate and valid manner. Notwithstanding, if a member or members feel that such business or acts were not conducted properly and in violation of the by-laws or Constitution, then only upon receipt of a petition signed by not less than 10% of the general membership shall a special meeting be held to determine if any violation occurred.
- 10.3 In the event that an unusual or unforeseen situation arises resulting in a position in the Local becoming vacant, the President of the Local shall have

the right to appoint in order that the business of the Local will continue to be carried out. All appointments shall be temporary, and at the first opportunity, an election shall be held to fill the position in the manner provided by Article 3 of the by-laws.

- 10.4 Any correspondence relating to Union business and received in the name of the Local shall be declared the property of the Local and be dealt with as deemed appropriate at any Special, General or Executive meeting.

AMENDMENTS TO THE BY-LAWS

Article 11

- 11.1 Articles referred to in these by-laws may be amended at any General Membership meeting provided that such notices are posted pursuant to Articles 7.1 and 7.2 of the by-laws. In order to amend any article, an affirmative vote of two-thirds (2/3) of the general membership in attendance must be obtained.
- 11.2 These by-laws and any amendments to them shall only become effective following approval by the President of the Union in accordance with Article 11.5.2 of the Constitution.

UNION CONSTITUTION

Article 12

- 12.1 In the event that an Article in the by-laws does not cover a specific act or election, the Constitution shall be referred to.
- 12.2 All Articles stated herein shall constitute the governing by-laws of the Local. Where conflict may exist in the implementation, interpretation or the legality of any Article(s) in the by-laws, the Constitution shall be referred to and have full force and effect.
- 12.3 Typographical errors or omissions in the by-laws shall not alter or invalidate any business or acts conducted therein. Notwithstanding, if any Article or amendment to the by-laws is violated or acted upon improperly, it shall be subject to and dealt with in the manner described in Article 10.2 of the by-laws.