Constitution of the Canadian Office and Professional Employees Union (CLC)

COPE

As adopted by the Second National Convention of COPE
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ARTICLE 1
Name, Headquarters and Seal

1.1 This organization shall be known in the English language as the “Canadian Office and Professional Employees Union (COPE)” and in the French language as “Syndicat canadien des employées et employés professionnels et de bureau (SEPB)” and shall be affiliated with the Canadian Labour Congress.

1.2 In this document it shall be referred to as the National Union.

1.3 This document is the “Constitution” of the National Union.

1.4 This National Union shall continue in existence and can be dissolved only by a two thirds vote at a regular or special convention.

1.5 The Union’s headquarters shall be located in the offices of the President; provided, however, that the National President with the approval of the National Executive shall have the power to relocate the National Union headquarters.

1.6 The National Union shall have a seal and a logo, which seal and logo shall be adopted by the National Executive.

1.7 DEFINITIONS:
“Member” designates a member of a Local Union;
“Local Union” designates a chartered Union of the National Union;
“Council” designates a regrouping of Local Unions;

ARTICLE 2
Purposes and Aims

2.1 Workers need unions to provide them with dignity, a measure of security and a decent standard of living.

2.2 This National Union reflects the goals of its membership and allows and encourages full democratic participation for all its members.

2.3 This National Union encourages social unionism that recognizes and understands the importance of participation in our society.

2.4 This National Union operates under the rule of law according to democratic principles.

2.5 The Local Unions and Councils act as a balance to corporate power.

2.6 The Local Unions and Councils shall be dedicated to promoting, protecting and championing the legitimate struggles of workers.

2.7 In working toward the achievement of these goals, the Local Unions and Councils will strive to bring the benefits of union organization and collective bargaining to all workers.

2.8 The Local Unions and Councils shall provide all possible aid, assistance and guidance to their members, to the end that all workers may share in the benefits resulting from employment under the terms of collective bargaining agreements and legislation relating to employment.
2.9 The Local Unions and Councils will inform, advise and educate these workers in the principles and policies of this organization and of the benefits and gains which they may achieve through organization and collective bargaining.

2.10 Members are guaranteed due process in any dispute with the National Union, Local Unions, Councils, or their representatives.

ARTICLE 3
Jurisdiction

3.1 The National Union, its Local Unions and Councils shall have jurisdiction over all those persons employed in an office, all professional, technical or paratechnical employees or representatives, and all those persons working in a related area of work and over all those persons wishing to be represented by a Local Union of the National Union.

ARTICLE 4
Membership

4.1.1 No person shall be admitted to membership in any Local Union of the National Union who advocates principles or lends support to organizations or movements whose purposes and objectives are in conflict with those of this National Union as defined in Article 2.

4.1.2 Members hold membership in the National Union through the Local Union.

4.1.3 Unless otherwise provided, any person who supports the goals and objectives of the National Union may apply for membership through the Local Union.

4.1.4 A Local Union or Council may by provision in its constitution and bylaws establish membership requirements.

4.1.5 A Local Union or Council may by provision in its constitution and bylaws set out the membership rights and obligations for their employees or representatives.

4.2 MEMBERSHIP CLASSIFICATIONS
Membership classifications shall be active, non-active, associate and honourary. No member shall simultaneously hold more than one classification.

4.2.1 A person is no longer a member when:
- he/she is suspended or expelled by a Local Union;
- he/she no longer meets the requirements to be a member;
- he/she is no longer employed by a Local Union, a Council or the National Union;
- he/she has withdrawn his/her membership.

4.2.2 In the event a decision has been made to remove a person’s membership and that decision has been appealed the individual may request a deferral as per the appeal procedures.

4.3 ACTIVE MEMBERSHIP

4.3.1 An individual is eligible to become an active member in a Local Union if:
- he/she is employed by an employer covered by a collective agreement; or
- he/she is employed by an employer who is the subject of an active organizing drive; or,
- he/she is an employee or an Officer of a Local Union. If such employee is covered by a
  collective agreement the Local Union shall set out the membership rights and obligations for
  this person.

4.3.2 An individual who is an employee or an Officer of a Council or the National Union shall be eligible
for active membership in a Local Union of his/her choice. If said Local Union declines to grant
him/her membership the Council Executive shall decide in which Local Union this individual shall
hold membership.

4.3.3 Compliance with reasonable membership requirements uniformly imposed by a Local Union, and
receipt of the current dues and any required initiation or reinstatement fee, or any installment
established by the Local Union for payment of such fee, is required for an eligible individual to
become an active member.

4.3.4 An active member who is not actively working due to dismissal, layoff, illness, disability, or a
contractually provided leave of absence, and has recall rights, or has filed a grievance under the
collective agreement, may continue to pay dues and maintain active membership for the period
for which his/her recall rights are valid or his/her grievance is pending, or if eligible, he/she may
apply for another classification of membership provided for in this Article.

4.3.5 Active members shall enjoy all rights and privileges of membership in their respective Local
Unions and Councils, and in the National Union.

4.4 NON-ACTIVE MEMBERSHIP

4.4.1 A non-active member is a former active member of a Local Union who desires to maintain
membership in a Local Union. A non-active member shall pay whatever dues that are required by
the Local Union to become a non-active member. He/she shall also pay to the Local Union
whatever per capita tax that is required by the National Union.

4.4.2 A non-active member may attend Local Union meetings having neither voice or vote. He/she shall
not be nominated for or hold National Union, Local Union or Council office or National Executive
position, or be elected a delegate to the National Union Convention; provided, however, that if a
Local Union has or does provide in its Constitution and By-Laws that such a member has a voice
and/or a vote in an election of Local Union Officers, such provisions shall govern.

4.5 ASSOCIATE MEMBERSHIP

4.5.1 The National Executive shall be empowered to establish an associate membership classification
and determine the per capita affiliation cost and all other conditions and regulations which may be
applicable to the category. Any Local Union may also establish an associate membership
classification which is consistent with any National Executive action concerning an associate
membership classification.

4.6 HONOURARY MEMBERSHIP

4.6.1 The National Executive shall be empowered to appoint as an honourary member any individual
who has rendered meritorious services. Honourary members shall have no rights or privileges of
membership.

4.6.2 The title of National Honourary President of the Canadian Office and Professional Employees
Union (COPE) is conferred to sister Jerri New, who is a delegate with full rights at the National
Convention.
ARTICLE 5
Conventions

5.1 The National Convention shall be the governing body of this Union and shall establish its policies in accordance with this Constitution. The National Convention shall be the legitimate source of all authority. Between Conventions the National Executive, as hereinafter provided, shall be the governing body of this National Union.

5.2 The Convention of the National Union shall convene every three (3) years in April, May or June in a city designated by the National Executive.

5.3 Conventions may not be suspended unless extraordinary circumstances warrant such suspension with the consent of the National Committee by a two-thirds (2/3) vote.

5.4 SPECIAL CONVENTION

5.4.1 Special Conventions may be called by direction of the National Executive.

5.4.2 Special Convention may be called at the request of Local Unions provided:

- A resolution on this effect has been voted by the Executive Board of these Local Unions;
- These Local Unions represent more than thirty-five per cent (35%) of the total Canadian membership coming from at least (4) local unions and at least two (2) Regions.

5.4.3 A request for a special Convention shall clearly indicate the purpose of this special Convention, and shall be forwarded to the National President.

5.4.4 Provided requirements are met, the National President will instruct the Secretary-Treasurer to issue the Call for the Special Convention with a statement of the purpose to be considered.

5.4.5 The order of business of this convention shall be limited to the consideration of such purpose.

5.5 CONVENTION CALL AND CREDENTIAL LETTERS

5.5.1 The Convention call and credential letters shall be sent to Local Unions by the Secretary-Treasurer of the National Union at least ninety (90) days prior to the opening date of the Convention, except that in the case of special Conventions they shall be sent at least forty-five (45) days prior to the opening date of such special Convention.

5.5.2 All Local Unions sending delegates shall fill out credentials, place the seal of the Local Union thereon, and return the letters to the Secretary-Treasurer of the National Union at least four (4) weeks prior to the opening of the Convention, except that in the case of special Conventions they shall be returned at least two (2) weeks prior to the opening of such special Conventions.

5.5.3 Local Union shall list the names of their alternate delegates on the credential letter provided for that purpose and send it to the National Secretary-Treasurer.

5.5.4 Delegates whose credential letters are not received within the time limits prescribed may be seated by action of the delegates seated at a Convention.

5.6 RESOLUTIONS AND APPEALS

5.6.1 Except as hereinafter specified, all resolutions (up to maximum of three hundred (300) words) or appeals to be considered by any Convention shall be submitted in duplicate written and signed copies to the Secretary-Treasurer of the National Union and received by the Secretary-Treasurer of the National Union not later than twenty-one (21) days prior to the opening date of the Convention.
5.6.2 Resolutions may be submitted by the National Executive, the National Committee, Local Unions and Convention committees.

5.6.3 The National Executive may submit resolutions and policy statements at any time prior to the adjournment of a convention.

5.6.4 Resolutions originating with the Convention’s committees must have relevance to the committees’ functions and may be submitted at any time prior to the submission of such committees’ final report.

5.7 A regular Convention shall set:
- the President’s and Secretary-Treasurer’s monetary compensations;
- the Vice Presidents’ compensations;
- the amount of applicable per diems.

5.8 A quorum shall consist of a majority of qualified delegates registered at a Convention.

5.9 Questions may be decided based on the voting strength, show of hands with the delegate badge, or by a roll call vote. A roll call vote will be held if it is demanded by delegates representing one-tenth (1/10) of the total voting strength.

5.10 The decisions of the Convention shall be provided to each Local Union.

ARTICLE 6
Representation at Conventions

6.1 VOTE ENTITLEMENT

6.1.1 Each Local Union in good standing shall have one (1) vote at Convention for each one hundred (100) members or major fraction thereof, on which per capita tax has been paid for the twelve (12) month period ending two months prior to the month of a Convention.

6.1.2 Any Local Union having less than a major fraction of one hundred (100) shall, nevertheless, be entitled to one (1) vote.

6.1.3 If a Local Union has paid per capita tax for less than all the months of such a twelve (12) month period, and has not been suspended, that Local Union shall be entitled to one-twelfth (1/12) of its total vote for each month for which per capita tax was paid during the applicable period.

6.2 No Local Union which has been chartered during the two (2) calendar months preceding the month of the Convention, or during the month of such Convention, shall be entitled to representation at such Convention.

6.3 DELEGATES AND ALTERNATE DELEGATES

6.3.1 Each Local Union shall be entitled to as many delegates as it has votes, except that no Local Union may have more than twenty (20) delegates present at a Convention.

6.3.2 The delegate or delegates from each Local Union may cast the entire vote of the Local Union.

6.3.3 A Local Union shall be entitled to an equal number of alternate delegates under the same terms, up to a maximum of ten (10).

6.3.4 An alternate delegate substitutes for the delegate when he/she is unable to serve; the alternate delegate becomes a delegate by rights.
6.3.5 An alternate delegate may attend the Convention, with no voice or vote.

6.4 The voting strength and representation of a Local Union resulting from an amalgamation of two (2) or more Local Unions, shall be based on the total per capita tax payments made by the Local Unions forming such a Local Union.

6.5 No Local Union may be represented at any Convention of the National Union by proxy, nor may it delegate its voting strength to any other Local Union, and no delegate to any Convention shall represent more than one (1) Local Union.

6.6 Each delegate to a Convention must have been in continuous good standing with the Local Union such delegate represents for at least twelve (12) months prior to the convening of the Convention, unless the Local Union has been functioning (the period when a Local Union shall be deemed to be “functioning” shall be that commencing with the first month for which per capita tax payments are regularly made) for less than one (1) year, in which case such delegate must have been in good standing during the period that the Local Union has been so functioning. Each delegate shall be selected in accordance with the constitution and by-laws of the Local Union, or by vote of the Local Union.

6.7 Except as otherwise specified, all Officers of the National Union shall be entitled to participate in all Conventions and shall be eligible for election to any office in the National Union to be filled at any Convention. No Officer of the National Union shall be entitled to vote on any Convention action unless such Officer is a delegate, except that the presiding Officer of a Convention may vote to break a tie.

6.8 CONVENTION COMMITTEES

6.8.1 In advance of the Convention, the National Executive shall determine the convention committees as necessary to prepare for the Convention. The National President appoints delegates to the committees and endeavors to achieve broad regional representation in the membership of such committees.

6.8.2 One of the committees shall be the Credentials Committee. It shall examine all credentials received by the National Secretary-Treasurer and register those that it has approved. It shall report to the Convention on the first day and subsequent days if required. The Convention shall be constituted, and the delegates seated when the report of the committee is approved by a majority vote of the delegates so reported. Any appeal of the committee's decision shall be filed to the Convention as constituted.

6.8.3 Committees shall meet in advance of the Convention as required.

ARTICLE 7
Convention Fund and Travel Allowances

7.1 CONVENTION FUND

7.1.1 A Convention Fund shall be maintained consisting of all monies paid by the Local Unions to the National Union in conformity with the applicable portion of Article 16 providing for Local Union payments to such Fund.

7.1.2 The Convention Fund shall be used to offset convention costs.

7.2 TRAVEL ALLOWANCES

7.2.1 Travel allowances will be paid to eligible Local Unions from the registration fees received.
7.2.2 The National Executive shall set out the eligibility requirements for the travel allowances and the distribution method between Local Unions.

7.2.3 Notwithstanding the above, a Local Union must participate in a convention to be eligible to receive a travel allowance.

7.2.4 Appropriate cheques shall be issued to Local Unions by the National Secretary-Treasurer.

ARTICLE 8
Officers of the National Union

8.1 The Officers of the National Union shall be a President and a Secretary-Treasurer, who shall be the principal Executive Officers, a Vice President from each region and one (1) Vice President, seat reserved for women. These Officers shall constitute the National Executive. All Officers shall hold office until their successors are elected and installed, as hereinafter provided.

8.2 The President and Secretary-Treasurer shall be from different regions.

8.2.1 In addition to the Vice Presidents selected from regions, one Vice President shall be selected from amongst the members of all Local Unions. This seat shall be reserved for women.

8.2.2 There shall not be more than two (2) persons from the same Local Union on the National Executive.

8.3 No person may qualify as an Officer of the National Union unless he/she has been active members in continuous good standing of Local Unions of this National Union for twelve (12) months prior to nomination. Eligibility to hold office in this National Union shall not be limited to delegates to its regular Convention. No person shall hold more than one (1) office in the National Union.

8.4 Canada shall be divided into four (4) regions:
Region 1 shall consist of the Province of Quebec;
Region 2 shall consist of the Province of Ontario;
Region 3 shall consist of the Provinces of Alberta, Saskatchewan, Manitoba, Nunavut and the Northwest Territories;
Region 4 shall consist of the Province of British Columbia and the Yukon Territory.

8.4.1 Jurisdiction over provinces or territories not mentioned in Article 8.4 shall be determined by the National Executive which has the power to create an additional region, as necessary.

8.5 All Officers of the National Union shall be ex-officio members of all Local Unions with the privilege of participating in Local Union meetings, but no vote; provided, however, such Officers shall retain and may exercise their rights of participation in the Local Union in which they hold membership.

8.6 In the event that the Local Union in which an Officer of the National Union holds membership dissolves, is suspended, or expelled, such Officer shall be considered as a member-at-large, provided regular monthly dues are paid directly to the National Union for the remainder of his/her term in office. Upon expiration of his/her term this person must be an active member of a new Local Union to be eligible for nomination to any office in this National Union.
ARTICLE 9
Election of Officers of the National Executive

9.1 Officers of the National Union shall be nominated, elected in accordance with the voting strength and installed at each regular Convention of the National Union. The Officers of the National Union shall pledge by oath the following obligation:

"I, ______________________,
do hereby sincerely pledge my word and honour to perform the duties assigned to me in the National Union Constitution and By-laws, to the best of my ability and with complete good faith to support, advance and carry out all official policies of the National Union and to promote a harassment and discrimination-free environment. I will at all times devote my efforts to further the aims, objectives and best interests of the Canadian Office and Professional Employees Union. I will also surrender all books, papers and other property of the National Union in my possession to my successor in office."

9.2 Elections shall be carried out in the following order:
- President
- Secretary-Treasurer
- Regional Vice Presidents
- Vice President, seat reserved for women

9.3 The President, Secretary-Treasurer and the Vice President seat reserved shall be elected by all delegates and it shall require a majority of votes cast to elect. In case no candidate receives a majority, the candidate receiving the lowest number of votes shall be dropped from subsequent balloting. Voting shall be by secret ballot and thereafter tabulated.

9.4 Regional Vice Presidents shall each be nominated and elected by the Convention delegates from the Local Unions located in their Region. They shall nominate and elect one (1) Vice President in Region 1; one (1) Vice President in Region 2; one (1) Vice President in Region 3; and one (1) Vice President in Region 4. It shall require a majority of votes cast to elect. In case no candidate receives a majority, the candidate receiving the lowest number of votes shall be dropped from subsequent balloting. Voting shall be by secret ballot and thereafter tabulated.

ARTICLE 10
Duties of President of the Union

10.1 It shall be the duty of the President to preside at all Conventions; to exercise supervision over the affairs of the National Union throughout its jurisdiction; to sign all official documents; to travel whenever required in the interest of the National Union. The President shall submit to each regular Convention a report of acts and doings between Conventions.

10.2 It shall be the duty of the President to interpret the Constitution. Any interpretation may be appealed to the National Executive. Notice of appeal must be filed in writing with the National Secretary-Treasurer and National President within thirty (30) days of the decision.

10.3 The President serves part time.
10.4 The President shall act as principal Executive Officer of the National Executive in all matters wherein authority is not especially conferred upon other Officers of the National Union. The President shall be chairperson of the National Executive and National Committee and shall have the power to convene meetings at any time.

10.5 The President may obtain all legal, technical and administrative help together with whatever personnel necessary for the efficient conduct of the National Union, after National Executive approval.

10.6 The President’s approval shall be required for all extraordinary disbursements of the National Union.

10.7 The President's written approval shall be required on all constitutions and bylaws as well as all constitutional changes adopted by Local Unions and Councils in accordance with this constitution and all Local Unions and Councils shall submit their constitutions and bylaws governing the Local Union and Council membership to the President of the National Union for approval. Such approval shall be obtained prior to their being put into effect by the Local Union. Any decision of the President may be appealed to the National Executive which shall dispose of the appeal at its earliest convenience.

10.8 The President shall be responsible for the official publication, creation and maintenance of a national website in both official languages. Publication of the newspaper is at the discretion of the National Executive. Except if otherwise provided, notices may be sent to the membership through one of these two media. The publication shall be free to all dues-paying members.

10.9 The President shall receive monetary compensation and per diem allowances as established by the regular Convention. The President shall receive reimbursement for transportation and for all necessary expenses incurred on behalf of the National Union.

10.10 The President shall be a delegate of the National Union to all conventions, including conventions of the Canadian Labour Congress.

10.10.1 The President is empowered to appoint delegates of the National Union to any Convention, and to the convention of the Canadian Labour Congress, where deemed to be in the best interest of the National Union to have additional representation or to act in the President’s behalf as a delegate at any such Convention.

10.10.2 Any Local Union shall upon request from the President surrender all unused credentials.

10.11 Whenever any Local Union makes a request in writing to the President to take over the affairs of the Local Union, the President may appoint a Trustee to assume control over the affairs, operation, books, funds, records, assets and property of such Local Union until such time as the President terminates the trusteeship and turns the affairs of the said Local Union back to the Local Union. Any request by a Local Union for the President to appoint a Trustee must be authorized by a vote of the Executive Board of the Local Union, or by a vote of the union membership as provided by the Local Union constitution and bylaws. Upon appointment of any such Trustee, the Local Union Officers, agents and members shall turn over to such Trustee all books, funds, records, assets and property of any kind, which shall be held and managed by the Trustee for the membership of the Local Union. The salary of the Trustee, which shall be fixed by the President, and any necessary expenses incurred by the Trustee during the period of the assignment, shall be paid by the Local Union.

ARTICLE 11
Duties of Secretary-Treasurer of the National Union

11.1 The Secretary-Treasurer shall be responsible to maintain a correct record of the proceedings of all Conventions and of all meetings of the National Executive and National Committee. He/she acts on a part-time basis.
11.2 The Secretary-Treasurer shall collect and record all monies paid to the National Union and shall make all proper disbursements by cheque, except that the Secretary-Treasurer is authorized to maintain a petty cash account of five hundred dollars ($500.00) from which authorized cash disbursements are made.

11.2.1 No funds of the National Union shall be expended except to accomplish the purposes and aims of the National Union.

11.2.2 The Secretary-Treasurer must obtain and keep on file signed authorization from the President for any extraordinary disbursements.

11.3 The Secretary-Treasurer shall properly safeguard the assets of this National Union and shall keep the funds invested in the name of the National Union in a chartered bank or other financial institution.

11.3.1 The funds may also be invested in securities issued or guaranteed by the Canadian Government, any Provincial or Territory Government, not to exceed the insurable amount.

11.3.2 Whenever possible and feasible, the Secretary-Treasurer shall endeavor to deposit such funds in unionized financial institutions.

11.4 The Secretary-Treasurer shall provide a bond in such amount as may be determined by the National Executive.

11.5 The Secretary-Treasurer shall submit monthly to the President an itemized statement showing all receipts and expenditures. He/she shall submit a semi-annual financial statement to the National Executive, and an approved copy shall be sent to the National Committee. He/she shall prepare an annual financial statement which shall be audited by a chartered accountant designated by the National Executive. The audited annual financial statement shall be approved by the National Committee and a copy shall be submitted to all Local Unions.

11.5.1 The Secretary-Treasurer shall ensure that all books and accounts are available for inspection by the National President, the National Executive, the National Committee or the designated chartered accountant.

11.6 The Secretary-Treasurer shall notify all Local Unions of their past due obligations and of their suspension in the event of such.

11.7 The Secretary-Treasurer shall issue charters to Local Unions as directed by:
- the National Executive upon recommendation from the Regional Vice President;
- by the Council that has jurisdiction, upon recommendation from the Regional Vice President.

11.7.1 The Regional Vice President shall consult with and obtain the opinion of existing affected Local Unions in any particular city before an additional charter in such city is issued.

11.8 The Secretary-Treasurer is authorized to inspect the books, records and financial accounts of any Local Union or Council, and their Officers shall be obligated to turn over their books, records and financial accounts to the Secretary-Treasurer or duly designated representative upon such request for the purpose of such inspection.

11.9 The Secretary-Treasurer may obtain all legal, technical and administrative help together with whatever personnel necessary for the efficient conduct of the Secretary-Treasurer’s office and duties, after National Executive approval.

11.9.1 Upon National Executive approval and if it becomes necessary, the Secretary-Treasurer may obtain traveling auditors for the purposes of inspecting Local Union books, records and financial accounts.

11.10 The Secretary-Treasurer shall design and provide uniform forms for Local Unions to make their remittances to the National Union. These forms are to be approved by the National Executive.

11.11 The fiscal year of the National Union shall end with the last day of December.
11.12 The Secretary-Treasurer shall receive monetary compensation and per diem allowances as established by the regular Convention. The Secretary-Treasurer shall receive reimbursement for transportation and for all other necessary expenses incurred on behalf of the National Union.

11.13 The Secretary-Treasurer shall be a delegate of the National Union to all Conventions, including the Canadian Labour Congress.

11.14 Notwithstanding Article 11.2 in all cases when a new Secretary-Treasurer is appointed or elected, the National Executive shall be empowered to take the necessary steps to ensure a smooth and efficient transition.

ARTICLE 12
Duties of Vice Presidents of the National Union

12.1 Vice Presidents may perform such duties as may be determined and assigned to them by the National Executive or the President in carrying out the purposes and aims of the National Union.

12.1.1 The Vice Presidents shall report to the President on their activities. They shall prepare a report to the National Executive and/or National Committee as necessary.

12.1.2 They shall attend National Executive and National Committee meetings.

12.2 Vice Presidents shall receive compensation and per diem allowances as established by the regular Convention. Vice Presidents shall receive reimbursement for transportation and other necessary expenses incurred on behalf of the National Union.

ARTICLE 13
Duties of National Executive

13.1 The National Executive is the highest authority of the National Union between conventions. It carries out the instructions of the convention. It conducts the affairs of the National Union. With the Constitution as its guide, it shall take all action necessary to carry out the aims and objectives of this National Union.

13.1.1 The National Executive is empowered to adopt regulations, policies and necessary procedures to carry out its goals and objectives.

   It may notably adopt:

   - A procedure governing internal discipline of members, Officers, Local unions, Councils, the National Executive, the National Committee;

   - An Appeal Procedure for final decisions of Local unions and/or Councils.

13.1.2 Registration fees for national conventions shall be established by the National Executive.

13.2 The National Executive shall meet at least twice a year and shall hold special meetings when necessary.

13.2.1 Special meetings of the National Executive may be called by the President or Secretary-Treasurer, or requested by three (3) members of the National Executive. Such request shall be addressed to the President who calls the meeting. In the event the office of President is vacant the request is addressed to the Secretary-Treasurer who calls the meeting. In the event the office of Secretary-Treasurer is vacant, then the request shall be addressed to a Regional Vice President who calls the meeting.

13.2.2 Except under extraordinary circumstances, advance notice of at least one (1) week shall be given of National Executive meetings.
13.2.3 The National Executive shall meet before and after each Convention, and the members thereof shall be available for meetings during any Convention.

13.3 A quorum for the transaction of business at any meeting of the National Executive shall consist of a majority of the members.

13.4 Actions of the National Executive shall be determined by majority vote of the members present.

13.5 In response to a request by the President for a decision, the National Executive members shall vote by voice during conference calls, by e-mail, mail, or facsimile; provided, however, that in such cases it shall require a majority vote of the entire National Executive to decide any issue.

13.6 The National Executive is authorized upon recommendation of the Regional Vice President to determine the conditions and terms under which suspended, expelled, dissolved or disbanded Local Unions may be reconstituted or reinstated.

13.6.1 If an absolute majority of National Executive members agree, the National Executive may approve bringing another union into the National Union provided the action does not affect the National Union’s identity in the union movement.

13.7 Where no Council exists, the National Executive shall determine jurisdiction between Local Unions and settle all controversies respecting jurisdiction between Local Unions.

13.8 The National Executive shall act as the finance committee.

13.8.1 The National Executive shall approve all investments of funds of the National Union.

13.8.2 The National Executive shall approve the budget and a copy of such approved budget shall be provided to the members of the National Committee.

13.9 The National Executive, with National Committee approval, shall have the power in emergencies to levy assessments upon Local Unions or members of Local Unions. Such assessments shall be on a per month per member basis.

13.10 The National Executive is authorized to grant victimization benefits to Local Unions or Councils from the funds of the National Union upon terms and conditions established by the National Executive.

13.11 The National Executive shall be responsible for the Regional Organizing Cooperative Fund.

13.12 It shall be the duty of the National Executive to ensure that the Secretary-Treasurer is adequately protected by a fidelity bond.

13.13 Whenever the offices of the President or the Secretary-Treasurer become vacant due to resignation, suspension, expulsion, death or incapacity, the following procedure shall apply:

13.13.1 In the event any such vacancy is expected to be temporary and to exceed thirty (30) days, the successor shall be chosen from amongst members of the National Executive during a meeting called for that purpose as soon as possible.

13.13.2 In the event of a vacancy expected to last the remainder of the term, the successor shall be chosen at a National Committee meeting called for that purpose within thirty (30) days of the vacancy. In this event any member in good standing is eligible for appointment.

13.13.3 The President shall have the authority to appoint a temporary Secretary-Treasurer until a successor is chosen. In this event, the temporary Secretary-Treasurer shall serve with all rights, powers and duties vested in the office.

13.13.4 No compensation will be paid to any Officer while they are being replaced.

13.13.5 The successor shall serve until the incumbent resumes his/her position or until his/her successor is appointed and installed in his/her office at the next convention.

13.13.6 Incapacity shall be defined as a medical condition certified by a licensed physician as rendering the President or the Secretary-Treasurer unable to perform the duties of his/her office. If such incapacity is non-permanent, the appointment shall end as soon as the President or Secretary-Treasurer is certified as able to resume the duties of his/her office.
13.14 In the event the office of Regional Vice President becomes permanently vacant, the following procedure shall apply:

13.14.1 Notice of vacancy shall be sent to all Local Union and Council Presidents within the Region.

13.14.2 Eligible members shall apply within ten (10) days following the notification hereinabove mentioned by informing the National President.

13.14.3 Regional Officers may apply provided they resign their position if elected.

13.14.4 The office is filled by decision of the National Committee using whatever method it finds appropriate.

13.15 In the event the office of Vice President seat reserved for women becomes permanently vacant, the position shall be filled in the following manner:

13.15.1 Notice of vacancy shall be sent to all Local Union and Council Presidents across Canada.

13.15.2 Eligible members shall apply within ten (10) days following the notification hereinabove mentioned by informing the National President.

13.15.3 Regional Officers or Regional Vice Presidents may apply provided they resign their position if elected.

13.15.4 The office is filled by decision of the National Committee using whatever method it finds appropriate.

13.16 To be eligible for nomination to fill any of these vacancies regional representation limits must be maintained unless the nominated eligible member has a signed letter of resignation from an Officer in their region effective with their election.

13.17 In the case of amalgamation of Local Unions, the National Executive shall be empowered to waive that portion of this Constitution restricting election to Local Union office to only those persons who have been in continuous good standing in their Local Union for twelve (12) months.

13.18 The National Executive shall designate a certified accountant who shall audit the books, records and financial accounts of the National Union for at least each fiscal year within three (3) months following the end of each such year, a copy of each fiscal year’s audit being promptly supplied by the National Union Secretary-Treasurer to each member of the National Executive, the National Committee and to each Local Union.

ARTICLE 14
The National Committee

14.1 The National Committee shall recommend constructive measures for the welfare of the Local Unions and their members. It shall discuss agreements, organizational problems, provincial and federal legislation, and other issues of interest to Local Union members.

14.2 The National Committee shall recommend to a regular Convention:
   - The President's and Secretary-Treasurer's monetary compensations;
   - The Vice Presidents’ compensations;
   - The amount of applicable per diems.

14.3 The National Committee may approve, reject or modify any proposals of special assessments submitted by the National Executive. Any special assessment shall be for a determined duration and shall indicate the monthly amount payable by the members.

14.4 The National Committee shall exercise all duties set out in this Constitution.

14.5 The National Committee shall meet once a year in April, May or June during a week-end. Special sessions may be held when necessary. A quorum for the transaction of business at any meeting of the National Committee shall consist of a majority of the members.
14.6 Special meeting of the National Committee may be called by the President, the Secretary-Treasurer, or at the request of the National Executive. Such request shall be addressed to the President who calls the meeting. In the event the office of the President is vacant the request is addressed to the Secretary-Treasurer who calls the meeting. In the event the office of the Secretary-Treasurer is vacant, then the request shall be addressed to a Regional Vice President who calls the meeting.

14.7 Except under extraordinary circumstances, there shall be given at least a one (1) week advance notice of National Committee meetings.

14.8 In response to a request by the President for a decision, the National Committee members shall vote by voice during conference calls, by e-mail, mail, or facsimile; provided, however, that in such cases it shall require a majority vote of the entire National Committee to decide any issue.

14.9 The National Committee shall be composed of the members of the National Executive and the Regional Officers.

14.10 The following elements shall be taken into account in the determination of the number of Regional Officers to elect:

14.10.1 The following schedule shows the maximum number of Regional Officers to be elected by Region:

<table>
<thead>
<tr>
<th>Total Members* in good standing per Region</th>
<th>Maximum number of Regional Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 5,000</td>
<td>1</td>
</tr>
<tr>
<td>5,001 to 10,000</td>
<td>2</td>
</tr>
<tr>
<td>10,001 to 15,000</td>
<td>3</td>
</tr>
<tr>
<td>15,001 and over</td>
<td>4</td>
</tr>
</tbody>
</table>

(*) The total members in good standing per region is based on the monthly average of per capita paid for the twelve month period ending two months before the month of the regular Convention.

14.10.2 Numbers shown do not include the President, Secretary-Treasurer and Vice President seat reserved for women.

14.10.3 Numbers shown do not include the Regional Vice President.

14.11 Regional Officers shall be nominated, elected in accordance with the voting strength and installed at each regular convention of the National Union. They shall pledge by oath to the same obligations as the Officers of the National Union.

14.12 Regional Officers shall hold office until their successors are elected and installed.

14.13 No person may qualify as Officer of the National Union unless he/she has been active member in continuous good standing of Local Unions of this National Union for at least twelve (12) months prior to nomination. Eligibility to hold office in this National Union shall not be limited to delegates to its regular Convention. No person shall hold more than one (1) office in the National Union.

14.14 The following requirement must be observed in the election of the Regional Officers in Regions 1 and 4: a Region shall have no more than three (3) representatives from the same Local Union.

14.15 No special requirement shall apply in the election of the Regional Officers in Region 3.

14.16 The following requirement must be observed in the election of the Regional Officers in Region 2: the Region shall have no more than two (2) representatives from the same Local Union; at least one (1) representative shall come from Locals within northern, southern and eastern Ontario Regions, and at least one (1) representative shall come from Locals within the northwestern Ontario Region.
14.17 The Regional Officers shall each be nominated and elected by the Convention delegates from the Local Unions located in each Region voting their representation.

14.18 The limitation setting the maximum number of Regional Officers from the same Local Union shall only apply in cases where a Region is comprised of more than one Local Union.

14.19 Subject to the next paragraph dealing with National Union Region 2, the Regional Officers shall each be nominated and elected in accordance with the following procedures:

1. Nominations are open for Regional Officers;
2. In the event that there are more candidates than the number of positions to fill, the vote shall be held as follows:
   2.1 Delegates will cast votes in accordance with their representation.
   2.2 Ballots shall be declared void if the following conditions are not met:
      2.2.1 Delegates shall cast votes for as many candidates as there are positions to be filled.
      2.2.2 Delegates shall not have the right to vote for more candidates from the same Local Union than the remaining number of positions that may be held by candidates from that Local Union.
   2.3 The candidates receiving the highest number of votes shall be declared elected subject to the limitation in the maximum number of Regional Officers from the same Local Union.
   2.4 If that limitation prevents the election of a certain candidate, the candidate from another Local Union receiving the highest number of votes shall be declared elected.
   2.5 In the event candidates cannot be declared elected because of a tie vote, a subsequent balloting shall be held only between these candidates.
   2.6 Candidates may withdraw at any time before voting is held.

14.20 The Regional Officers representing Region 2 shall each be nominated and elected in accordance with the following procedures:

1. If the reserved seats for the northwestern Ontario Region or the northern, southern and eastern Ontario Regions have not been filled, the following procedure shall apply:
   1.1 Nominations are open for the reserved seat(s);
   1.2 The candidate(s) receiving the highest number of votes shall be declared elected.
2. The aforementioned process shall apply thereafter.

14.21 In the event the office of Regional Officer becomes permanently vacant, the position shall be filled in the following manner:

14.21.1 Notice of vacancy shall be sent to all Local Union and Council Presidents within the Region.
14.21.2 Eligible members shall apply within ten (10) days following the notification hereinabove mentioned by informing the Regional Vice President or the National President.
14.21.3 The office is filled by decision of the National Executive using whatever method it finds appropriate.

14.22 To be eligible for nomination to fill any of these vacancies regional representation limits must be maintained unless the nominated eligible member has a signed letter of resignation from an officer in their region effective with their election.
ARTICLE 15
Prohibited Activities

15.1 The National Executive shall have the power, within its discretion and in accordance with the procedure hereinafter set forth, to suspend, expel and discipline a member of any Local Union, an Officer of any Local Union or Council or of the National Union, or any Local Union or Council itself, for violating the Constitution of the National Union, or for engaging in any activity or course of conduct which is deemed by the National Executive to be contrary or detrimental to the welfare or best interest of the National Union, including but not limited to failure to maintain any financial obligation owed or due to a Council or to the National Union; provided, however, that any Local which becomes three (3) months in arrears in its per capita tax obligation to a Council or to the National Union may be suspended. The National Executive shall have the authority to impose any other penalty allowable by law upon any member, Officer, Local Union or Council.

15.2 Except for suspension for non payment of per capita tax where the decision is final and not subject to appeal, any proceedings pursuant to paragraph 15.1 shall be commenced by the National Executive by serving in writing a statement of charges upon the party or parties affected. The National Executive shall, upon written request of the party or parties involved within fifteen (15) days following the statement of charges, schedule a hearing and send notice thereof which shall specify the time and place of the hearing which shall be held within a reasonable period of time at a place reasonably suited to afford a fair opportunity for all parties to be heard.

15.2.1 The National Executive shall appoint a hearing officer in the matter.

15.2.2 Such hearing Officer shall not have any conflict of interest nor hold office or position in any Local Union, Council or in the National Union.

15.2.3 The hearing Officer shall proceed in an orderly, fair and impartial manner, in accordance with the hearing proceedings and introduction of evidence he/she finds appropriate and in accordance with the principles of natural justice and the duty of fairness.

15.2.4 Onus of proof is on the complainant.

15.2.5 The parties have the right to call witnesses and to produce evidence relevant to the complaint and the right to cross-examine any witness. They also have the right to be represented at their own expense.

15.2.6 The hearing Officer shall report in writing to the National Executive with findings, conclusions, and recommendations.

15.2.7 The report of the hearing Officer shall be served upon the party or parties affected at the same time it is rendered to the National Executive. Any party aggrieved shall have the right to file objections in writing within two (2) weeks after receipt of such report setting forth reasons why the report of the hearing Officer should be rejected or adopted. The National Executive, at its next regular meeting, shall by majority vote affirm, reject or modify such report and adopt such findings and conclusions as it deems reasonable and proper in the circumstances. Notice of the decision of the National Executive shall be provided to the affected parties.

15.2.8 Expenses and/or fees of the hearing officer shall be born by the National Union.

15.3 It is further provided, however, that when any situation is presented to and found by the President to be a matter of emergency and that the interest of the National Union reasonably require immediate action, the President is empowered to suspend, pursuant to paragraph 15.1, any Officer or member of any Local Union, Council, or of the National Union, and is further empowered to suspend any Local Union or Council and appoint a Trustee over its affairs until such time as procedures hereinafter set forth are complied with.
15.3.1 Any notice of suspension by the President directed to any member or Officer of any Local Union, Council or the National Union shall be accompanied by a statement in writing of the charges, which shall therewith be referred to the National Executive for disposition in accordance with the regular procedures hereinabove set forth. Such suspension shall remain in effect until such time as the National Executive renders its ruling.

15.3.2 Any notice of suspension by the President directed to any Local Union or Council shall state the reasons for such suspension and shall, upon written request of the Local Union or Council involved, direct that a hearing be held within thirty (30) days at a time and place selected by the President, to determine whether or not there is sufficient reason to continue such trusteeship. The President shall appoint a hearing Officer to conduct the hearing. The hearing shall be conducted in accordance with the procedures set forth in 15.2 with the necessary adjustments. The hearing Officer, after receiving evidence and hearing arguments, shall thereafter make a report to the National Executive with findings, conclusions and recommendations and serve a copy of such report on the affected Local Union or Council. The National Executive, after entertaining any objections which the affected Local Union or Council shall care to make in accordance with the procedures previously set forth in this paragraph, shall render its decision and so inform the affected parties. Any Local Union or Council shall thereafter have the right to petition the National Executive in any period of six (6) months or more for relief from any such trusteeship.

15.4 In the case of an expulsion or suspension of a Local Union or Council, or an Officer of a Local Union, Council or of the National Union, all funds, properties, books and assets of the Local Union, Council or of the National Union in the possession of such expelled or suspended Local Union or Council, or of such Local Union Officer, Council Officer, or of such National Union Officer, shall be turned over to a duly authorized representative of the National Union and the National Union shall have the right to possession of such funds, properties, books and assets.

15.5 In all cases where a Local Union or Council has been suspended under the provisions of this article, the President shall have the power to assume charge of the affairs and business of such suspended Local Union or Council by the appointment of a Trustee or other duly authorized representative of the National Union for the purpose of assuming such charge. All funds, properties, books and assets of the suspended Local Union or Council, which must be turned over to the Trustee or other duly authorized representative of the National Union pursuant to paragraph 15.3, shall be held in trust for the benefit of the Local Union or Council and shall be managed and expanded only for such purposes as are necessary for the proper conduct of the affairs of the Local Union or Council.

15.6 Any action taken or approved by the National Executive may be subject to appeal to the next regular Convention of the National Union, which Convention is the final authority on all matters. The appellant shall have the right to appear before any appeals committees that may be set up by the Convention but not before the Convention itself, except with the Convention’s consent. In any case there shall be no resort to a court of law until all relief within the National Union under its Constitution has been exhausted.

ARTICLE 16
Finances

16.1 The revenue of the National Union shall be obtained as follows:
- a per capita tax collected by the Local Union, in the amount of $3.25 per person, per month;
- $3.00 per person, per month and effective January 1st, 2009 and payable in February 2009
  $3.20 per person, per month to be paid to the Strike and Lockout Benefit and Defence Fund;
16.2 REGIONAL ORGANIZING COOPERATIVE FUND:

An amount of sixty-five cents (65¢) per member per month shall be transferred from per capita tax received to the Regional Organizing Cooperative Fund.

The Secretary-Treasurer shall be empowered to direct the transfer of additional funds from the General Fund into the Regional Organizing Cooperative Fund as may be required from time to time and shall submit to the National President, on a quarterly basis, a report of all transactions.

16.3 This article shall not prohibit the National Union or its National Executive from accepting revenues from other legitimate sources or from borrowing money, or from raising funds by any legitimate means.

ARTICLE 17
Councils

17.1 A Council is a grouping of Local Unions within a Region. It may be designated under another name.

17.2 Where mutual interests require cooperative action by Local Unions and their membership in advancing the purposes and aims of the National Union, the National Executive in consultation with the Regional Vice President may establish Councils of Local Unions within limited areas or by industries; provided, however, that such Councils shall be established only after (1) the jurisdiction of such Council has been determined and defined by the National Executive, such jurisdiction to be limited to the Local Unions within the area within which such Council can effectively carry out the purposes of this article, and (2) the request or approval of a majority of the Local Unions within the jurisdiction of the Council as determined by the National Executive.

17.3 Affiliation with an established Council by each Local Union within the jurisdiction of such Council shall be mandatory, except when exempted by the National Executive. This exemption shall be subject to review.

17.4 The Constitution and By-Laws of all Councils, or amendments thereto must be approved by the Convention by at least two-thirds (2/3) vote except in the case of dues, per capita tax, and individual member assessments which shall require a simple majority vote.

17.4.1 Each Council must have an approved Constitution and bylaws. It is the obligation of the Councils to update their Constitutions in accordance with the actions taken at each Convention.

17.5 All provisions of the Constitution of the National Union relating to Local Unions, their Officers and members shall apply to all Councils of the National Union.

17.6 Each Council shall determine the proportion and method of representation therein of Local Unions within its jurisdiction, and the revenues to be collected from its affiliated Local Unions to maintain and carry on the work of the Council.

17.7 Each Council may decide to secure a bond by a bonding company and under a bond of the National Union to cover the Secretary-Treasurer of the Council.
17.8 The Secretary-Treasurer of each Council shall render a quarterly statement of receipts and disbursements to each affiliated Local Union within its jurisdiction and to the National Union Secretary-Treasurer.

17.9 The Constitution and bylaws of each Council shall specify the extent of its functions in relation to its affiliated Local Unions.

17.10 No special assessment shall be levied by a Council unless such assessment has been first approved by secret ballot by majority vote at a convention or special convention. This special assessment however shall be subject to the approval of National President before it is levied.

17.11 A Council may discipline its Officers acting in this capacity for violation of the National Constitution or the Council Constitution, or for engaging in any activity or course of conduct which is deemed to be contrary or detrimental to the welfare or best interest of the Council. The National Executive shall establish uniform procedures, including rights of appeal, to insure full compliance with applicable law in order to afford the fullest protection for all parties involved. Notwithstanding the foregoing, a Council may establish a disciplinary procedure provided such procedure is approved by the National President.

None of the foregoing is applicable to any matter involving delinquency or failure to pay dues. A Council may provide in its Constitution and By-Laws for automatic suspension of any Local Union which is delinquent in its obligations.

17.12 A Council shall act as an appeal board for final decisions rendered by Local unions in the following instances:
- election of a Local Union officer;
- membership status of any individual;
- any other case stipulated in the Council Constitution.

The National Executive shall establish an appeal procedures. Notwithstanding the preceding, a Council may establish an appeal procedures which will have been approved by the President of the National Union.

ARTICLE 18
Local Unions

18.1 A charter will be issued to a new Local Union provided it has at least two hundred fifty (250) members. However, under exceptional circumstances and if financially viable a new local union having less than two hundred and fifty (250) members may be granted a charter upon approval of the National Executive.

Applications for a charter shall be filed by the Regional Vice President to the National Secretary-Treasurer.

If granted, the charter shall thereafter be installed by the Secretary-Treasurer.

18.2 The National Executive will work with Local Unions to examine their financial viability having regard to the legal responsibilities of union representation. This will include examination of mergers and, under extraordinary circumstances, dissolution. When any Local Union ceases to represent employees of any employer in such a way that it affects its viability, the National Executive may suspend the charter of such Local Union and order it dissolved. The funds of a Local Union cannot be divided among individual members and can be utilized only for valid union purposes. Upon the dissolution of any Local Union, all its properties and assets, including its funds, books and records, shall become the property of the Council or if no Council exists, of the
National Union, to be held in trust for a period of one (1) year, during which time such property shall be returned to the Local Union, if it is reconstituted. After such one (1) year period, such properties and assets shall become the property of the Council or if no Council exists, of the National Union and the funds placed in the National treasury to be used by the National Union for its general purposes.

18.3 All Local Unions shall have the following minimum number of Officers: President, Vice President, Secretary-Treasurer, Recording Secretary, except that a Local Union may combine the office and duties of the Recording Secretary with the office and duties of the Secretary-Treasurer. Each Local Union may provide in its constitution and bylaws for such additional Officers as it deems necessary for the conduct of its business. A business representative or business representatives may also be designated as an Officer or Officers of the Local Union, or may be employed, in which latter case they need not necessarily be members of a Local Union at the time of hiring. Each Local Union shall have an Executive Board consisting of the aforementioned Officers. Local Unions may decide to have three (3) trustees to verify the books of the Secretary-Treasurer and/or retain the services of a chartered accountant.

18.3.1 A Local Union shall by provision in its constitution and bylaws provide for the election of all of its Executive Board members.

18.3.2 Only a member in good standing who has met the requirements set out in the Local Union Constitution may be elected or appointed to a Local Union office or to the Executive Board.

18.3.3 The Local Union is authorized to compensate its officers and representatives as it sees fit.

18.4 Applicants for membership in any Local Union shall be required to fill out an application or authorization cards.

18.5 The Officers and Executive Board members of a Local Union shall be elected by a majority or a plurality of the votes cast as set forth in its constitution and bylaws. Any election of Officers and Executive Board members of a Local Union shall be by secret ballot, except that a Local Union may provide in its constitution and bylaws that such Officers and Executive Board members shall be declared duly elected if only one nomination is made for any such office. No voting by proxy shall be allowed. Where geographic location may cause difficulties in following the usual election procedure, the National President may authorize mail balloting. The procedures for holding elections shall be prescribed in the Local Union constitution and bylaws and the term of office of Officers and Executive Board members shall not be less than one (1) year nor more than three (3) years. Vacancies in office or on the Executive Board shall be filled by special election; except that, if so provided in the Local Union constitution and bylaws, the Local Union Executive Board may appoint Officers or Executive Board members to fill vacancies.

18.6 The duties of officers of Local Unions shall include the following:

18.6.1 It shall be the duty of the President to preside at all meetings of the Local Union; to preserve order during its deliberations; to sign all orders on the treasury when required by the Local Union; to appoint all committees not otherwise required; and to transact such other business as may of right pertain to the President’s office and which may be necessary for the proper functioning of the Local Union.

18.6.2 The Vice President shall perform the duties of the President in the absence of that Officer and, in case of the resignation or death of the President, shall perform the duties of the President until such vacancy is filled as provided for by the Local Union constitution. The Vice President shall also preside when called upon by the President and at times when the President may be temporarily unable to discharge the duties of the office of the President.
18.6.3 The Recording Secretary shall keep a correct record of all union meetings and of all meetings of the Executive Board of the Local Union unless the Local Union provides for and elects a recorder for such purpose.

18.6.4 The Secretary-Treasurer shall perform the following duties:

18.6.4.1 The Secretary-Treasurer shall keep all financial accounts of the Local Union and shall maintain correct and proper accounts of all of its members; collect all financial obligations due from members of the Local Union; make all disbursements for the Local Union as provided in Article 18.12; keep a correct record of all monies received and expended, and prepare financial statements by calendar months to be submitted to the Secretary-Treasurer of the National Union monthly and to the next regular meeting of the Local Union.

18.6.4.2 Each Local Union may decide to secure a bond by a bonding company and under a bond approved by the Local Secretary-Treasurer. The Secretary-Treasurer shall deposit all funds of the Local Union in a financial institution, may it be a bank or a credit union. Where there are trustees, the Secretary-Treasurer shall submit all books and records to the Trustees for verification and approval whenever called upon to do so, and upon the expiration of the term of office, turn over to the successor all properties and assets including funds, books and records of the Local Union. The Secretary-Treasurer shall turn over all properties and assets, including funds, books and records to the Secretary-Treasurer of the National Union or the duly authorized representative when properly called upon to do so.

18.6.4.3 The Secretary-Treasurer shall transmit monthly to the Secretary-Treasurer of the National Union all financial obligations owing to the National Union not later than by the 15th day of the following month. The Secretary-Treasurer shall follow proper accounting procedure. The Secretary-Treasurer shall be required to make monthly reports to the Secretary-Treasurer of the National Union of all dues-paying members on forms prescribed by the Secretary-Treasurer of the National Union.

18.6.5 Where there are Trustees, they shall verify the books of the Secretary-Treasurer at least quarterly and at the close of each fiscal year and shall report each such verification to the Local Union and to the Secretary-Treasurer of the National Union, or if the Local Union so chooses, it may, as an alternative, have the verification conducted annually by a certified or chartered accountant, and have such verifications reported to the Local Union and to the Secretary-Treasurer of the National Union.

18.7 The duties of Executive Boards of Local Unions shall be only such as are specifically prescribed in the Local Unions’ constitutions and bylaws; provided, however, that Local Unions may not prescribe for their Executive Boards in their constitutions and bylaws any duties, functions or authorities vested in any other person, Board, or body under the National Constitution.

18.8 Local Unions may charge an initiation fee of not more than one hundred dollars ($100). Effective January 1st, 2008, subject to the provisions for non active members, all Local Unions dues shall be a minimum of one (1) percent of remuneration or its equivalent per person per month, from which the per capita tax collected by the Local Union for the benefit of the National Union shall be paid. Under exceptional circumstances a Local Union can seek approval from the National Executive for a lower minimum dues structure if the Local Union can demonstrate that it is financially viable.

18.9 No assessment of any kind can be made by any Local Union except as voted by secret ballot by a majority of the membership or by an Executive Council or similar body which is representative of the membership, with authority under the Local Union constitution superior to that of the Local Union Executive Board present at a meeting called for that purpose and of which all members have been notified at least fifteen (15) days in advance and provided further that such assessments must be subject to the approval of the President of the National Union in advance of being levied. However, benefit assessments do not require approval of the President of the
National Union and are not subject to the maximum limitations set forth below provided that benefit funds are maintained and operated from a separate fund established by the Local Union and are set forth in the Local Union’s constitution and bylaws.

18.10 Local Unions may discipline their members or Officers for violation of the National Constitution or the Local Union Constitution and/or bylaws or for engaging in any activity or course of conduct which is deemed to be contrary or detrimental to the welfare or best interest of the Local Union. The National Executive shall establish uniform procedures, including rights of appeal, to insure full compliance with applicable law in order to afford the fullest protection for all parties involved. Notwithstanding the foregoing, a Local Union may establish a disciplinary procedure provided such procedure is approved by the National President.

None of the foregoing is applicable to any matter involving delinquency or failure to pay dues. Any Local Union may provide in its bylaws for automatic suspension of any member who is delinquent in his/her obligations.

18.11 Any Local Union which becomes three (3) months in arrears in its per capita tax obligations to the National Union may be suspended.

18.12 Expenditures of the Local Union shall be only for purposes of the Local Union, and in all cases shall be made by cheque signed by the Secretary-Treasurer and countersigned by the President or Vice President; provided, however, that a petty cash fund may be authorized by the Local Union, from which expenditures can be made. The initiation fees, reinstatement fees and other obligations owed by the Local Union to the National Union shall constitute a preferred claim and must be paid promptly by the Local Union each month prior to the payment of any other obligation of the Local Union.

18.13 Each Local Union must have an approved constitution and bylaws. It is the obligation of the Local Unions to update their constitutions in accordance with the actions taken at each Convention.

18.14 Amendments to Local Union constitutions may be made only by a two-thirds (2/3) vote of those eligible members voting on such matters under the Local Union’s constitution, except that changes in dues, initiation fees and reinstatement fees shall require only a majority vote of those members voting on any such issue, notwithstanding any provision in any Local Union constitution to the contrary.

ARTICLE 19
Strike and Lockout Benefit and Defence

19.1 No Local Union shall call a strike against an employer, or employers, unless the members of the Local Union employed by such employer or employers by a majority vote of those present at a meeting called for this purpose so authorized by secret ballot. Commencing a strike shall not be construed as approval, ratification, or participation by the National Union in any particular activity of the Local Union involving such strike and shall imply no more than that such strike is not contrary to the best interests of the National Union, its Local Unions, and its members. The role of the President shall be to ensure that strike voting procedures are in conformity with the Constitution and applicable laws.

19.2 The National President shall be informed of all strikes by any Local Union before they are called.

19.3 Strikes against any employer, or employers, may be terminated if a majority of the members of the Local Union affected present at a meeting so decide by secret ballot.
19.4 The National Union shall maintain a Fund known as the Strike and Lockout Benefit and Defence Fund consisting of all monies paid by the Local Unions to the National Union in conformance with the applicable portion of Article 16 providing for Local Union payments to such Fund, which payment shall be in addition to the other payments required in Article 16. Payments to the Strike and Lockout Benefit and Defense Fund shall be set forth separately from other Local Union payments and shall be sent to the Secretary-Treasurer of the National Union, who shall deposit such payments in the Fund which shall be kept separate and apart from all other monies and accounts.

19.5 Any Local Union involved in a strike or lockout shall make application to the National President for strike benefits to be drawn from the Strike and Lockout Benefit and Defence Fund. The Convention shall adopt procedures, rules and regulations for the administration of the Strike and Lockout Benefit and Defence Fund. The National Executive shall make all determinations concerning the issuance of funds in accordance with the procedures, rules and regulations adopted by the Convention. Payments of benefits from the Fund shall not be construed as approval, ratification, or participation by the National Union in any activity of the Local Union involving such strike, but shall be limited solely to economic aid to members of the Local Union.

19.6 The Strike and Lockout Benefit and Defence Fund may also be used as determined by the National Executive for the defence of the National Union, Local Unions, the Councils and their members in accordance with the procedures, rules and regulations adopted by the Convention.

ARTICLE 20
Withdrawal and Military Service Cards and Work Permits

20.1 Local Unions are authorized to issue withdrawal cards only to active members who, at the time of request for same, are in good standing with all obligations to the National Union and the Local Union paid, including the current month. Such cards shall be issued as follows:

20.1.1 A withdrawal card shall be issued by a Local Union to any active member requesting same who is leaving the jurisdiction of the National Union.

20.1.2 Any person bearing a withdrawal card shall not be entitled to participate in the operation of any Local Union. A person bearing a withdrawal card and who has complied with the conditions of the same may upon resuming work within the jurisdiction of any Local Union submit such card and be admitted to membership in any such Local Union without the payment of any initiation or transfer fees.

20.2 Members entering the armed services of Canada during emergency periods as determined by the National Executive of the National Union and who are in good standing with all obligations to the National Union and the Local Union paid, including the month in which they entered the armed services, shall be issued military service cards which shall continue their membership without the payment of dues or other fees for the period of the service required by such emergency periods and for an additional ninety (90) day period or until they again resume work within the jurisdiction of the Local Union, whichever occurs first, except that such persons shall only accrue rights to benefits to the extent determined by their respective Local Unions.

20.3 Withdrawal and military service cards shall be issued by the Secretary-Treasurer of the Local Union and monthly reports of all such cards issued, deposited or canceled shall be made to the Secretary-Treasurer of the National Union.

20.4 Local Unions may issue work permits to persons employed for a period not exceeding ninety (90) days for work within the jurisdiction of the Local Union in establishments where the Local Union has union agreements, which work permit shall allow such person to work without the payment of
initiation fees and dues; provided, however, that any such person may apply at any time during such period for membership in such Local Union. In the event a person works beyond ninety (90) days, any extension beyond this period will be subject to approval by the National President. Such permits if used by a Local Union shall be issued monthly and the charge shall be the same as the Local Union’s regular monthly dues. Work permits shall be issued by the Local Union Secretary-Treasurer and monthly reports of all work permits issued shall be made to the Secretary-Treasurer of the National Union.

ARTICLE 21
Withdrawal Card Reciprocity

21.1 Any former member of a union affiliated with the Canadian Labour Congress not under the jurisdiction of this National Union who accepts employment under the jurisdiction of this National Union shall, upon application for membership and irrevocable surrender of an honourable withdrawal card, or evidence of honourable termination of membership in those instances where unions do not issue withdrawal cards, and upon payment of the current month’s dues if accepted for membership in the Local Union, be inducted into such Local Union without the payment of any initiation fees. Such evidence of honourable termination shall be surrendered to the Secretary-Treasurer of the Local Union, who shall forward same to the Secretary-Treasurer of the National Union in lieu of initiation fees on behalf of such applicant. This section shall apply only in the case of unions affiliated with the Canadian Labour Congress, which participate in a reciprocal plan of accepting withdrawal cards from Locals of the National Union in lieu of an initiation fee.

21.2 Any member of any Local Union affiliated with this National Union who secures employment under the jurisdiction of any other union affiliated with the Canadian Labour Congress not under the jurisdiction of this National Union and who is thereby required to become a member of such other union, may retain membership in the Local Union of this National Union.

ARTICLE 22
General Provisions

22.1 Copies of all collective bargaining agreements entered into by Local Unions shall be filed at National headquarters, and all such agreements, together with such information as may be necessary for a proper understanding of the agreement, shall be submitted to the President of the National Union. The National Union assumes no responsibility for any agreement to which it is not an actual party.

22.2 The National Union assumes no responsibility for acts or actions of Local Unions, their Officers or members not expressly directed or authorized by the National Union or its duly authorized representatives.

22.3 The English and French versions of this Constitution are official. In the event of ambiguity, the National Executive shall have authority to interpret the Constitution.
ARTICLE 23
Rules

23.1 Each Convention of the National Union shall adopt the rules to apply at such Convention. The rules adopted by the Rules Committee meeting in advance of a Convention shall apply until rules are adopted by the Convention. Except as otherwise provided in this Constitution or in the rules adopted by Conventions, the latest edition of "Bourinot" shall be followed. Except as otherwise provided in Local Union or Council rules or bylaws approved by the President of the National Union, the latest edition of "Bourinot" shall apply to all meetings of Local Unions.

ARTICLE 24
Constitution is Paramount Law

24.1 The Constitution of the National Union shall be the paramount law governing the affairs of all Councils and Local Unions of the National Union. Any provision contained in the constitution and bylaws of a Local Union or Council which is contrary to or in conflict with the provisions of the National Union Constitution shall be inoperative and of no effect except as the National President may otherwise specifically approve.

ARTICLE 25
Amendments to Constitution

25.1 Amendments to this Constitution shall require a two-thirds (2/3) vote of a Convention. Unless otherwise provided for, amendments shall become effective upon adoption.

APPENDIX A

1. At the closing of the November 2004 Convention, all Local Unions and Councils shall adapt their constitutions and bylaws and have them submitted to the National President for approval.

1.1 Until the approval of the new Local Union and Councils Constitution and Bylaws after the 2004 Convention, the following measures will apply:
   - the name OPEIU, Office and Professional Employees International Union shall be replaced by COPE, Canadian Office and Professional Employees Union;
   - the name SIÉPB, Syndicat international des employées et employés professionnels-les et de bureau shall be replaced by SEPB, Syndicat canadien des employées et employés professionnels et de bureau.
   - The COPE Constitution shall become part of the Local Unions and Councils Constitution and Bylaws by reference.

2. Notwithstanding the discontinuance of these scholarship programs:
   - Howard-Coughlin Canadian Scholarship Program
   - John-Kelly Labour Studies Scholarship Program
our obligations towards the scholarships that have been awarded continue up until December 31, 2008.

3. The National Executive shall be empowered to amend this Constitution with respect to any matter in order and for the purpose of complying with legal requirements falling from the lawsuit from OPEIU relating to the acceptance of this Constitution and the union status in law as a trade union and bargaining agent by any labour tribunal, court or other legal authority or advised by legal counsel to be required by law.