

2. The Local Association shall have the right to levy on its members for special purposes, one assessment per year of a maximum of five (5) dollars, which must be approved by a 2/3 majority vote of the members at a Local Association membership meeting, provided notice of the vote has been given at least fourteen (14) days prior to the meeting. Further assessment require approval by a referendum vote.
3. A five (5) dollar per member assessment shall be made each August and the assessment shall be used for Strike expenses and pay if we go on strike.
4. A Local Association strike fund shall be set up and after August 1976, ten (10) percent of the monthly dues shall be allocated to a strike fund to be kept in a yield savings account.
5. ~~The~~ AUCE Local 1 shall pay the medical plan premiums and group life premiums for those employees whose sick leave credits run out, while awaiting the collection of benefits under the Total Disability Plan, Group Life Insurance and Pension Plan.

L. APPROVAL OF CONTRACTS:

Any collective agreement must be approved by a majority of votes cast in a referendum of the membership in the bargaining unit concerned. The referendum shall be held in conjunction with a series of meetings to discuss the collective agreement, held at times and places such as to give all members concerned an opportunity to attend before they vote.

M. STRIKES AND LOCKOUTS:

A bargaining unit shall not strike without the approval of the membership. Voting shall be by secret ballot and a majority of votes cast shall be necessary for a strike to take place.

Moved that the paragraph in section G reading:

"No agreement shall be entered into by a local association officer... unless approval has been granted for such action by the membership of the bargaining unit."

be delegated from the constitution and replaced with a new section of the constitution between sections M STRIKES AND LOCKOUTS and N DISCIPLINE reading
N CHANGES TO EXISTING LABOUR AGREEMENTS

"No agreement shall be entered into by a Local Association Officer, Committee Member or Member elected to represent the bargaining unit which changes any terms or provisions of an existing agreement unless approval has been granted for such action by the membership of the bargaining unit."

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misrepresentation.

- (c) Fraudulently receives or misappropriates any property of the Provincial Association or Local Association or impeding the implementation of any policy of the Provincial or Local Associations.
- (e) Fails to act in accordance with any decision of a regular or special membership meeting of the Local Association.
- (f) Continues to work for the employer while the Local Association is on strike.

2. The following procedure shall be followed in the event a member or members prefers charges against another member or members. Throughout, the accuse shall be considered innocent until proven guilty, and guilt may only be decided if it is proven beyond any reasonable doubt.

(a) The member(s) laying the charge (the accuser) shall, in writing, state the following:

- 1) their name(s);
- 1i) the name(s) of the member(s) being charged;
- 1ii) which of the above provisions the member(s) is charged with having violated (i.e., Article N.1.(a), (b),(c),(d),(e), or (f));
- 1iii) the concrete action the member(s) charged is alleged to have taken.

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N. DISCIPLINE:

1. Any number of members of the Local Association shall have the right to prefer charges against any other member of the Local Association, according to Section 17 of the Provincial Association Constitution and the following provisions.

Charges can be preferred against any member who:

- (a) Violates any provision of the Provincial Constitution and/or Local Association By-laws.
- (b) Obtains membership through fraudulent means or by misrepresentation.
- (c) Fraudulently receives or misappropriates any property of the Provincial Association or Local Association or impeding the implementation of any policy of the Provincial or Local Associations.
- (e) Fails to act in accordance with any decision of a regular or special membership meeting of the Local Association.
- (f) Continues to work for the employer while the Local Association is on strike.

2. The following procedure shall be followed in the event a member or members prefers charges against another member or members. Throughout, the accuse shall be considered innocent until proven guilty, and guilt may only be decided if it is proven beyond any reasonable doubt.

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- i) their name(s);
 - ii) the name(s) of the member(s) being charged;
 - iii) which of the above provisions the member(s) is charged with having violated (i.e., Article N.1.(a), (b), (c), (d), (e), or (f));
- the concrete action the member(s) charged is alleged to have taken.

d) Acts in collusion with the empl with mem

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of any policy of the Provincial or Local Associations.

- (b) The written charge shall be delivered to the Executive.
- (c) The Executive shall immediately forward one (1) copy of the charge to the below mentioned Committee of Inquiry (or arrange the immediate election of same), and hand-delivered a second copy of the charge to the accused, along with a copy of the sections of the Provincial Constitution and these By-laws dealing with discipline, and a notification as to the accused's right to counsel.
- (d) i) A Committee of Inquiry shall be elected by the membership meeting, nominations having been opened at a previous meeting. The Committee shall be composed of seven (7) members and four (4) alternates, the alternates being, in the event of a contested election, those candidates receiving the eighth, ninth, tenth, and eleventh, greatest number of votes. The Committee shall only be elected if and when necessary. Once, elected, however, it shall exist for one year. Any member of the Committee directly involved with a charge, either as accused or accuser, shall step down while such charge is being investigated.
- ii) The purpose of the Committee shall be to investigate any charge that has been laid and to determine the facts of the case. The Committee shall seek to determine whether or not the accused carried out the concrete action they are alleged to have carried out. The Committee shall make no assessment as to guilt or innocence, that is, it shall not judge as to whether the alleged concrete action is or is not in violation of Section N (1) of these By-laws. The Committee shall make a written report outlining the method and extent of its investigation and setting forth the facts determined through the investigation. The guiding principle shall be that only those facts can be accepted which can be proven beyond any reasonable doubt.
- iii) In its investigation, the Committee shall seek information from such persons and sources as it deems appropriate. In the event of interviewing the accused, the latter shall be informed of their right to have counsel present. The investigation, from date receipt of the charge, until completion of the written report, shall take a maximum of one (1) month. However this time limit may be extended in the event the accused is on vacation, leave of absence, sick or on maternity leave. In such case the length of extension shall be the same as the length of such vacation or leave.
- (e) The accuser and accused shall receive a copy of the written report immediately upon its completion. The accuser shall then have the right to continue to prefer charges or to drop same. In the former case, the matter shall be referred to the membership meeting for a hearing.
- (f) The Executive shall set a hearing (Special Membership Meeting) for the earliest possible date, and shall hand-deliver a letter to the accused stating the date, time, and place of the hearing. The hearing shall in no case take place sooner than seven (7) days after said delivery.
- (g) If the accused fails to appear at the hearing, the hearing may proceed in her/his absence, unless the accused has, prior to the time of the hearing, presented a medical certificate or proven a personal emergency which prevents her/him from attending. In the event of extraordinary circumstances, refer to clause (m).
- (h) At the hearing, the Committee of Inquiry shall read its written report(s). The member(s) laying the charge, or her/his representative, shall then read the charge and make her/his statement. The accused or their counsel shall then reply with the defence. In their respective statements, either party may challenge any aspect of the report of the Committee of Inquiry, and may present evidence and/or witnesses to