

A U C E

LOCAL 2

BY — LAWS

ASSOCIATION OF UNIVERSITY AND COLLEGE EMPLOYEES

LOCAL NUMBER TWO BY-LAWS as amended March 1977

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ASSOCIATION OF UNIVERSITY
AND COLLEGE EMPLOYEES

LOCAL #2 (SFU) BY-LAWS

- A. NAME: This Local Association shall be known by name as "The Association of University and College Employees Local No. 2 (SFU)" and shall hereinafter be referred to as the "Local Association".
- B. OBJECTIVES: The objectives of the Local Association shall be the same as those of the Association of University and College Employees as provided in Section 2 of the Provincial Association Constitution.
- C. JURISDICTION: The jurisdiction of this Local Association shall include but not be limited to full-time and part-time support staff at Simon Fraser University.
- D. MEMBERSHIP: Application for membership in the Local Association shall be made in writing and may be accepted from the applicant by a Local Association Officer or designated authority. Each person signing an application for membership and paying the initiation fee will thereby agree to comply with the aims, principles, and policies of the Provincial Association. Upon acceptance of such application according to Section 4.D of the Provincial Association Constitution, the applicant shall be entitled to full membership status. The initiation fee of this Local Association shall be one dollar (\$1.00) for each person wishing to become a member except in the case where the laws or regulations of the Provincial or the laws or regulations of the Federal government require a lesser or larger initiation fee, in which case the provisions or the laws and regulations shall apply, instead of and in place of the By-law requirement. When a member becomes unemployed she/he shall retain full membership rights without paying per capita tax for a period of ninety (90) days from her/his last per capita tax payment. Members unemployed for more than ninety (90) days from their last per capita tax payment, and members employed but not working in bargaining units, may maintain membership rights by paying not less than the per capita tax each month. After payment of such per capita tax, membership will only lapse if the per capita tax is more than three (3) months in arrears. The foregoing does not apply to members of a unit pending certification.

E. LOCAL ASSOCIATION EXECUTIVE:

The Table Officers of the Association shall include the following: President, Vice-President, Secretary, Treasurer and two Trustees. The executive will also include the Union Co-ordinator, Chief Steward, the Chairperson of the Contract Committee, and one Division Steward for each of the Divisions.

F. ELECTION OF OFFICERS:

1. A nominee for any office must be a member in good standing of the Local Association.
2. The nomination of Local Association Table Officers shall commence at the regular monthly meeting in February and close at the regular monthly meeting in March. Annual elections of Local Association Table Officers shall be by referendum ballot vote. At least fourteen (14) days prior notice of the election shall be given to the membership. The person receiving the largest number of votes in any election shall stand elected.
3. The two Local Association Trustees shall be responsible for the fair conduct of the balloting in all Local Association elections. In the event that a Trustee is running for office and is therefore not available to act as a returning officer, the Local Association Executive shall appoint a returning officer accordingly. No member running for office shall be eligible to act as a returning officer in that election. Each candidate will be allowed one (1) scrutineer at the ballot count and at each polling station. The results of the balloting will be announced as soon as possible after the election. Polling places will be located at suitable locations on campus, where possible, and the hours of voting will be determined by the regular monthly meeting in February.
4. Any protest alleging "unfair ballot" or other irregularity must be presented in writing to the Secretary of the Local Association within seven (7) days of the results of the balloting being announced. Upon receipt of such protest the Local Association Executive shall meet and if the protest is upheld another ballot shall be conducted. All ballots and voting lists shall be held by the Trustees for a reasonable period after the election. A motion to destroy the ballots shall be in order at a subsequent Local Association membership meeting following the election.

5. Each of the Divisions shall hold a March election meeting for the purpose of electing one member who shall serve on the Contract Committee, and one member who shall serve on the Communications Committee. In the event that a Divisional representative to a committee is recalled or resigns, a by-election to fill the vacancy will take place at a meeting of the members within the Division, following two weeks' notice. Each of the Divisions shall hold an October election meeting of all stewards within the division for the purpose of electing one steward to be division steward, who shall serve as a member of the local association executive and as one of the members of the grievance committee. In the event that a division steward is recalled or resigns, a by-election to fill the vacancy will take place at a meeting of the stewards within the division, following two weeks' notice.
6. The Contract Committee and Communications Committee shall each elect from among its members a Chairperson to serve on the Association Executive. The stewards shall meet annually in March to elect from among themselves a Chief Steward, who will serve as Chairperson of the Grievance Committee.
7. The election of Local Association representatives to the Provincial Executive shall be held at the same time and in the same manner as the election of the Local Association Table Officers. The Local Association's member of the Provincial Constitution and Resolutions Committee shall be elected at a Local Association membership meeting prior to the Provincial Association Annual Convention.
8. Each office or group of from approximately 5 to 20 members shall elect one steward, elections to be held at least once annually. The Division Steward shall be responsible for keeping a current membership list of all offices or groups within the Division, and for ensuring that each group is represented by a steward. Designation of Divisions and assignment of offices or groups to a Division may be altered from time to time by the Local Executive with the consent of the offices or groups involved.
9. No candidate may be elected to any office who is not present at the nominating meeting unless written consent to serve in the office if elected is presented to the officer presiding over that meeting at the time of nomination.

G. DUTIES OF LOCAL ASSOCIATION OFFICERS AND COMMITTEES:

1. The Local Association President shall preside at all meetings of the Local Association and of the Local Association Executive, and shall be a member ex-officio of all Committees and of all Divisions, and shall be responsible for coordination between the Committees and Divisions and the Executive.
2. The Vice-President shall assist the President, and shall assume the authority and duties of the President in her/his absence.
3. The Secretary shall be responsible for taking accurate minutes of meetings of the Local Association and of the Local Association Executive and for making available to the Communications Committee all pertinent decisions. She/he shall be responsible for all official correspondence as directed by the Local Association membership or by the Local Association Executive.
4. The Treasurer shall maintain accurately and properly such bookkeeping systems as shall be set up under the instruction of the Local Association Executive. She/he shall present financial statements to each membership meeting, and shall circulate an audited financial report to the Local Association and Provincial Association Executives by January 1 of each year. This report shall be read at the January membership meeting.
5. The elected officers shall normally assume their duties of office within seven (7) days after the results of the balloting have been announced, unless a protest is lodged under Section F. 4. above.
6. All cheques issued by the Local Association shall require the signature of the Treasurer and one of the following: President, Vice-President or Secretary. Application for certification and other legal documents shall be signed by the Local Association President and Secretary.
7. The Communications Committee shall be responsible for all communications, including a Local Association Newsletter, notices or meetings, and communication of important decisions to the membership.
8. The Contract Committee shall be responsible for research and presenting all contract proposals to the membership for discussion; for all negotiations with the University on behalf of the Local Association; and for reporting to and educating the Local Association Executive and the membership.

9. The Grievance Committee shall be responsible for ensuring the rights of individual members on the job are respected, and for representing the interests of individual members in respect to their working conditions.
10. No agreements shall be entered into by a Local Association Officer or Committee member which change any terms or provisions of an existing labor agreement unless approval has been granted for such action by the membership of the bargaining unit concerned.
11. The Union Co-ordinator shall co-ordinate the union office, union business and union committees. He/she shall also be responsible for other duties as assigned by the local executive.

H. VACANCIES IN LOCAL ASSOCIATION TABLE OFFICERS POSITIONS:

1. Any Local Association Officer will have her/his office declared vacant if she/he misses three (3) consecutive executive meetings without reasonable excuse.
2. By-elections shall be called by the Trustees when an office becomes vacant unless such office becomes vacant within two months of the opening of annual elections, in which case the office shall remain vacant until the annual elections are held. By-elections shall be held by secret ballot vote at any Local Association membership meeting where the membership has received two weeks' written notice.

I. RECALL:

1. Any steward may be recalled at any time by a majority vote, by secret ballot, of the members of the office or group which that steward represents. Vacancies shall be filled by election within seven (7) days.
2. A Division Steward or Division representative on a Committee may be recalled by a majority vote, by secret ballot, of the stewards within the Division concerned, or by a majority vote, by secret ballot, at a General Division Meeting. Any such vacancy will be filled by secret ballot election at a meeting of stewards within the Division within two weeks.

3. The Chief Steward may be recalled by a majority vote, by secret ballot, of a meeting of all stewards, or by the Local Association membership according to the procedure for recall of Table Officers. In the case of recall of the Chief Steward, the stewards shall meet within two weeks to elect a new Chief Steward.
4. Any Table Officer may be recalled by referendum ballot of the Local Association membership according to the following procedures:
 - (a) Following receipt of a petition for recall signed by 25% of the Local Association membership, stating the specific complaints against the Officer, the Local Association Executive shall send written notice to all the membership, including a copy of the petition and a brief answer written by the officer concerned, and announcing a Local Association membership meeting to discuss the recall. This notice shall be made approximately two weeks prior to the meeting. At that meeting, the Officer and/or a member appointed by her/him shall have a right to speak, in answer to the petition.
 - (b) The referendum for recall shall be held prior to the next membership meeting but no sooner than two weeks. The ballot shall be carried out by the Trustees in the usual manner.
 - (c) The Officer will be recalled if the motion for recall is approved by a majority of votes cast.

J. MEETINGS:

1. Any member in good standing of the Local Association shall have the right to attend any meeting, including Executive and Committee meetings, in which case the member shall have voice at the discretion of the Chair, but no vote.
2. General Membership Meetings of the Local Association shall be held on a regular basis, preferably monthly, but in no case less than quarterly. The monthly meetings shall normally take place on the second Wednesday of each month. The normal meeting time may be changed by majority vote of any membership meeting. Notice of the precise date, time and place of each meeting shall be given to the membership at least one week prior to the meeting. Special membership meetings may be held at any time by the call of the President or the Local Executive, by petition of 20 members of the Local Association, or by decision of a regular monthly meeting. Notice for such special meetings must be posted in a conspicuous place at least three days prior to such a meeting. Except where otherwise stated, the quorum for business at any membership meeting shall be twenty members.

3. The Local Association Executive shall meet at least monthly at the call of the President or of any four members of the Executive. The quorum for business at any Local Association Executive meeting shall be a majority of the members of the Executive, and a majority of votes cast on any matter shall be decisive.
4. Meetings of Committees shall be at the call of the Chairperson of the Committee, of the President, or of any three members of the Committee concerned. The quorum for business of any Committee shall be a majority of its members, and a majority of votes cast on any matter shall be decisive.
5. Meetings of the stewards within any Division shall be at the call of the Division Steward or of any two stewards. The stewards within a Division may decide to hold meetings on a regular basis. The quorum for business at these meetings shall be one-third of the stewards within that Division.
6. General Division meetings, of all members within a Division, may be called at any time by written request to the Division Steward signed by any five (5) members in a Division. The membership within a Division may decide to hold General Division Meetings on a regular basis. The quorum for business at these meetings shall be fifteen per cent (15%) of the members of the Division involved.
7. The annual fiscal meeting of the Local Association shall be the January membership meeting. At this meeting a Projected Budget shall be presented, debated and approved. Any major change in the categories, priorities, and amounts outlined in the budget in the ensuing year must be reported to and receive the approval of a membership meeting for which notice of the budgetary decisions to be made has been given to the membership. There shall be no salaried officers or staff unless it is so established by the January monthly membership meeting, which shall also determine the rate of pay of same, provided those rates of pay do not exceed the highest rate of pay on the job of Local Association members. Such rates of pay at a minimum shall be in accordance with the work load and duties. During strike or lock-out, any salaried officers shall not receive more than the strike benefits paid to other members. Any officer or steward temporarily working on the legitimate business of the Local Association shall be paid at her/his regular job rate for any time lost from her/his job.

K. DUES AND FINANCES:

1. Monthly dues shall be \$4.50 for each member of the Local Association and shall be payable each month. Dues can only be changed by a majority of votes cast in a referendum ballot of the Local Association membership.
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 dollars (\$5.00), which must be approved by a two-thirds (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 assessments require approval by a referendum vote.
3. All monies in the hands of the Treasurer shall be deposited in the name of the Local Association, and a complete record of all monies received and paid out shall be kept. The Trustees shall be responsible for inspecting the financial records of the Local Association.

L. APPROVAL OF CONTRACTS: Any collective agreement and revisions of the 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 LOCK-OUTS: 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.

N. DISCIPLINE: Any member 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. Charges can be preferred against any member who:

1. Violates any provision of the Provincial Constitution and/or Local Association By-laws.
2. Obtains membership through fraudulent means or by misrepresentation.

3. Fraudulently receives or misappropriates any property of the Provincial Association or Local Association.
4. Acts in collusion with the employer with a view to:
 - (a) injuring the Provincial Association or Local Association; or
 - (b) impeding the implementation of any policy of the Provincial Association or Local Association.
5. Fails to act in accordance with any decision of regular or special membership meetings of the Local Association.

O. PROCEDURE:

1. Except as otherwise provided in these Local Association By-laws or the Provincial Association Constitution, Bourinot's Rules of Order shall govern the conduct of all Local Association meetings and Local Association Executive meetings.
2. Any of these By-laws may be amended by a majority vote at a Local Association membership meeting provided that notice of motion of the amendments has been posted at least seven (7) days prior to the vote. Any amendments to these By-laws shall only become effective upon approval by the Provincial Association Executive.

P. ORGANIZATIONAL YEAR:

1. Charter Meeting: The method of election of Local Association Table Officers shall be determined by the members at the Charter Meeting. The quorum shall be a majority of those members applying for charter.
2. A Chief Steward and Contract Officer shall be elected by secret ballot vote at a Local Association membership meeting.
3. During the Organizational Year, Division Stewards will be elected when possible by all members within the Division. Proper elections of stewards, Division Stewards, and Committees will be held as soon as possible after certification. Until then, Committees and their membership will be as determined by Local Association membership meetings.

4. In the organizing period prior to certification, a member will be considered to be in good standing if she/he has paid the \$1.00 initiation fee.
5. The quorum for business at membership meetings during the organizing year shall be ten (10) members.

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NOTES

1. The National Association of Professional Engineers shall be considered to be the governing body of the profession in the United States.
2. Any individual who is employed by a firm or organization shall not be eligible for membership in the Association until he has resigned from such employment.
3. The program for business or industry membership shall be subject to the approval of the Executive Committee and the Board of Directors.
4. The program for business or industry membership shall be subject to the approval of the Executive Committee and the Board of Directors.
5. Falls to act in accordance with any decision of regular or special meetings of members of the Local Association.

D. BY-LAWS

1. The by-laws shall be provided in these Local Association By-Laws of the Professional Association. The Executive Committee shall have the authority to amend all Local Association By-Laws and Executive Committee By-Laws.
2. Any of these By-Laws may be amended by a majority vote of a Local Association membership meeting provided that notice of the meeting to be held for such purpose shall be given at least seven (7) days prior to the date of the meeting. Any By-Laws shall only be amended if they have been approved by the Executive Committee.

F. ORGANIZATIONAL YEAR

1. Charter Meetings: The meeting of election of Local Association Officers shall be determined by the members at the Charter Meeting. The meeting shall be a majority of those members applying for charters.
2. A Chair, Secretary and Executive Officer shall be elected by ballot at the end of a Local Association membership meeting.
3. During the Organizational Year, regular meetings will be started when possible by all members within the Division. Proper records of meetings, their proceedings, and committees will be kept as far as possible after each meeting. The Local Association and their membership will be determined by Local Association membership meeting.

