

ASSOCIATION
OF
UNIVERSITY & COLLEGE
EMPLOYEES

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Provincial Constitution
&
By-Laws of Local #2 (SFU)

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ASSOCIATION OF UNIVERSITY
AND COLLEGE EMPLOYEES

PROVINCIAL CONSTITUTION

Section 1. NAME

This organization shall be known as "The Association of University and College Employees" (AUCE) and shall hereinafter be referred to as the "Provincial Association."

Section 2. OBJECTIVES

The objectives of this Provincial Association shall be:

- A. To bring about fair wage standards and to assure uniform job classification with equal pay for comparable work for all employees, regardless of sex, age, marital status, color, race, religion or national origin.
- B. To bring about improvement in the working conditions of members and to dedicate its efforts toward maximizing the opportunities for personal growth in the work situation of all members.
- C. To charter Local Associations which will bargain collectively on behalf of Local Association members.
- D. To maintain at all times the principles of local autonomy and democracy within this Provincial Association and its Local Associations.
- E. To improve communications and interaction among members of the university and college community.
- F. To work with other members of the university and college community to create an environment which will better meet the needs of the members and those of the larger community.

- G. To promote friendly relations between labor and government and between labor and industry.

Section 3. JURISDICTION

The Provincial Association shall include but not be limited to jurisdiction over employees of any institution of higher education in British Columbia.

Section 4. MEMBERSHIP

- A. Membership shall be open to full and part-time employees coming under this jurisdiction.
- B. Where a Local Association exists, application for membership must be made to the Local Association.
- C. Where no Local Association has been chartered, employees may join as Headquarters Members of the Provincial Association. The Provincial Association shall assist such members in joining or forming a Local Association as soon as possible thereafter. Applications for Headquarters Membership shall be made to the Provincial Executive. Dues for Headquarters Members shall be equal to the per capita tax as set forth in Section 15A except for unemployed members covered under Sections 4H and 4I.
- D. Any Provincial Association Officer or Local Association Officer, or any person designated by either of them, shall have the authority to accept any application for membership, by affixing her/his signature on the application form in the space so provided, thereby giving such applicant membership status.
- E. 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.
- F. The initiation fee of this Provincial Association shall be one dollar (\$1.00) for

Section 4. MEMBERSHIP (continued)

each person wishing to become a member except in the case where laws or regulations of the Province or the laws or regulations of the Federal Government require a lesser or larger initiation fee, in which case the provisions of the laws and regulations shall apply instead and in place of the constitutional requirements.

- G. Any member failing to pay her/his monthly dues including per capita tax for a period exceeding three (3) months while working within a bargaining unit shall be automatically suspended. The foregoing does not apply to members of a unit pending certification. To be reinstated after suspension, a member must pay an assessment of twenty dollars (\$20.00) or her/his back dues, whichever is less.
- H. 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.
- I. Members unemployed for more than ninety (90) days from their last per capita tax payment, and members employed but not working in a bargaining unit, 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.
- J. Any member in good standing shall have the right to attend any Provincial Association meeting or convention with voice at the discretion of the chair, but no vote.

Section 5. CHARTERS

- A. The Provincial Association alone is vested with the power to establish Local Associations and

Section 5. CHARTERS (continued)

to grant charters thereto in all establishments within its jurisdiction.

- B. Charters shall be issued only by the Provincial Officers and shall be signed by the President and Secretary-Treasurer.
- C. The Local Associations shall comply with the Provincial Constitution at all times.

Section 6. LOCAL ASSOCIATION AUTONOMY

A Local Association may secede only under the following conditions:

- A. Upon receipt of a petition of twenty-five percent (25%) of the membership of the Local Association involved, the Provincial Executive shall conduct a full inquiry and a referendum vote of the Local Association concerned. The Provincial Executive shall circulate notice of referendum outlining the matters in dispute one (1) month prior to the referendum. The vote shall be by secret ballot. A majority of the Local Association membership shall approve the motion for secession before it will be considered passed.
- B. Following approval of secession by a Local Association membership in referendum the Provincial Association shall automatically nullify the Charter of the Local Association and exonerate its members from any further obligations towards the Provincial Association.
- C. In the event that a Local Association decides to secede from the Provincial Association to affiliate to another union or to become an independent body, that Local Association shall have the right to retain its assets and records. If the Local Association votes in like manner to Section 6A to dissolve, the assets and records shall become the property of the Provincial Association.

Section 7. THE PROVINCIAL EXECUTIVE

- A. There shall be a Provincial Executive of the Provincial Association elected annually. It shall be comprised of the three Provincial Officers: President, Vice-President, Secretary-Treasurer; and the Provincial Executive members elected as hereinafter set forth. Two Provincial Executive members or duly elected alternates, elected in accordance with Local Association By-laws, by and from each chartered Local Association of the Provincial Association.
- B. There shall be no full-time paid officers of the Provincial Association unless proposed at a Convention and approved by the Provincial Association membership in referendum. The salary of such officers shall be set at the Convention and shall not exceed the highest rate earned by any member of the Provincial Association. During a strike or lock-out of the entire Provincial Association, paid officers shall not receive more than the strike benefits received by the other members.
- C. The qualifications for office in the Provincial Association shall be membership in good standing in a chartered Local Association or in the Provincial Association.

Section 8. NOMINATION AND ELECTION OF PROVINCIAL EXECUTIVE OFFICERS.

- A. Each Provincial Officer of the Provincial Executive shall be elected by the members of the Provincial Association by referendum, the highest number of votes for each position to be sufficient to elect such officer. No members may be allowed to stand for election in more than one office on the referendum ballot.
- B. All candidates for positions as Provincial Officers must be nominated at a Convention. If a nominee is not present, her/his written consent must be given to the Secretary-Treasurer at the

Section 8. NOMINATION AND ELECTION OF PROVINCIAL EXECUTIVE OFFICERS (continued)

time of nomination. No member shall nominate more than one candidate for each office. Nomination for full-time paid positions will not be accepted by the Convention for any member completing her/his second term in a full-time paid position.

- C. Statements of all eligible candidates for Provincial elections shall be distributed to all Local Associations who will make them available to the members prior to and during the voting.
- D. The Provincial Tabulation Committee shall have the ballots printed and circulated to Local Associations for the referendum vote as soon as possible after the close of the Convention. Voting shall take place by secret ballot on a date specified by the Provincial Executive. Local Association Trustees will be responsible for balloting in Local Associations. All members casting ballots will sign for their ballots. The Local Association Trustees will count the ballots and forward them, together with all unused ballots and registration lists to the Provincial Tabulating Committee in care of the Provincial Executive. This must be done by registered mail, insured express or personal delivery and within seven (7) days of the completion of voting. The ballots will remain sealed until the Provincial Tabulating Committee meets. Each candidate will be allowed one scrutineer at any ballot count.
- E. Results of the balloting will be circulated to Local Associations by the Provincial Tabulating Committee within seven (7) days of counting. Any protest alleging "unfair ballot" or other irregularity, must be presented in writing to the Provincial Secretary-Treasurer within seven (7) days of the results of the ballot being announced. Upon receipt of such notice, the

Section 8. NOMINATION AND ELECTION OF PROVINCIAL EXECUTIVE OFFICERS (continued)

Provincial Executive shall meet and if the protest is upheld another ballot shall be conducted.

Section 9. DUTIES OF THE PROVINCIAL EXECUTIVE

- A. The Provincial Executive shall have the entire management of the Provincial Association between conventions and shall be held responsible for efficient management of same.
- B. The Provincial Executive shall meet at the call of the President or twenty-five percent (25%) of the members thereof, but in no case shall meetings be held less than quarterly. A majority of the members of the Provincial Executive shall constitute a quorum for the transaction of business at Provincial Executive meetings.

Section 10. DUTIES OF PROVINCIAL OFFICERS

- A. The President shall preside at all Provincial Executive meetings and all conventions and shall be the executive head of the Provincial Association. The President shall be charged with the responsibility of carrying out the decisions of the Provincial Association and the Provincial Executive. The President shall be a member, ex officio, of all committees of the Provincial Association and shall be responsible for coordination between the committees and the Provincial Executive.
- B. The Vice-President shall assist the President and assume the authority and duties of the President in the event of her/his absence, resignation or recall.
- C. The Secretary-Treasurer shall be responsible for keeping a full and proper record of all monies received and expended and for maintaining accurately and properly such bookkeeping system

Section 10. DUTIES OF PROVINCIAL OFFICERS (continued)

as shall be set up under the instructions of the Provincial Executive. The Secretary-Treasurer shall maintain all records, documents and correspondence of the Provincial Association. The Secretary-Treasurer shall submit a detailed financial report to the Provincial Executive at least quarterly and to the Annual Convention.

- D. All cheques issued by the Provincial Association or authorized by the Provincial Executive shall require the signature of the Secretary-Treasurer and one of the Vice-President or President.
- E. No agreements shall be entered into by a Provincial Officer which change any terms or provision of an existing labor agreement unless approval has been granted for such action by the membership of the bargaining unit concerned.

Section 11. RECALL OF PROVINCIAL OFFICERS

- A. The membership of the Provincial Association has the right to recall any Provincial Officer at any time. In order to initiate recall procedures a petition signed by twenty-five percent (25%) of the Provincial Association must be sent to the Provincial Secretary-Treasurer by registered mail. The Provincial Tabulating Committee shall have ballots printed and circulated to the Local Associations for a referendum ballot within thirty (30) days of the receipt of said petition by the Secretary-Treasurer. The referendum ballot shall be conducted by Local Association Trustees within seven (7) days of the receipt of the ballots. A majority of the votes cast shall be necessary to recall the officer.
- B. Any Provincial Officer not attending three (3) consecutive Provincial Executive meetings without reasonable excuse shall have her/his position declared vacant.
- C. A chartered Local Association's representatives

Section 11. RECALL OF PROVINCIAL OFFICERS (continued)

on the Provincial Executive may be recalled by a majority of the votes cast in a referendum vote of the Local Association membership involved. After notice of motion has been duly given, and the approval for a referendum has been obtained by majority vote at a Local Association meeting, the vote to recall shall be held not earlier than seven (7) days nor later than twenty-one (21) days. Any vacancy in a chartered Local Association's representation on the Provincial Executive as a result of recall shall be filled within two (2) months.

Section 12. VACANCIES IN PROVINCIAL EXECUTIVE POSITIONS.

- A. In the event of a vacancy for any reason in the office of President, the Vice-President shall take over the duties of this office until the next Annual Convention. In such case, a new Vice-President will be appointed as in Section 12B.
- B. In the event of a vacancy for any reason in the offices of Vice-President or Secretary-Treasurer, the Provincial Executive shall appoint a member in good standing to perform the duties of the office until the next Annual Convention. *of the Exec?*
- C. Any Provincial Officer who for any reason ceases to hold office, shall forthwith upon termination of her/his position as Officer, turn over to the Provincial Executive all records, documents, books, funds, assets and all other property of the Provincial Association.

Section 13. PROVINCIAL COMMITTEES

- A. Standing committees may be proposed by a Provincial Association member subject to the approval of the Annual Convention.
- B. Ad hoc committees as approved by the Provincial

Section 13. PROVINCIAL COMMITTEES (continued)

Executive may be appointed by the President.

- C. There shall be a committee of three (3) known as the Tabulating Committee nominated and elected at the Annual Convention by secret ballot vote of those delegates present. The Committee shall elect one of its members to serve as Chairperson. It shall be the responsibility of the Tabulating Committee to conduct all voting for the Provincial Association including those votes at the Annual Convention, at Special Conventions and between conventions, and particularly referendum votes of the Provincial Association membership. The Tabulating Committee shall keep written records of the results of each election or referendum. These records shall be open to any member of the Provincial Association upon request. The Tabulating Committee shall be responsible for checking the credentials of those entering the Provincial Association convention to ensure that those attending are delegates, members in good standing of the Provincial Association who are attending as observers, or invited guests.
- D. A majority of a committee shall constitute a quorum for the transaction of business of that committee.

Section 14. CONVENTIONS.

- A. The Annual Convention of this Provincial Association shall be held normally in the spring. The date thereof shall be set by the Provincial Executive and shall be announced at least ninety (90) days in advance of the date so set. It shall be the responsibility of the Provincial Executive to make arrangements for the Annual Convention.
- B. Notwithstanding the foregoing, Special Conventions may be called by the President or Provincial Executive on two (2) weeks notice.

Section 14. CONVENTIONS (continued)

The President or Provincial Executive must call a Special Convention upon receipt of a petition of twenty-five percent (25%) of the membership of the Provincial Association.

C. Delegates:

1. Any member in good standing is eligible to be a delegate to the Annual Convention or Special Conventions. Delegates shall be elected by Local Associations on the following basis: 1-50 members: 2 delegates; 1 delegate for each additional 50 members or majority fraction thereof up to 200 members. Thereafter, 1 delegate for each 100 members or majority fraction thereof. No more than 10 delegates shall be allowed from each Local Association, except where application is made by the Local Association for additional representation and such request is granted by the Provincial Executive, subject to the approval of the Convention.

2. Local Associations shall elect alternates to provide for the inability of any of the delegates to attend.

3. Delegates and alternates will be elected in accordance with Local Association By-laws.

4. Members of the Provincial Executive shall automatically be delegates to conventions.

- D. There shall be a committee known as the Resolutions and Constitution Committee which shall consist of no less than four (4) elected delegates to the Annual Convention. Each Local Association shall be entitled to have one of its delegates be a member of the Resolutions and Constitution Committee. If the Provincial Association is composed of less than four Local Associations, the Provincial Executive shall appoint additional members of the Committee to

Section 14. CONVENTIONS (continued)

bring its total membership to four. The Committee shall elect one of its members to serve as chairperson. The Resolutions and Constitution Committee shall print all proposed resolutions and constitutional amendments and submit them to the Provincial Association conventions. Resolutions to the Provincial Annual Convention must be received by the Provincial Secretary-Treasurer at least fourteen (14) days prior to the convention date. Emergency resolutions can be accepted from the floor of the Convention.

- E. A majority of the registered delegates to a convention shall be necessary to form a quorum for the transaction of business.
- F. The rules of order shall be presented for approval by a majority of delegates present as the first order of business in the official agenda.

Section 15. REVENUE AND FINANCES

- A. The revenue of the Provincial Association shall be derived from a per capita tax of one dollar (\$1.00) per member per month, excluding those members unemployed as dealt with in Sections 4G, 4H, and 4I of this Provincial Constitution. The amount of the per capita tax shall be changed only by a majority of ballots cast in a referendum of the Provincial Association membership.
- B. Twenty-five cents (\$0.25) of the per capita tax shall be deposited in the strike fund.
- C. Should an emergency arise and the Provincial Executive decide that an assessment of the Provincial Association is necessary, a referendum ballot of the Provincial Association members will be taken. Reasons for, and the duration of the proposed assessment will be distributed with the ballots. A majority of ballots cast in favor of said assessment shall

Section 15. REVENUE AND FINANCES (continued)

be considered approval.

- D. The per capita tax shall be forwarded to the Provincial Secretary-Treasurer on a regular basis each month and deposited in the name of the Provincial Association. Up-to-date records of membership lists shall be submitted to the Provincial Executive on request.
- E. Provincial Auditor: There shall be one Auditor who shall not be an employee of the Provincial Association and shall be a Chartered Accountant or Certified General Accountant. The Auditor shall be appointed by the Provincial Executive subject to the approval of the convention. After approval by the Provincial Convention, the Auditor may not be dismissed except with the approval of the Provincial Convention, but in the event that such Auditor shall resign or due to death, illness or other incapacity be unable to carry on her/his duties, the Provincial Executive is authorized to appoint a new Auditor until the following Annual Convention. A report of the audit shall be distributed to each chartered Local Association within thirty (30) days of completion of the audit. An audit shall be completed once annually and the report presented to each Annual Convention.
- F. Any member of the Provincial Association working on the legitimate business of the Provincial Association with the approval of the Provincial Executive shall be paid at her/his regular job rate for any time lost from her/his job.

Section 16. STRIKES AND LOCKOUTS

- A. A certified bargaining unit shall not strike without the approval of the membership in the unit. Voting shall be by secret ballot and a majority of votes cast shall be necessary for a strike to take place. Voting records for any strike vote of a bargaining unit shall be made

Section 16. STRIKES AND LOCKOUTS (continued)

available to the Provincial Association Tabulating Committee on request. Strike benefits will be determined by the Provincial Executive, in consultation with the Local Association concerned, and the Provincial Executive shall have the right to set such rules and regulations as may be necessary in support of such action.

Section 17. DISCIPLINE

- A. The Local Associations have the right to discipline any member for a violation of the Provincial Constitution, Local Association By-laws or decisions of Local Association meetings or conventions, only after a fair hearing and a majority vote at the Local Association meeting. The accused shall be presented with the charges in writing at least seven (7) days prior to the hearing and shall have the right to have a member of the Local Association act as her/his counsel.
- B. The Local Association, after such hearing, shall, if the accused is found guilty, have the right to impose any or all of the following penalties:
1. Reprimand the member;
 2. Fine the member to a maximum of one hundred dollars (\$100.00);
 3. Recommend to the Annual Convention that she/he be expelled. Any member found guilty and recommended for expulsion shall be ineligible to hold office.
- C. The accused will have the right to appeal to the next Provincial Convention and shall have the right to choose a member of the Provincial Association to act as her/his counsel. However, the decision of the Local Association shall stand unless and until reversed on appeal.
- D. The Provincial Convention has the power to expel upon recommendation of the Local Association as aforesaid, and in any appeal may:

Section 17. DISCIPLINE (continued)

1. Affirm the conviction and the penalty imposed;
 2. Affirm the conviction and substitute another penalty for the penalty imposed; or
 3. Reverse the conviction and order the Local Association to repay any fine or fines and costs incurred.
- E. The Provincial Convention shall have the power to discipline Provincial Officers and impose any or all of the penalties listed in Section 17B.

Section 18. PROCEDURE

- A. Except as otherwise provided for in this Constitution, Bourinot's Rules of Order shall govern the conduct of all conventions, Provincial Association meetings and Local Association Executive meetings.
- B. Amendments may be made to this Constitution by a majority vote of the registered delegates at any Provincial Association convention.

Section 19. ORGANIZATIONAL YEAR

- A. During the Organizational Year of the Provincial Association, Sections 8, 13C, 14 and 15E shall not apply.
- B. All persons signing applications at the Founding Convention shall automatically become Provincial Headquarters members. The Founding Convention is vested with the power to grant charters. The Founding Convention shall have the authority to charter Local #1 and transfer Provincial Headquarters members into said Local.
- C. At the Founding Convention of the Provincial Association a President, Vice-President and Secretary-Treasurer shall be elected by secret ballot vote of those members present. The member receiving the highest number of votes shall stand elected. Those members present at

Section 19. ORGANIZATIONAL YEAR (continued)

the Founding Convention shall constitute a quorum for that meeting and a member shall be chosen by the meeting to tabulate each vote for which she/he is not a nominee.

- D. The Provincial Executive shall, during the Organizational Year, assume the responsibilities of all committees. Except in the case of resignation or death, the Officers elected at this Founding Convention shall serve in office until the first Annual Convention is held and elections for new officers completed.
- E. In the Organizational Period prior to certification, a member will be considered to be in good standing if she/he has paid the one dollar (\$1.00) Initiation Fee to the Provincial Association.

Section 20. LOCAL ASSOCIATION BY-LAWS

The constitution of each Local Association shall be consistent with the Constitution of the Provincial Association. The By-laws of each Local Association shall, in substance, contain the following provisions, together with any others that are not inconsistent with the provisions of this Constitution, and which have been approved by a majority vote of the Local Association at the first meeting of that Local Association chartered by the Provincial Association Executive. Local Association By-laws and amendments to said By-laws must be approved by the Provincial Association Executive.

- A. NAME: This Local Association shall be known by name as "The Association of University and College Employees Local No. _____" 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 the Local

Section 20. LOCAL ASSOCIATION BY-LAWS (continued)

Association shall be the same as that of the Association of University and College Employees, as provided in Section 3 of the Provincial Constitution, except where otherwise determined by charter grant.

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 4D 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 Province or the laws or regulations of the Federal Government require a lesser or larger initiation fee, in which case the provisions of the laws and regulations shall apply instead of and in place of the By-law requirement.

E. LOCAL ASSOCIATION EXECUTIVE: The Officers of the Local Association shall include, but not be limited to, the following: President, Vice-President, Secretary, Treasurer, Two (2) Trustees. The offices of Secretary and Treasurer may be amalgamated at the Local Association's discretion. Each certified unit shall be entitled to have at least one (1) member on the executive as a member-at-large.

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 Officers shall commence at the regular monthly meeting in _____ and close at the regular monthly meeting in the following month. Annual elections of Local Association Officers shall

did we do this?

- 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. In the event that only one person is nominated for an office, no secret ballot shall be held for that position and that person shall be elected by acclamation.
3. The Two Local Association Trustees shall be responsible for the fair conduct of the balloting in all Local 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 polling station(s) and at the ballot count. The results of the balloting will be announced as soon as possible after the election in the Local Association.
 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 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 general membership meeting following the election.
 5. The election of Local Association Representatives to the Provincial Executive and the alternates shall be held at the same time and in the same manner as the election of the Local Association

- officers. The Local Association delegates to the Provincial Association Conventions, including the delegate who will act as a member of the Provincial Resolutions and Constitution Committee, shall be elected by secret ballot at a Local Association membership meeting prior to the date of the Provincial Association convention concerned.
6. Each certified unit shall be entitled to elect their member-at-large to the Local Association Executive by secret ballot and at a time and place to be agreed upon in advance with the Local Association Executive. The member-at-large may be elected at any time but elections must be held at least once annually.
 7. 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:
1. The 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.
 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. The Secretary 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 system as shall be set

Section 20. LOCAL ASSOCIATION BY-LAWS (continued)

- 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 as under Section F4 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. No agreements shall be entered into by a Local Association Officer which change any terms or provisions of an existing labor agreement unless approval has been granted for such action by the bargaining unit concerned.
- H. VACANCIES IN LOCAL ASSOCIATION TABLE OFFICER 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. Local 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 been

Section 20. LOCAL ASSOCIATION BY-LAWS (continued)

- duly notified, or by referendum ballot vote.
- I. RECALL OF LOCAL ASSOCIATION OFFICERS: A Local Association Officer may be recalled at any time by a majority of the votes cast in a referendum vote of the Local Association membership. After notice of motion has been duly given and the approval of a referendum vote to recall has been obtained by a majority vote of the Local Association membership at a membership meeting, the vote to recall shall be held not earlier than seven (7) days nor later than twenty-one (21) days. Any vacancy on the Local Association Executive as a result of recall shall be filled by a By-election as in Section H.2 above.
 - J. STEWARDS: The Local Association shall maintain a steward structure. All stewards are to be elected on the job. Steward committees shall be encouraged.
 - K. MEETINGS:
 1. Any member in good standing of the Local Association shall have the right to attend any meeting of the Local Association, including Executive and committee meetings, in which case the member shall have voice at the discretion of the chair, but no vote.
 2. Meetings of this Local Association shall be held on a regular basis, preferably once each month, but in no case less than quarterly. Special meetings may be held at any time by a majority decision of the Local Association Executive or by petition of ___ of the Local Association members or by a decision of a regular Local Association membership meeting. ___ members of the Local Association shall constitute a quorum at any membership meeting. Meetings of the Local Association Executive shall be held monthly at a regular time. ___ members of the Local Association Executive shall constitute a quorum at an executive meeting.

Section 20. LOCAL ASSOCIATION BY-LAWS (continued)

L. DUES & FINANCES:

1. Monthly dues shall be ____ for every member of the Local Association and shall be payable each month. Dues can only be changed with the approval of the membership of the Local Association involved.
2. The Local Association shall have the right to levy on its members, for special purposes, one assessment per year of at most five dollars (\$5.00), which shall be voted on by two-thirds (2/3) majority vote of the members at a Local Association membership meeting, provided that proper notice has been given at least fourteen (14) days prior to the vote. Further assessments shall only be levied as a result of 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. There shall be a yearly audit. The Trustees shall be responsible for inspecting the financial records of the Local Association.

M. APPROVAL OF CONTRACT: A contract must be approved by a majority of the membership of the bargaining unit concerned.

N. STRIKES AND LOCKOUTS: A bargaining unit shall not strike without the approval of the membership in that unit. Voting shall be by secret ballot and a majority of votes cast shall be necessary for a strike to take place.

O. DISCIPLINE: Any member of the Local Association shall have the right to prefer charges against any other member of the Local Association or any Provincial Association Officer according to Section 17 of the Provincial Association Constitution. Charges can be preferred against any member or officer who:

Section 20. LOCAL ASSOCIATION BY-LAWS (continued)

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 injuring the Provincial Association or Local Association or 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.

P. PROCEDURE:

1. Except as otherwise provided in these Local Association By-laws and 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 or changes has been posted at least seven (7) days prior to the vote. Any amendments or changes to these By-laws shall only become effective upon approval by the Provincial Association Executive.

Q. CHARTER MEETING: The method of election of Local Association Officers in a newly chartered Local Association shall be determined by the members at the charter meeting. The quorum shall be a majority of those members applying for charter.

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

Province or the laws or regulations of the Federal government require a lesser or larger initiation fee, in which case the provisions of 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 Local Association shall include the following: President, Vice-President, Secretary, Treasurer and two Trustees. The executive will also include the Chief Steward, the Chairperson of the Contract Committee, the Chairperson of the Communications 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 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; one steward who shall serve on the Contract Committee; one steward who shall serve on the Communications Committee. The quorum for each Division's March election meeting shall be one-third of the stewards within that Division. In the event that a Division Steward or Division representative to a Committee is recalled or resigns, a by-election to fill the vacancy will take place at a meeting of the stewards within the Division, by secret ballot vote, 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 system 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 of meetings, and communication of important decisions to the membership.
 8. The Contract Committee shall be responsible for researching and presenting contract

- proposals to the membership for discussion; for negotiating with the University on behalf of the Local Association; and for reporting to 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.
- 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.

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 must be approved by a majority of votes cast in a referendum of the membership in the ~~bargaining unit~~ *Local Association* 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~~ *The Local Association* 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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