



May 30, 2016

Via email: louise_L4101@rogers.com

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Sister Mulligan-Roy

I have received the Bylaws for Local 4101 and have reviewed them as per the OPSEU Constitution.

On behalf of the Local, I congratulate you on your efforts to develop a set of bylaws that assists the members in its activities in a clear and concise manner.

I am pleased to approve these bylaws for use in Local 4101.

In solidarity,

A handwritten signature in dark ink, appearing to read "Warren Thomas", written over a horizontal line.

Warren (Smokey) Thomas
President

Cc: K. Demareski

ST/kd



BYLAWS

OF

**THE ONTARIO PUBLIC SERVICE
EMPLOYEES UNION (OPSEU)**

LOCAL 4101

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ARTICLE 1- NAME

- 1.1. This organization shall be known as Local 4101 Ontario Public Service Employees Union (OPSEU), hereinafter referred to as the "Local." Local 4101 represents professional Members who work for Carefor Health and Community Services, Connexion Family Health Team, Équipe de santé communautaire de l'Est d'Ottawa and the Champlain Community Care Access Centre (CCCAC).

ARTICLE 2 – CONSTITUTION AND BYLAWS

- 2.1. The Constitution of this organization shall be the Constitution of the Ontario Public Service Employees Union (OPSEU) and these Bylaws shall be in all respects subordinate to said Constitution, save and except as approved by OPSEU.

ARTICLE 3 – FISCAL YEAR

- 3.1 The fiscal year of the Local shall begin January 1 and end December 31.

ARTICLE 4 – MEMBERSHIP

- 4.1. The Local shall be composed of employees eligible for Membership in OPSEU LOCAL 4101. According to Article 6.1 of the Constitution, an employee becomes a Member of the Union by: (a) signing and submitting to the Union a Membership application form prescribed by the Union; and (b) paying any initiation or membership fee prescribed by Ontario law.
- 4.2. Every Member in good standing is entitled:
 - a) To be represented by the Union;
 - b) To be treated with dignity and respect within the Union;
 - c) To be free from discrimination, interference, restriction, coercion harassment, intimidation or disciplinary action exercised or practiced by a Member with respect to another Member, both within the Union and in the workplace, by reason of race, colour, age, national or ethnic origin, political or religious affiliation, sex, sexual orientation, family status, marital status, record of offences, physical characteristics or physical or mental disability;
 - d) Subject to any qualifications stipulated in the Constitution, to be nominated for, and hold, one or more offices in the Union;
 - e) To participate in the Union's business at the Local level, participate in the election of Delegates and Alternates to Conventions, and vote on the ratification of collective agreements affecting such Member, except where the collective agreement is the result of binding arbitration;

- f) To make a formal presentation to the board upon receipt of such presentation in writing at headquarters not less than ten (10) calendar days before the date of the regularly scheduled Board Meeting at which
- g) the presentation is to be made, provided always that notice may be waived by majority vote of the Board;
- h) To attend any meeting of the Board, notwithstanding that s/he may not have a vote at such meeting, except that the board may meet in closed session for purposes of discussing individual or staff contracts of employment;
- i) To receive a copy of the Constitution of the Union and to be advised of amendments to it, and to receive an up-to-date copy whenever the Constitution is compiled and reprinted.

4.3 Only Members in good standing may hold office.

4.4 Proxy voting is not permitted at any level of the Union.

ARTICLE 5 – GENERAL MEMBERSHIP MEETINGS

- 5.1. General Membership Meetings of all the Members of this Local shall be convened at least twice each year. The quorum shall be five (5) per cent of the Members.
- 5.2. A special meeting of the Local may be called by the President, by a majority of the Local Executive Committee, or by a petition signed by not less than ten (10) per cent of the Membership.
- 5.3. Notwithstanding the above, the Members of each Champlain Community Care Access Centre Branch, the Members of the Connexion Family Health Team Unit, the Members of Équipe de santé communautaire de l'Est d'Ottawa Unit and the Members of the CAREFOR Unit may meet and be asked to vote on matters relevant to the local. The President or Unit Steward will Chair such meeting. The results of any vote in each Branch area or Unit will be conveyed to the Local Executive Committee. In cases where there are Branch or Unit votes, ballots from each Branch or Unit vote will be placed in a sealed envelope signed by the Chair and one other scrutineer and delivered to the Local President for counting by the LEC. The decision of the local shall be the decision reflected by the total results compiled of all Branch and Unit meeting ballots cast. Each Branch and Unit shall have the right to appoint a scrutineer for any count of ballots.
- 5.4. The President, or designate, shall chair all general meetings and preside at all meetings. In her/his absence, the Vice-President, or designate, shall be designated Chair. The Local will make use of technology to conduct meetings subject to the approval of the LEC.

5.5. Two (2) weeks notice shall be given for all General Membership Meetings. Shorter notice, but not less than seven (7) days, may be provided for a Special General Membership Meeting.

5.6. A copy of the proposed agenda shall be posted at least two (2) weeks prior to a General Membership Meeting.

ARTICLE 6 – ORDER OF BUSINESS

6.1. The order of business for any meeting shall be as follows:

1. Call to Order
2. Statement of Respect
3. Adoption of the Agenda
4. Minutes of the Previous Meeting
5. Business Arising
6. Treasurer's Report
7. Correspondence
8. Reports of Officers
9. Reports of Committees
10. Unfinished Business
11. New Business
12. Elections
13. Adjournment

6.2 The Local shall follow the rules of Order laid down in Article 13.11 of the Constitution, the necessary changes being made subject to Article 29.7.2 of the Constitution, and shall otherwise be governed by Robert's Rules of Order.

ARTICLE 7 – POWER OF ADMINISTRATION

7.1. The Membership is the highest authority in the Local and shall be empowered to take any action not inconsistent with the Constitution or these Bylaws.

7.2. Between Membership meetings, the Local Executive Committee shall be the highest authority of the Local, and shall be empowered to act on behalf of the Membership to the extent urgent business requires prompt and decisive action, subject to subsequent Membership approval.

7.3. Between meetings of the Local Executive Committee, the Local Executive Officers shall exercise general administrative authority, and shall be empowered to act on behalf of the Local Executive Committee subject to subsequent approval by the Local Executive Committee.

- 7.4. Between meetings of the Local Executive Officers, the President shall exercise general administrative authority, and shall be empowered to act on behalf of the Local Executive Officers subject to subsequent approval by the Local Executive Committee.

ARTICLE 8 – LOCAL EXECUTIVE COMMITTEE

- 8.1 The Local Executive Committee (LEC) shall be composed of the Officers (President, Vice-President, Unit Steward, Secretary, Membership Secretary, Treasurer, Chief Steward and the remaining Stewards).
- 8.2 Meetings of the LEC shall be held at least once every three months. Special meetings may be called by the President or by a majority of the committee Members.
- 8.3 Quorum for the LEC meeting is fifty (50) per cent of the Members.
- 8.4 The LEC shall recommend what expense allowance or other benefits shall be given to the Members of the Local and shall be subject to ratification at the next regular general meeting.
- 8.5 Minutes of all LEC meetings shall be open for examination at Membership meetings of both the LEC and the General Membership. Minutes of the LEC shall be completed within ten (10) working days.

Article 9 – STEWARD SYSTEM

- 9.1 Members of the Local shall be organized by their worksites.
- 9.2 Members from each of the worksites listed below shall elect one or more stewards(s) from amongst themselves: Stewards shall be elected on the following basis:
- 4- Pembroke Branch (2 - Renfrew, 2 – Pembroke)
 - 6 5-Cornwall Branch (2 - Cornwall, 1-Winchester, 1- Hawkesbury, 1- Casselman, 1- Hospital)
 - 12 13 - Ottawa Branch (6 7 - Labelle, 2 - Bell's Corners, 2 - Hospital, and 1- Casual Case Management Care Coordination, 1- Carleton Place)
 - 3- CAREFOR one of which shall be the Unit Steward
 - 3- Connexion Family Health Team one of which will be the Unit Steward
 - 3- Équipe de santé communautaire de l'Est d'Ottawa one of which will be the Unit Steward

It is understood that additional stewards shall be elected for new worksites that may be created by the CCCAC, and/or CAREFOR, Connexion Family Health Team, Équipe de santé communautaire de l'Est d'Ottawa.

- 9.3 The governance of this Local shall be based on the Shop Steward System and election of officers of the LEC shall be from among the stewards.

ARTICLE 10 – ELECTIONS

- 10.1 Each Branch and Unit shall elect their Steward(s). The Unit Stewards for each Branch of the CCCAC and CAREFOR, Connexion Family Health Team and Équipe de santé communautaire de l'Est d'Ottawa shall be elected by the Members of the respective Branch, and CAREFOR, Connexion Family Health Team and Équipe de santé communautaire de l'Est d'Ottawa at a General Meeting of the Membership. Election of all other Executive Officer positions as described in Article 8.1 shall be conducted at a General Membership Meeting.
- 10.2 All elections of the Stewards and of the LEC shall be based on the principle of winning a clear majority with run-off ballots as necessary.
- 10.3 Elections will be held every two years.
- 10.4 Mid-term vacancies of a Steward or an Officer position on the LEC shall be filled promptly by election, except for vacancies within three months of the end of term. The new incumbent shall only serve the unexpired portion of the term of office.
- 10.5 In the event a position on the LEC becomes vacant within three months of the end of term, the LEC may appoint one of its Members to fill the vacancy until elections are held in accordance with 10.3

ARTICLE 11 – DUTIES OF OFFICERS

- 11.1 President: shall enforce compliance with the Bylaws and regulations of the Union and Local; preside at Local meetings; be an ex-officio Member of all Local committees; generally supervise the affairs and operations of the Local; carry out such other duties as may be prescribed by the Bylaws.
- 11.2 Vice-President: As per Article 10.1 shall perform all the Presidential duties during any absence of the President and accept and exercise such other duties and powers as may be designated by the LEC or the President; attend all functions (including all Regional meetings and Conventions) of the Union, in place of the President when the President is unable to attend.
- 11.3 Unit Stewards: As per Article 10.1 shall supervise the business of the Local at their respective Branch; perform any duties as may be required in the absence of the President and Vice-President.

- 11.4 Secretary; shall attend all meetings of the Local and keep the minutes; distribute notices to all Members of the Local; answer and/or forward all pertinent correspondence.
- 11.5 Membership Secretary: shall attend all meetings of the Local. The Membership Secretary shall forward all pertinent Membership information to the appropriate union regional office and shall keep the stewards apprised of changes to the Membership in their worksites.
- 11.6 Treasurer: shall be responsible for the proper administration of the financial assets of the Local.
- 11.7 Chief Steward: shall supervise and assist the stewards in the performance of their duties.
- 11.8 Trustees: The Local shall elect an audit committee composed of a least two Members to be known as Trustees. The Trustees shall be elected at a General Membership Meeting from among the Members and may not hold any other office in any Local. They shall hold office for a two year term and are eligible for re-election. The Trustees shall examine all books, records and properties of the Local, including any Unit thereof, at least twice each year. All Officers of the Local are required to make available all necessary documents to the Trustees on reasonable notice. The Trustees shall file an audit report, in a form specified by Headquarters, to Headquarters at least once every six months and shall also make a full report to the first General Membership Meeting following each audit.

ARTICLE 12-COMMITTEES

- 12.1 Bylaws Committee: The President, Vice-President, Unit Stewards, Secretary, Membership Secretary, Treasurer and Chief Steward are ex-officio Members of the Bylaws Committee who must review the Local Bylaws at least once every two years.
- 12.2 Negotiating Committee: The President is an automatic Member of their bargaining unit team and other Members are elected at the demand setting meeting prior to unit negotiations. If the President is from the Champlain CCAC bargaining unit, the CAREFOR Unit Steward, Connexion Family Health Team Unit Steward and Équipe de santé communautaire de l'Est d'Ottawa Unit Steward will be an automatic Member of their bargaining unit team. Alternates are also elected to replace any Member who is unable to complete his/her mandate. An Alternate assumes the position of a committee Member for the remainder of the negotiations. The number of Members and Alternates will be in accordance with the Collective Agreement. The local encourages all Members to become actively involved in their negotiations. The

Negotiating Committee will attempt to distribute information in advance of any contract vote to the Membership.

- 12.3 Health and Safety Committee: The Local shall appoint Member(s) of the bargaining unit to be the union representative(s) on the Joint Health and Safety Committee(s) and one (1) Member to be an Alternate. The Committee(s) shall meet in accordance with the requirements of the Occupational Health and Safety Act.
- 12.4 Communication Committee: The Local Executive Committee shall appoint between three (3) and five (5) Members to serve on a Communication Committee. The Committee shall report to the Local Executive Committee and shall be responsible for compiling written and electronic communication at the direction of the Local Executive Committee.
- 12.5 Nominations Committee: The Local Executive Committee shall appoint between three (3) and five (5) Members to serve on a Nominations Committee. The Committee shall be responsible for all calls for nomination in accordance with these Bylaws for any election and shall be responsible for receiving nominations in advance of such elections if any are made prior to a meeting of the Membership.

ARTICLE 13-FINANCIAL OPERATIONS

- 13.1 The funds of the Local shall be used only for legitimate trade union purposes. Accounting for revenue and disbursements shall be done in a proper and business-like manner. All expenditures shall be properly supported by receipts. The signing officers of the local shall be any two of the President, Vice-President or Treasurer.
- 13.2 The LEC shall present an Annual Budget at the Annual General Meeting of the Local for approval.
- 13.3 The Local shall have one main account for the Local. Assets over and above the funds required for the annual budget may be invested in short-term deposits at the discretion of the LEC.
- 13.4 The signing officers will have authority to sign cheques up to the amount of \$1000.00. Any amount in excess of \$1000.00 can only be disbursed after LEC approval.
- 13.5 The Unit Stewards shall have access to a petty cash in the amount of \$250.00 for the expenditures of their respective Branch. Expenditures must be supported by receipts.

- 13.6 The Treasurer must report at every LEC meeting and every General Membership Meeting, giving full and complete details of all expenditures.

ARTICLE 14-STIPENDS

- 14.1 The Local shall pay the difference between the private room rate and the shared room rate at OPSEU-sponsored Conventions, meetings and educational events.

ARTICLE 15-DELEGATES

- 15.1 When Delegates representing the Local are required for the purpose of attending Conventions, Regional Meetings, etc., they shall be elected at a General Membership Meeting except that the Local President shall be the first Delegate, automatically. If a General Membership Meeting is not possible, Members may elect Delegates at their worksite. In such cases accepted nominations shall be forwarded to nominations committee. The Committee will distribute a list of all candidates five (5) days in advance of the vote. Elections shall be by secret ballot as per Article 5.3

- 15.2 Alternate Delegates shall also be elected. The Alternate Delegates will replace Delegates on the strength of the number of votes they received during an election.

ARTICLE 16- AMENDMENTS

- 16.1 These Bylaws may be amended by presenting the amendments in writing to the By- Law Committee at least thirty (30) days prior to a General Membership Meeting. The amendments will be studied by the By-Law Committee who will make a recommendation to the LEC. The LEC will make a presentation at the general meeting. The agenda for that meeting must contain a notice of the particular By-Law amendments that will be considered. If approved by two-thirds of the Membership present and voting the amendments will be considered adopted.
- 16.2 These Bylaws and any amendments thereto shall become effective only upon approval by the President of the Union in accordance with Article 12.5.2 of the Constitution.