



unifor
Local**4050** | Canada

BYLAWS AND GENERAL POLICIES

Approved at Local Meeting on May 5th, 2019

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BYLAW 1 - NAME

This organization shall be known as Unifor, Local 4050. "Hereinafter referred to as the Local Union".

BYLAW 2 – TRADE UNION STATUS

- (a) Objectives of the Local Union include:
 - (i) The regulation of Labour relations and collective bargaining between employers and employees;

BYLAW 3 – CONSTITUTION AND BYLAWS

The Constitution of this Local Union shall be the Constitution of the National Union, Unifor, and these Bylaws shall be in all respects subordinate to said Constitution and all applications and interpretations thereof.

BYLAW 4 – FISCAL YEAR

The fiscal year of this Local Union shall begin on January 1 and end on December 31.

BYLAW 5 – MEMBERSHIP, INITIATION FEES AND DUES

ACTIVE MEMBERS

- (a) The Local Union shall be composed of workers eligible for membership in Unifor, over whom the Local Union has jurisdiction.
- (b) Each member in good standing of this Local Union has the right to nominate and vote, express opinions on all subjects before the Local Union, to attend all membership meetings and express views, arguments and opinions on all matters and business, including candidates for office, properly before the meeting; to meet and assemble freely with other members and generally, to participate in the activities of the Local Union in a responsible manner consistent with good conscience in order to present and discuss factually and honestly the issues and personalities upon which the membership must base its decisions. These rights shall at all times be subject to the rules of procedure governing meetings and other uniform rules and regulations contained in the Constitution, Bylaws and other official rules of the Local Union.

A member in exercising the foregoing rights and privileges shall not take any irresponsible action which would tend to jeopardize or destroy, or be detrimental to, either the Local or National Unions as organizations, or their free democratic heritage, or which would interfere with the performance by this Local Union or the National Union of its legal or contractual obligations as a collective bargaining agent, or interfere with the legal or contractual obligations of this Local Union as an affiliate of the National Union. Violation, or abuse of these rights and privileges of membership, or engaging in conduct prohibited by this section, shall be considered conduct unbecoming a union member.

- (c) The membership shall strive to obtain the objectives set forth in the Constitution and additional objectives as established as the policy of the National Union; to maintain free relations with other organizations; to do all in its power to strengthen and promote the labour movement; to co-operate with National Board Members, the National Representatives and help promote organizational activities.
- (d) Every member authorizes the Local Union to act as their exclusive bargaining representative. Any grievance, difficulty or dispute arising under the Collective Labour Agreement shall be dealt with in such a manner as the Local Union deems to be in the best interest of the Membership.
- (e) An applicant shall be considered a member once the applicant has met all of the following requirements:
 - (i) A signed and witnessed by signature application to the Local Union must be accompanied by initiation fee in full.
 - (ii) The initiation fee shall be \$ 20.00 dollars.
- (f) Dues payable to Unifor Local 4050 shall be such amounts as set out by the National Constitution plus any additional dues that may be levied by membership action in accordance with the National Constitution.
- (g) The Local Union herewith establishes an amended dues formula to cover Loomis Express, DHL Express Owner Operators, Waste Management Roll Off and Front Load Drivers and Cascade Carriers Dependent Contractors in their respective agreements.
 - (i) That Loomis Express and DHL Express Owner Operators will pay dues \$70.00 per month.
 - (ii) That Waste Management Roll Off and Front Load Drivers, who are paid by piece work, will pay dues of 1.35% of their gross earnings.
 - (iii) Dues for Cascade Carriers Dependent Contractors will be set at a flat rate of \$120.00 per month, reviewed periodically and amended as necessary.

RETIRED MEMBERS

An Active Member who retires is entitled to retired membership status and does not pay dues. The retired member has all the rights and privileges of active membership except the right to vote in strike votes, collective agreement ratification and workplace elections and the right to hold office on the executive.

HONORARY MEMBERS

Honorary members are by invitation of the President of the Local and the Local Union approval. Honorary members shall have no voting privileges.

COMMUNITY CHAPTERS

A community chapter may be established by the local.

BYLAW 6 – MEMBERSHIP MEETINGS

- (a) A general membership meeting of the Local Union shall be held at 2-month intervals with the intent of having 6 meetings per year. One of the meetings will be held in Calgary and one in Edmonton with the remaining meetings being held in Red Deer. Exceptions to this rule may be made by motion passed at a General Membership Meeting. There shall be no less than 4 General Membership Meetings per year. However, if meeting space is not available, the Executive will choose an alternative date. At least a fourteen (14) day notice shall be given which will be posted on Local Union bulletin board in each corresponding area and on the Local Union Website.
- (b) General Membership meetings shall begin promptly at 9:30 AM and shall finish by 4:30 PM unless a motion is passed by a majority of the members in attendance to extend it.
- (c) A quorum shall consist of at least half of the Executive Members. Quorum may be met through the use of alternate means.
- (d) Bourinots Rules of Order shall govern the order of meetings.
- (e) Questions of a parliamentary nature shall be decided by Bourinot's Rules of Order.
- (f) Any member who attends a meeting under the influence of alcohol or drugs and/or creates a disturbance, or becomes unruly shall lose voice and their right to vote at said meeting. Where necessary to maintain order, the member may be evicted from the meeting by order of the Chairperson subject to the challenge of the membership. Flagrant or persistent violation of this section by any member shall be conduct unbecoming a union member.
- (g) Any member desiring to speak shall first attract the attention of the Chair by raising their hand, and remain seated until recognized by the Chair. The member shall give their name and workplace before speaking.
- (h) Any member who attends a meeting must produce their membership card or identification upon request by the Sergeant at Arms and also enter their name in the attendance book. Those who do not have their membership card or proper identification must have another member in good standing vouch for them.
- (i) The President or Executive has the right to call a special meeting, giving reasonable notice. The Local Union will follow quorum requirements as outlined on Article 6(c).
- (j) Breaks will be permitted as required during a meeting. No meeting business will take place during these breaks.

BYLAW 7 – POWERS OF ADMINISTRATION

- (a) The membership is the highest authority of this Local Union and shall be empowered to take or direct any action consistent with the Constitution or Bylaws.
- (b) Between membership meetings, the Executive Board shall be the highest authority of the Local Union 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.

- (c) Between meetings of the Executive Board, the President shall exercise general administrative authority and shall be empowered to act on behalf of, and take action permitted, to the Executive Board subject to subsequent approval of the membership.
- (d) The Executive Board, in financial matters, without approval of the Membership, cannot exceed Two thousand five hundred (\$2,500.00) dollars per expense to a maximum of five thousand (\$5,000.00) dollars.

BYLAW 8 – LOCAL UNION OFFICERS

- (a) The Local Union Executive Officers shall consist of a President, 1st Vice-President, 2nd Vice-President, Recording Secretary, Financial Secretary, three (3) Trustees, Sergeant at Arms, and Guide. The Local Union Executive Officers will also be known as the Executive Board.
- (b) The 1st Vice President shall take over the duties of the President during their absence. In case of a vacancy in the office of the President, the 1st Vice-President shall automatically fill the vacancy.
- (c) All vacancies in the Local Union shall be filled promptly by election.
- (d) Members must be notified seven days in advance of the time and place of nominations. There must be at least seven days between the time of nominations and the date of the election. A notice containing the time and place of elections and the time and place for any possible run-off election must be given to members at least 7 days before the run-off election.
- (e) The duties of the President, Vice President, Recording Secretary, Financial Secretary, Trustees, Sergeant at Arms, and Guide shall be as outlined in the National Constitution.
- (f) Where and when applicable, additional responsibilities of the Recording Secretary will be to maintain and update the Local Union web site. The Recording Secretary will be responsible for ensuring that the Minutes of the General Membership Meeting are distributed to the shop stewards along with notice of the next Meeting at least 2 weeks prior to the meeting.
- (g) The eligibility for nomination for an Executive Position is that they must be a member of the Local Union, in good standing for at least one (1) year according to the National Constitution.
- (h) The term of the Local Union elected Officers shall be three (3) years. Month of elections will be held as outlined in the National Constitution.

BYLAW 9 – EXECUTIVE BOARD

- (a) The Executive Board shall consist of all elected Local Union Officers as set out in Article 8 (a) of these bylaws.
- (b) Executive Board Meetings will be called by the President as required and all the Executive Board members must be advised of such meetings.

- (c) A simple majority of the Local Union Executive Board shall constitute a quorum. Quorum may be met through the use of alternate means.
- (d) The Executive Board is authorized to conduct the affairs of the Local Union in accordance with the National Constitution. The Executive Board shall make or amend, subject to Membership approval, rules and regulations that are not inconsistent with these bylaws.
- (e) Minutes will be taken of all Executive Board Meetings by the Recording Secretary and shall be read and approved at the next General Membership Meeting.
- (f) Decisions and recommendations of the Executive Board shall be referred to the next regular membership meeting.
- (g) The President or Recording Secretary shall review each issue of the Local Union newsletter, and where necessary shall take steps to bring the contents and policy of the newsletter into conformity with the policy of the National Union.

BYLAW 10 – STEWARDS, UNIT-CHAIR, and COMMITTEE CHAIR

- (a) The eligibility for nomination of a Steward, Chief Steward, Unit Chair or Committee Chair is that they must be a member of the Local Union, in good standing for at least one (1) year according to the National Constitution.
- (b) Election of Stewards will be held in each unit.
- (c) The Stewards or Committee Persons are to be elected by a simple plurality vote (more votes than any other candidate) by the members of the Local Unit.
- (d) All Stewards and/or Committee Persons shall be elected for a three (3) year term. Elections will be held every three (3) years as outlined in the National Constitution.
- (e) There shall be a by-election in the event of a vacancy in a Steward or Committee Person position. One or more Stewards or Committee Persons shall be elected within sixty (60) days.
- (f) The recall of an elected Shop Steward, Chief Shop Steward, or Unit Chair may occur when a petition is received by the Local Union Executive that has been signed by at least 40% of the workers that the individual represents. 40% of the current members working under the jurisdiction of the Shop Steward, Chief Shop Steward, or Unit Chair must be present at the recall meeting to establish quorum. A two-thirds vote of those present is necessary to recall.
- (g) Unit Chair reports shall be submitted on a regular basis or as requested by the President of the Local. The Unit Chair shall ensure that the President of the Local is kept apprised of all issues affecting the Unit.

BYLAW 11 – STANDING COMMITTEES

- (a) The following shall be the Standing Committees of the Local Union and such Committees, as the Local Union deems necessary.

- (i) Constitution and Bylaws Committee.
 - (1) Union in Politics Committee.
 - (2) Election Committee.
 - (3) Education Committee.
 - (4) Community Services Committee.
 - (5) Recreation Committee.
 - (6) Human Rights Committee.
 - (7) Women's Committee.
 - (8) Environment Committee.
 - (9) Aboriginal and Racialized Workers
 - (10) Lesbian, Gay, Bisexual and Transgender Workers
 - (11) Workers with Disabilities
 - (12) Young Workers
 - (13) Health and Safety

(b) These committees shall perform all duties assigned to them by the Constitution and Bylaws and such additional duties as they may be directed to perform from time to time by the Executive Board or the membership.

(c) The local union may decide to consolidate committees

BYLAW 12 – EXECUTIVE ELECTIONS AND ELECTION COMMITTEES

(a) Every Member in good standing shall be entitled to vote at all Local Union Executive elections.

(b) All elections shall be held under the supervision of a democratically elected Election Committee.

(c) The Election Committee shall be elected by the membership and consist of three (3) members in good standing.

(d) The Election Committee shall be elected prior to the nomination meeting for a three (3) year term.

(e) No candidate in any election shall be a member of the Election Committee having supervision over such election.

(f) The Election Committee shall report the results immediately following the Executive election. A written report will be submitted at the next General Membership meeting

(g) The Election Committee must check the membership records of all nominees in order to determine whether or not the nominee was in continuous good standing for one (1) year immediately preceding the nomination.

(h) All ballots and other election records in any election must be kept for one year. The local Union may then destroy them unless appeal is pending. In this case they must be preserved until the appeal has been decided and the decision is final.

(i) The notice of the Executive nomination meeting to the membership for General Elections will be sent out to the membership as required by the National Constitution.

- (j) Executive nominations will be accepted by fax, emailed, or in writing.
- (k) Executive nominees must accept their nominations in writing by the closing deadline.
- (l) Executive elections of the Local Union shall take place according to the Constitution. Elections shall be of secret ballot under the supervision of the Election Committee and will be reported at the General Membership Meeting.
- (m) Each Executive candidate has the right to have one challenger (scrutinizer) present when the votes are cast and when they are tabulated. The challenger (scrutinizer) must be a member of the Local Union in good standing.
- (n) All members of the Executive Board shall be elected for a three (3) year term.

BYLAW 13 – FINANCES

- (a) The allowances for Local 4050 Executive Officers are set as follows:
 - (i) The President is to receive \$ 600.00 per month.
 - (ii) The Financial Secretary is to receive \$ 600.00 per month.
 - (iii) The Recording Secretary is to receive \$ 475.00 per month.
 - (iv) The 1st Vice-President is to receive \$ 150.00 per month.
 - (v) The 2nd Vice-President is to receive \$ 75.00 per month.
 - (vi) The Sergeant-At-Arms is to receive \$ 75.00 per month.
 - (vii) The Guide is to receive \$ 75.00 per month.
 - (viii) The Trustees are to receive \$ 100.00per month.
 - (ix) Members at Large are to receive \$ 75.00per month.
- (b) The President shall be allotted up to six days paid leave per month from the employer to work on behalf of the Local Union as deemed necessary and these days are to be under review by the 1st Vice-President and the Financial Secretary with the trustees getting updated at every meeting. All proper claims related to this Bylaw shall be accepted and approved as per Local Union Bylaw.
- (c) The Financial Secretary is required to provide all financial records to the Trustees within 30 days of closure of the period to be audited, and the Trustees shall have the audit completed within 30 days of receipt of the financial records.
- (d) The Chief Shop Steward at Units where a Chief Shop Steward exists is to be paid \$240.00 annually as an expense allowance. Shop Stewards will receive \$120.00 annually as an expense allowance. The Shop Stewards allowance is to be distributed in December. All allowances will be subject to pro rating.
- (e) Members of the Local Union on authorized Local Union business who lose wages are to be paid at their contract negotiated rate. The four-week averaging provision is to be applied where necessary to determine the proper amount to be paid. Members in the DHL/Loomis Express Owner Operator Group on authorized Local Union business will be reimbursed for replacement drivers. Reimbursement will require proof of payout to be valid. Members of the Palliser Hotel and The Sheraton Eau Claire Gratuity Groups will receive a \$ 5.00 per hour gratuity subsidy to a wage cap of \$ 21.00 per hour. Cascade Carriers Owner Operators will submit an invoice to be paid not to exceed \$400.00 per day for days that they normally would have worked.

- (f) Any member attending a Labour Seminar, School, Council or Convention (excluding P.E.L) will be paid \$20.00 per day to cover out of pocket expenses. This will also apply to those attending multiple sessions of a shorter duration, where the total hours are eight or more including travel time.
- (g) Members of the Local Union, when traveling on authorized union business will use the most economical and convenient means of travel.
- (h) Members of the Local Union, when on authorized Local Union business and using their own vehicle, will be paid at the rate of 45 cents per km unless the price of fuel drops below \$ 1.00 per litre, the rate will be .40 ¢ per km. Mileage charts will be used to determine the distance involved. Home and city kms are to be excluded.
- (i) For the purpose of attending the General Membership Meetings in Red Deer, a car allowance of \$40.00 and \$20.00 for each other member in the vehicle will be paid to cover travel expenses from the Calgary or Edmonton carpool locations or a 150km radius from the General Membership Meeting. Appropriate mileage rates will be paid to those attending the General Membership Meeting from areas outside of the 150km radius, to the carpool locations or the edge of the 150km radius where the \$40.00 allowance will take effect. When the meeting is in Calgary or Edmonton, carpool allowance will be \$40.00 for those attending from inside the 150km radius and \$80.00 for those attending from outside the 150km radius of Edmonton or Calgary. This does not cover your metro-home area.
- (j) The Local Union will provide per diems: set as follows: \$20.00 for breakfast, \$30.00 for lunch, and \$40.00 for dinner, where eligible, for each member that is on authorized Local Union business. Members are eligible for per diems when at functions where meals are not provided. Members will not be eligible to claim breakfast per diems for in town Union business or on the first day of a trip for out of town for Union business. Members will also not be eligible to claim supper per diems for in town Union business or on the last day of a trip for out-of-town Union business unless said business extends passed the time when a person would normally have supper.
 - (i) When members are on Unifor 3-day schools or are off for Unifor National business they will be paid per diems as per National guidelines.
- (k) The Local Union will cover the cost of a single room for members on authorized union business for negotiations, courses, conventions or when National only covers 50% of the cost.
- (l) Coffee and a meeting room will be paid for by the Local Union for meetings conducted in the name of Local 4050 with prior approval from the local President.
- (m) Pay for those elected to attend an educational course will cover the entrance fee, reasonable expenses and lost wages necessary to attend the course. When circumstances do not allow enough time for an election, the Local Union Executive Board is empowered to select members. Failure to adequately meet your obligation will be subject to review of your claim.
- (n) Any home study labour course approved by the Local Union will be paid for providing proof of completion.

- (o) Any member attending an authorized union function, and is issued only one banquet ticket will be entitled to a second ticket if necessary. The cost of the second ticket will be covered by the Local Union.
- (p) The Financial Secretary shall purchase WCB Insurance to cover any local member on Union business who is paid lost wages.
- (q) Retirees of the Local Union shall receive a retirement gift which is outlined as follows; 0-10 years of memberships entitles the member to \$150.00, 11-25 years of membership entitles the member to \$300.00, and 26+ years of membership entitles the member to \$500.00.
- (r) Bereavement: A wreath or donation will be sent to a maximum of one hundred dollars (\$100.00) should a Local Union member pass away.
- (s) A Promo Fund of \$10,000 is to be established and reviewed at General Membership Meetings twice annually (June and December). The Promo Fund is to be replenished as required by motion at a General Membership Meeting.
- (t) The Local Union may donate up to 500 hundred dollars (\$500.00) to any Local Union on strike or lockout subject to Local Union Executive Board approval.
- (u) The United Way is to be the Local Union's charity of choice.
- (v) Annual Christmas Donations will be made to Women's Shelters, Food Banks and United Way in the areas that the Local Union services.
- (w) The monthly office expenses of phone, stationary, do not require motions to be paid, but the Financial Secretary shall report on each monthly expense at the General Membership Meeting.
- (x) The Local Union shall purchase financial software for the Financial Secretary. The Financial Secretary may also be sent to a course to learn how to use this software.
- (y) Donations to any charity or other organization including donations on compassionate grounds that have not been mentioned shall not exceed five hundred dollars (\$500.00) per occurrence per fiscal year and must be approved at a General Membership Meeting.
- (z) The Local Union may affiliate with the AFL, and the major District Labour Councils. The number of members shall be based on the average membership over the previous 12 months.
 - (i) The local Union will not loan money from union funds to any member, at any time.
 - (ii) Any Member who is responsible for public/union funds which can include, but is not limited to, Social Committee funds, Recreation Funds or Funding for events is required to keep a log of how the funds are used and account for all expenses by providing receipts. The member will be required to provide details of fund activity and receipts when requested. The funds are to be used solely for the intended purpose.

- (iii) Any and all expenses incurred on behalf of the Local Union must first be approved by the Local Union President prior to the expense being incurred if not mentioned above to be eligible for reimbursement. In cases where the Local Union is billed for unapproved expenses, the person responsible for incurring the expense will be required to repay the cost of the expense to the Local Union.

BYLAW 14 – ELIGIBILITY FOR ELECTED OFFICE

Eligibility for the constitutional or executive offices is set forth by the National Constitution.

BYLAW 15 – ATTENDANCE RULES

The elected Executive Officers are expected to attend all General Membership meetings.

BYLAW 16 – DELEGATES FROM LOCAL

- (a) All delegates to the National Convention/Canada Council and Prairie Council shall be chosen pursuant to the provisions laid down in the National Constitution.
- (b) All delegates Alberta Federation of Labour and Canadian Labour Congress Conventions can be elected at a Local General Meeting.

BYLAW 17 – ORDER OF BUSINESS

- (a) The following shall be the order of business of Unifor Local 4050:
 - (i) Call to Order.
 - (ii) Roll call of officers.
 - (iii) Reading of previous General Membership Meeting minutes.
 - (iv) Report of Financial Secretary.
 - (v) Correspondence Update by Recording Secretary.
 - (vi) President's Report.
 - (vii) Local Rep. Report.
 - (viii) Committee Reports.
 - (ix) General Business (New Business).
 - (x) Next Meeting.
 - (xi) Adjournment.

BYLAW 18 – APPEALS

A member, feeling themselves aggrieved by some action of the Local Union or one of its representatives, must initiate their complaint or appeal from that action in writing to the Local Union Recording Secretary within sixty (60) days of the time they become aware of the action or reasonably should have been aware.

BYLAW 19 – STRIKES AND STRIKE COMMITTEES

All strikes shall be called or terminated only in strict conformance with Article 17 Section B of the National Constitution.

BYLAW 20 – GENERAL

- (a) All Local Union Officers, Committees, Stewards and other members handling funds or other property of the Local Union shall, at the completion of their duties, turn over all papers, documents, funds, emails, email passwords and data included therein, and/or Local Union property to the properly constituted Local Union Officers.
- (b) Wherever in these Bylaws a pronoun is used it refers equally, where the reference is applicable, to both men and women in the singular and in the plural.
- (c) When the Local Union assigns an email address, they must be used to conduct the business of the office in which the holder is elected.
- (d) Social media and websites under the Unifor Local 4050 banner shall be subject to the policy of the National Union and Local guidelines. All passwords and access are the property of Unifor Local 4050 and shall be returned upon request or end of elected term.

BYLAW 21 - GRIEVANCE /GRIEVANCE APPEALS COMMITTEE

- (a) A Grievance Committee will be formed and maintained to consider grievances for arbitration. All grievances, once reaching the final step before arbitration will go through the Grievance Committee where a decision will be rendered as to whether or not the grievance goes to arbitration. The affected parties will be advised of the Grievance Committee's decision and, should they not agree with the decision, will have the opportunity to appeal the decision to the (Grievance Appeals Committee) , (National Executive Board), or the (General Membership) as per National Constitution. The Grievance Committee will include 3 Local Union Executive Members including the 1st Vice President and 2 other appointed members from the General Membership.
- (b) A Grievance Appeals Committee will be formed and maintained to consider grievances that have been denied by the Grievance Committee for arbitration. The Grievance Appeals Committee will include 3 Local Union Executive Members including the Local President and 2 other appointed members from the General Membership.

BYLAW 22 – GENERAL POLICIES

The following are Policies and are NOT bound by the Bylaw Amendment Procedures, instead can be change by simple motion at a General Membership Meeting.

- (a) The Local Union will not cover any liquor cost except under special circumstances and a motion is passed at a General Membership Meeting to cover the circumstances.
- (b) Business Cards in the name of the Local Union will be purchased for the President, 1st Vice-President, Financial Secretary, Local Union Rep, and Unit Chairs.
- (c) As an attendance incentive, a Unifor Local 4050 Jacket or approved alternative will be given to any member who misses no more than 1 General Membership Meeting in a calendar year.

- (d) The Local Union BBQ is only to be used for authorized and sanctioned union activities and events. The Local Union BBQ must always be accompanied by an authorized member of the Local Union. Compensation for washing the Local Union BBQ is to be \$25.00 plus washing expenses.
- (e) The Editor of the Newsletter is to be paid \$100.00 per newsletter as approved by the Local Union Executive.
- (f) All apprentices will be given a \$ 200 honorarium when attending trade school. An expense form has to be filled out with dates of course and year.

BYLAW 23 – AMENDMENTS

- (a) These Bylaws may be amended by presenting a motion in writing setting forth the amendments sought to a General Membership meeting.
- (b) The motion shall be read to that meeting and referred to the Constitution and Bylaws Committee which will report with recommendations to the succeeding General Membership meeting, the notice of which must contain a notice of the particular Bylaw amendments that will be considered.
- (c) If approved by two-thirds of the membership vote at the succeeding meeting, the amendment shall be considered adopted by the membership.

Bylaw Committee:

- Chair Person - Jim Connelly
- Al Pearson
- Jay Thompson
- Micheala Erickson
- Jason Bryan
- Therese Osland