

University of Western Ontario Staff Association Constitution & Bylaws

Founded on March 12, 1997

Includes Amendments to December 10, 2015

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CONSTITUTION
of
The University of Western Ontario Staff Association

1. NAME

The Name of the Association shall be "The University of Western Ontario Staff Association" referred to hereafter as "the Association".

2. OBJECTIVES

- 2.1 The regulation of the relations through negotiations pursuant to the provisions of the Labour Relations Act between the employer (The University of Western Ontario) and its employees represented by the Association.
- 2.2 To bring about improvement in the working conditions and benefits of the members through fair wage standards and job security, opportunity for advancement and transfer, and uniform job classification with equal pay for work of equal value for all employees.
- 2.3 To provide opportunities for the educational development of the members and for the orientation of new employees.
- 2.4 To provide a democratic form of government within the Association.
- 2.5 To promote the occupational health and safety of members.
- 2.6 To bring about united action and to act on any matter or issue of common interest to the members of the Association.
- 2.7 To ensure, in accordance with the Ontario Human Rights Code, no discrimination or harassment because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, record of offenses, handicap or any other prohibited grounds that may be established in the Code.

Amended March 22, 2001

3. MEMBERSHIP

- 3.1 Membership in the Association shall be, and shall be deemed to have been, automatically granted to all employees employed under the Ontario Labour Relations Board certificate #2342-97-R, dated December 16, 1997 as it may be amended by the Ontario Labour Relations Board or the employer(s) and the Association from time to time. For purposes of clarity, membership in the Association shall be deemed for all purposes whatsoever to have been granted to all such employees as of the earlier of:
 - a) December 16, 1997; or
 - b) the date the employee first becomes covered by the terms of the certificate or any collective agreement in effect.

Membership shall also be open to any employee of an employer 'related' to the UWO or an employee of an employer to whom a part of the University may be 'sold' as those terms are used

under the Labour Relations Act. Membership may also be granted to any other employee of any employer on resolution of the Executive Committee, approved by the Stewards Council.

- 3.2 All employees, members or otherwise, must pay all appropriate dues fixed by the Association under the authority of this Constitution and the Bylaws. A member may revoke her/his membership by filing with the office of the Staff Association a written signed declaration clearly indicating an intention to revoke her/his membership, but any such revocation shall not affect the employee's obligation to pay union dues. Notwithstanding any other Article of this Constitution, an employee who has revoked her/his membership shall not be permitted to participate in the functions of the Association except as provided for in Constitution Article 3.15 (i.e., strike votes and ratification votes).
- 3.3 No one shall be denied membership solely for reason of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, record of offences, handicap or any prohibited grounds that may be established in the Ontario Human Rights Code.
- 3.4 In keeping with the above, members of the Association shall treat each other with respect and dignity.
- 3.5 The dues for a member who is on long-term disability shall be waived during the term of leave.
- 3.6 Members on unpaid leave of absence for more than one month (and whose dues consequently fall into arrears):
- a) may arrange for appropriate payment of dues, or
 - b) cease to be members in good standing until their return to work, but shall not be required to pay back dues for the period of unpaid leave.
- 3.7 Each member shall promptly advise the Association, through the Business Office or a Steward of any change of name, office address and phone number, and residence address and phone number. Failure to advise the Association of the above information constitutes a waiver of the Association's responsibility to contact the member with union-related information.
- 3.8 Subject to Constitution Articles 3.1 and 3.2, members IN good standing are those who have paid any appropriate dues or fees, either by authorized salary deductions, or by some other arrangement for payment satisfactory to the Association, except for those to be found in bad standing according to the provisions of this Constitution.
- 3.9 Members of the Association considered in bad standing are:
- a) those who have signed a revocation of membership, or
 - b) those who have been suspended from membership because of an offence against the Constitution, or
 - c) those who cease to be members under Constitution Article 3.6 b).
- 3.10 Any member of the Association has committed an offence against the Constitution who:
- a) violates any provision of this Constitution;
 - b) institutes, urges or advocates that a member should institute action in a court of law against the Association, its Executive Committee, its Stewards Council, or its officers or members in respect to any matter concerning the affairs of the Association, without first exhausting all remedies through the forms of appeal provided in this Constitution;
 - c) commits an act of gross disloyalty;
 - d) exhibits conduct unbecoming a member or officer;

- e) advocates or attempts to bring about the withdrawal from the Association any member or group of members;
- f) publishes or circulates amongst the membership, verbally or otherwise, false reports or misrepresentations concerning any member or employee of the Association in respect to any matter connected with the affairs of the Association;
- g) works in the interests of any organization competing with the Association in a manner which is detrimental to the Association;
- h) commits any dishonourable act which injures this union in particular or the labour movement in general;
- i) fraudulently receives or misappropriates any property of the Association;
- j) uses, without proper authority, the name of the Association for soliciting funds or advertising;
- k) furnishes a complete or a partial list of membership of the Association to any person or persons other than those whose office entitles them to have such a list, without receiving proper authority to do so;
- l) wrongfully interferes with any officer, employee or any accredited representative of the Association in the discharge of that person's duties;
- m) circulates reports designed or calculated to injure or weaken the Association;
- n) fails to respect the Association's picket line, or works for the employer during a legal strike or a labour dispute, or engages in any strike breaking activity;
- o) takes the place of any union member on strike;
- p) engages in behavior which constitutes sexual, racial or ethnic, or personal harassment, or harassment on the basis of sexual orientation.

3.11 Any UWOSA member may propose that a member of the Association be suspended on the grounds that the member has committed an offence against the Constitution. Such a proposal must set out the nature of the alleged offence and all known facts related to it. The proposal shall be sent to the UWOSA Business Manager who will record it as the first agenda item for the next Stewards Council meeting. The notice shall be provided to the accused and all Council members at least seven (7) days in advance of the next meeting of the Stewards Council, which shall consider the complaint.

At the meeting of the Stewards Council, where the complaint is being heard, the member who brought the complaint shall seek to establish through documents and/or witnesses the facts which would support the alleged violation. The accused shall be entitled to question any witness who provides evidence against him or her. After the conclusion of the complainant's presentation, the same opportunity shall be given to the accused by way of defence.

The Stewards Council shall discuss the motion and render a decision regarding whether the accused committed an offence against the Constitution at the next scheduled meeting of the Stewards Council, where members of Council will discuss the motion and then vote. If the motion is supported by a two-thirds (2/3) majority of the Council members present, the member shall be deemed to be a member in bad standing. The Council shall have the right to decide to suspend the member and to determine the length of any suspension. Any such suspension shall not affect the employee's obligation to pay union dues.

No member may sit in judgment if he or she made the complaint, or was directly involved in the facts giving rise to the complaint, but this provision shall not prevent the Association from addressing offences to the Constitution which, only where necessary, shall be initially determined by delegates of the Stewards Council.

3.12 A suspended member shall have the right to appeal for re-instatement. The appeal must be made in writing to the Stewards Council within ten (10) working days of the decision to suspend the member. At the next Council meeting after the appeal is made, Council shall select its representative to the Appeals Committee, and notify the appellant of its selection. The appellant

shall have ten (10) working days from the date of the Council's selection of its representative to name his or her representative or to choose to represent himself or herself at the Appeals Committee. The Appeals Committee will meet within ten (10) working days of the naming of the appellant's representative to hear the appeal unless all parties agree otherwise. Both the suspended member and the Council representative shall be given full opportunity to make presentation to the Appeals Committee. The Appeals Committee shall be composed of five (5) members, from a list of seven (7) randomly selected and willing members of the Association (all in good standing), and who were not involved in the initial decision. Each party will excuse one member from the list of seven (7), to form the final Appeals Committee. Both the suspended member and the Stewards Council will be given full opportunity to make presentations to the Appeals Committee.

- 3.13 After hearing the reasons for the suspension and the plea of the suspended member, the Appeals Committee by a majority vote shall do one of the following: cancel the suspension, uphold the action, or continue the suspension for a specific period. The decision of the Appeals Committee shall be final and binding upon all parties.
- 3.14 The reinstatement of a member suspended by the Stewards Council or the Appeals Committee shall not be considered until one year has elapsed from the date of suspension. Thereafter, at any time that reinstatement is proposed by a member IN good standing, the reasons for the suspension shall be reviewed by the Stewards Council
- 3.15 The name, offence and date of offence of the member in bad standing will also be published in the members-only area of the UWOSA website until such time as the member is reinstated.
- 3.16 Only members in good standing may attend membership meetings, vote, hold office, participate on committees, or participate in any other Association activity, except in cases of ratification votes or votes held pursuant to the provisions of the Labour Relations Act where in such case all employees in the affected bargaining unit shall have the right to vote.

Amended December 16, 1997, April 20, 1999, November 14, 2002, April 17, 2008, December 11, 2008, April 21, 2011, November 24, 2011

4. EXECUTIVE COMMITTEE

- 4.1 The Executive Committee shall consist of the President, the Vice President, the Chief Steward, the Membership Services Officer, the Secretary, the Treasurer, the Health and Safety Officer and the Past President.
- 4.2 The Executive Committee shall be responsible for the day-to-day operations and business of the Association. The Executive Committee shall report to the Stewards Council at regularly scheduled Council Meetings.
- 4.3 It shall be the duty of the Executive Committee to investigate and report on matters of interest to the Association.
- 4.4 The Executive Committee shall promote and enhance the working relations between UWO and the Association based upon the principles of mutual respect and cooperation. In general, the Executive Committee shall do or cause to be done all such lawful acts as in the opinion of the Executive Committee will advance the interest and welfare of the Association and its members.
- 4.5 The Past-President shall function in an advisory capacity to the Executive Committee and the Stewards Council in order to provide continuity in the operation of the Association. The Past-President shall have full participatory rights on the Executive Committee and the Stewards Council.

4.6 No member of the Executive Committee shall also hold a position as Steward.

Amended March 22, 2001, November 14, 2002, November 24, 2005, December 11, 2008

5. VACANCY IN THE EXECUTIVE COMMITTEE

- 5.1 If at any time, the office of President shall fall vacant, the Vice President shall become President of the Association.
- 5.2 If at any time, the office of Vice President shall become vacant, the Chief Steward may become the Vice President of the Association if she/he is so willing. Otherwise, the office of the Vice President shall be filled in accordance with the process in Constitution Article 5.4 below.
- 5.3 If at any time, the office of the Past President shall become vacant, the Executive may appoint a former President of the Association to fill out the unexpired term, or may determine that the position shall remain vacant until in the normal course of the elections there is a new Past President.
- 5.4 If a position on the Executive Committee, other than that of the President, Vice President, or Past President, shall fall vacant, the Stewards Council shall appoint a member in good standing of the Association to this position, to serve until the next election for that position.

Amended March 22, 2001, November 24, 2005, November 16, 2006, April 17, 2008, December 11, 2008

6. EXECUTIVE COMMITTEE MEETINGS

- 6.1 A quorum of the Executive Committee shall consist of one of the President or the Vice President or the Chief Steward and three (3) other members of the Executive Committee.
- 6.2 The Executive Committee shall meet at the call of the President, or within one week's written notice to the President, from any two (2) members of the Executive Committee. At least one meeting shall be held each month.
- 6.3 There shall be no voting by proxy at Executive Committee meetings.
- 6.4 The Chair of the Executive Committee shall be the President.
- 6.5 All meetings of the Executive Committee shall be open to all members of the Association, but they shall not have voting privileges. They shall not have the right to speak; however, the right to speak may be secured with the agreement of the majority of the Executive Committee present.
- 6.6 Notwithstanding the aforementioned provision, the Executive Committee shall have the right to meet in camera by the agreement of the majority of the Executive Committee present. Meetings of the Executive Committee pertaining to personnel and legal items shall be held in camera.

Amended March 22, 2001, November 14, 2002, November 24, 2005, December 11, 2008

7. OFFICERS OF THE ASSOCIATION

- 7.1 The Officers of the Association shall be the President, Vice President, Chief Steward, Membership Services Officer, the Secretary, the Treasurer and the Health and Safety Officer. Officers shall be elected as prescribed in the Bylaws.
- 7.2 No person may hold more than one office.
- 7.3 The President shall perform various roles in the Association including leader, administrator, chief executive officer and spokesperson for the Association, and is responsible for overseeing internal communication to the membership, issuing union cards and welcoming new members. She/he shall be a voting ex-officio member of all Committees unless otherwise specified. She/he shall be kept informed of all daily happenings in the Association. The President shall ensure compliance with the terms and provisions of the Bylaws and Constitution by the Officers of the Association, Stewards, and members of the Association. The President shall coordinate the ongoing training and education of elected officials and shall provide education and development opportunities to the general membership. The President may sit on the Negotiations Committee and Negotiating Team. She/he shall work toward an atmosphere of teamwork with the Executive Committee, the Stewards Council and the membership. She/he shall consult with the Executive Committee, or when the committee is not in session, with the members of the Executive Committee, concerning decisions or actions to be taken on behalf of the Association. The President shall also be responsible for the recruitment of members to fill vacant Executive positions between elections and shall work to ensure that all such positions are filled. In no event shall the President permit the business of the Association to suffer neglect or inaction. She/he shall supervise the affairs and operations of the Association and have the other powers and duties from time to time prescribed by the Executive Committee or incident to his/her office. The term of office for the President shall be two (2) years and is renewable.
- 7.4 The Vice President chairs both the Negotiating Committee and the Constitution and Bylaw Committee. Also the Vice President or his/her nominee acts as the chair of the Negotiating team. The Vice President shall co-Chair the Membership, Newsletter and Social Committee and shall be responsible for the newsletter portfolio. As such, The Vice President shall act as the Managing Editor for the newsletter of the Association and is responsible for any associated sub-committee. During the absence of the President, the Vice President will exercise the duties and powers of the President. The Vice President shall also perform other duties from time to time prescribed by the Executive Committee or incident to his/her office. The term of office for the Vice President shall be two (2) years and is renewable.
- 7.5 The Chief Steward shall be responsible for coordinating and supervising all grievances under the collective agreement. He/she shall report all complaints of any violation of any of the provisions of the collective agreement to the Executive Committee. He/she shall assist in the preparation, filing, review and presentation of grievances under the direction of the Executive Committee. He/she shall attend all policy grievances as well as those grievances which proceed beyond Step One. The Chief Steward will sit on the Negotiations Committee and Negotiating Team. During the absence of the Vice President, the Chief Steward may exercise the duties of the Vice President. The Chief Steward shall also be responsible for the recruitment and orientation of members to fill vacant Council positions between elections, including Alternates, and shall work to ensure that all such positions are filled. The Chief Steward shall also perform other duties from time to time as prescribed by the Executive Committee or incident to his/her office. The term of office for the Chief Steward shall be two (2) years and is renewable.
- 7.6 The Membership Services Officer shall co-Chair the Membership, Newsletter and Social Committee and shall be responsible for the membership and social portfolio. The Membership Services Officer shall also perform other duties from time to time prescribed by the Executive Committee or incident to his/her office. The term of office for the Membership Services Officer shall be two (2) years and is renewable.

- 7.7 The Secretary shall attend all meetings of the Council and of the Executive Committee and all membership meetings of the Association to record all facts and minutes of those proceedings. He/she shall be responsible for the distribution of notices required to be given to members and to Stewards. He/she shall be the custodian of the books, papers, records, correspondence and documents belonging to the Association and shall perform other duties from time to time prescribed by the Executive Committee or that may be incident to his/her office. The Executive Committee may delegate any or all of the duties of this position to an employee of the Association or a member of the Stewards Council. The term of office for the Secretary shall be two (2) years and is renewable.
- 7.8 The Treasurer shall review all receipts and disbursements of the Association and report such to the Stewards Council by way of a monthly income/expense report. Such review shall ensure expenditures are made only in accordance with the budget as approved in Bylaw 11.3. In addition, the Treasurer shall render, whenever required of him/her, an account of the financial position of the Association. The Treasurer shall ensure that a full and accurate account of the financial transactions of the Association are recorded in proper books of account and that all monies or other valuable effects are deposited in a timely fashion in the name and to the credit of the Association in the bank or banks designated by the Council or Executive Committee. He/she shall annually prepare a budget in accordance with Bylaw 5.2.6. Such budget will be constructed from the written submissions of individual budget line holders and will be recommended by the Finance Committee to the Stewards Council for final approval by the members of the Association. He/she shall co-operate with the auditors of the Association during any audit of the accounts of the Association and perform other duties from time to time prescribed by the Council or Executive Committee or incident to his/her office. Any or all of the duties of this position may be delegated to an employee of the Association (or another member in good standing of the Association) with the approval of the Council. The term of office for the Treasurer shall be two (2) years and is renewable.
- 7.9 The Health and Safety Officer is responsible for advancing Health and Safety issues. The Health and Safety Officer serves as Chair of the ad hoc Health and Safety Committee, and as a UWOSA representative on the UWO Joint Occupational Health and Safety Committee. The term of office for the Health and Safety Officer shall be two (2) years and is renewable.
- 7.10 On recommendation from the Executive Committee, the Council may appoint other officers, including without limitation Honorary Officers and agents (and with such titles as the Council may prescribe from time to time) as it considers necessary. All such appointed officers shall have the authority and perform the duties from time to time recommended by the Executive Committee and approved by the Council. The Council may also remove any such appointed officer or agent of the Association, on recommendation of the Executive Committee.
- 7.11 (a) Where an Officer's role has a provision for succession, and where it becomes known that an Officer shall be on leave from the workplace beyond one (1) calendar month and unable to attend to her duties, the UWOSA Stewards Council may declare the Officer on a leave from their UWOSA role and fill the vacancy in accordance with the provision for succession as a temporary assignment. The temporary assignment will end upon the return of the elected Officer, and/or the start of a new electoral year, whichever is sooner. However, the elected Officer's title shall reside with the individual temporarily assigned to the role and such person shall act with the full authority prescribed in this article.
- (b) Where an Officer's role has no provision for succession, and where it becomes known that an Officer shall be on leave from the workplace beyond one (1) calendar month, the UWOSA Stewards Council may declare the officer on a leave from their UWOSA role and temporarily fill the vacancy in accordance with Constitution Article 5. The temporary assignment will end upon the return of the elected Officer and/or the start of a new electoral year, whichever is sooner. However the elected Officer's title shall reside with

the individual temporarily assigned to the role and such person shall act with the full authority prescribed in this article.

- (c) In taking leaves provided for under the Collective Agreement, an Officer, with funded hours, shall take into account the effect of taking such leave on UWOSA's operations. If there are grounds for suspecting that an Officer, with funded hours, is abusing his/her entitlement to leave, and this is resulting in a serious detriment to the operation of the Association, then the provisions of Constitution Article 7.15 may be considered.
- (d) Where temporary vacancies are created through the operation of this Article, such temporary vacancies shall be treated in accordance with these provisions.

- 7.12 It shall be understood that any member accepting any office in the Association shall do so on the understanding that he/she will faithfully and sincerely perform the duties of his/her office, assist to the fullest extent possible in advancing the just interest of the Association, observe the Constitution of the Association, and follow the UWOSA Office Policies established by the Executive Committee.
- 7.13 Any officer of the Association may resign office by giving reasonable notice, in writing, to the Executive Committee.
- 7.14 Officers who fail to attend fifty per cent (50%) of the meetings of either the Stewards Council, or the Executive Committee, in any four (4) month period may be deemed by the Stewards Council to have submitted their resignations.
- 7.15 Any member of the Stewards Council may propose that an Officer of the Association be removed from office because the officer's conduct or actions are prejudicial to, or not in the best interests of the Association. Such a proposal must be initiated in the form of a notice of motion at least seven (7) working days in advance of a meeting of the Stewards Council. The officer who is the subject of the removal from office shall have the opportunity to speak at the meeting to respond to the motion. After discussion, the motion shall be tabled until the next scheduled meeting of the Stewards Council where members of Council will discuss the motion and then vote. If the motion is supported by a two-thirds (2/3) majority of the Council, a special general meeting shall be convened within one (1) month for the purpose of a secret ballot vote by all members to determine whether the decision of the Stewards Council should become effective. Members shall be given three (3) weeks notice of the meeting, which notice will specify the Stewards Council's decision, and the right of members to vote on the issue at the special general meeting. At the special general meeting, the officer who it is proposed be removed shall have an opportunity to speak as will one representative of the Council.
- 7.16 Notwithstanding the office descriptions in Constitution Articles 7.3 through 7.9 above, the Executive Committee may otherwise distribute duties among its members where the interests of the Association are so served, in its opinion. Such distribution shall not occur without the consent of the particular Officer(s) involved.
- 7.17 All officers, at the expiration of their term of office, when removed from office, or when their office is declared vacant, shall deliver to the Business Manager all books, papers, records (including all electronic records), monies, or other property in their possession belonging to UWOSA, and they shall not be released from their bonds or obligations until this is complied with.

All members or employees who have in their possession any books, papers, records (including all electronic records), monies or other property of UWOSA during any period when such member or employee is designated to perform duties on behalf of UWOSA, shall deliver all such property to the Business Manager upon completion of such assignment.

Amended March 22, 2001, November 14, 2002, April 23, 2003, November 24, 2005, November 16, 2006, April 17, 2008, December 11, 2008, December 10, 2009, April 21, 2011, December 10, 2015

8. STEWARDS COUNCIL

8.1 Definition

- 8.1.1 The Stewards Council shall vote on matters concerning the general membership of the union between meetings of the General Membership. Such matters shall normally be presented to the Council by the Executive Committee in the formal agenda. Individual members of the Stewards Council may also bring forward material for discussion and voting at council meetings.
- 8.1.2 The Stewards Council (Council) shall review the affairs of the Association, approve those items specified in the Constitution and Bylaws, administer the affairs of the Association, and receive reports from standing and special committees. The Council may make contracts on behalf of the Association, delegate powers to the Executive Committee and delegate administrative powers to officers and committees. The Council is accountable to the general membership. Operation of the Council shall be in accordance with the applicable provisions of the Constitution and Bylaws.
- 8.1.3 The Stewards Council shall receive a full report on the affairs of the Association from the President or his/her designate from the Executive Committee at each Council meeting.

8.2 Membership

- 8.2.1 The voting members of the Stewards Council shall be:
- a) The President, Vice President, Chief Steward, Membership Services Officer, Secretary, Treasurer, Health and Safety Officer and the Past-President.
 - b) Stewards elected by designated groups of Association members or appointed by the Stewards Council in accordance with the provisions of the Bylaws. The maximum number of Stewards shall be the number agreed upon in the Collective Agreement with the University of Western Ontario.
- 8.2.2 Alternate Stewards shall be non-voting members of the Stewards Council except as otherwise provided for in this Constitution.

8.3 Chair

- 8.3.1 The Council shall determine its Chair in a democratic way at its first meeting in May. Normally, the Chair only votes to create or break a tied vote. Under special circumstances, such as elections, and upon request, the Chair may vote with the permission of Council. His/her duties as Chair shall be to preserve order and maintain a spirit of goodwill, to see that everything is done according to proper procedure, to give proper time for full discussion and to see that every member has an equal opportunity to participate in the meeting. He/she shall also preside as Chair at all meetings of the general membership. The term of office of the Council Chair shall be two (2) years and is renewable.

8.4 Alternate Stewards

- 8.4.1 The Stewards Council may appoint an Alternate Steward for each Area Steward.
- 8.4.2 Alternate Stewards will assume the duties of the Steward in the event of their absence. Alternate Stewards may vote on matters at Stewards' Council ONLY in the absence of the Steward for the same area. However, Alternate Stewards may attend the Stewards Council meetings even if the Steward is present.
- 8.4.3 Alternate Stewards shall assist their Area Steward in dealing with matters related to members including, but not limited to, grievances, complaints, and advice about their rights under the Collective Agreement.
- 8.4.4 Upon the resignation of an Area Steward, the Alternate has the option of becoming Area Steward, or may continue to assume those duties until such time as a replacement Steward is elected or appointed as provided for in this Constitution.

8.5 Vacancies

- 8.5.1 A vacant Steward position on the Stewards Council may be filled by the Stewards Council from among the members of the Association as long as a quorum of the Council members remain in office. If no quorum of the Council exists, the remaining Council members shall call a general meeting of the Association members to fill the vacancies on the Council.

8.6 Duties of Stewards

- 8.6.1 Stewards shall promote and enhance the working relations between UWO and the Association and its members based upon the principles of mutual respect and cooperation.
- 8.6.2 Stewards shall serve as the liaison between the Council and Association members in their Area. They shall disseminate information on the affairs of the Association, by providing articles for the Association Newsletter and communicating with constituents.
- 8.6.3 Stewards shall be knowledgeable of the provisions of the Collective Agreement, shall advise members of their rights under the Collective Agreement, and shall assist members in the preparation of complaints and grievances. They will process grievances in conjunction with the Chief Steward on behalf of members of the Association. They shall perform other duties in accordance with the provisions of the Bylaws.
- 8.6.4 Stewards shall be responsible for finding an Alternate Steward for the same Area, as appointed by Council. In the event the Steward is unable to attend the Stewards Council meeting, he/she is responsible for having the Alternate Steward attend. It is the responsibility of the Steward to keep the Alternate Steward informed about issues discussed at the Stewards Council meetings.
- 8.6.5 All Stewards shall be expected to perform Strike Captain duties during a strike or lockout except when extenuating circumstances prevail, in which instances special alternative duties will be assigned.

8.7 Resignation of Stewards and Alternate Stewards

- 8.7.1 In the event that Stewards or Alternate Stewards wish to resign from their positions they shall notify the Executive Committee in writing.

8.7.2 Stewards who fail to attend fifty (50) per cent of Stewards Council meetings in four (4) months may be deemed by the Stewards Council to have submitted their resignations.

8.8 Removal of Stewards

8.8.1 Any member of the Stewards Council may propose that a Steward be removed from the Council because his/her actions or conduct are prejudicial to, or not in the best interests of the Association. Such a proposal must be initiated in the form of a notice of motion at least seven (7) working days in advance of a meeting of the Stewards Council and such motion sent to the Steward concerned. The Steward who is the subject of the removal shall have the opportunity to speak at the meeting to respond to the motion. After discussion, the motion shall be tabled until the next scheduled meeting of the Stewards Council where members of Council will discuss the motion and then vote. If the motion is supported by a two-thirds (2/3) majority of the Council, a special Area meeting (including only those members in good standing of the Area represented by the Steward in question) shall be convened within one (1) month for the purpose of a secret ballot vote by all members to determine whether the decision of the Stewards Council should become effective. In the event that quorum is not obtained, the Steward shall remain.

8.8.2 Notice of a Special Area Meeting will be sent to the members of an Area no less than three (3) weeks before such meeting, which notice will specify the Stewards Council's decision, and the right of Area members to vote on the issue at the Special Area Meeting. Included with the notice of the meeting will be a "notice of motion", which shall be to remove the Steward for that Area. Quorum will be twenty-five per cent (25%) of the membership of the Area, and the meeting will be chaired by the Council Chair or his/her designate. A member of the Stewards Council will speak on behalf of the Council and will state the reason(s) for the recommendation to remove the Steward for that Area. The Steward, who it is proposed be removed, shall have an opportunity to speak at the meeting to respond to the motion. If the motion is supported by a two-thirds (2/3) majority of the members present at the meeting, the Steward for that Area will be removed and relieved of all responsibilities associated with that office. The members of the Area may, at that time, nominate and elect a candidate to serve as the interim Steward.

8.9 Where it becomes known that a Steward will be on a leave from the workplace beyond one (1) calendar month, the UWOSA Stewards Council may declare such Steward on a leave from his/her UWOSA role. When a Steward is declared to be on a leave in this way, the Alternate Steward shall assume his/her duties until the Steward's return. Where there is no Alternate Steward, the Council may appoint any other member eligible under the Constitution and Bylaws to assume the duties of the Steward for that Area during the leave. The Stewards Council may also grant leaves for other reasons.

Amended April 24, 2002, April 23, 2003, November 24, 2005, November 16, 2006, April 17, 2008, December 11, 2008, April 21, 2011, April 10, 2014

9. SERGEANT AT ARMS

9.1 The Sergeant at Arms shall be appointed for a two-year term by the Stewards Council at the first meeting in May, in those years in which it is vacant.

9.2 The Sergeant at Arms must be a member in good standing of the Association and shall:

- a) guard the inner door at membership meetings and admit no one but members in good standing, except on the order of the President or with the consent of the Executive Committee

- b) be responsible for maintaining the records of membership attendance at meetings
- c) assist the Chair in maintaining order at meetings of the membership
- d) when necessary, recruit members in good standing to assist him/her in the performance of his/her duties
- e) perform such other duties as may be assigned by the Stewards Council from time to time.

New April 24, 2002; Amended November 14, 2002, November 16, 2006, December 11, 2008

10. COMMITTEES

- 10.1 Standing Committees shall be established by the Bylaws, and shall not be subject to change other than by amendment of the Bylaws.
- 10.2 The Stewards Council, at a meeting of the Council, shall have the power to create and to terminate special or ad hoc committees for the realization of a specific purpose and for the conduct of the business of the Association.

Amended April 24, 2002, April 17, 2008, December 11, 2008, April 21, 2011

11. MEETINGS

- 11.1 There shall be an annual general meeting, held in April each year. The number and timing of other regular general meetings shall be established by a Bylaw.
- 11.2 Special general meetings shall be held at the call of the President, on the advice of the Executive Committee or upon receipt by the Secretary, of a written request signed by one hundred (100) or more members in good standing of the Association. Notice of such meeting shall be made in accordance with the Bylaws. The Special Meeting shall occur within 60 days of the receipt of the request.

Amended March 22, 2001, April 24, 2002, April 17, 2008, December 11, 2008

12. DUES

- 12.1 Dues and other fees or charges payable by members or categories of members shall be fixed by a majority vote of the members present at the annual or any other general meeting.
- 12.2 Members in default of payment of dues or any other fees or charges shall cease to be members in good standing if the dues, fees or charges are not paid within thirty (30) days of the date of notice from the Secretary.

Amended April 17, 2008

13. BYLAWS

- 13.1 Bylaws shall be submitted for approval or amendment at a general meeting, and adopted or amended by a majority of members in good standing present. No Bylaw shall be interpreted as taking precedent over any article or provision of this Constitution.

Amended April 17, 2008

14. AMENDMENT

- 14.1 This Constitution shall be amended only by vote in a meeting of the Association in which two-thirds of the members in good standing present concur. Notice of the amendment shall have been given to the membership, as per Bylaw 4.1.2.

Amended April 24, 2002, April 17, 2008

15. ASSOCIATION FUNDS

- 15.1 The funds of the Association shall be used, except as stipulated otherwise by the Constitution or Bylaws, exclusively to finance the Association's operations and shall not be loaned out.
- 15.2 Any member of the Association may set up an appointment to view the financial records of the Association.
- 15.3 Funds shall be administered as indicated in the Bylaws.

New April 24, 2002, November 14, 2002, November 16, 2006, Amended April 17, 2008

BYLAWS
of
The University of Western Ontario Staff Association

1. INTERPRETATION

- 1.1 In this Bylaw and all other Bylaws and resolutions of the Association, unless the context otherwise requires:
- 1.1.1 The singular includes the plural;
 - 1.1.2 The masculine gender includes the feminine;
 - 1.1.3 "Documents," includes deeds, mortgages, hypothecs, charges, conveyances, transfers and assignments of property, real or personal, immovable or movable, agreements, releases, receipts and discharges for the payment of money or other obligations, transfer and assignments of securities and all paper writings.
- 1.2 Any headings used in the Bylaws of the Association are for convenience only. They shall not affect the construction or interpretation of the Bylaws.
- 1.3 The rules contained in the current edition of Robert's Rules of Order shall govern the Association in all applicable matters in the conduct of meetings, except where otherwise indicated in the Constitution or Bylaws.
- 1.4 Notwithstanding Bylaw 1.3, a quorum for any meeting of an Association committee, described or formed under the Constitution or Bylaws, shall be 50% of the voting members for that committee and, in addition, shall include any other requirement described in the Constitution or Bylaws.
- 1.5 An Officer or Steward on leave from her/his UWOSA duties under Constitution Article 8 or 9 shall not count for quorum for any purpose. Where a temporary appointment is made to replace such Officer or Steward, such temporary replacement shall count for quorum for all purposes.

Amended November 12, 2002, April 20, 2006, November 16, 2006, April 17, 2008, December 11, 2008

2. FINANCIAL YEAR

The financial year of the Association shall operate from May 1 to April 30 each year or on such other dates as the Council may from time to time by resolution determine.

Amended April 24, 2002

3. NOMINATION, ELECTION AND TERM-OF-OFFICE FOR OFFICIALS OF THE ASSOCIATION

- 3.1 Eligibility

To be eligible to stand as a candidate for election to any office, a person must be a member in good standing of the Association who agrees to accept the responsibilities of the position if elected. No other eligibility requirements exist or may be imposed.

3.2 Terms of Office

The term of office for all elected Executive Members and Stewards is two (2) years. Elected officials may stand for re-election.

3.3 Procedure for Nomination and Elections

3.3.1 Duties of the Elections Committee

The Elections Committee shall oversee nominations and elections in a fair and impartial manner, and shall do the following:

- a) Give notice to the membership, no later than the first business day in January, that nominations for all Executive and Steward positions are being accepted. This notice shall be in electronic format.
- b) Receive nomination forms which have been signed by the candidates until 4:00 pm the last business day in January. No late nominations will be accepted.
- c) Ensure all nominations are properly filed, and all candidates are members in good standing of the Association.
- d) Report the slate of candidates to the Executive Committee and Stewards Council, at their first meetings after the close of nominations, and notify the membership no later than the second Friday in February.
- e) Ensure all campaigns are conducted in accordance with these Bylaws and the Constitution, without unreasonably limiting the candidates' freedom to campaign for office.
- f) Organize and attend one public forum to which members are invited, where candidates for election may address those present.
- g) Prepare the ballots for election, listing the candidates for each office in alphabetical order.
- h) Conduct the vote which will be held on the first Thursday in March and ensure the following:
 - i) only members in good standing with UWOSA vote;
 - ii) the integrity of the election process is rigorously protected;
 - iii) all reasonable measures are taken to facilitate access to voting places (whether actual or electronic); and
 - iv) members' right to vote secretly is upheld.
- i) Secure and count the ballots immediately after the poll closes, allowing a representative of each candidate to be present during the count.
- j) Report the results to the Executive Committee and candidates. If there is no challenge to the results (see (3.3.2) below), report to the Stewards Council, and the membership at the earliest possible time.

3.3.2 Election Appeals Process

- a) During the campaign: any member may file a written complaint of any alleged infraction of election rules with the Elections Committee within 5 (five) calendar days of the

incident. The Elections Committee will investigate the complaint and, within the next 5 (five) calendar days, will communicate its decision in writing to the complainant. If the complainant is not satisfied with the response, he/she may refer the complaint to the UWOSA Business Manager who will record it as the first agenda item for the next Stewards Council meeting. The Council will render its decision at that meeting, which will be final.

- b) After the campaign: a candidate who wishes to contest an election result must do so by filing a written challenge with the Elections Committee within 48 hours of the poll closing. The Elections Committee will investigate the complaint and, within the next 2 (two) working days, will communicate its decision in writing to the complainant. If the complainant is not satisfied with the response, he/she may refer the complaint to the UWOSA Business Manager who will record it as the first agenda item for the next Stewards Council meeting. The Council will render its decision at that meeting, which will be final.

3.3.3 Rules for Candidates

a) Submission of Nominations

- i) Candidates may submit (one) (1) nomination only and stand for election to one (1) position only, in any election.
- ii) Candidates standing for Area Steward positions must work in the areas to be represented.
- iii) Candidates must submit signed nomination forms no later than 4:00 pm the last business day in January.
- iv) With the nomination form, each candidate may submit a biographical statement, or other comments relevant to the office being sought, up to a limit of 75 words. A digital photograph of the candidate may also be included. Links of any types included in candidates' submissions will not be permitted on the website. All candidates' statements and photographs will be posted in the Members Only area of the UWOSA website after nominations close.

b) Conduct During Campaigns

- i) Candidates' campaigns must conform with these Bylaws and the Constitution. This includes, but is not limited to, Bylaw 18 (Use of UWOSA Membership Information) and Constitution Article 3.4.
- ii) UWOSA Officials may not publicly endorse any candidates running for office.
- iii) Individuals external to UWOSA may not assist candidates in campaigns.
- iv) Use of social media (defined as media for social interaction, using highly accessible and scalable publishing techniques; social media use web-based technologies to turn communication into interactive dialogue): Candidates who utilize any form of social media are governed by the same rules that apply to other election campaign media and, additionally, must provide the Election Committee with access to their sites. The following disclaimer must appear on all materials in whatever medium is used: "The views expressed herein are those of the author, and do not necessarily represent UWOSA, nor should they be attributed to UWOSA or any other individual member".
- v) Candidates may not use UWOSA time or resources, or their UWOSA office to campaign, nor may they campaign during any UWOSA function(s).

- vi) Election Appeals: see Bylaw 3.3.2.

3.4 Removal of Elected Officials

3.4.1 The members of the Association may, by resolution passed by at least two-thirds (2/3) of the votes cast at a general meeting of which notice specifying the intention to pass the resolution has been given, remove any officer elected by the members before the expiration of their term of office. The resulting vacancy shall be filled according to the provisions of the Constitution.

3.5 Indemnities to Officials

Every elected and appointed official and their heirs, executors and administrators shall at all times, be indemnified and saved harmless out of the funds of the Association from and against:

- a) All costs and expenses which the official or representative incurs in any action or proceeding which is commenced or prosecuted against him in respect of any act or matter done or permitted by him in the execution of the duties of his office; and
- b) All other costs and expenses which he incurs in relation to the affairs of the Association, except the costs or expenses occasioned by his own willful neglect or default.

3.6 Protection of Officials and Council Stewards

The elected and appointed officials are not liable for any loss or damage suffered by the Association provided that they have acted in a fair, reasonable, and business-like manner.

Amended March 22, 2001, November 18, 2004, April 17, 2008, December 11, 2008, December 10, 2009, November 24, 2011

4. GENERAL MEETINGS

4.1 Eligibility to Attend Meetings

Non-members will be permitted to attend meetings only upon the advance approval of the Executive.

4.1.1 Regular General Meetings

In addition to the annual general meeting in April, at least one additional regular general meeting shall be called in any calendar year. The dates for regular general meetings shall be published as far in advance as possible. Notification shall be sent to the membership at least seven (7) days prior to the meeting.

4.1.2. Special General Meetings

Special general meetings are those called by the President in accordance with the Constitutional provisions. Notice shall be sent at least seven (7) days prior to the meeting.

4.1.3 Copies of the Agenda and Papers

The agenda and all documents to be submitted to a general meeting, including substantive motions not necessary for the ordinary conduct of business, shall be made available to members of the Association at least five working days in advance in the case of a regular meeting, and at least five working days in advance in the case of special meetings. All material should be sent to the Business Manager at least one week prior to the required advance notice. Permission to introduce material not so circulated into a general meeting must receive the unanimous approval of members present.

4.1.4 Chair

The Chair at regular, annual, or special general meetings shall normally be the Council Chair. In the absence of the Council Chair, the Executive may, however, designate any member of the Association to chair a meeting.

4.1.5 Quorum

A quorum at general meetings shall be twenty-five (25) members at large who are not elected or appointed as officers of the Association, or as members of the Stewards Council.

4.1.6 Order of Business

i) Regular General Meetings

The following shall normally be the order of business at regular general meetings. The order of business may, however, be determined by the Chair and varied only by a two-thirds vote of the members present.

- (a) Approval of the Agenda;
- (b) Approval of Minutes of the last regular meeting and of any intervening special meetings;
- (c) Business arising out of the Minutes;
- (d) Report of the President;
- (e) Report of the Treasurer;
- (f) Report of other Officers;
- (g) Reports of Standing Committees;
- (h) Reports of Special Committees;
- (i) Any unfinished business from previous meetings;
- (j) New Business.

ii) Annual General Meetings

The following shall normally be the order of business at the annual general meeting. The order of business may, however, be determined by the Chair and varied only by a two-thirds vote of the members present.

- (a) Approval of the Agenda;

- (b) Approval of Minutes of the last regular meeting and of any intervening special meetings;
- (c) Business arising out of the Minutes;
- (d) Report of the President;
- (e) Report of the Treasurer;
- (f) Approval the upcoming Budget;
- (g) Appointment of Auditor and fixing or authorizing the Executive to fix the remuneration;
- (h) Reports of other Officers;
- (i) Reports of Standing Committees;
- (j) Reports of Special Committees;
- (k) Any unfinished business from previous meetings;
- (l) New Business.

Amended April 17, 2008, December 11, 2008,

4.2 Debates and Divisions

4.2.1 Points of Order

Points of order shall be decided by the Chair, without debate, unless the decision is appealed.

4.2.2 Length of Speeches

No member may speak for more than five (5) minutes to any question except with leave of the meeting. The Chair shall be responsible for keeping account of the length of time a person has spoken.

4.2.3 Chair

The Chair may take part in any debate, but before doing so must appoint some other member to occupy the Chair. The Chair shall similarly vacate the Chair when presenting a report.

4.2.4 Divisions

Except as otherwise provided in these Bylaws or in the Constitution, questions shall be decided by a simple majority of members present and voting. A motion fails if there is a tie vote unless the Chair, exercising the right of the Chair to cast a deciding vote, votes yes. The Chair shall announce the result of each vote. In all questions, except a vote of adjournment, any member may require the "yeas" and the "nays" to be recorded.

4.3 Motions and Questions

4.3.1 Motions

After a motion is seconded, the Chair states the question before debate. All reports from committees shall be phrased in such a way that when action is expected of the meeting, the substantive material shall be in the form of a motion.

4.3.2 Order of Precedence

When a motion is under debate, no motion shall be received by the Chair except the following in order of precedence:

- (a) personal privilege;
- (b) to adjourn the meeting;
- (c) to close debate;
- (d) to limit or extend debate;
- (e) to lay on the table;
- (f) to postpone to a definite time;
- (g) to refer;
- (h) to amend the amendment;
- (i) to amend.

Amended April 22, 1998, December 10, 1998, April 24, 2002, November 14, 2002, April 17, 2008, December 11, 2008, April 25, 2011

5. MEETINGS OF THE STEWARDS COUNCIL

5.1 Eligibility to Attend Meetings

Meetings of the Stewards Council shall be open to all members in good standing of the Association, but they shall not have voting privileges. They shall not have the right to speak; however, the right to speak may be secured with the agreement of the majority of the Stewards Council present.

Notwithstanding the aforementioned provision, the Stewards Council shall have the right to meet in camera by the agreement of the majority of the Stewards Council present. Meetings of the Stewards Council pertaining to personnel and legal items shall be held in camera if a majority so agrees.

The Council may from time to time invite such persons as it considers necessary to attend and to speak at meetings of the Council. However, such persons shall not be entitled to vote.

5.1.1. Regular Stewards Council meetings

The Stewards Council shall normally meet twice per month

5.1.2 Special Stewards Council meetings

Special Stewards Council meetings are those called by the President in accordance with the Constitutional provisions. Notice of special Stewards Council meetings shall be sent to each Council member not less than one (1) day before the meeting is to take place.

5.1.3 Copies of the Agenda and Papers

The agenda and all documents to be submitted to a regular meeting of the Stewards Council shall normally be made available to members of the Council at least five (5) working days in advance of the meeting. All material should be sent to the Business Manager at least one (1) week prior to the required advance notice. Permission to

introduce material not so circulated into a Council meeting must receive majority approval of the members present.

5.1.4 Council Chair

The Chair shall normally be the member elected by the Stewards Council for the role. In the absence of the Chair, the Council may designate any member of Council to chair a meeting.

5.1.5 Quorum

Quorum shall be a simple majority of the Council. Among those present must also include at least two (2) Officers of the Association; one of whom is the President, Vice President, or Chief Steward.

5.1.6. Order of Business

The following shall normally be the order of business. The order of business may, however, be determined by the Chair and varied only by a two-thirds vote of the members present.

- a) Call to Order
- b) Approval of Agenda
- c) Nominations and Elections
- d) Approval of the Minutes of Last Meeting
- e) Review of Executive Minutes
- f) President's Report
- g) Chief Steward's Report
- h) Treasurer's Report
- i) Reports from Stewards
- j) Business Arising from Previous Meetings
- k) New Business
- l) Committee Reports
- m) Adjournment

5.2 Debates

5.2.1 Points of Order

Points of order shall be decided by the Chair subject to an appeal, without debate, to the meeting.

5.2.2 Length of Speeches

No member may speak for more than five minutes to any question except with leave of the meeting. The Secretary shall be responsible for keeping account of the length of time a person has spoken.

5.2.3 The Chair may take part in any debate, but before doing so must appoint some other member to occupy the Chair. The Chair shall similarly vacate the Chair when presenting a report.

5.3 Motions and Voting

5.3.1 Motions

When a motion is seconded it shall be read to the meeting by the Secretary before being debated. All reports from committees shall be phrased in such a way that when action is expected of the meeting, the substantive material shall be in the form of a motion.

5.3.2 Questions arising at any meeting of the Stewards Council shall be decided by a majority vote. At all meetings of the Stewards Council, every question shall be decided by a show of hands unless a poll on the question is required by the Chair or requested by any member of the Council. A declaration by the Chair that a resolution has been carried and an entry to that effect in the minutes is conclusive evidence of the fact without proof of the number or proportion of votes recorded in favour of or against the resolution. At the request of any member of the Stewards Council, that member's vote will be recorded in the minutes.

New April 24, 2002; Amended November 14, 2002, April 23, 2003, November 18, 2004, November 24, 2005, November 16, 2006, December 11, 2008, April 21, 2011

6. COMMITTEES AND OBSERVERS

6.1 GENERAL

6.1.1 Appointments: UWOSA Committees

Appointments to Association Committees shall be approved by the Executive on the recommendation of the Committee Chair. The Executive shall strive to ensure that a committee's membership represents as wide a diversity in classification, opinion and outlook as is possible.

The Executive shall appoint a chair for each committee of the Association, unless a Chair is otherwise specified in the Constitution or Bylaws.

The Business Manager shall serve as an ex officio member on all UWOSA standing committees without voting rights unless specified otherwise.

The Executive shall attempt, through the Association Newsletter and website, to keep the membership informed of committee and observer appointments.

6.1.2 Term

Members of Committees shall serve for a term of one (1) year from May 1 to April 30 and may be re-appointed. Members who are appointed after May 1 shall serve until the following April 30. Members of special committees shall normally serve until the committee is discharged.

6.1.3 Powers

Each Association committee shall have the power to create special sub-committees, provided that the Executive is informed of the terms of reference and membership of these sub-committees.

The chair of a committee may add additional members to the committee, provided that the Executive is informed and approves the need for additional members.

The chair of a committee may seek expert advice pertinent to the business of the committee. Any payment of a fee, relating to this advice, must not exceed the budgetary allocations of the committee.

6.1.4 Appointments: UWO and/or UWOSA/UWO Committees

Council will appoint nominees for UWO and/or joint UWOSA/UWO committees, in accordance with any relevant UWOSA policy. The number of nominees appointed will be determined by the Collective Agreement and, where there is no direct reference in the Collective Agreement, as guided by the Terms of Reference for that committee.

Council will review the appointment of nominees to any UWO and/or joint UWOSA/UWO committee on a biennial schedule according to any UWOSA member nominee's date of appointment. Council may also determine the length of appointment to any UWO and/or joint UWOSA/UWO committee for UWOSA member nominees.

Committee members may resign their appointment by giving reasonable notice, in writing, to the President. Committee members who fail to attend fifty per cent (50%) of the meetings in any four-month period may be deemed to have resigned by the Council.

Council may recall committee members if it is deemed that the members' actions or conduct is prejudicial to, or is not in the best interests of the Association.

6.2. Standing Committees:

6.2.1 Negotiations Committee

Membership:

The Vice President or his/her designate serves as chair, with not fewer than three other members of the Association in good standing. The Chief Steward and Vice President shall normally serve on the committee.

Duties:

- a) To collect information at local, Provincial and Federal levels pertinent to University salaries and benefits;
- b) To meet on a regular basis to develop policy positions on terms and conditions of employment which may serve as draft clauses for contract negotiations;
- c) To gather information from members regarding issues pertinent to contract negotiations;
- d) To prepare a salary/benefits brief;

- e) To form a team to negotiate changes to the collective agreement with the UWO. Members of the team shall be drawn from the committee as determined by the Executive and approved by Council.

6.2.2 Constitution and Bylaws Committee

Membership:

The Vice President or his/her designate serves as chair, with not fewer than three other members of the Association in good standing. The President and Membership Services Officer normally serve on the committee.

Duties:

- a) To review on a regular basis and provide clarity to the Constitution and Bylaws;
- b) To accept items from either the Executive Committee, the Stewards Council, other committees, and members of the Association for consideration, and to deliberate on such items in a timely fashion;
- c) To report in writing to the Stewards Council not less than once per fiscal year, and to recommend such changes as it considers warranted.

6.2.3 Education and Training Committee

Membership:

The President or his/her designate serves as chair with not less than three (3) other members of the Association in good standing, including the Vice President and Chief Steward.

Duties:

- a) Meet at least quarterly and report to the Executive on a quarterly basis;
- b) Develop and propose procedures for expenditures of the Education and Training budget to the Executive;
- c) Investigate and propose programs and policies which will advance the educational and training needs and interests of the Association membership;
- d) Establish criteria and adjudicate applications from members for education and training opportunities;
- e) On an annual basis, present a report to the Annual General meeting.

6.2.4 Finance Committee

Membership:

The Treasurer or his/her designate serves as chair, with not fewer than three (3) other members of the Association in good standing. Also, the Association Business Manager shall serve on the committee.

Duties:

- a) Meet at least quarterly and report to the Executive on a quarterly basis;

- b) Develop and maintain procedures to be approved by Council for purchasing of expenditures;
- c) On an annual basis, recommend the maximum percentage of total revenues to be used for operating funds to be approved by Council prior to the budget presentation to the membership;
- d) Develop, recommend and revise the annual budget before presentation to membership;
- e) Seek outside expert advice in reviewing investment vehicles for Association funds and recommending options to the Executive;
- f) Advise on one-time large issues brought forward involving finances;
- g) Establish procedures for payment distribution in the event of a strike.

6.2.5 Membership, Newsletter and Social Committee

Membership:

The Vice President or his/her designate and Membership Services Officer or his/her designate serve as co-chairs, with not fewer than three (3) other members of the Association in good standing.

Duties:

- a) To investigate and propose programs and policies which will advance the educational, social and cultural interests of the Association membership.
- b) To provide communications internal to the Association. This includes, but is not limited to the following duties:
 - i) To publish the Newsletter of the Association;
 - ii) To forward, or cause to be forwarded, items for the Association website publication;
 - iii) To construct and supply items for Stewards to post on Association bulletin boards.

6.3 Special Committees

6.3.1 Elections Committee

Membership:

Not less than three (3) members of the Association who are not running for election. Such members shall be appointed by the Executive, after a call is made to the general membership, not later than November 1 of the year before the election is held.- Should a member of the Committee later become a candidate for office, he or she will automatically be removed from the Committee and be replaced by another member not a candidate for election. The Business Manager shall be an *ex officio* member of the Committee without voting rights.

Duties:

- a) To choose a Chair at its first meeting;

- b) To secure the nomination of at least one candidate for each position;
- c) To publish the slate and invite additional nominations from the membership;
- d) To conduct the election, appoint scrutineers and publish the results.

6.3.2 Health and Safety Committee

Membership:

The Health and Safety Officer serves as chair of the committee with not less than three (3) other members of the Association in good standing, including a certified member of the UWO/UWOSA Joint Occupational Health and Safety Committee.

Duties:

- a) Maintain a watching brief on health and safety issues that affect the membership;
- b) Meet at the call of the chair or President as and when deemed necessary; and,
- c) Investigate questions and complaints arising from members concerning health and safety matters.

Amended March 22, 2000, March 23, 2001, April 24, 2002, November 14, 2002, November 24, 2005, April 17, 2008, December 11, 2008, December 10, 2009, April 21, 2011

7. ASSOCIATION STAFF

- 7.1 The Association shall employ staff. Term, salary, hours and duties of these positions shall be subject to a mutually satisfactory contract between the Association and the individual staff member. Terms and conditions of employment not specified in the contract shall be subject to mutual agreement between the staff member and the Executive Committee.
- 7.2 Performance reviews will be done on an annual basis by an Executive subcommittee, composed of three (3) members of the Executive.
- 7.3 From time to time, a subcommittee of the Executive will be formed to review office staffing requirements. The committee will be composed of one (1) member of the Executive and three (3) other members in good standing. The committee will be provided with a budget to seek outside expert advice in making their review.

Amended April 24, 2002, April 21, 2011

8. THE ASSOCIATION NEWSLETTER AND WEBSITE

8.1 Newsletter Name

The name of the newsletter shall be determined by the Stewards Council on the recommendation of the Membership, Newsletter and Social Committee.

8.1.1 Managing Editor

The Managing Editor of the newsletter shall be the Vice President who may appoint an Editor to assist in its publication.

8.1.2 Issuance and Circulation

The newsletter shall normally be published quarterly, and distributed to all members of The Association.

8.1.3 Editorial Policy

The Policy of the newsletter shall be determined by the Stewards Council. It is the responsibility of the Managing Editor to enforce the Editorial Policy.

8.2 Website

The President and Business Manager shall hold joint responsibility for the management of the website.

8.2.1 Editorial Policy

The Policy of the website shall be determined by the Stewards Council. It is the responsibility of the Managers of the Website to enforce the Editorial Policy.

Amended March 22, 2001, November 24, 2005, April 17, 2008, December 11, 2008, April 21, 2011

9. EXECUTION OF DOCUMENTS

9.1 Cheques, drafts, notes, etc.

All cheques, drafts or orders for the payment of money and all notes and acceptances and bills of exchange must be signed by any two of the President, Vice President, Treasurer, and Chief Steward. All documents so signed are binding upon the Association without any further authorization or formality.

9.2 Execution of Documents

Documents requiring execution by the Association must be signed by any two of the President, the Vice President, Chief Steward, Treasurer, and the employee of the Association designated by the Stewards Council and all documents so signed are binding upon the Association without any further authorization or formality.

9.3 Books and Records

The Executive shall see that all necessary books and records required by the Association are regularly and properly kept.

Amended November 24, 2005, December 11, 2008, April 21, 2011

10. BANKING ARRANGEMENTS

The banking business of the Association shall be transacted with such banks, trust companies or other financial institutions as may from time to time be designated by the Executive based on recommendations from the Finance Committee. The financial institution and investments will be chosen to fit the preference of the Association with regard to being accessible, safe, equitable and morally just. Such banking business or any part thereof shall be transacted under such agreements or instructions as the Executive may authorize.

Amended April 24, 2002, April 21, 2011

11. BORROWING BY THE ASSOCIATION

11.1 The Council may:

11.1.1 borrow money on the credit of the Association;

11.1.2 charge, mortgage, or pledge all or any of the real or personal property of the Association, including book debts to secure any securities or any money borrowed, or other debt, or any other obligation or liability of the Association.

11.2 From time to time the Council may authorize any director, officer or employee of the Association or any other person to make arrangements with reference to the money so borrowed or to be borrowed and as to the terms and conditions of the loan thereof, and as to the security to be given therefore, with power to vary or modify such arrangements, terms and conditions and to give such additional security as the Council may authorize, and generally to manage, transact and settle the borrowing of money by the Association.

Amended April 21, 2011

12. FINANCIAL RESTRICTIONS AND MANAGEMENT

12.1 Operating Fund

12.1.1 The Operating Fund shall be used to cover budgeted items in accordance with the Constitution and Bylaws, decisions taken through referendum votes, and decisions of the Council and Executive.

12.1.2 Operating funds shall be limited to the percentage of total revenue as approved by the Council under Bylaw 5.2.6(c).

12.1.3 Surplus left in the Operating Fund will be transferred to the Strike Fund on an ongoing basis.

12.2 Strike Fund

12.2.1 The Strike fund shall be used exclusively as directed in this article during a strike or lockout.

12.2.2 Monies may be paid out of the strike fund as directed by the Executive Committee for such expenses as they deem necessary.

The Executive Committee shall give priority to strike pay under Bylaw 11.2.3, but shall not through such priority allow the affairs of the Association or the operation of the strike or lock-out to suffer harm.

12.2.3 Strike pay shall be equal for all members, and will be paid subject to the following provisions:

1. Sufficient funds are available in the Strike Fund, in the operating account, or are borrowed under Bylaw 10.
2. Picket duties, or other normal strike activities are fulfilled by the member as directed by the Executive. A member shall maintain his/her entitlement to strike pay provided he/she continues to take part in such activities for the duration of the strike or lockout.
3. Members in receipt of Long Term Disability or Worker's Compensation Board payments are not eligible for strike pay.
4. Members not in good standing under Constitution Article 3 are not eligible for strike pay.
5. The Council shall, on recommendation of the Executive, approve such rules and procedures regarding strike pay as they deem necessary. Such rules and procedures will be communicated to the membership in accordance with Bylaw 15.3.4.

12.3 Budget

12.3.1 The Treasurer will prepare, and present to Council, an annual budget based on the recommendation of the Finance Committee and appropriate responsible parties. The proposed annual budget, and the maximum percentage of revenue designated for operating expenses set under Bylaw 11.1.2, shall be presented for final approval by the membership at the Annual General Membership Meeting. Copies of the proposed budget will be available to members for viewing in the Association Office, one week prior to the General Membership Meeting.

12.3.2 The Stewards Council, on the recommendation of the Executive, may re-distribute budgeted monies where operating priorities requires, but may not increase the total amount of money budgeted except as provided for in Bylaw 11.3.3.

12.3.3 The Stewards Council, on the recommendation of the Executive Committee, may amend the budget line for Legal Grievances and Legal Consultations so as to increase the total budget, but may not increase it such that the percentage of revenues designated for operating expenses in Bylaw 11.1.2 is exceeded.

12.4 Purchasing

Purchase of budgeted expenses shall be made by the Executive or their designate according to a procedure approved by the Council under Bylaw 5.2.6 (b).

12.5 Notwithstanding Constitution Article 15.1, the Stewards Council, on recommendation of the Executive Committee, may authorize donations and/or repayable loans with or without interest to other organizations in time of emergency need. Such instances may include, but are not limited to, legal strikes or lockouts of labour organizations. The amount of such donation or loan shall not exceed \$10,000 without approval of the membership. Loan documents shall not be

executed without approval of legal counsel. In no case shall such donations or loans place the operation of the Association at risk.

New April 24, 2002; Amended November 14, 2002, November 18, 2004, April 17, 2008, December 11, 2008, April 21, 2011

13. AUDITORS

The members shall, at each annual meeting appoint an auditor to audit the accounts of the Association, to hold office until the next annual meeting, provided that the officers may fill any casual vacancy in the office of the auditor. The remuneration of the auditor shall be fixed by the Council. Notice of appointment shall be sent promptly to the auditor by the Secretary.

Amended April 21, 2011

14. NOTICE

The accidental omission to give notice of any meeting or any adjourned meeting of the Executive, or Council or the non-receipt of any notice by any Council Steward or member of the Executive, or member, or by the auditor of the Corporation does not invalidate any resolution passed or any proceedings taken at the meeting. Any officer, member or the auditor of the Association may at any time waive notice of any meeting and may ratify and approve any or all proceedings taken thereat.

Amended April 21, 2011

15. EFFECTIVE DATE

This Bylaw shall come into force when confirmed by the members.

Enacted as By-law no. 1 by the officers of the Association at a meeting duly called and regularly held at which a quorum was present on the 12th day of March, 1997. Amended April 17, 2008, April 21, 2011

16. COLLECTIVE AGREEMENTS

- 16.1 A memorandum of agreement signed by the Negotiations Committee of The University of Western Ontario Staff Association (The UWOSA) and The University of Western Ontario (The UWO) shall not be binding upon the UWOSA's constituents until the terms of such an agreement are voted on by The UWOSA's constituents as specified in Bylaw 16.2 and Bylaw 13.3 (below).
- 16.2 All recommendations by the Executive Committee of the UWOSA, whether implicit or explicit, whereby the UWOSA's constituents are asked to ratify a contract proposal presented by the UWO shall be decided upon subject to the following:
 - 16.2.1 The Stewards Council have received an approved the submission of the contract proposal(s) to the UWOSA's constituents for a contract ratification vote.
 - 16.2.2 An information meeting(s) for all of the UWOSA's constituents (as) defined by the Ontario Labour Relations Board Certificate #2343-97-R, dated December 16, 1997) will

be called before a contract ratification vote is taken.

- 16.2.3 Notice and the agenda of the information meeting(s) must be sent to UWOSA's constituents at least five (5) working days in advance of the information meeting(s), except in the case where UWOSA has already withdrawn its services. Such notice will include the date(s), time(s) and place(s) of the meeting(s).
- 16.2.4 Where an information meeting for the purpose of a strike vote has been properly called under Bylaw 16.3, such meeting may be substituted by an information meeting for the purpose of Bylaw 16.2.2 either:
- (a) by the Stewards Council at any time prior to the meeting convening; or
 - (b) by a two-thirds majority vote of the members present at any time after the meeting convenes, but before it adjourns.
- 16.2.5 If, under Bylaw 16.2.4, an information meeting for the purpose of a strike vote is substituted by an information meeting for the purpose of contract ratification vote, and the notice of strike vote under Bylaw 16.3.5 has already been sent, the strike vote shall, for the purpose of this article, become a contract ratification vote as set out in Article 16.2.6. Such vote will be subject to all terms and conditions as set out in Bylaw 16.2 and, in particular, Bylaw 16.2.8.
- A properly called meeting for the purpose of Bylaw 16.2.2 may not be substituted by a meeting as set out under Bylaw 16.3.2.
- 16.2.6 Notice of the contract ratification vote must be sent to UWOSA's constituents at least five (5) working days in advance of the contract ratification vote, except in the case where UWOSA has already withdrawn its services. Such notice will include the date(s), time(s) and place(s) for voting. This notice period may be concurrent with the notice period described in Bylaw 16.2.3.
- 16.2.7 The contract ratification vote of UWOSA's constituents shall be taken by secret ballot at such date(s), time(s) and place(s) as designated by the Executive. Such vote shall be held, whereby it is reasonably possible for all the UWOSA's constituents to vote, but no more than five (5) calendar days after that meeting. The designated polling stations(s) shall remain open:
- a) for a minimum of eight (8) consecutive hours, but no more than three (3) hours immediately following an information meeting for the purposes of a contract ratification vote; or
 - b) for a combined minimum total of eight (8) hours, in the case of two (2) or more designated voting days; and
 - c) until all members who arrive at the polling station(s) before the designated time(s) in Bylaw 16.2.6 are able to vote.
- 16.2.8 A contract ratification vote shall require a majority (fifty percent plus one) of the ballots cast in order to be approved.
- 16.2.9 The results of the contract ratification vote shall be made known as soon as they are counted and verified. Written confirmation of the results of the contract ratification vote shall be sent to the UWOSA's constituents as soon as possible.

- 16.3 Any recommendation by the Executive Committee of UWOSA, whether implicit or explicit, whereby UWOSA's constituents are asked to withhold their services as part of the collective bargaining process as established in Ontario shall be decided upon subject to the following:
- 16.3.1 The Stewards Council has approved the recommendation that the UWOSA's constituents hold a strike vote.
 - 16.3.2 An information meeting(s) for all of UWOSA's constituents (as defined by the Ontario Labour Relations Board Certificate #2343-97-R, dated December 16, 1997) will be called before a strike vote is taken.
 - 16.3.3 Notice and the agenda of the information meeting(s) must be sent to UWOSA's constituents at least five (5) working days in advance of the information meeting(s). Such notice will include the date(s), time(s) and place(s) of the meeting(s).
 - 16.3.4 The UWOSA Stewards Council must provide full disclosure at the information meeting(s) of:
 - a) The current financial status of the UWOSA;
 - b) Whether or not it is intended to borrow funds under Bylaw 10.1, and if it is so intended, must state the maximum amount to be borrowed;
 - c) The current plans for any and all strike pay.
 - 16.3.5 Notice of a strike vote must be sent to the UWOSA's constituents at least five (5) working days in advance of the strike vote; such notice will include the date(s), time(s) and place(s) for voting. The notice period may be concurrent with the notice period described in Bylaw 16.3.3.
 - 16.3.6 The strike vote of UWOSA's constituents shall be taken by secret ballot at such date(s), time(s) and place(s) as designated by the Executive. Such vote shall be held whereby it is reasonably possible for all the UWOSA's constituents to vote, but no more than five (5) calendar days after that meeting. Each designated polling station(s) shall remain open:
 - a) for a minimum of eight (8) consecutive hours; but no more than three (3) hours immediately following an information meeting for the purposes of a strike vote, or
 - b) for a combined minimum total of eight (8) hours, in the case of two (2) or more designated voting days; and
 - c) until all members who arrive at the polling station(s) before the designated time(s) in Bylaw 16.3.5 are able to vote.
 - 16.3.7 A strike vote shall require a two-thirds majority vote of ballots cast in order to be approved.
 - 16.3.8 The results of the strike vote shall be made known as soon as the ballots are counted and verified. Written confirmation of the results of the strike vote shall be communicated to all members as soon as reasonably possible.

17. PERSONAL INFORMATION

- 17.1 In the course of providing representation to members, and in the daily conduct of Association business, representatives of the Association come into contact with information of a personal and confidential nature.
- 17.2 The Association will create, revise, and enforce such policies about the collection, storage, and use of such information as may from time to time be deemed necessary by the Executive Committee. Such policies shall be made available to members, and shall provide a complaint resolution mechanism for disputes.
- 17.3 The absence, at any time, of a policy under Bylaw 17.2 does not mitigate the responsibility of the Association to ensure that information is securely held and used exclusively for Association business and the representation of members.
- 17.4 Members, unless they provide notice to the contrary, are deemed by the Association to consent to the collection, storage, use, and disclosure of personal information in the normal conduct of business by the Association. Such notice shall be provided, dated and in writing, to the person identified in such policies as exist under Bylaw 17.2 or to the President.

New November 18, 2004, amended April 17, 2008

18. USE OF UWOSA MEMBERSHIP INFORMATION

- 18.1 Area Stewards, other elected officials and staff of the Association with access to e-mail, campus mail and home address lists in UnionWare or on any other UWOSA list, may use this information in the exercise of their UWOSA duties, subject to the following restrictions:
 - 18.1.1 All messages sent using these lists shall be related to the operations of the Association.
 - 18.1.2 No address lists in UnionWare or any other UWOSA list shall be used to send messages of a personal nature.
 - 18.1.3 The UWOSA Logo may not be used without prior permission of the Executive and may not be used at all for UWOSA election campaigns.
 - 18.1.4 Messages endorsing individuals running for any office outside of Western are forbidden.
 - 18..1.5 Messages endorsing individuals running for any office at Western are permitted, provided there is not an election where more than one UWOSA member is competing for the same role. In this case, no address list in UnionWare or on any other UWOSA list may be used to endorse one member in preference to another.
 - 18.1.6 Disparaging messages of any kind against UWOSA members are forbidden.

New April 21, 2011, amended November 24, 2011

