79M Bylaws Amendments to align with Unifor National Constitution

UNIFOR
theUnion | lesyndicat

HARASSMENT IN THE WORKPLACE

Harassment is not a joke. It is cruel and destructive behaviour against others that can have devastating effects. Harassment, by co-workers in particular, is contrary to our basic union principles of solidarity and equality.

It is an expression of perceived power and superiority by the harasser(s) over another person, based on their: sex, race, creed, colour, religion, ethnic origin, place of origin, sexual orientation, political affiliation, gender identity, gender expression, marital status, family status, disability, language, age, conviction for which a pardon has been granted, social and economic class, activism and participation in the union.

Harassment on any of these grounds can be made the basis of a complaint to most provincial and federal human rights commissions.

Harassment can be defined as any unwelcome action by any person, in particular, by management, customer, client and\or co-worker, whether verbal or physical, on a single or repeated basis, which humiliates, insults or degrades.

"Unwelcome" in this context means any actions which the harasser knows, or ought reasonably to know, are not wanted by the victim of the harassment.

Sexual harassment is any unwanted attention of a sexual nature, such as remarks about appearance or personal life, offensive written or visual actions, like graffiti or degrading pictures, physical contact of any kind, or sexual demands.

Racial harassment is any action, whether verbal or physical that expresses or promotes racial hatred in the workplace such as racial slurs, written or visually offensive actions, and jokes or other unwanted comments or acts.

Harassment based on religion includes defamation of religious imagery, mockery of religious practices, customs or religious wear, etc. It may involve singling out a person or a group for mistreatment based on their actual or perceived religion.

Bullying and personal harassment are deliberate actions such as offensive, malicious and/or cruel behaviour with the aim to humiliate, intimidate, undermine, or destroy the character or confidence of an individual or group of individuals, which may include teasing, ridicule, mobbing, repeating gossip or any other act or words that could psychologically hurt or isolate a member from other members, clients or peers. The policy includes any member in any type of relationship for example, domestic, intimate, common law partnerships.

ORIGINAL BYLAW (Article 1.4)

Affiliations - Local 79M of UNIFOR shall be affiliated with the Canadian Labour Congress (CLC), The Ontario Federation of Labour and the Metropolitan Toronto Council

REVISED BYLAW (Article 1.4)

Affiliations - Local 79M of Unifor, at the discretion of the executive board, in conjunction with the National Union, be affiliated with The CLC, The Ontario Federation of Labour and the Metropolitan Toronto Council

Changed affiliation language

ORIGINAL BYLAW (Article 1.5)

Geographical Jurisdiction - The geographic jurisdiction of Local 79M shall be in the Greater Toronto Area (GTA excluding already existing jurisdiction of locals 71, 72, 87, 700, Toronto News Bureau 720, 722 and 723.

REVISED BYLAW (Article 1.5)

Geographical Jurisdiction - The geographic jurisdiction of Local 79M shall be in the Greater Toronto Area (GTA), **Ottawa, and Barrie** excluding already existing jurisdiction of locals 71, 72, 87, 700, Toronto News Bureau 720, 722 and 723.

Added more locations

UNIFOR Local79m

ORIGINAL BYLAW (Article 4.2.2)

Subject to the discretion of the Executive Board, elected officers may remain in the office beyond their normal tenure to allow time for the installation of their successor. No term in office, however, shall exceed four (4) years in accordance to Article 14.03.04 of the CEP Constitution

REVISED BYLAW (Article 4.2.2)

Subject to the discretion of the Executive Board, elected officers may remain in the office beyond their normal tenure to allow time for the installation of their successor. No term in office, however, shall exceed four (4) years

Removed "in accordance to Article 14.03.04 of the CEP Constitution"

ORIGINAL BYLAW (Article 6.3)

Method of Payment - Initiation fees must be paid in cash, certified cheque or money order together with the new membership form.

REVISED BYLAW (Article 6.3)

Method of Payment - Initiation fees must be paid in cash, certified cheque, e-transfer or other forms of electronic payments or money order together with the new membership form.

Added additional payment options

UNIFOR Local 79m

ORIGINAL BYLAW (Article 6.8.1)

UNIFOR 79M shall administer two scholarships. The Ken Steele Memorial Scholarship and the Marc Plume / Todd Wonocott Memorial Scholarship.

REVISED BYLAW (Article 6.8.1)

Local 79M shall administer **three (3)** scholarships: The **Mike Kachurowski** Scholarship, The **Karlene Nation** Scholarship and the Marc Plume / Todd Wonocott Memorial Scholarship.

Added an additional scholarship, updated titles

ORIGINAL BYLAW (Article 6.8.2)

The Ken Steele Memorial Scholarship is a one thousand dollar ($1000.00) entitlement and shall be awarded to any UNIFOR 79M member who has a child in a recognized College or University full-time program and maintains a B+ average (75%). The UNIFOR 79M member must provide official transcripts of their child's grades, for the previous scholastic year, to the Local Treasurer.

REVISED BYLAW (Article 6.8.2)

The **Mike Kachurowski** Scholarship is a one thousand dollar ($1000.00) entitlement and shall be awarded to any UNIFOR 79M member who has a child in a recognized College or University full-time program and maintains a B+ average (75%). The UNIFOR 79M member must provide official transcripts of their child's grades, for the previous scholastic year, to the Local Treasurer.

Scholarship title change

ORIGINAL BYLAW

No previous by-law

REVISED BYLAW (Article 6.8.4)

The Karlene Nation Scholarship is a two thousand, five hundred dollar ($2500.00) award entitled to two (2) Unifor 79M member's children that identify as Black, Indigenous or a Person of Colour.

Added scholarship details

UNIFOR Local79m

ORIGINAL BYLAW (Article 1.1.3)

Authority - Local 79M of UNIFOR is organized subject to the Constitution and By-Laws of UNIFOR

REVISED BYLAW (Article 1.1.3)

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

Clarified language as per Constitution

ORIGINAL BYLAW (Article 5.1)

Eligibility – Eligibility for membership shall be in accordance with the provisions of the Unifor Constitution.

REVISED BYLAW (Article 5.1)

Eligibility – Eligibility for membership shall be in accordance with the provisions of the Unifor Constitution.

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 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, By-Laws 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 Union 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, may be grounds for the commencement of a charge against a member pursuant to Article 18 of the National Union Constitution.

ORIGINAL BYLAW (Article 3.1)

General Membership meetings shall be held in accordance with the provisions of the UNIFOR constitution and shall be held for each unit every three (3) months

REVISED BYLAW (Article 3.1)

General Membership meetings shall be held in accordance with the provisions of the Unifor Constitution and shall be held for each unit **at least** once every three (3) months.

Updated language to reflect Constitution

ORIGINAL BYLAW

No previous by-law

REVISED BYLAW (Article 3.5)

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 her/his right to vote at said meeting. Where necessary to maintain order, the member may be evicted from the meeting by order of the Chairperson.

Updated language to reflect Constitution

UNIFOR Local 79m

ORIGINAL BYLAW (Article 1.6)

Administration - The Local Executive Board shall be the legislative, administrative and judicial body of Local 79m. Authority to govern the Local shall be in accordance with the provisions of the Unifor Constitution and Local By-Laws.

REVISED BYLAW (Article 1.6(a, b,c))

Administration - The Local Executive Board shall be the legislative, administrative and judicial body of Local 79m. Authority to govern the Local shall be in accordance with the provisions of the Unifor Constitution and Local By-Laws.

(a) The membership is the highest authority of this Local Union and shall be empowered to take or direct any action not inconsistent with the Constitution or By-Laws.

(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, but the Executive Board may not take action affecting the vital interests of the Local Union without prior 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 by the Executive Board.

Updated language

UNIFOR Local79m

ORIGINAL BYLAW (Article 4.1.13)

Special elections shall be called when deemed necessary by the Executive Board.

REVISED BYLAW (Article 4.1.13)

Special elections shall be called when deemed necessary by the Executive Board, and follow the guidelines stipulated in the UNIFOR Constitution (Article 15 Section B)

Updated language to reflect Constitution

ORIGINAL BYLAW (Article 2.2.2)

A quorum of the Executive Board shall be six (6) members

REVISED BYLAW (Article 2.2.2)

A quorum of the Executive Board shall be a simple majority, in occurrence with the UNIFOR Constitution (Article 7, Section B)

Updated language to reflect Constitution

UNIFOR Local 79m

ORIGINAL BYLAW

No previous by-law

REVISED BYLAW (Article 5.9)

A vote on the question of recalling a Steward or Committeeperson may be initiated by a petition setting forth the reasons why the recall is sought, and signed by at least 25 percent of the current members working under the jurisdiction of the Steward or Committeeperson.

Twenty-five percent of the current members working under the jurisdiction of the Steward or Committeeperson must be present at the recall meeting to establish a quorum.

A two-thirds vote of those present and voting is necessary to recall.

This is in accordance with the UNIFOR Constitution
Article 15, Section E

Updated language to reflect Constitution

ORIGINAL BYLAW

No previous by-law

REVISED BYLAW (Article 2.11)

Committees may be established within Local 79m in accordance with the Constitution Article 15, Section D

These committees shall perform all duties assigned to them by the Constitution and By-Laws and such additional duties as they may be directed to perform from time by the Executive Board or the membership

Updated language to reflect Constitution

UNIFOR Local79m

ORIGINAL BYLAW (Article 6.7.2)

When traveling outside of the Local's jurisdiction, or when on Union related business, members of the Executive Board and Committee members are entitled to eighty dollars ($80.00) per diem. Per diems may not apply when suitable meals are provided.

REVISED BYLAW (Article 6.7.2)

When traveling outside of the Local's jurisdiction, or when on Union related business, members of the Executive Board and Committee members are entitled to **one hundred and ten dollars ($110.00)** per diem. Per diems may not apply when suitable meals are provided.

Updated per diem amount in accordance with Constitution

ORIGINAL BYLAW (Article 5.2)

In the event of an organizational campaign for a new group, the initiation fee and dues shall be reduced to the amount required by the effective labour legislation (currently $5.00 under the Canadian Labour Code and $1.00 under the Ontario Labour Code) as provided in the Unifor National Constitution

REVISED BYLAW (Article 5.2)

In the event of an organizational campaign for a new group, the initiation fee and dues shall be reduced to the amount required by the effective labour legislation (currently a minimum five dollars ($5.00) under the Canadian Labour Code)

Removed Ontario Labour Code

UNIFOR Local79m

ORIGINAL BYLAW (Article 2.8.6)

REVIEW OF DECISIONS - a member feeling her/himself aggrieved by some action of Local 79m or one of its representatives must initiate her/his complaint or appeal from that action to the Executive Board within 30 days of the time s/he is aware of the action or reasonably should have been aware

REVISED BYLAW (Article 2.8.6 (a,b,c))

REVIEW OF DECISIONS - a member feeling her/himself aggrieved by some action of Local 79m or one of its representatives must initiate her/his complaint or appeal from that action to the Executive Board within 30 days of the time s/he is aware of the action or reasonably should have been aware

(a) The Executive Board shall refer the matter to the Bargaining Committee (or Stewards Council) if it involves collective bargaining. Otherwise, the Executive Board shall consider the matter itself.

(b) Whichever of these bodies the matter is referred to shall consult with the grievant, permit her/him full opportunity to be heard, and shall reach a decision.

(c) Within 30 days of receiving a notice of such a decision, the grievant, if wishing to appeal further, shall submit her/his appeal to the Recording Secretary in writing for consideration by the earliest possible membership meeting.

Updated language to reflect Constitution

UNIFOR Local 79m

ORIGINAL BYLAW

No previous by-law

REVISED BYLAW (Article 9.3.3)

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 and/or Local Union property to the properly constituted Local Union Officers.

Recommended by Unifor National

ORIGINAL BYLAW

No previous by-law

REVISED BYLAW (Article 1.8)

PRONOUNS - Wherever in these By-Laws a pronoun is used it refers equally, where the reference is applicable, to both men and women in the singular and in the plural.

Recommended by Unifor National

UNIFOR Local 79m

ORIGINAL BYLAW (Article 4.6.2)

All elections will be held during a General Membership Meeting. The General Membership Meeting will take place from 9am to 9pm. There shall be no proxy votes. Proxy or write in votes shall not be counted. 79M members who live outside of Southern Ontario may vote either by post or a suitable electronic method

REVISED BYLAW (Article 4.6.2)

Given that Local 79M being an amalgamated local with members in multiple provinces and time zones, all elections will be held during either a Membership Meeting(s) or a Special Meeting(s). These meetings may take place virtually or in person. To accommodate all members, multiple meetings will be scheduled 9pm. There shall be no proxy votes. Proxy or write-in votes shall not be permitted between 9am to or counted. Voting may be done by a suitable electronic method or in person if the meeting is held in person.

Updated to reflect Local 79m position on virtual meetings

UNIFOR Local79m