

BY-LAWS



EFFECTIVE MARCH 2018

By-Laws for Telecommunications Workers Union (TWU), United Steelworkers Local Union 1944 – March, 2018

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ARTICLE I

Name

This organization shall be known as Telecommunications Workers Union (TWU), United Steelworkers Local Union 1944 (hereinafter also referred to as "Local Union", or "this Amalgamated Local Union," or "the Amalgamated Local Union".¹

ARTICLE II

Objects

First. To unite in this Local Union all working men and working women who are members of the United Steelworkers (hereinafter referred to as the "International Union") and who are within the jurisdiction of this Local Union.

Second. To establish through collective bargaining adequate wage standards, shorter hours of work and improvements in the conditions of employment for workers in industry.

Third. To engage in educational, legislative, political, civic, social, welfare, community and other activities; to advance and safeguard the economic security and social welfare of workers in industry, the International Union, its Local Unions and the free labour movements of Canada and the world to seek to eliminate all forms of discrimination; to protect and extend our democratic institutions and civil rights and liberties; and to perpetuate and extend the cherished traditions of democracy and social and economic justice in Canada and the world community.

Fourth. To encourage the organization and affiliation of unorganized workers who, subject to the provisions of Article VII, Section 1 of the International Constitution, may be placed within the jurisdiction of this Local Union.

Fifth. To take all steps and actions consistent with the Constitution and policies of the International Union, and these By-Laws, to implement and carry out the objects, rights, activities and responsibilities of this organization and the International Union.

ARTICLE III

Eligibility

Section 1. All members in good standing of the International Union who are within the jurisdiction of this Local Union shall by virtue of such membership in the International Union, constitute the membership of this Local Union.

Section 2. Persons having supervisory power shall be eligible for membership subject to the terms established by the International Executive Board.

¹ The term "Local Union" shall be interpreted to mean "Amalgamated Local Union" for the purposes of these By-Laws.

Section 3. No person shall be eligible for membership, or for nomination or election or appointment to, or to hold any office, or position, or to serve on any Committee in the International Union or in this Local Union or to serve as a delegate who is a consistent supporter of, or who actively participates in, the activities of any hate based-racist, terrorist, or other organization which advocates violence to affect government policy or to oppose the democratic principles to which Canada and the United States and our Union are dedicated.

This eligibility requirement shall be in addition to any other eligibility requirement imposed by any other Article or Section of the International Constitution or of these By-Laws.

ARTICLE IV

Election of Officers and Unit Positions

Section I(a). The Officers of this Amalgamated Local Union shall be: President who shall be headquartered in the Lower Mainland of British Columbia, one (1) Vice-President who shall be headquartered in the Lower Mainland of British Columbia), one (1) Vice-President who shall be headquartered east of the British Columbia/Alberta border, in the Local Union 1944 office closest to their residence, Secretary-Treasurer who shall be headquartered in the Lower Mainland of British Columbia, Regional Executive Officers, and three (3) Trustees. Regional Executive Officers will be allocated by province with each province within this Amalgamated Local Union containing a charter entitled to, at minimum, one Regional Executive Officer. The number of Regional Executive Officers will be based on the formula one Regional Executive Officer for the first 1-2500 members in that province, plus one additional Regional Executive Officer for each additional 2500 members or portion thereof in that province.

In addition to these Officers, there shall also be (a) position(s) in this Amalgamated Local Union known as the Local Union Representative. The Local Union Representative shall be an employee of the Amalgamated Local Union and all appointments shall be reviewed on an annual basis. The Local Union Representative shall not by virtue of that position be an Officer and shall not be responsible for setting policy for the Local Union in the capacity of Local Union Representative. However, a duly elected Officer of the Local Union may serve as the Local Union Representative.

It shall be the duty of the Local Union Representative to assist the Units in the handling of complaints and grievances; where contractually appropriate, to conduct an appeal step in the grievance procedure, where applicable to assist Staff Representatives and other representatives of the International Union in the handling of grievances and the preparation of arbitration cases; to assist in the negotiation of collective bargaining agreements; to engage in organizing activity in accordance with these By-Laws; and to perform such other duties as the District Director may assign, and, where consistent with these By-Laws, the Constitution, the policies of the International Union or any assignments by the District Director, such other duties as the Local Union may assign.

(b) In addition to the Local Union Officers identified in Section I(a) of this Article, there shall be the following Unit positions: one (1) Unit Chair, one (1) Unit Vice-Chair, one (1) Unit Secretary, and no less than one (1) Unit Counsellor. A member may hold more than one of the positions referred to in this Section I(b).

Section 2. No member shall at the same time be a candidate for or hold more than one of the offices named in Section I(a) of this Article.

Section 3(a). Local Union Officers and Unit Officials shall be elected for a term of three (3) years on such day(s) and/or at such hours in April 2018 as the Executive Board shall determine and which will enable all members who so desire to vote. Election shall be by a plurality vote of the members in good standing participating in a secret ballot vote. Those elected in April 2018 shall be installed on such day and at such hours in May 2018 as the Executive Board shall determine and shall serve until their successors are elected and qualified, at which time all money, official records, and documents, and all property belonging to the Local Union shall be turned over to such successors.

Subsequent elections for Local Union Officers and Unit Officials shall take place on a triennial basis, with the next immediately following election taking place in April 2021 in accordance with the election cycle set out in the International Constitution.

In order to effect a smooth transition between an outgoing salaried officer and the newly elected or appointed salaried officer for the same position, there will be a transition period of six weeks (42 days) beginning the day immediately following the day of the election or appointment of the new salaried officer. During this transition period, it will be incumbent on the outgoing salaried officer to work closely with the new salaried officer.

3(b). Persons occupying Unit positions shall be elected by a plurality vote of the members in their respective Units, who are in good standing, participating in a secret ballot vote.

In any case in which only one eligible member has been nominated for a Local Union office or Unit position and that member has indicated acceptance of the nomination within the time limits and in the manner prescribed by the approved By-Laws or rules of the Local Union, no election need be held for that office or Unit position, and the member who has been so nominated shall be deemed elected. An Officer or Unit Official who retires from an enterprise serviced by the Local Union shall not be permitted to continue in office.

Section 4. The date of the Local Union elections for Local Union Officers and Unit positions must be advertised among members at least fifteen (15) days previous to the date of the election by mailing notice of the date, place and hours of the election to each member in good standing at the member's last known home address. The notice must also specify the Local Union Offices and Unit positions to be filled.

Nominations for the Local Union Officer positions named in Section 1 (a) of this Article and nominations for the Unit positions named in Section 1 (b) of this Article shall be made at the Unit meetings in March 2018 and triennially thereafter, on such day(s) and/or at such hours as the Executive Board shall determine and which will enable all members who so desire to participate. Notice of the nominations for Local Union and Unit offices shall be given to the membership at least one (1) week in advance of the date(s) set for nominations.

Section 5. No member shall be eligible for election as a Local Union Officer or election to a Unit position in any regular election or election to fill a vacancy unless:

(a) The member shall have been in continuous good standing for a period of twenty-four (24) months immediately preceding the month in which the election is held²; and

(b) The member is employed in an enterprise, public or private, or other place within the jurisdiction of the Local Union; and

² If the member's Unit has been in existence for a lesser period prior to the election, the member must have been in continuous good standing from the time the member joined such Unit.

(c) The member shall have attended at least one third (1/3) of the regular meetings held by the member's Unit, if the member's Unit has regularly scheduled meetings, during the twenty-four (24) month period immediately preceding the month in which the election is to be held.

Meetings which a member was prevented from attending because of such member's Union activities, working hours, service in the armed forces of Canada or the United States, sickness which confines, death in the immediate family, or jury duty, shall not be counted as meetings held in determining such member's eligibility under this Section; provided, that the member shall have the burden of proving inability to attend for one of the prescribed reasons, in accordance with procedures specified in the Local Union Elections Manual. Any member who claims inability to attend a Unit meeting because of a 'sickness which confines' must notify the Unit Secretary within one month of such meeting; otherwise the meeting will be counted as a meeting held in determining such member's eligibility under this section.

Section 6. Local Union and Unit elections shall be conducted in accordance with the provisions of the Local Union Elections Manual adopted by the International Union except as modified by these By-Laws.

ARTICLE V

Duties of Officers and Unit Positions

Section 1. Duties of President.

(a) The President shall preside at all meetings of the Local Union and preserve order, and shall decide all questions of order, subject to an appeal to the Local Union. The President shall have the right to vote at all elections of Officers, and when the members are equally divided on other questions, shall have the deciding vote.

(b) The President shall enforce the provisions of the International Constitution and of these By-Laws and the policies and Manuals of the International Union, and shall appoint all committees not otherwise provided for and be ex officio member of all committees. The President shall perform such other duties as the Local Union may assign.

(c)(1) In the event that a vacancy occurs in the office of a Vice-President, Secretary-Treasurer, Regional Executive Officer or Trustee at any time during the term of office, the remaining Local Union Officers shall, by majority vote select a successor to serve for the remainder of that term.

(c)(2) The Local Union Officers may, at their discretion, hold an election to seek the guidance of the membership before selecting a successor to fill a vacancy in any of the offices described in (c)(1). When this option is used, the President shall appoint a member of the Local Union to fill the vacancy until such election can be completed and a successor appointed to fill the vacancy. The President shall call for a special election as promptly as possible but such election shall not be held later than two (2) months following the occurrence of the vacancy. The date of the special election shall be advertised among the members at least one (1) week prior to that date.

Nominations for the vacant position shall be made on such day(s) and/or at such hours as the Executive Board shall determine and which will enable all members who so desire to participate. Notice of the nomination for the vacant position shall be given to the membership at least one (1) week in advance of the date set for nominations.

(c)(3) Wherever a Local Union Officer (except President), because of receipt of an extended vacation benefit or otherwise, will be unable to serve during an extended temporary period, a temporary

replacement will be designated as provided in sub-paragraph (c)(5) of this section. The temporary replacement shall carry out all the duties of the office or post during such temporary period.

(c)(4) Where the temporary vacancy is in the office of the Local Union President, a Vice-President shall assume the duties of the President including the authority to be one of the signatories to cheques, and shall be known as "Temporary Acting President." When the temporary period has ended, the "Temporary Acting President" shall revert to the position of Vice-President.

(c)(5) Where the temporary vacancy is in a Local Union Office (other than President), the Local Union Officers shall, by majority vote, select a "Temporary Acting" replacement. A Temporary Acting Secretary-Treasurer shall be authorized, during the temporary period of their service, to be a signatory to cheques. A replacement shall serve only until the temporary period is ended.

(c)(6) In the event of a vacancy among the Officers, none of the remaining Officers either alone or acting together may perform the functions of the vacant office but rather the vacancy must be filled in accordance with the provisions set forth above.

(c)(7) In the event a vacancy (other than a temporary vacancy) occurs at any time in a Unit position, the remaining Unit officials together with the Local Union Officers, shall, by majority vote, select a successor to serve the remainder of the term; provided, however, that the member so selected shall be from among the-members within the Unit in which the vacancy occurs.

(c)(8) Where a temporary vacancy occurs in a Unit position, a "Temporary Acting" replacement shall be selected by majority vote of the Unit Officials and the Local Union Officers.

Section 2. Duties of Vice-President. The Vice-Presidents shall assist the President in the discharge of the President's duties and during the President's absence a Vice-President shall perform the duties of the President. In the event that a vacancy occurs in the office of President, the remaining Local Union Officers shall, by majority vote select the Vice-President that shall act as President for the unexpired term.

Section 3. Duties of Secretary-Treasurer.

(a) The Secretary-Treasurer shall record the proceedings of the Local Union in a book kept for that purpose, read all papers and perform such other duties as are required by the International Constitution, these By-Laws, the various Manuals and policies of the International Union, and the Local Union. The Secretary-Treasurer shall also have custody of the Local Union Seal, and shall be responsible for any misuse of same.

(b) The Secretary-Treasurer shall read to the Executive Board meeting and/or the Local Union Delegated Meeting communications which require attention.

(c) The Secretary-Treasurer shall receive all money due the Local Union, and shall deposit all money belonging to the Local Union in a bank designated by it. All initiation fees and dues shall be deposited in a separate bank account to be designated as a trust fund for the International Union. The Secretary-Treasurer shall sign all cheques and have them countersigned by the President. At the option of the Local Union, up to three (3) Local Union employees or Officers who are designated in advance and bonded can serve as an alternative signatory when the President is not available.

The Secretary-Treasurer shall also keep accurately the accounts of the Local Union with its members, and shall at all times have the books open for examination by the Trustees, and perform such other duties as are required by the International Constitution, these By-Laws, the various Manuals and policies of the International Union, and the Local Union. The Secretary-Treasurer shall make out the various reports

required by the International Secretary-Treasurer and forward such reports to the International Secretary-Treasurer in accordance with instructions.

(d) Should it be proved that the Secretary-Treasurer has failed to report monthly the full membership of the Local Union as provided for in the report to the International Secretary-Treasurer and transmit the full amount of initiation fees and dues, the Secretary-Treasurer shall be suspended from all privileges and benefits until the deficiency is made good, and shall be liable to the International Union for the full amount unpaid.

(e) The Secretary-Treasurer shall keep a record of all transfer request forms issued and received.

(f) The Secretary-Treasurer's accounts shall be subject at all times to audit by the International Secretary-Treasurer.

(g) The Secretary-Treasurer shall make a detailed financial report at each Local Union Executive Board meeting covering the receipts and expenditures of all funds of the Local Union. If the expenses of the Local Union exceed its current income or impair its reserves, the Secretary-Treasurer is obliged to call this fact to the attention of the membership.

(h) All money paid out by the Local Union from its treasury must be approved by the Executive Board. Under no circumstances shall Officers or members pay bills without authorization by the Executive Board, nor shall Officers or members authorize payment of any bill or incur any obligation for which funds are unavailable, nor shall Officers or members authorize the payment of or incur a debt for any activity not in accordance with the Constitution and policies of the International Union and these By-Laws. Bills charged to the Local Union shall be submitted to the Secretary-Treasurer for approval.

(i) Recurring standard bills (fixed salaries which have been previously authorized, taxes at all levels, rent, light, heat, etc.) may be paid by the Secretary-Treasurer on a single authorization by the Executive Board to pay such bills when due.

Section 4. Duties of Regional Executive Officers

(a) Regional Executive Officers shall be members of the Executive Board and shall attend meetings of the Executive Board, act as liaisons to the United Steelworkers Canadian district offices when assigned, act as a liaison with and sit on various committees when assigned.

(b) They will perform any other duties as may be required and assigned.

Section 5. Duties of Trustees.

It shall be the duty of the Trustees to have charge of the hall and all property of the Local Union, subject to the direction of the Local Union. They shall audit the books and financial records of the Local Union every three months and give a report of such audit at the next regular Local Union Executive Board meeting and Local Union Delegated meeting.³ They shall perform such other duties as the Local Union may require.

Section 6. Duties of Unit Positions

(a) Unit Chair. It shall be the duty of the Unit Chair to preside at all meetings of the Unit; to decide all questions of order, subject to appeal to the Local Union; and, consistent with the provisions of these By-Laws and the Manuals, policies and Constitution of the International Union, to perform such other duties

³ The Trustees should give special attention when checking disbursements recorded by the Secretary-Treasurer that proper authorizations for such payments have been entered by the Secretary-Treasurer in the Minutes of the Local Union.

as the Unit or the Local Union may assign. The Unit Chair shall be an ex-officio member of all committees in their Unit, and shall appoint all committees within the Unit not otherwise provided for.

(b) Unit Vice-Chair. The Unit Vice-Chair shall assist the Unit Chair in the discharge of the Unit Chair's duties and during the Unit Chair's absence the Unit Vice-Chair shall perform the duties of the Unit Chair.

(c) Unit Secretary. It shall be the duty of the Unit Secretary to record the attendance and the proceedings of the Unit in books kept for that purpose, to read all papers and to perform such other duties, consistent with these By-Laws and the Manuals, policies and Constitution of the International Union, as the Unit or the Local Union may assign.

(d) Unit Counsellors. It shall be the duty of the Unit Counsellors to process complaints and grievances, within their respective Units and in accordance with the appropriate collective bargaining agreement and, consistent with these By-Laws and the Manuals, policies and Constitution of the International Union to perform such other duties as the Unit or the Local Union may assign.

Section 7. This Local Union shall enforce the International Constitution, the various International Manuals and policies, and these By-Laws, as affecting its membership.

The funds and property of the Local Union shall be managed, invested, expended or otherwise used to implement and carry out the objects, rights, activities, and responsibilities of the Local Union or the International Union, and to administer the affairs of the Local Union, in accordance with the Constitution, Manuals and policies of the International Union and these By-Laws.

Section 8. It shall be the duty of the President and Secretary-Treasurer to insure that the funds and property of the Local Union are preserved, managed, invested and expended in accordance with the International Constitution, Manuals and policies and these By-Laws.

Section 9. A member who accepts an office in this Local Union agrees to carry out the duties of the office on behalf of the Local Union's entire membership. In so doing, the member agrees to place the interests of the Local Union and its membership above their own.

As part of their responsibilities of office and to the membership they serve, Local Union officials must avoid conflicts of interest. As outlined by the International Union's Executive Board, those conflicts of interest include the following:

(a) Local Union officials should not own or have a substantial business interest in any business enterprise with which this Local bargains collectively. Nor should Local Union officials have a substantial business interest in any business enterprise which is in competition with any employer with which this Local bargains collectively.

(b) Local Union officials should not own or have a substantial business interest in a business enterprise that in a substantial way buys or sells to or otherwise deals with an employer with which this Local bargains collectively.

(c) The provision of paragraphs (a) and (b) above do not apply in the case of an investment in the publicly traded securities of widely held corporations which investment does not constitute a substantial enough holding to affect or influence the course of corporate decisions.

(d) Local Union officials should not accept "kickbacks", under-the-table payments, loans, or gifts of other than nominal value from an employer or business enterprise with which this Local bargains collectively.

Nor may a Local Union official accept any personal payment of any kind from such an employer or business enterprise other than the regular pay and benefits they earn for work performed as an employee. (e) The aforementioned principles set forth in this section apply not only where investments are made by Local Union officials but also where third persons are used as blinds or covers to conceal the financial interests of Local Union officials.

**ARTICLE VI
Compensation for Services**

Section 1. Salaries and expenses for Officers and employees of this Amalgamated Local Union shall be as follows.

(a) The President, Vice-Presidents, and Secretary-Treasurer shall all be considered full-time "Salaried Officers" of the Local Union. The salaried Officers shall be paid on a bi-weekly basis, based on the annual salary below:

	July 1, 2015	January 1, 2019	January 1, 2020
President	\$98,141.75	\$100,104.59	\$102,106.68
Vice-President	\$91,373.36	\$93,200.83	\$95,064.84
Secretary-Treasurer	\$91,373.36	\$93,200.83	\$95,064.84

Effective January 1, 2021, each January 1, the annual salary for the Local Union Salaried Officers shall be changed by the same percentage that average earnings for all USW Amalgamated Local Union 1944 members for the most recent calendar year changed from the average annual earnings for the year which preceded it.

(b) Salaried Officers shall be provided with a benefit package comparable to the package that was in effect for the Salaried Officers on January 1, 2015. This shall include, but not be limited to, a pension plan, Employee Share Purchase Program, Performance/Bonus Incentive Program, Maternity Leave Top-Up Program, etc. This benefit package shall be subject to annual review by the Executive Board.

(c) Salaried Officers shall be entitled to Extended Health and Dental benefits, as well as Short Term and Long Term Disability benefits when medically qualified. The costs of such benefits shall be reviewed annually by the Executive Board. Where applicable, Salaried Officers shall also be entitled to apply to the TWU-USW Employee Life and Health Plan.

(d) Salaried Officers that require a vehicle for official Local Union business shall be entitled to one of two options:

- (1) mileage, or
- (2) a monthly vehicle allowance as well as use of a fuel card for the purchase of fuel, windshield washer fluid, and car washes.

(e) To qualify for the vehicle allowance program, the Salaried Officer must have proper use and liability insurance which includes coverage for business use. The vehicle must have four (4) or more doors, not be older than ten (10) years, be in good working order and presents well.

(f) Parking fines, traffic infringements, and vehicle repairs are the responsibility of the owner and will not be reimbursed by the Local Union.

(g) The monthly vehicle allowance in effect January 1, 2015 is in the amount of \$900.00. No Salaried Officer shall lose their vehicle allowance or fuel card within their term unless they no longer have use of a vehicle for a period of at least one (1) month. These are considered taxable benefits.

(h) Salaried Officers electing for the mileage option will be paid at the rate in accordance with the policies of the International Union.

Section 2. All tax requirements in connection with the above payments shall be complied with.

Section 3. Pursuant to voluntary authorization of dues deductions, the Secretary-Treasurer shall be responsible for establishing a procedure to deduct from the Union pay of Local Union Officers, Unit Officials, and/or representatives monthly dues which are not deducted by the company in any given month.

Section 4. Any Officer or member on sanctioned Local Union business who has been pre-approved for expenses by the Local Union Secretary-Treasurer, President, or a Vice-President shall be entitled to per diems. These per diems shall be as per the guidelines of the International Union Board. While in the United States on sanctioned union business, all expenses and per diems will be paid at the US dollar amount converted into Canadian dollars.

ARTICLE VII

Meetings

Section 1. (a) The Local Union shall hold a Local Union Delegated meeting at least once every three (3) years nationally. Resolutions for changes to these Local Union By-Laws, that are voted upon and approved by the majority of delegates in attendance at these Local Union Delegated meetings shall be subject to being voted upon by the Local's membership. The Local Union shall pay the normal and usual expenses incident to the Local Union Delegated Meetings.

(b) Delegates to any Local Union Delegated Meeting shall be elected by Units. Unit entitlement to Delegates shall be determined using the following calculation:

Regional Minimum Representation shall be on the following basis as determined by the official Regional membership count as determined by the Secretary-Treasurer on November the 1st preceding the Local Union Delegated Meeting: 1 delegate for each 100 members.

Each Unit Minimum Representation shall be on the following basis, as determined by the official membership record in the Secretary-Treasurer's office on the November 1st preceding the Local Union Delegated Meeting: 1-100 one delegate, and one delegate for each 200 or portion thereof.

The difference between the total numbers of delegates elected by the Units in the Region, and the Regional Minimum Representation for that Region shall be calculated. Where the number of delegates selected by Units within the Region equals or exceeds the Regional Minimum Representation no further action shall occur.

Where the total number of delegates to be selected by Units within the Region is seen to be lower than the Regional Minimum Representation, then this shortfall of representation shall be distributed for selection by the Units within that Region as additional delegates. This distribution shall be as follows: each Unit within the Region shall be listed largest to smallest. Starting at the largest and working toward the smallest, each Unit shall be eligible to select one (1) additional Delegate. This distribution shall continue until the shortfall of representation is exhausted. If all Units have selected one (1) additional delegate and there is still a shortfall, the largest Unit will be eligible to select one (1) Additional Delegate. This distribution shall continue until the shortfall of representation is exhausted. The total number of delegate positions distributed to Units shall not exceed the shortfall in representation.

Section 2. The Local Union shall hold an Executive Board meeting no less than once per quarter.

Section 3. Each Unit of this Local Union shall hold regularly scheduled membership meetings.

Section 4. Any Officer of this Local Union and any Officer or authorized representative of the International Union may attend to report to any Unit meeting.

ARTICLE VIII

Membership

Section 1. No applicant for membership shall be regarded as being a member in good standing until the full amount of initiation fee has been paid.⁴

Section 2. A member shall pay dues promptly commencing with the month during which the member shall have been admitted, and shall continue to pay all dues, assessments and fines or other obligations promptly when due in order to be and remain in good standing.⁴

Section 3. A member who has not lost good standing under other provisions of the International Constitution shall be in good standing if not more than three (3) months in arrears in any constitutional obligations, except in respect to assessments on which the member shall be not more than one (1) month in arrears.

⁴ Please note the provision in the Local Union Elections Manual which specifies that a recently hired employee who has signed and delivered to the company and/or Local Union a dues check-off and membership application card is considered to have satisfied the dues payment requirement for membership even though the member's first dues payment has not yet been deducted by the Company.

Section 4. Members who lose good standing shall stand automatically expelled and devoid of all membership rights,⁵ and shall not be reinstated in good standing except upon such terms as the Local Union and the International Executive Board may decide.

Section 5. Any member who retains employee status in a bargaining unit represented by the International Union but who because of layoff has not, for twenty-four (24) continuous months, performed at least (5) days' work in any month in such bargaining unit shall be deemed not in good standing (but not expelled) and devoid of all membership rights until such time as the member is recalled or obtains employment in a bargaining unit represented by the International Union and resumes payment of current dues, at which time the member shall automatically be restored to good standing. No Local Union Officer shall lose good standing under this Section for the remainder of the term in office.

Section 6. A member not in good standing shall not be permitted to vote, nominate for office, hold office, or be a candidate for office.

Section 7. A member whose membership is terminated shall have no right or interest in any property of the Local Union or of the International Union, including any dues, assessments or other financial obligations paid by such member in advance of the effective date of such termination.

ARTICLE IX

Discipline

Section 1. Any member may be penalized for committing any one or more of the following offenses:

- (a) violation of any of the provisions of the International Constitution or of these By-Laws, any collective bargaining agreement, or rule of the Local Union;
- (b) obtaining membership through fraudulent means or by misrepresentation;
- (c) instituting, or urging, or advocating that a member of any Local Union institute action outside the Union against the International Union, Local Union or any of their Officers without first exhausting all remedies through the forms of appeal of the International Union;
- (d) advocating or attempting to bring about the withdrawal from the International Union of any Local Union or any member or group of members;
- (e) publishing or circulating among the membership false reports or misrepresentations;
- (f) working in the interest of or accepting membership in any organization dual to the International Union;
- (g) slandering or willfully wronging a member of the International Union;
- (h) using abusive language or disturbing the peace or harmony of any meeting in or around any office or meeting place of the International Union;
- (i) fraudulently receiving any money due the organization or misappropriating the monies of the organization;

⁵ Automatic expulsion for loss of good standing must be construed as being confined to situations wherein members have not paid their dues fixed in accordance with these By-Laws, and all their assessments or other financial obligations which have been imposed by the International Union. Failure to meet financial obligations which have not been imposed by the International Union may not result in automatic expulsion but must be treated on the same basis as a commission of any other type of an offense by a member of the Union as provided in Articles XII and XIII of the International Constitution and Articles IX and X of these By-Laws.

- (j) using the name of the Local Union or the International Union for soliciting funds, advertising, etc., of any kind without the consent of the appropriate body or Officer of the International Union;
- (k) furnishing a complete or partial list of the membership of the International Union or of any Local Union to any person or persons other than those whose official position entitles them to have such a list;
- (l) deliberately interfering with any official of the International Union in the discharge of that official's duties;
- (m) deliberately engaging in conduct in violation of the responsibility of members toward the organization as an institution; and
- (n) deliberately interfering with the performance of the organization's legal or contractual obligations.

Section 2. It is an offense under the Constitution to harass a member at a union or workplace-related location or activity on the basis of race, creed, colour, sex, sexual orientation, age, disability, nationality, or other legally protected status.

Section 3. Any member convicted of any one or more of the above offenses may be denied the right to be a candidate for or hold office or position in the Union, declared a member not in good standing, fined or otherwise appropriately disciplined.

Section 4. If any Officer of the Local Union, Unit official, or delegate to an International Convention, is convicted of any one or more of the aforementioned offenses, such person may be penalized as herein before described, and removed from office or position.

ARTICLE X

Trials of Members and Local Union Officers⁶

Section 1. Any charges against a member or Officer of the Local Union must be made in writing, signed and dated by the member making the charges, and must be submitted to the Local Union. Upon submission of the charges, the Local Union Secretary-Treasurer shall send a copy by certified or registered mail to the accused member at the member's last known address.

The charges shall be sufficiently specific so as to enable the accused to prepare a defense. This means that the charges should indicate both the provision(s) of the Constitution or the Union's other rules allegedly violated and also a brief statement of the facts (names, dates, places) constituting that violation. If there is more than one charging party, they must designate a person to be responsible for receiving and filing documents related to the charges. Where the charges fail to designate such person, then the first charging member named in the charge shall be considered the representative of the others.

Section 2. Charges must be submitted within sixty (60) days of the time the complainant becomes aware of the alleged offense.

Section 3. A separate Trial Committee composed of three (3) members shall be appointed by the Local Union Executive Board for each individual trial, and shall be given the responsibility of conducting such

⁶ An August 11, 1999 resolution of the International Executive Board prohibits the processing of charges instituted as a means of retaliating against a member for asserting rights under Human Rights legislation in Canada, regardless of whether such rights are asserted using the Union's internal procedures, contractual provisions or external statutory procedures.

trial provided that in the case of multiple related charges the same Trial Committee may be appointed to try all such charges and may consolidate them into one hearing.

Neither the accuser nor the accused shall be eligible for membership on the Trial Committee. If the accused member or accuser is an Officer of the Local Union, such person shall not participate in the designation of the membership of the Trial Committee. No one shall be eligible to serve as a member of the Trial Committee who is a witness to the facts alleged to constitute a violation or who has personal interest in the outcome of the Trial.

The action approving the appointment of the Trial Committee shall take place at the first Local Union Executive Board meeting after the Local Union receives the charges unless the charges are received by the Local Union within five (5) days before the Local Union Executive Board meeting in which event the action shall take place at the Local Union Executive Board meeting following the first meeting after the Local Union receives the charges. Should the next Local Union Executive Board meeting not be scheduled within thirty (30) days of receipt of the charges, the Local Union President shall call a special meeting of the Local Union Executive Board within those thirty (30) days.

Section 4. Immediately after the Trial Committee has been appointed by the Local Union Executive Board pursuant to Section 3 of this Article, the Local Union Secretary-Treasurer shall send by certified mail or registered mail to the accused and the accuser(s) at those member's last known addresses written notice of the time and place the hearing will be held before the Trial Committee. The accused member shall appear before the Trial Committee on said charges. A copy of the charge(s) and notice of hearing shall also be sent to the International Secretary-Treasurer of the International Union by the Local Union Secretary-Treasurer.

Section 5. The hearing shall take place no sooner than two weeks and no later than four weeks from the date of mailing of the notice and the charge to the accused member.

Section 6. Every effort shall be made to schedule the trial so that it does not conflict with the working schedules of the parties. The hearing shall be conducted by the Trial Committee in an orderly manner and shall assure the full presentation of all the facts. The accused shall be entitled to be present at all times during the hearing, investigation or argument of the case and shall be entitled to question all witnesses appearing in the matter so long as the questioning does not become insulting, unduly argumentative or repetitious. In the event that the accused fails to appear at the hearing at the time and place provided in the notice and presents no reasonable excuse for absence, the hearing shall proceed with the same force and effect as if the accused were present.

Section 7. At any time during the processing of charges alleging a serious violation by a Local Union Official of Section 2 of Article IX, the International President may, upon written request (sent by certified mail, overnight courier or other means providing proof of receipt), and where supported by preliminary investigation conducted on behalf of the International President, summarily remove such Local Union Official from office during all or a portion of the time necessary to process the charge.

Section 8. The Trial Committee shall record minutes of its meetings and proceedings, and these minutes, together with any documents submitted, shall constitute the official record of the Trial Committee.

Section 9. A member placed on trial shall be permitted representation by a representative of the member's own choice, who shall be a member of the International Union; such representative, however, shall be required to abide by the trial procedure as established by the Trial Committee and as provided in these By-Laws. The same procedure shall be available to the person filing the charges.

Section 10. The Trial Committee, upon completion of the hearing upon the evidence and argument, shall go into closed session to determine the verdict and penalty. The Trial Committee shall prepare a report in writing, stating the facts briefly as it found them, and its conclusions and recommendations. A majority vote of the members of the Trial Committee shall be required to find the accused guilty.

Section 11. In case the accused is found guilty, the Trial Committee may recommend that the accused be reprimanded; assessed a fine; assessed a fine with automatic suspension and removal from office or position or expulsion in the event of the failure of the accused to pay the fine within a specified time; suspended or removed from office or position in the Local Union; or suspended or expelled from membership in the International Union; or otherwise appropriately disciplined.

Section 12. The Trial Committee shall submit its written report to the Executive Board within two (2) weeks following completion of the hearing. At the same time a copy of the report shall be mailed to the International Secretary-Treasurer of the International Union and to the accuser and the accused by the Trial Committee.

Section 13. The Local Union Officers may convene a special meeting of the Executive Board to consider the report of the Trial Committee. In such event the notice of the special meeting shall inform the Local Union Officers that the report of the Trial Committee will be presented at such special Executive Board meeting. Notice of such special Executive Board meeting must also be given to the accused member(s) and accuser(s).

Section 14. In the event the report of the Trial Committee is to be presented to the next regular meeting of the Executive Board, the Local Union Officers must be advised by special notice that the report of the Trial Committee will be considered at such regular meeting.

Section 15. The Executive Board meeting at which the report of the Trial Committee shall be considered shall not be held earlier than one week or later than four weeks following the submission of the report of the Trial Committee to the Executive Board.

Section 16. At the meeting of the Executive Board, the Trial Committee shall present its written report. The report of the Trial Committee shall become effective only upon approval by a majority vote of the Local Union Officers present at the Executive Board meeting. The Executive Board meeting may approve or reject the report of the Trial Committee, modify the report in any respect, or order a new trial.

Section 17. The accused member shall be afforded full opportunity to present to the Executive Board meeting the accused member's position on all matters bearing upon the trial and the report of the Trial Committee.

Section 18. A report of the Executive Board's decision shall be forwarded immediately to the International Secretary-Treasurer of the International Union by the Secretary-Treasurer.

Section 19. A copy of the decision of the Local Union Executive Board shall be forwarded by the Secretary-Treasurer using certified or registered mail to the accused member and to the person who originally filed the charges. The accused or the accuser may appeal from the decision of the Local Union Executive Board to the International Executive Board and thereafter to the next regular International Convention, provided that such person files notice of appeal with the International Secretary-Treasurer within thirty days after the mailing of the notice of the decision of the Local Union Executive Board or the International Executive Board from which the appeal is taken. On appeals, the International Executive Board or such body as it designates - either itself or through a Commission or other mechanism - affords all parties the opportunity to present all arguments and facts whether or not presented in the proceedings at the Local Union level. Decisions on such appeals are based on the evidence presented in the appeal. The International Executive Board shall not, in making its decision, be limited to the arguments or testimony presented at the earlier stages in the proceedings and shall be permitted to cure by its appeal proceedings procedural defects which may have occurred at earlier stages in the proceedings.

Section 20. The decisions of the Local Union Executive Board and of the International Executive Board shall be given full force and effect unless a stay thereof is obtained from the International Executive Board.

Section 21. It shall be the duty of a member to exhaust all internal remedies and appeals provided under the Constitution and policies of the International Union and these By-Laws.

ARTICLE XI

Notification to Employers Regarding Status of Members

Section 1. Whenever a member has lost good standing by virtue of having become in arrears in the payment of dues or initiation fees, and the Local Union desires to have such person discharged from employment in accordance with the provisions of the outstanding collective bargaining agreement with the employer, the Local Union shall communicate with the International Secretary-Treasurer, setting forth the facts.

Section 2. The International Secretary-Treasurer will determine whether the employer should be notified that in accordance with the provisions of the contract the particular person must be discharged. The Local Union shall refrain from communicating with the employer until advised by the International Secretary-Treasurer as to the procedure to be followed on requesting the discharge.

ARTICLE XII

Finances

Section 1. Except for newly organized units, where initiation fees are waived pursuant to Article XIV Section 2, of the International Constitution, the initiation fees shall be five dollars (\$5.00).

Section 2. The membership dues of the Local Union shall be 1.7% of gross earnings.

Section 3. The Local Union will pay dues on a monthly basis to the United Steelworkers USW International as follows:

- 2015 – 0.40% of the gross earnings of its members
- 2016 – 0.50% of the gross earnings of its members
- 2017 – 0.55% of the gross earnings of its members
- 2018 – 0.60% of the gross earnings of its members
- 2019 – 0.65% of the gross earnings of its members
- 2020 and after - 0.70% of the gross earnings of its members

The Local Union may choose to discuss with the National Director of Canada, the Canadian District Directors and the USW's International Secretary-Treasurer the possibility of voluntarily moving to the USW dues structure.

Section 4. Compulsory assessments may not be imposed by the Local Union unless approval has first been secured from the International Union and unless agreed to by a two-thirds (2/3) majority vote of the membership of the Local Union, voting by secret ballot after prior notice to the membership.

Section 5. An individual member shall be entitled to exoneration from the payment of dues for any month for which the member has not become entitled to five (5) days' pay or its equivalent in wages and benefits in lieu of wages. The International Executive Board shall adopt rules and regulations governing the implementation, application and administration of this Section.

Section 6. In all cases, other than the one provided in Section 5 of this Article, where the Local Union desires exoneration from the payment of dues or initiation fees for certain of its members, the request for exoneration must be signed by the Local Union President, the Local Union Secretary-Treasurer, and approved by the District Director and the International Secretary-Treasurer.

Section 7. When exoneration is granted, the request on the required report must be renewed each month.

Section 8. The Local Union President, Vice-Presidents, Secretary-Treasurer, and other designated signatories shall be bonded in amounts to be determined by the International Executive Board. Such bonds shall be obtained by the International Secretary-Treasurer. Clerks employed by the Local Union and handling finances in any way must be bonded by the Local Union through arrangement with the International Secretary-Treasurer.

Section 9. (a) In the event of the death of a non-retired Local Union member in good standing, a benefit of two thousand dollars (\$2,000.00) shall be paid to the spouse of the deceased member if living with the member at the time of the death; or to the child or children of the deceased member under the age of nineteen (19) years (or over that age if physically or mentally incapable of self-support), who were actually supported in whole or in part by the deceased member at the time of death.

(b) If there be no beneficiary of the deceased member as described in paragraph (a) then, in the event of death, a death benefit not to exceed two thousand dollars (\$2,000.00) may be paid at the sole

discretion of the Executive Board to one of the following beneficiaries: a child or children nineteen (19) years or older, mother, father, brother(s) or sister(s).

(c) Upon the death of a member, if there be no beneficiary qualified to receive an award under the provisions of this Article, the Executive Board may authorize such payment to provide burial cost, provided, however, that the aggregate amount shall not exceed two thousand dollars (\$2,000.00).

ARTICLE XIII

Delegates to International Convention

Section 1. No member shall be eligible to be a delegate to an International Convention unless the member:

(a) is employed in an enterprise, public or private, or any other place within the jurisdiction of the Local Union, is a Local Union Representative of Local Union 1944, or is one of the staff representatives of the International Union;

(b) shall have been in continuous good standing for a period of twenty-four (24) months immediately preceding the International Convention;⁷ and

(c) has attended at least one-third (1/3) of the regular meetings held by the member's Unit during the twenty-four (24) month period immediately preceding the month in which the delegate election is to be held.

Meetings which a member was prevented from attending because of such member's Union activities, working hours, service in the armed forces of Canada or the United States, sickness which confines, death in the immediate family, or jury duty, shall not be counted as meetings held in determining such member's eligibility under this Section; provided, that the member shall have the burden of proving inability to attend for one of the prescribed reasons, in accordance with procedures specified in the Local Union Elections Manual.

Any member who claims inability to attend a Unit meeting because of a 'sickness which confines' must notify the Unit Secretary within one month of such meeting; otherwise the meeting will be counted as a meeting held in determining such member's eligibility under this section.

Section 2. Delegates to the International Convention must be elected at an official meeting of the Local Union Executive Board or by referendum ballot election, after the Call for the International Convention is received and has been read. The Secretary-Treasurer shall issue a Notice, signed by both the Secretary-Treasurer and the Local Union President, at least one week prior to such meeting or election, stating that delegates are to be elected on a certain day.

Section 3. The Local Union may choose to have the Local Union President, Vice-Presidents, and Secretary-Treasurer, if nominated at the official Executive Board meeting, elected separately as delegates by acclamation. In such event, the President, Vice-Presidents, and Secretary-Treasurer shall be delegates if approved by a majority of the Local Union Officers voting. Otherwise, the delegates to be selected from among the nominees must receive a plurality vote of the Local Union Officers voting.

⁷ If the Local Union or Unit has been in existence for less than 24 months prior to the International Convention, the member must have been in continuous good standing from the time that the member joined the Local Union.

ARTICLE XIV

Workers' Compensation Committee, Health & Safety Committee, Civil & Human Rights Committee, Women of Steel Committee, NextGen Committee, and Organizing Committee⁸

Section 1. A Workers' Compensation Committee and a Health & Safety Committee, under the direction of the International Union or its designated representative, shall be established in the Local Union.

Section 2. A Civil & Human Rights Committee, under the direction of the International Union or its designated representative, shall be established in the Local Union to implement our Union's commitment to the protection and extension of civil and human rights and liberties. The Local Union President shall appoint no less than 5 members to the Committee.

Each Unit Chair shall cooperate with the Local Union President to establish a Unit-based Committee.

Section 3. To further our commitment to encourage activism, leadership development and greater understanding of gender issues, a Women of Steel Committee, under the direction of the International Union or its designated representative, shall be established in the Local Union.

The Local Union President shall appoint no less than 5 members to the Committee.

Section 4. To further our commitment to encourage activism, leadership development, and mentorship, a NextGen Committee shall be established in the Local Union.

The Local Union President shall appoint no less than 5 members to the Committee.

Section 5. An Organizing Committee under the direction of the International Union or its designated representatives shall be established in the Local Union to assist in organizing unorganized workers in the geographic area in which the Local Union is situated.

In order to encourage the organization and affiliation of unorganized workers who may be placed within the jurisdiction of this Amalgamated Local Union, this Amalgamated Local Union may engage in organizing activity upon the express authorization of the Director of the District in which this Local Union is situated and subject to such terms and conditions as the District Director and the International President may impose.

⁸ Broad participation by members from all segments of the Local Union should be sought for the committees established pursuant to Article XIV. The Resolution on Organizing Committees in Canada found in the Appendix of these By-Laws shall continue in effect where applicable.

ARTICLE XV

Transfer Certificates

Section 1. The Local Union may issue to a member in good standing a "transfer request" transferring membership to another Local Union. All transfer request forms must be obtained from the International Secretary-Treasurer by the Local Union Secretary-Treasurer.

Section 2. All members must immediately transfer to the Local Union having jurisdiction over the enterprise, public or private, at which they are employed.

Section 3. Transfer requests issued in violation of this Article shall be invalid.

ARTICLE XVI

Strikes

No strike shall be called without the approval of the International President.

ARTICLE XVII

Order of Business

Section 1. Below is the Order of Business for Regular Local Union Executive Board Meetings

1. Call meeting to order.
2. Roll call of Officers - by Secretary-Treasurer.
3. Reading of the minutes of the previous meeting.⁹
4. Reading of Communications.¹⁰
5. Report of Officers
6. Report of Organizer or International Representative.
7. Report of Special Committees.
8. Reports of Standing (or Permanent) Committees.
9. Unfinished Business¹¹

⁹ After the minutes have been read by the Secretary-Treasurer a motion must be made and seconded that the minutes be "approved" (or adopted) as read. Such a motion means that in the opinion of the members, the Secretary-Treasurer has recorded the minutes of the previous meeting correctly. Should the reading reveal any errors, or omissions, a member may move to correct the minutes. If this motion is carried, another motion should follow that the minutes "as corrected" now be approved.

It is very important that brief, comprehensive minutes of each meeting be kept by the Secretary-Treasurer. These minutes are the official record of the business transacted by the meeting.

¹⁰ The Secretary-Treasurer reads the letters which require attention. Those that do not require much discussion may be dealt with immediately; others may be laid over to "New Business" or referred to a standing committee. If no action is required or desired, the communications may be read and, upon a motion, filed.

¹¹ These matters are those remaining over from previous meetings. They are usually recorded in the minutes of the previous meeting. The Secretary-Treasurer should inform the President of any unfinished business so it may be included in the order of business in this Section.

10. New Business.¹²
11. Good and Welfare.¹³
12. Adjournment.

Section 2. Below is the Order of Business for Regular Unit Meetings

1. Call meeting to order.
2. Roll call of Officials - by Unit Secretary.
3. Reading of the minutes of the previous meeting.¹⁴
4. Reading of Communications.¹⁵
5. Report of Officials and/or Officers
6. Report of the Local Union Representative
7. Report of Counsellors.
8. Report of Delegates.
9. Initiation of New Members
10. Reports of Committee Representatives.
11. Unfinished Business.¹⁶
12. New Business.¹²
13. Good and Welfare.¹³
14. Adjournment.

ARTICLE XVIII

Effective Date

Section 1. The provisions of these By-Laws which conform, as required, with the provisions of the standard By-Laws approved by the International Union are automatically in full force and effect. Any future additions or amendments to additions to these By-Laws shall be in full force and effect after their adoption by two-thirds (2/3) of the voting membership immediately after approval at the Local Union Delegated

¹² These are matters which have been laid aside earlier in the meeting or which have come up since the last meeting.

¹³ All miscellaneous matters for the good of the Union which should be brought to the attention of the meeting should come to the floor at this time. These matters usually do not require any action by the meeting. They are simply matters of information and education.

¹⁴After the minutes have been read by the Unit Secretary a motion must be made and seconded that the minutes be "approved" (or adopted) as read. Such a motion means that in the opinion of the members, the Unit Secretary has recorded the minutes of the previous meeting correctly. Should the reading reveal any errors, or omissions, a member may move to correct the minutes. If this motion is carried, another motion should follow that the minutes "as corrected" now be approved. It is very important that brief, comprehensive minutes of each meeting be kept by the Unit Secretary. These minutes are the official record of the business transacted by the meeting.

¹⁵ The Unit Secretary reads the letters which require attention. Those that do not require much discussion may be dealt with immediately; others may be laid over to "New Business" or referred to a standing committee. If no action is required or desired, the communications may be read and, upon a motion, filed.

¹⁶ These matters are those remaining over from previous meetings. They are usually recorded in the minutes of the previous meeting. The Unit Secretary should inform the Unit Chair of any unfinished business so it may be included in the order of business in this Section.

Meeting in accordance with the form and procedure provided for in Article XIX, and approval by the International Union.

ARTICLE XIX

Additions and Amendments to Additions

Additions and Amendments to additions may be made in the following manner:

1. Any addition or any amendment to an addition to the standard By-Laws approved by the International Union must be in the form of either a new Subsection under the proper Section, a new Section under the proper Article, or a new Article.
2. All additions and amendments to additions to the standard By-Laws must not conflict with such standard By-Laws and must be submitted to the International Union for approval. Such additions shall become effective only after approval by the International Union.
3. Proposed additions or amendments to additions by the Local Union must be submitted in writing and passed by two-thirds (2/3) of the voting membership immediately after approval at the Local Union Delegated Meeting. The subject matter of such additions or amendments to additions must be advertised to the membership through bulletin board or other medium prior to the meeting at which the vote thereon is to be taken. Such additions or amendments to additions shall become effective only after approval by the International Union.
4. The International Union may impose changes to the Local Union By-Laws in order to assure consistency and compliance with rulings of the International President.

APPENDIX A

RESOLUTION BY INTERNATIONAL EXECUTIVE BOARD

In order to further organizing activities in Canada, the following language is added to the "By-Laws for Local Unions" and shall be considered a part of the By-Laws of all Local Unions in Canada where provincial or federal law requires the Local Union to be the applicant for certification:

Organizing Committee - In order to facilitate the recruiting and unionizing of workers in the Canadian provinces and in the federal jurisdiction, each Local Union, where provincial or federal law or the practice of any provincial labour board or court or of the federal labour board requires the Local Union to be the applicant for certification, shall have an organizing committee consisting of the President, the Vice-President and a Staff Representative assigned to organizing. This committee may authorize the filing of an application for certification with the applicable labour board or court on behalf of the Local Union may appoint the persons who are authorized to file and sign the application on behalf of the Local Union and may take any steps deemed appropriate to insure that the certification proceedings are successfully completed. If necessary, the organizing committee may hold a meeting by conference call.

APPENDIX B

TWPP PENSION TRUSTEES

Amalgamated Local Union 1944 is a co-partner in the Telecommunications Workers Pension Plan (TWPP). As such, the Local Union is entitled to four (4) Trustee positions on the Board of Trustees of the TWPP. The method of naming the four (4) Union Trustees is set out in the Amalgamated Local Union 1944 Telecommunications Workers Pension Plan Trustees Rules in existence as of November 2017 under Article XIV Pension Trustees and as may be amended at any time by the Local Union in the future per Article VII, Section 5 Voting – subsection (c).¹⁷

¹⁷ Both Articles referenced in this Appendix B are from the Local 1944 By-Laws that were in effect on November 2017.