

**OPSEU LOCAL 565**  
**(ALCOHOL AND GAMING COMMISSION OF ONTARIO)**  
**BY-LAWS**

**1. Interpretation and Abbreviations**

- 1.1 “Union” refers to the Ontario Public Service Employees Union and not any subsidiary body.
- 1.2 “Constitution” refers to the Constitution of the Union.
- 1.3 “Convention” means convention of the Union.
- 1.4 “Executive Board” refers to the Executive Board of the Union.
- 1.5 “Member” refers to an individual who is a member in good standing with the Union and who belongs to Local 565.
- 1.6 “Employer” refers to the Alcohol and Gaming Commission of Ontario (AGCO).

**2. Context**

- 2.1 The authority and process for the creation of by-laws for Local 565 is set out in Article 12.5.1 and 12.5.2 of the Constitution.
- 2.2 Local 565 shall be understood to be a single-unit local as per Article 12.2.4.a of the Constitution, although members work in multiple work sites across the Province of Ontario.
- 2.3 As a province-wide local, with multiple worksites, Local 565 faces challenges that require financial support from OPSEU.
- 2.4 As such, the local will submit a financial request annually to present to the Executive Board to enable the President, the Local Executive Committee and the membership to achieve the aims and purposes of the Local.

**3. Aims and Purposes**

- 3.1 The aims and purposes of Local 565 shall be:
  - 3.1.1 To improve working conditions for and the general advancement of AGCO employees;
  - 3.1.2 To have elected leadership that is accessible to the entire membership of Local 565 and to provide:
    - Communication
    - Education to all members
    - Collective Bargaining
    - Information

- Member Mobilization.

#### **4. Local Executive Committee (LEC) and Officers of the Local**

4.1 The Local Executive Committee shall administer the affairs of the Local in accordance with the Constitution, these by-laws and the wishes of the members of the Local.

4.2 The Local Executive Committee shall be comprised of an unlimited number of stewards and the following eight (8) Executive Officers: a President, a First Vice-President, a Vice-President of Equity, a Vice-President of Health and Safety, a Treasurer, a Secretary, a Chief Steward and an Assistant Chief Steward – in addition to an unlimited number of Stewards. These positions are elected by and from the Local membership. On the invitation of the Local, the immediate Past President of the Local may serve on the LEC as an ex-officio Member with voice but no vote.

4.3 The duties of the Executive Officers shall be as follows:

##### **4.3.1 General Duties:**

- Attend all LEC meetings;
- Travel to work locations of members across the province'

Provide education to mobilize local Stewards and members;

Approve expenditures over \$1,000.00;

Insure expenditures over \$10,000.00 are approved by the members;

- Perform all such other duties as shall be deemed necessary from time to time by the LEC.

4.3.2 The **President** shall preside as chair at all Local Executive Committee meetings, special meetings and meetings of the Stewards and:

- Enforce compliance with the Constitution and By-laws of the Union and Local;
- Act as the official spokesperson for the Local;
- Supervise the affairs and operations of the Local;

Be permitted to spend up to \$250.00 without approval from the LEC;

Forward requests for book-off time to Human Resources of the AGCO, and copied to the President and Member involved.

4.3.3 The **First Vice-President** shall assist the President in carrying out official duties and:

- Assume the duties and powers of the office of the President in the temporary absence or incapacity of the President;

- Attend all functions (including all regional meetings and Conventions) of the Union, in place of the President when the President cannot attend.
- 4.3.4 The **Vice-President, Equity** shall assist the President in carrying out official duties and:
- Serve as the officer responsible for equity issues.
- 4.3.5 The **Vice-President, Health and Safety** shall assist the President in carrying out official duties and:
- Serve as the officer responsible for health and safety issues;
  - Serve as liaison among the LEC and the members of the AGCO Joint Health and Safety Committee and Health and Safety Representatives across the province.
- 4.3.6 The **Secretary** shall be responsible for:
- The correspondence of the Local;
  - The minutes of meetings, including distribution;
  - The distribution of Notices to members;
  - The maintenance of the membership lists including names and current addresses and other contact information (phone, E-Mail);
  - The forwarding of all pertinent membership information to the union's regional office.
- 4.3.7 The **Treasurer** shall be responsible for the financial transactions of the Local, including:
- Preparation of an annual budget;
- Completion of the twice-yearly audit with the Local Trustees;
  - Accountability for transactions with the Local's financial institutions.
- 4.3.8 The **Chief Steward** shall:
- Supervise and assist the shop stewards;
  - Maintain a log of active grievances;
  - Maintain the archive of local grievance settlements.
- 4.3.9 The **Assistant Chief Steward** shall assist the Chief Steward in carrying out official duties as described in 4.3.8.
- 4.3.10 **Shop Stewards** shall be a resource to members of the Local concerning the Collective Agreement and the rights of the membership and:

- Represent members through the stages of the grievance process;
- Travel to provide services to members who do not have a Steward on-site;
- Perform other duties as may be deemed necessary by the LEC or membership;
- One Steward will be designated the Environmental Steward.

#### 4.3.11 Trustees

The Local shall elect an audit committee composed of two members to be known as Trustees who may not hold any other office in the Local. They shall hold office for a two-year term.

- When a Trustee resigns mid-term, the President may survey the members for a volunteer and appoint such a volunteer for the remainder of the term;
- The Trustees shall examine all books, records, and properties of the Local, twice each year including filing an audit report. All Officers of the Local are required to make available all necessary documents to the Trustees on reasonable notice;
- The Trustees shall, in a form specified by OPSEU Headquarters, complete the audit every 6 months and make a full report to the membership.

4.4 Meetings of the Local Executive Committee shall be conducted in the following manner:

- 4.4.1 There will be no fewer than three meetings per year;
- 4.4.2 Notwithstanding 4.4.1, there may be two regular meetings of the full LEC per year provided that there is at least one other meeting of the Officers during that same year;
- 4.4.3 Regular meetings of the Local Executive Committee shall be called by the President with at least four (4) weeks notice. The notice shall set out the date, time, place and agenda of the meeting;
- 4.4.4 Notice of a regular meeting, including request for book-off time, if necessary, shall be sent by the President to the Employer and copied to the Steward involved and the OPSEU Staff Representative;
- 4.4.5 Emergency meetings may be called by the President on less than 24 hours notice and may be conducted by telephone conference call or such other method as may be deemed appropriate;
- 4.4.6 A quorum for meetings of the Local Executive Committee shall be 50% of the total number of members of the Local Executive Committee;
- 4.4.7 Any member on the Local Executive Committee who is absent from three consecutive Local Executive meetings without reasonable

explanation to the President of the Local shall have his/her tenure reviewed by the LEC.

## **5. Elections within the Local**

### **5.1 Term of Office**

5.1.1 The term of office for Shop Stewards and all Officers of LEC shall be no more than two years or less than one year;

5.1.2 Local elections may be held in either even or odd-numbered years, subject to the requirements of Article 4.6.(a) of the Constitution and in accordance with Article 5.2 of these By-laws;

5.1.3 Any Member of the LEC may stand for re-election, provided that an Officer is first re-elected as a Shop Steward. A Member must be re-elected a Steward first to be considered for re-election to the LEC;

5.2 Election/selection for all **Stewards, Local Executive, Joint Consultation Committee (JCC) and Joint Health and Safety Committee** shall be conducted via scanned E-mail or FAX:

#### **5.2.1 Stage One - Nominations for Stewards, Officers and Joint Committees:**

Notice shall be sent to all members of the Local, informing members that nominations shall be accepted;

The mailing will include:

- The notice of election;
- Instructions, including deadline for nominations;
- The nomination/acceptance form - each nomination shall include the names of the nominee and nominator as well as a notice of acceptance from the nominee;
- All Officers are required to be Stewards;
- Joint Committee Members are not required to be Stewards;

#### **5.2.2 Stage Two - Electing Officers and Joint Committees:**

- All Stewards shall be acclaimed;
- Election(s) are required when there is a true vacancy or more than one nominee for a position;

The mailing will include:

- A notice of nominees for Officer and Joint Committee Positions;
- List of acclaimed Stewards;
- Instructions;
- Ballots;

- And a postage-paid envelope to return all ballots to the OPSEU Staff Representative by a pre-determined date; votes are to be cast anonymously;

### 5.2.3 **Stage Three - Announcement of all Elected Positions.**

- The announcement of election results shall occur within 10 business days of the casting of the votes;

5.2.4 Mid-term vacancies occurring among Stewards or Members of the LEC shall be filled promptly, by election in accordance with Article 5.1.2, except where the vacancy occurs within three months of the expiry of the term of office. In every case of filling a vacancy, the new incumbent shall serve only the unexpired portion of the term of office in question.

## 6. **Bargaining Team and other Local Elections**

6.1 The Local shall elect a **Bargaining Team**, according to the procedures above and no less than 6 months prior to the expiration date of the Collective Agreement;

6.2 The Bargaining Team shall consist of 5 Members: the President and 4 other Members representing a cross-section of the Local as follows:

- The President (*ex officio*);
- An Electronic Gaming Representative;
- A Licensing & Registration Representative;
- A Liquor Inspector Representative;
- A Support Staff Representative;

6.3 Each year an election will be held for **Delegates to the Annual Convention as well as Alternates and Observers**, expenses to be paid by the Local and according to the procedures above;

6.4 The Local's eligibility for the number of Delegates and Alternates to Convention will be determined in January annually based on OPSEU membership figures for the Local;

6.5 The President is deemed to be a Delegate to Convention.

## 7. **Local Membership Meeting**

7.1 Local meetings shall be called a minimum of once per year by the Local Executive Committee;

7.2 A quorum for a Local meeting shall be in accordance with the Constitution:

- 1-200 Members: 10 members;
- 201+ Members: 5% of membership;

- 7.3 The Local Executive Committee shall set the date, time and place of the Local Membership Meeting and issue appropriate Notice to all members, 30 calendar days prior;
- 7.4 Motions will be accepted from the membership no later than 15 days prior to the Local Membership Meeting; motions will be sent to all members;
- 7.5 Upon the written request of ten percent (10%) of the membership, a special Local Membership Meeting will be called, as per Article 7.3, Notice of said Meeting will contain full particulars of any issues or motions to be brought forward.

## **8. Local By-laws and their Amendment**

- 8.1 Members of Local 565 may put forward proposed amendments to these By-laws in writing at any time. Notice of such proposed amendments shall be given to the Local Executive who shall circulate them to the Members;
- 8.2 The written form of the By-law amendment shall be set out and dealt with as follows:
- 8.2.1 Movers and Seconders shall be members of Local 565;
- 8.2.2 The proposed amendment will be sent to the local President;
- 8.2.3 The Local Executive Committee shall circulate the proposed changes to the membership if there is not a Local Membership Meeting planned within the following three months and include the following:
- Explanation of the process of amending Local By-laws;
  - The Amendment;
  - A written statement from the proposer outlining the rationale;
  - A ballot on which each Member may vote in favour or against the motion with instructions on return;
- 8.3 These By-laws may be amended with a 20% return from members and by a 75% majority of those members who voted;
- 8.4 These By-laws and all amendments shall be subject to the approval of the Provincial President of the Union;
- 8.5 In all matters not specifically dealt with above, or where conflict arises, these by-laws shall be subject to the provisions of the Constitution and/or policies;
- 8.6 These By-Laws shall be reviewed at least every 3 years.

## **9. Resolutions to Convention**

- 9.1 – When members of Local 565 identify a policy, course of action or constitutional amendment that should be undertaken by OPSEU (provincial), a proposed Resolution will be submitted to the President of Local 565;

9.2 – The submission should include:

9.2.1 – a Mover;

9.2.2 – a Secunder;

9.2.3 – the Resolution wording which is a change to or new direction for policy, action or the OPSEU (provincial) Constitution;

9.2.4 – a rationale;

9.3 – The proper format should be in two parts:

9.3.1 – one or more “WHEREAS” clauses, explaining why the proposal is being made;

9.3.2 – one or more “THEREFORE BE IT RESOLVED” clauses – i.e., the proposal itself, for which the convention actually votes;

9.4 – The annual deadline for submission to the President shall be December 1<sup>st</sup>;

9.5 – A Membership Meeting will be called to debate and vote on Resolutions to the OPSEU Convention (provincial) in January of the new year;

9.6 – If approved, the President will forward the decision on to the Resolutions Committee Chair at OPSEU (provincial) by February 15th annually.

**. Approved at the Membership Meeting - November 5, 2008**