



**National Union
Constitution**

CONSTITUTIONAL AMENDMENTS

The following changes incorporate amendments made up to and including the March 1980 National Convention.

Section 5.D.1 (page 3): the third sentence is deleted.

Section 5.D.2 is added as follows:

Within each Local Union, Section and Region, nominations for full-time paid positions shall not be accepted for any member completing three consecutive years as a full-time paid officer within the National Union. The provisions of this Section 5.D.2 can be amended only by a two-thirds majority of those voting in a referendum of the membership of the National Union.

Section 5.D.2 and 5.D.3 are renumbered 5.D.3 and 5.D.4.

Section 7.A (page 4) is amended to read:

There shall be a National Executive of the National Union elected annually. It shall be comprised of the following National Officers: President, First Vice-President, Second Vice-President, Secretary, Treasurer and two Trustees. Two National Executive members and duly elected alternates shall be elected annually by referendum by and from each chartered Local Union and Organizing Section in accordance with the by-laws of the Local Union or Organizing Section.

Section 7.C (page 5) is amended to read:

Each National Officer of the National Executive shall be elected by the members of the National Union by referendum, the highest number of votes for each position to be sufficient to elect such officer. No member may be allowed to stand for election for more than one office on the referendum ballot. All candidates for position as National Officer must be nominated at a Convention. If a nominee is not present, written consent must be given to the Secretary at the time of nomination. Statements by all candidates for National elections shall be distributed to the members along with the ballot. The Trustees shall have the ballots printed and mailed to all members as soon as possible after the close of the Convention. Voting shall be by secret ballot and at least three weeks shall be allowed between the mailing of ballots to the members and the ballot count.

All members casting ballots will sign for their ballots. The trustees will count the ballots. Candidates will be allowed scrutineers at the ballot count. Results of the vote will be circulated to Locals and Sections by the Trustees within seven days of the count. Any protest alleging "unfair ballot" or other irregularity must be presented in writing to the Secretary within fourteen days of the announcement of the result of the vote. Upon receipt of such notice, the National Executive shall meet and if the protest is upheld, another ballot shall be conducted.

Section 7.D added as follows:

Nominations for full-time paid positions shall not be accepted for any member completing two consecutive years in a full-time paid position. The provisions of this Section 7.D can be amended only by a two-thirds majority vote of the membership in a referendum ballot.

Section 7.D to 7.K are renumbered 7.E to 7.L.

Section 7.F (was 7.E) (page 6) is amended as follows:

1 and 2 remain the same.

3. The First Vice President shall preside at all meetings where the National President is absent, unless otherwise decided by the meeting.
4. The Second Vice President shall be responsible for internal communications between the National Union, Local Unions, Regions and Sections, and is specifically charged with the responsibility for the National newsletter.
5. The Secretary shall be responsible for keeping minutes of National Executive meetings and conventions, for correspondence and filing thereof, for keeping such records of membership as the National Union is responsible for up to date and for the library.

6. The National Treasurer shall be responsible for keeping a true and proper record of all monies received and expended and for maintaining accurately and properly such bookkeeping systems as shall be set up under the instructions of the National Executive. The National Treasurer shall submit a detailed financial report to each National Executive meeting and to the Convention.
7. The two Trustees shall ensure that the National Executive acts in accordance with the Constitution and shall be responsible for all referendum ballots and tabulating.
8. All cheques issued by the National Union or the National Executive shall require the signatures of any two of the National Table Officers: President, First Vice-President, Second Vice-President, Secretary and Treasurer.

Section 7.M is added as follows:

The National Executive is hereby empowered to appoint or hire a person or persons to work for the National Union and/or to assist a Local, Section or Region, in an emergency situation where it is not possible to elect a person for such a position, with a term of hire or appointment not to exceed six months, such term not to be renewable. Any such appointment to assist a Local, Section or Region shall only be made on approval of the membership of the Local, Section or Region concerned. The salary paid to such person or persons shall not exceed the salary paid for any full-time position in the Union. This Section 7.M cannot be amended except by referendum ballot of the membership.

Section 8.A (page 7): change "February" to "May".

Section 8.E.2 (page 8): change fifth sentence to read: Resolutions and Constitutional amendments must be received by the National Union fourteen (14) days prior to the Convention date.

Section 8.E.3 is deleted and all references to the Tabulating Committee are deleted from the Constitution. (The role of this committee is now filled by the Trustees.)

Section 9.B (page 9): change "fifty cents (50c)" to "seventy-five (75c)".

Section 12.A (page 11) is amended as follows:

Except as otherwise provided in this Constitution and the By-laws of Locals, Sections and Regions, the attached Rules of Order (Appendix A) shall govern the conduct of all Conventions, National Executive meetings and membership and executive meetings of all Locals, Sections and Regions.

Section 12.B now reads: Except where otherwise stated amendments may be made to this Constitution by a majority vote of those delegates present at a Convention, provided the amendments have been submitted in accordance with Section 8.E.2.

Section 12.C is added as follows:

Except where otherwise stated, all decisions shall be made by majority vote. Majority shall mean a majority of those voting and abstentions shall not be counted as votes.

Section 14.E.1 (page 13) is amended to read:

The Officers of the Local Union shall include but not be limited to the following: President, Vice-President, Recording and Corresponding Secretary, Treasurer, and two Trustees. Each certified unit shall be entitled to have at least one member on the Executive as a member-at-large.

Section 14.H.1 (page 15) first sentence is amended to read:

Meetings of this Local Union shall be held at least once every ___ months.

Section 14.H.2 second sentence is amended to read:

Meetings of the Local Union Executive shall be held at least once every ___ months and ___ members of the Local Executive shall constitute a quorum at an Executive Meeting.

Section 14.I, second paragraph, is amended to read:

Monthly dues may only be changed by referendum vote of the members of the Local. The decision to hold such a referendum must be made by majority vote at a Local Union membership meeting following at least fourteen (14) days' notice to the membership.

ERRATA: Please note that on page 3, Section 5D(1) the third sentence should read as follows: "Within each Local Union, Section and Region, nominations for full-time paid positions shall not be accepted for any member completing one year as a full-time paid officer within the National Union."

Also, on page 5, Section 7C, the sixth sentence should read as follows: "Nominations for full-time paid positions shall not be accepted for any member completing one year in a full-time paid position."

NATIONAL UNION CONSTITUTION
SERVICE, OFFICE AND RETAIL WORKERS
UNION OF CANADA

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As amended at the Special National Convention,
July 23 and 24, 1977.

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SECTION 1 NAME

This organization shall be known as "THE SERVICE, OFFICE AND RETAIL WORKERS UNION OF CANADA" (SORWUC) and shall hereinafter be referred to as the "National Union".

SECTION 2 OBJECTS

The objects of this National Union shall be:

The Service, Office and Retail Workers Union of Canada believes that everyone who works should earn enough to provide a decent living for her/himself and her/his family. To this end, the Union will bargain collectively on behalf of the members to bring about fair wage standards, to reduce the difference between the lowest and highest rates, and to assure equal pay for comparable work for all, regardless of sex, age, marital status, race, sexual preference, religion or national origin.

The Union will strive to improve working conditions of members, to maximize the opportunities for personal fulfillment in the work situation of all members, and to reduce working hours and eliminate overtime so that each member may have the opportunity of enjoying proper leisure, recreation and cultural development. The Union will work to ensure job security for all members and to end discrimination in hiring and promotion. Within the community, the Union will work for the establishment of political and social equality, for free schools, for community health services, and against price and rent increases which erode the gains made through collective bargaining. The Union will encourage unionization of unorganized workers and will charter Local Unions, Sections and Regions, maintaining at all times the principles of Local and Sectional Autonomy and democracy within the National Union, its Sections, Regions and Local Unions. Sections will be created to meet the special needs of workers within a particular occupation or industry. Regions will be created to meet the special needs of workers within a defined geographic area who share a common interest in the fulfillment of the objects of their Local Union, Section and the objects of this Constitution.

SECTION 3 JURISDICTION

The Union shall include but not be limited to jurisdiction over all workers employed in or around offices, stores and service establishments and/or workers in any field of employment within Canada.

SECTION 4 MEMBERSHIP

- A. Membership shall be open to full and part-time workers coming under this jurisdiction.
- B. Application for membership may be made to the National Union or to a Local Union. Membership in a Local Union or Organizing Section is deemed also to be membership in the National Union.

- C. The National Union shall assist members in forming a Local Union or Organizing Section and shall grant a charter to a Local Union or Organizing Section upon approval of the National Executive. The National Executive shall have the power to assign headquarters members to a Local Union or Organizing Section. Each person signing an application for membership and paying the initiation fee will thereby agree to comply with the aims, principles and policies of the National Union. Dues for headquarters members shall be \$3.00 per month, except for unemployed members covered under Section 4.G and members in a unit pending certification.
- D. Any National Union Officer or Local Union Officer, or any person designated by either of them, shall have the authority to accept any application for membership, by affixing her/his signature to the application form in the space so provided, thereby giving such applicant membership status.
- E. The initiation fee of this National Union or any Local Union within the National Union shall be \$3.00 per each person wishing to become a member, except in the case where the laws or regulations of any Province or the laws and regulations of the Federal Government require a lesser or a larger initiation fee, in which case the provisions of the laws and regulations shall apply instead and in place of the constitutional requirement.
- F. Any member failing to pay her/his monthly dues including per capita tax for a period exceeding three months shall automatically be suspended. The foregoing does not apply to members in a unit pending certification. To be reinstated after suspension, a member must pay an assessment of \$20.00 or her/his back dues, whichever is less.
- G. When a member becomes unemployed she/he shall retain full membership rights without paying per capita tax for a period of ninety (90) days from her/his last per capita payment. After this period of 90 days she/he must resume payment of per capita tax or she/he shall be suspended. To be reinstated she/he shall pay back the owing per capita tax, or an assessment of \$20.00, whichever is less, but not per capita tax for the aforementioned 90 day period.
- H. No Secret Meetings: Any member shall have the right to attend any Union Convention, Executive or Committee Meeting with voice at the discretion of the meeting.

SECTION 5 CHARTERS

The National Union alone is vested with the power to establish Local Unions, Sections and Regions.

A. Locals

Charters for Local Unions shall be issued only by the National Executive, and such charters shall be signed by two National officers.

B. Sections

1. The National Executive may charter Sections consisting of Local Unions within a particular industry or occupation upon application by a group of Local Unions or by recommendation of the National Executive on approval of the membership of the Local Unions concerned.
2. Upon application by a Local Union or by a group of headquarters members within an occupation or industry, the National Union may charter an Organizing Section consisting of headquarters members within a particular occupation or industry. The National Union will assist the Organizing Section to form Local Unions within the industry when that is appropriate. Before Local Unions are formed, the Organizing Section may form Organizing Committees within the particular occupation or industry. The Organizing Section shall be directly responsible to the National Executive.

C. Regions

The National Union may charter Regions consisting of Local Unions and headquarters members within a particular geographic area, upon application by a group of Local Unions or by recommendation of the National Executive on approval by the membership concerned.

D. Miscellaneous

1. Charters shall be issued only by the National Executive and shall be signed by two National Officers. The Local Unions, Sections and Regions shall comply with the National Constitution at all times. Within each Local Union, Section and Region, nominations for full-time paid positions shall not be accepted for any member completing three consecutive years as a full-time paid officer within the National Union. Sections and Regions shall be chartered only following approval by referendum vote of the total membership concerned.

2. Upon request or upon its own motion, the National Union or a Local Union holding bargaining authority may delegate the authority to conduct collective bargaining to a Region or a Section, upon approval by referendum vote of the membership concerned.
3. The National Union may include in the terms of a charter the authority for a Region or a Section to make applications for certification.

SECTION 6 AUTONOMY

- A. Autonomy of Local Unions and Sections will be fostered and encouraged.
- B. A Local Union or Section may secede only under the following conditions:
 1. Upon receipt of a petition of 25% of the membership of the Local Union or Section involved, the National Executive and the Trustees of the Local Union or Section shall conduct a referendum vote of the Local Union or Section concerned. The National Executive shall circulate notice of referendum outlining the matters in dispute one month prior to the referendum, and statements for and against secession shall be circulated with the ballot. A majority of the membership of the Local Union or Section shall approve the motion for secession before it will be considered carried.
 2. Following approval of secession by the membership of the Local Union or Section in referendum, the National Union shall automatically nullify the charter of the Local Union or Section and exonerate its members from any further obligation towards the National Union.
 3. In the event that a Local Union or Section decides to secede from the National Union to affiliate to another Union or to become an independent body, that Local Union or Section shall have the right to retain its assets and records. If a Local Union votes in like manner to Section 6.B.1 and 2 to dissolve, the assets and records shall become the property of the National Union and/or the Local Unions involved.
- C. The method of elections of officers in newly chartered Local Unions shall be determined by the members concerned at the Charter Meeting.

SECTION 7 NATIONAL EXECUTIVE

- A. There shall be a National Executive of the National Union elected annually. It shall be comprised of the four National Officers: President, Vice-President, Secretary and Treasurer; and the National Executive members elected as hereinafter set forth. Two National

Executive members or duly elected alternates shall be elected annually by referendum by and from each chartered Local Union and Organizing Section in accordance with the by-laws of the Local Union or Organizing Section.

- B. There shall be no full-time paid officers of the Union unless proposed by a Convention and approved by the National Union membership in a referendum. The salary of any paid officer so elected will be no greater than the highest salary in any collective agreement negotiated by SORWUC.
- C. Each National Officer of the National Executive shall be elected by the members of the National Union by referendum, the highest number of votes for each position to be sufficient to elect such officer. No member may be allowed to stand for election in more than one office on the referendum ballot. All candidates for position as a National Officer must be nominated at a Convention. If a nominee is not present, written consent must be given to the Secretary at the time of nomination. Statements of all eligible candidates for national elections shall be distributed to all Local Unions who will make them available to the members prior to and during the voting. Nominations for full-time paid positions shall not be accepted for any member completing three consecutive years in a full-time paid position. The Tabulating Committee shall have the ballots printed and circulated to Local Unions for the referendum vote as soon as possible after the close of the Convention. Voting shall take place by secret ballot during three days specified by the National Executive. Local Trustees will be responsible for balloting in Local Unions.

All members casting ballots will sign for their ballots. The Trustees will count the ballots and forward them together with all unused ballots and registration lists and deliver them or send them by registered mail or insured express to the Tabulating Committee in care of the National Executive, within seven days of completion of voting. The ballots will remain sealed until the Tabulating Committee meets. Candidates will be allowed scrutineers at any ballot count. Results of the balloting will be circulated to Local Unions by the Tabulating Committee within seven days of counting. Any protest alleging "unfair ballot" or other irregularity must be presented in writing to the National Secretary within seven days of the results of the balloting being announced. Upon receipt of such notice, the National Executive shall meet and if the protest is upheld another ballot shall be conducted.

- D. The qualifications for office in the National Union shall be membership in good standing in the National Union.
- E. Duties of the National Officers and the National Executive:
1. The National Officers shall be charged with the responsibility of carrying out the decisions of the National Union and the National Executive. The National Executive shall have entire management of the National Union between Conventions and shall be held responsible for efficient management of same.
 2. The President shall preside at all National Executive meetings and Conventions unless the meeting decides otherwise.
 3. The National Vice-President shall preside at all meetings where the National President is absent, unless otherwise decided by the meeting.
 4. The National Treasurer shall be responsible for keeping a true and proper record of all monies received and expended and for maintaining accurately and properly such bookkeeping systems as shall be set up under the instructions of the National Executive. The National Treasurer shall submit a detailed financial report to each National Executive meeting and to the Convention.
 5. The National Secretary shall be responsible for keeping minutes of National Executive meetings and Conventions and shall maintain all records, documents and correspondence of the National Union.
 6. All cheques issued by the National Union or the National Executive shall require the signatures of any two of the following: Treasurer, President, Vice-President.
- F. Any National Officer who resigns, is recalled or for any other reason ceases to hold office, shall forthwith upon termination of her/his position as officer, turn over to the National Executive all documents, records, books, funds, assets and all other property of the National Union.
- G. 1. In order to recall a National Officer, a petition of at least 15% of the membership of the National Union must be presented and a referendum vote held. The Tabulating Committee shall have ballots printed and circulated to the Local Unions and Organizing Sections within 30 days of receipt of said petition by the National Secretary. The referendum ballot shall be conducted in accordance with the by-laws of the Local Unions and Organizing Sections. A majority of the votes cast shall be necessary to recall the Officer.

SECTION 9 REVENUE

- A. The revenue of the National Union shall be derived from the dues and initiation fees of headquarters members as outlined in Section 4.C and 4.E., and from a per capita tax of 50% of each Local Union member's dues per month, to a maximum of \$3.00, subject to the provisions of Section 4.G regarding unemployed members. The foregoing does not apply to members in a unit pending certification.
- Members in Organizing Sections shall pay their dues directly to the National Union as headquarters members, and the National Union shall return 50% of each member's monthly dues to the Organizing Section within 45 days of receipt.
- Where Sections and/or Regions exist, the per capita tax which is paid to the National Union on behalf of those members shall be divided equally between the different levels of the union's organization in which the member is involved. That is, where a member is part of a Section, as well as a Local and the National Union, one half of that member's per capital tax shall go to the Section and one half shall stay with the National Union. Where a member is part of a Section and a Region, as well as a Local and the National Union, one third of that member's per capita tax would stay with the National Union, one third would be paid to the Region, and one third to the Section.
- B. Fifty cents (50¢) of the per capita tax shall be deposited in the strike fund.
- C. Should an emergency arise and the National Executive decide that an assessment of the National Union membership is necessary, a referendum ballot of the National Union members will be taken. Reasons for, and the duration of, the proposed assessment will be distributed with the ballot. A majority of the ballots cast in favour of said assessment shall be considered approval.
- D. The per capita tax shall be forwarded to the National Treasurer on a regular basis each month and deposited in the name of the National Union. Up to date records of membership lists shall be submitted to the National Office on request.
- E. National Auditor:
- There shall be one Auditor who shall not be an employee of the National Union. The Auditor shall be appointed by the National Executive subject to the approval of the Convention. After approval by the National Convention, the Auditor may not be dismissed except with the approval of the National Convention, but in the event that such Auditor shall resign or due to death, illness or other incapacity be unable to

carry on her/his duties, the National Executive is authorized to appoint a new Auditor until the following Convention. A report of the audit shall be distributed to each chartered Local Union and Organizing Section within sixty days of completion of the audit. An audit shall be completed once annually and the report presented to each National Convention.

SECTION 10 STRIKES AND LOCK-OUTS

A certified bargaining unit shall not strike without the approval of the membership in the unit. Voting shall be by secret ballot and a majority of votes cast shall be necessary for a strike to take place. Strike benefits shall be determined by the National Executive in consultation with the Local Union concerned, and they shall have the right to set such rules and regulations as may be necessary in support of such action.

SECTION 11 DISCIPLINE

A. The Local Unions and Organizing Sections have a right to discipline any member, and the Regions have a right to discipline any Officer of the Region, for the following reasons.

1. Violation of the National Constitution, Local or Section By-Laws, or a decision of a Local Union or Section Meeting or Convention.
2. Obtaining membership through fraudulent means or by misrepresentation.
3. Fraudulently receiving or misappropriating any property of the National Union or its Sections, Regions or Local Unions.
4. Acting in collusion with the employer with a view to injuring the National Union, Local Union or Section.
5. Crossing a picket line established as a result of a labour dispute.

The above are subject to discipline only after a fair hearing and a majority vote at the Local Union or Section meeting. The accused shall have the right to have a member of the Local Union or Section act as her/his Counsel.

B. The Local Union or Section after such hearing shall, if the accused is found guilty, have the right to impose any or all of the following penalties:

1. reprimand the member;
2. suspend the member;
3. recommend to the National Convention that she/he be expelled. Any member found guilty and recommended for expulsion shall be ineligible to hold office.

- C. The accused will have the right to appeal to the next National Convention and shall have the right to choose a member of the National Union to act as her/his counsel. However, the decision of the Local Union or Section shall stand unless and until reversed on appeal.
- D. The National Convention has the power to expel upon recommendation of the Local Union or Organizing Section as aforesaid, and in any appeal may:
 - 1. Affirm the conviction and the penalty imposed;
 - 2. Affirm the conviction and substitute another penalty for the penalty imposed, except where a member has crossed a picket line that was a result of a labour dispute, in which case the National Convention cannot lessen the penalty imposed by the Local Union or Organizing Section;
 - 3. Reverse the conviction and order the Local Union or Organizing Section to repay any costs incurred.
- E. The National Convention shall have the power to discipline National Officers and impose any or all of the penalties listed in Section 11B.

SECTION 12 PROCEDURE

- A. Except as otherwise provided for in this Constitution, Robert's Rules of Order shall govern the conduct of all Conventions, National Executive meetings, Local Union meetings and Local Union Executive meetings.
- B. Amendments may be made to this Constitution by a majority vote of those delegates present at a Convention.

SECTION 13 ORGANIZATIONAL YEAR

During the Organizational Year of the National Union, the following Sections shall not apply:

- Section 7A, 7C
- Section 8A, 8B, 8C, 8D & 8E
- Section 9E

All persons signing applications at the Founding Convention shall automatically become National Headquarters Members. The Founding Convention is vested with the power to grant charters. The Founding Convention shall have the authority to charter Local No. 1 and transfer those National Headquarters Members into said Local. At the Founding Convention of the National Union, a President, Vice-President, Secretary and Treasurer shall be elected by secret ballot vote of those members present. The member receiving the highest number of ballots cast shall stand elected.

The National Executive shall, during the Organizational Year, assume the responsibilities of all Committees. Those members present at the Founding Convention shall constitute a quorum for that meeting and a member shall be chosen by the meeting to tabulate each vote for which she/he is not a nominee. The Officers elected at this Founding Convention shall serve in office until the first regular Convention is held and elections for new officers completed.

SECTION 14 LOCAL UNION BY-LAWS

These Local Union by-laws shall be considered to be the by-laws of any chartered Local Union. Any amendments to the by-laws must be approved by the National Executive, except for filling in the blanks.

- A. Name: This Local Union shall be known by name as "The Service, Office, and Retail Workers Union of Canada" Local No. _____, and shall hereinafter be referred to as the Local Union. A Local Union may have its own name, which indicates the jurisdiction of the Local Union, in addition to the name of the National Union and the number of the Local.
- B. Objects: The objects of the Local Union shall be the same as those of the Service, Office, and Retail Workers Union of Canada, as provided in Section 2 of the National Union Constitution.
- C. Jurisdiction: The jurisdiction of the Local Union shall be the same as that of the Service, Office, and Retail Workers Union of Canada as provided in Section 3 of the National Union Constitution except where it is otherwise determined by charter grant.
- D. Membership: Application for membership in the Local Union shall be made in writing and may be accepted from the applicant by a Local Union Officer or designated authority. Each person signing an application for membership and paying the initiation fee will agree to comply with the aims, principles, and policies of the National Union. Upon acceptance of such application according to Section 4D of the National Union Constitution, the applicant shall be entitled to full membership status. The initiation fee of this Local Union shall be Three Dollars (\$3.00) for each person wishing to become a member except where the laws or regulations of any Province or the laws and regulations of the Federal Government require a lesser or larger initiation fee, in which case the provisions of the laws and regulations shall apply, instead of and in place of the by-law requirement.

E. Local Union Executive:

1. The Officers of the Local Union shall include but not be limited to the following: President, Vice-President, Recording and Corresponding Secretary, Financial Secretary-Treasurer, and two Trustees. Each certified unit shall be entitled to have at least one member on the Executive as member-at-large.
2. The President shall be a member ex-officio of all Committees within the Local.

F. Election of Officers:

1. A nominee for any office must be a member in good standing of the Local. Nominations for full-time paid positions shall not be accepted for any member completing _____ consecutive years in a full-time paid position. (Note: not more than 3)
2. The nominations of Local Officers shall commence at the regular monthly meeting in _____ and close at the regular meeting in the following month. Annual elections of Local Officers shall be held by referendum ballot vote. At least fourteen days prior notice of an election taking place shall be given to the membership. The person receiving the largest number of votes in any election shall stand elected.
3. Election of Local Officers shall be by secret ballot, except where only one person is nominated for an office, in which case no secret ballot shall be held. That person shall be elected to office by acclamation.
4. Each certified unit shall be entitled to elect their member-at-large to the executive by secret ballot and at a time and place to be agreed upon in advance with the Local Executive. The member-at-large may be elected at any time but elections must be held at least once annually.
5. The two Local Trustees shall be responsible for the fair conduct of the balloting in all local elections. In the event that there is no Local Trustee in a bargaining unit available to supervise a referendum election, the Trustees shall appoint a responsible member of the Local to supervise the election. In the event that a Trustee is running for office, and is therefore not available to act as a returning officer, the executive shall appoint a returning officer accordingly. No member running for office shall be eligible to act as a returning officer in that election. All candidates shall be allowed to scrutineer or select someone to act for her/him as a scrutineer, at the counting of the ballots and at the polling station. The results of the balloting will be announced as soon as possible after

the election in the Local. Any protest alleging "unfair ballot" or any other irregularity must be presented in writing to the Corresponding Secretary of the Local within seven days of the results of the balloting being announced. Upon receipt of such protest, the Local Executive shall meet and if the protest is upheld, another ballot shall be conducted. All ballots and voting lists shall be held by the Trustees for a reasonable period after the election. A motion to destroy the ballots shall be in order at a subsequent local general membership meeting following the election.

6. The elected officers of the Local shall normally assume their duties of office within seven days after the results of the balloting in the Local, unless a protest is lodged as under 5 above.
7. Any Local Officer will have her/his office declared vacant if she/he misses three consecutive executive meetings without reasonable excuse.
8. Local by-elections shall be called by the Trustees when an office becomes vacant, unless such office becomes vacant within two months of the opening of annual elections, in which case the office shall remain vacant until the annual elections are held. By-elections shall be held by secret ballot at any Local meeting where the membership has been duly notified, or by referendum ballot vote.
9. A Local Officer may be recalled at any time by a majority of the votes cast in a referendum vote of the Local membership. After notice of motion has been duly given, and the approval of a referendum vote to recall has been obtained by a majority of the Local Union membership meeting, the vote to recall shall be held not earlier than seven days nor later than twenty-one days. Any vacancy on the Local Executive as a result of a recall shall be filled by a by-election as in Section 8 above.
10. All cheques issued by the Local Union or the Local Union Executive shall require the signature of the Financial Secretary-Treasurer, and one of the following: President, Vice-President, or Recording and Corresponding Secretary.
11. No agreements shall be entered into by any Local Union Officer which change any terms or provisions of an existing labour agreement unless approval has been granted by the membership of the bargaining unit concerned.
12. Applications for Certification and other legal documents shall be signed by the Local President and the Recording and Corresponding Secretary.

13. The election of the Local Representative to the National Executive, the Region Executive and the Section Executive, where required, shall be held at the same time and in the same manner as the election of the Local Officers.

G. Shop Stewards:

1. The Local Union shall maintain a shop steward structure.
2. All shop stewards are to be elected on the job.
3. Shop Steward Committees shall be encouraged.

H. Meetings:

1. Meetings of this Local Union shall be held monthly at a regular time. Special meetings may be held at any time by a majority decision of the Local Union Executive or by a petition of 25% of the Local Union members or by decision of a regular local membership meeting.
2. _____ members of the Local Union shall constitute a quorum at any membership meeting. Meetings of the Local Union Executive shall be held monthly at a regular time and _____ members of the Local Executive shall constitute a quorum at an executive meeting.
3. All members in good standing shall have voice and vote at all Local Union meetings.

I. Dues and Finances:

Monthly dues shall be \$ _____ for every member of the Local Union working an average of 20 hours or more per week. Dues for members who work less than 20 hours per week but more than 20 hours per month will be \$ _____.

Monthly dues may only be changed by a referendum vote of the members of the Local following at least 14 days written notice.

The Local Union shall have the right to levy on its members, for special purposes, one assessment of at most \$5.00, which shall be voted on by a two-thirds majority of the members at a membership meeting, providing notice of assessment has been posted for at least fourteen days prior to the vote. Further assessments shall only be levied as a result of a referendum ballot.

All monies in the hands of the Treasurer shall be deposited in the name of the Local Union and a complete record of all monies received and paid out shall be kept. There shall be a yearly audit. The Trustees shall be responsible for inspecting the financial records of the Local Union.

J. Strikes and Lock-outs:

A certified bargaining unit shall not strike without the approval of the membership of that unit. Voting shall be by secret ballot and a majority of votes cast shall be necessary for a strike to take place.

K. Discipline:

Any member of the Local Union shall have the right to prefer charges against any member of the Local Union or any National Officer, according to Section 11 of the National Constitution.

L. Procedure:

1. Except as otherwise provided in these Local Union by-laws and the National Constitution, Robert's Rules of Order shall govern the conduct of all Local Union meetings and Local Union Executive meetings.

2. Any of these by-laws may be amended by a majority vote at a Local Union membership meeting provided that notice of motion of the amendments or changes has been posted at least seven days prior to the vote. Any amendments or changes to these by-laws shall only become effective upon approval by the National Union Executive.

3. Charter Meeting:

The method of election of Local Union Officers in a newly chartered Local shall be determined by the members at the charter meeting. The quorum shall be a majority of those members applying for charter.

SECTION 15 SECTION BY-LAWS

The by-laws of a Section shall be consistent with this National Constitution and the Local Union By-Laws as outlined in Section 14. The By-Laws of the Section shall be outlined herein, and the Section may add further by-laws not inconsistent with the National Union Constitution. Any amendments to the By-Laws must be approved by the National Executive.

A. Name: This Section shall be known by name as _____
Section of the Service, Office and Retail Workers Union of Canada.

B. Objects: The objects of this Section shall be the same as those of the Service, Office and Retail Workers Union of Canada as provided in Section 2 of the National Constitution. The Section may add specific objects consistent with its jurisdiction and not inconsistent with the terms of its Charter and this National Constitution.

- C. Jurisdiction: The jurisdiction of this Section shall be determined by its charter.
- D. Membership: The membership of this Section shall be determined by its charter.
- E. Section Executive: The Executive of the Section shall consist of the Officers of the Section, elected annually by referendum ballot of all members of the Section, plus at least one representative of each Local Union within the Section, elected in accordance with the by-laws of the Local Union. The Officers shall normally consist of the President, Vice-President, Secretary and Treasurer, but the Section may have other or additional officers.
- In the case of an Organizing Section, the Section By-Laws may provide for representation of Organizing Committees on the Section Executive in a similar manner to the representation of Local Unions on the Section Executive described above.
- A Section Officer may be recalled at any time by a majority of votes cast in a referendum vote of the Section membership. A nominee for any office must be a member in good standing of the National Union. Nominations for full-time paid positions will not be accepted for any member completing _____ (note: one, two or three) consecutive years in a full-time paid position within the National Union.
- F. No agreements shall be entered into by any Officer of the Section which change any terms or provisions of an existing labour agreement unless approval has been granted by the membership of the bargaining unit concerned.
- G. Meetings: Membership meetings or conventions of this Section shall be held at least annually. Meetings of the Section Executive shall be held at least quarterly. _____ members shall constitute a quorum at a Section meeting or convention. _____ Executive members shall constitute a quorum at a Section Executive meeting. All members in good standing shall be allowed to attend any convention, committee meeting or executive meeting of the Section with voice at the discretion of the meeting.
- H. Revenue: The revenue of the Section shall be derived as set out in Section 9 of the National Constitution.
- I. Discipline: Any member of the Section shall have the right to prefer charges against any other member of the Section or any Section Officer or National Officer, according to Section 11 of the National Constitution.

- J. Procedure: Except as otherwise provided in the by-laws of the Section, and in the National Constitution, Robert's Rules of Order shall govern the conduct of all Section meetings and conventions, and all Section Executive meetings.

These by-laws may be amended by majority vote at a Section membership meeting or convention, provided that notice of motion of the amendments has been given in writing at least 14 days prior to the vote. Any amendments or changes to these by-laws shall only become effective upon approval by the National Union Executive.

SECTION 16 REGION BY-LAWS

The by-laws of a Region shall be consistent with this National Constitution and the Local Union By-Laws as outlined in Section 14. The by-laws of the Region shall be as outlined in this part of the Constitution and the Region may add further by-laws not inconsistent with the National Union Constitution. Any amendments to the by-laws must be approved by the National Executive.

- A. Name: This Region shall be known by name as the _____ Region of the Service, Office and Retail Workers Union of Canada.
- B. Objects: The objects of this Region shall be the same as those of the Service, Office and Retail Workers Union of Canada as provided in Section 2 of the National Constitution. The Region may add specific objects consistent with its jurisdiction and not inconsistent with the terms of its charter and the National Constitution.
- C. Jurisdiction: The jurisdiction of this Region shall be as determined by its charter.
- D. Membership: The membership of this Region shall consist of members of the Local Unions included in the Region, and headquarters members in the Region.
- E. Region Executive: The Executive of the Region shall consist of the Officers of the Region, elected annually by referendum vote of all members of the Region, plus at least one representative from each Local Union within the Region elected in accordance with the by-laws of the Local Union.

Where an Organizing Committee composed of members of an Organizing Section exists within the Region, the Organizing Committee shall be represented on the Region Executive in like manner to a Local Union.

The Officers of the Region shall normally consist of the President, Vice-President, Secretary and Treasurer, but the Region may have

other or additional officers. Any Officer may be recalled by a majority vote of the membership within the Region. A nominee for any office must be a member in good standing of the National Union. Nominations for full-time paid positions will not be accepted for any members completing ____ (note: one, two or three) consecutive years in a full-time paid position within the National Union.

- F. No agreements shall be entered into by any Officer of the Region which change any terms or provisions of an existing labour agreement unless approval has been granted by the membership of the bargaining unit concerned.
- G. Meetings: Membership meetings or conventions of the Region shall be held at least annually. Meetings of the Region Executive shall be held at least quarterly. ____ members shall constitute quorum at a Region meeting or convention. ____ Executive members shall constitute a quorum at a Region Executive meeting. All members in good standing shall be allowed to attend any convention, committee meeting or Executive meeting of the Region with voice at the discretion of the meeting.
- H. Revenue: The revenue of the Region shall be derived as set out in Section 9 of the National Constitution.
- I. Discipline: Any member of the Region shall have the right to prefer charges against any officer of the Region in accordance with Section 11 of the National Constitution.
- J. Procedure: Except as otherwise provided in the by-laws of this Region and the National Constitution, Robert's Rules of Order shall govern the conduct of all Region meetings and conventions and all Region Executive meetings. These by-laws may be amended by a majority vote at a Region membership meeting or convention, provided that notice of motion of the amendments has been given in writing at least 14 days prior to the vote. Any amendments or changes to these by-laws shall only become effective upon approval by the National Union Executive.

APPENDIX "A" RULES OF ORDER

1. **QUORUM:** The quorum is the minimum number of members or delegates required to transact business or deal with motions, as set out in the Constitution and by-laws.
2. **MOTIONS:** A motion is a proposal for action. No item of business can be discussed by the meeting until it has been moved and seconded. The person who presents the motion says: "I move that ...". Before the motion can be discussed, another person must "second" the motion. A motion can be withdrawn by the mover and seconder if there is no objection from the meeting. A meeting may only deal with one motion at a time. Until the first motion has been voted on, the Chair cannot accept another motion, except amendments or procedural motions (see #3 and #4 below). However, a person speaking to a motion may state that: "If this motion is defeated, I will present an alternative motion as follows ..." and give the wording of the motion.
3. **AMENDMENTS:** An amendment to the main motion may be moved, provided it is seconded and is not contradictory to the main motion. An amendment to the amendment (which modifies but does not contradict the amendment) may be moved and seconded. When this happens, the first vote is on the sub-amendment (the amendment to the amendment). If this passes, the amendment "as amended" is voted on. If the sub-amendment is defeated, the original amendment is voted on. Then the main motion (or the main motion as amended) is voted on.
4. **PROCEDURAL MOTIONS:** If a motion is being discussed, and a member thinks the discussion could be conducted more efficiently (say by discussing the motion one part at a time), the member may move a "procedural motion". If a procedural motion is moved and seconded, it shall be dealt with by the meeting even though there is another motion on the floor. Motions to adjourn or take a break or to refer the motion to a committee or to the Executive are procedural motions. Motions to "refer" or to "postpone" discussion are debatable, but when such a motion is on the floor speakers must discuss the advisability of referring or postponing consideration of the main motion. They may not discuss the merits of the main motion itself.
5. **SPEAKING:** Before anyone speaks, she/he must be "recognized" by the chair. The person wishing to speak should either raise her/his hand or stand up and wait for the Chair to say "I recognize the member at the back of the hall" or, more informally, "Yes, Judy" or whatever. The speaker should address the Chair, rather than another member, and should state her/his name and the unit she/he is from. Each speaker should indicate whether she/he is for or against the motion. At conventions, speeches shall be limited to 5 minutes each, except when a member is presenting a report or moving a resolution she/he shall be allowed 10 minutes. At other meetings, a member may move a procedural motion to limit the length of speeches or the number of speakers or total time allowed for a particular discussion. A member shall not speak more than once on the same subject until all who wish to speak have done so. A member shall not interrupt another member except to call a "Point of Order".
6. **POINT OF ORDER:** A member who feels that the Rules of Order are not being followed properly may interrupt the meeting by saying

RULES OF ORDER (continued)

- "Point of Order". The member who had been speaking must stop, and the Chair will then ask that the point of order be explained. The Chair will then rule on the point of order. Anyone who disagrees with the ruling of the Chair may challenge the Chair (#10 below).
7. VOTING: Votes shall normally be conducted by a show of hands, unless the members present decide they should vote by secret ballot. If there is a tie vote, the Chairperson shall break the tie. To pass, a motion must receive support from a majority of those voting.
 8. TO END DEBATE: If a member feels that debate on a motion has proceeded long enough, and a vote should be held, the member can "move the previous question". If the majority vote that "the previous question now be put", debate is over and a vote is held on the original motion. If the majority vote against putting the question, debate on the original motion continues. The Chair may refuse to accept the motion to "put the question" if there are people waiting to speak who have not spoken previously.
 9. TO RECONSIDER A MOTION: A member who voted with the majority on a motion, and then changed her/his mind, may move that the meeting reconsider the motion, even though it has already been passed or defeated. A motion to reconsider is a motion to allow the meeting to reverse a position it has already taken. To pass, a motion to reconsider must be supported by two-thirds of those voting. If the motion to reconsider is passed, debate on the original motion is re-opened, it may be amended, and a new vote shall be held.
 10. TO CHALLENGE THE CHAIR: A member who disagrees with the Chair's interpretation of the Rules of Order may challenge the Chair. The challenge must be seconded. It is not debatable except that the challenger and the chairperson shall each explain their positions. The Chairperson shall turn over the chair to another member, and that member shall ask "Shall the Chair be sustained?" If the majority vote in favour of sustaining the Chair, the Chair's original ruling shall stand. If a majority support the challenge, the Chairperson stays in the Chair but must conduct the proceedings in accordance with the challenger's interpretation of the Rules of Order, as explained in the challenge.
 11. NOMINATIONS: A member may nominate any number of candidates for a position. Nominations do not require a seconder. The Secretary takes note of all nominees in order of their nomination. Nominees are asked by the Chair whether they choose to "stand" or "decline" in reverse order of nomination. A nominee may "defer" and the Chair will then ask that nominee again after all other nominees have had the opportunity to stand or decline. Votes shall be conducted according to the Constitution and the relevant by-laws.