



**Local 598
(Ontario Teachers' Pension Plan)
Bylaws**

Approved at the General Membership Meeting held on
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Local 598 (Ontario Teachers' Pension Plan) Bylaws

Ontario Public Service
Employees Union

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Article 1 NAME

- 1.1 This organization shall be known as the Ontario Public Service Employees Union (“OPSEU”) Local 598 and shall be a single unit local of employees eligible for membership in OPSEU who work at the Ontario Teachers’ Pension Plan in Toronto, Ontario.

Article 2 DEFINITIONS

- 2.1 For the purposes of these Bylaws:

- a) “Constitution” means the Ontario Public Service Employees Union Constitution, as amended or replaced;
- b) “LEC” means Local Executive Committee;
- c) “Local” means Ontario Public Service Employees Union Local 598, unless otherwise specified;
- d) “OPSEU” means the Ontario Public Service Employees Union;
- e) “Steward” means Shop Steward;
- f) “Union” means Ontario Public Service Employees Union and not a subsidiary body.

Article 3 AUTHORITIES (Article 29.7.3 of the Constitution)

- 3.1 All Articles stated herein shall constitute the governing bylaws of the Local. Where conflict may exist in the implementation, interpretation, or the legality of any Article(s) in these bylaws, the Constitution shall be referred to and take precedence.

- 3.2 The following documents will be the governing authorities for the administration and policies of the Local:

- a) the Local’s Collective Agreement;
- b) the Constitution;
- c) the OPSEU Policy Manual;
- d) bylaws of the Local as ratified and duly approved by the President of OPSEU;
- e) instructions received by the Local from the President of OPSEU and/or the Executive Board of OPSEU;
- f) all applicable contracts/agreements approved by the Local President or her/his designee; and
- g) minutes, resolutions, and policies passed by the membership in either a general membership meeting or an LEC meeting.

- 3.3 Additionally, in duly constituted general membership meetings and LEC meetings, the Local shall follow the Rules of Order laid down in Article 13.11 of the Constitution, the necessary changes being made, and shall otherwise be governed by Robert’s Rules of Order.

- 3.4 Typographical errors or omissions in these Bylaws shall not alter or invalidate any business or acts conducted in the meaning of these Bylaws.

Article 4 POWER OF ADMINISTRATION

- 4.1 The membership, in duly constituted general membership meetings, is the highest authority of this Local and shall be empowered to take or direct any action consistent with the Authorities listed in Article 3;
- 4.2 Between duly constituted general membership meetings, the LEC, in duly constituted LEC meetings, shall administer the affairs of the Local in accordance with the Authorities listed in Article 3, and the will of the membership as expressed at duly constituted general membership meetings;
- 4.3 Between duly constituted LEC meetings, the Officers shall be empowered to act on behalf of the membership to the extent that urgent business requires prompt action, subject to the approval of the LEC. The actions of the Officers shall be consistent with the Authorities listed in Article 3, the will of the LEC as expressed at duly constituted LEC meetings, and the will of the membership as expressed at duly constituted general membership meetings.

Article 5 AFFILIATIONS

- 5.1 The Local will affiliate with the Greater Toronto Area Council and the Toronto & York Region Labour Council. Delegates to these groups will be elected at a general membership meeting.

Article 6 FISCAL YEAR

- 6.1 The fiscal year of the Local shall begin January 1 and end December 31.

Article 7 STEWARD SYSTEM (Article 29.1 of the Constitution)

- 7.1 Members of the Local shall be organized into working areas. The Members in each working area shall elect one or more Stewards from among themselves.
- 7.2 The government of the Local shall be based on the Shop Steward system and election of Officers of the LEC shall be from among the Stewards.

Article 8 LOCAL EXECUTIVE COMMITTEE (Articles 8 and 29.2 – 29.6 of the Constitution)

- 8.1 The Officers of the Local, together with the remaining Stewards shall constitute the Local Executive Committee. The Local shall have a President and a Chief Steward as Officers, and at least two of the following Officers: Vice-President; Secretary; Treasurer or Secretary-Treasurer. 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. The Local may designate one of its LEC members as responsible for equity issues.

- 8.2** The LEC shall administer the affairs of the Local in accordance with this Constitution, the Bylaws of the Local and the wishes of the members of the Local. The LEC shall meet at least once every three months. The Local President may call an LEC meeting at any time to deal with business of an urgent nature.

8.3 Term of Office

- 8.3.1** The term of office for Stewards and all Officers of the LEC shall be not more than two years or less than one year.
- 8.3.2** Any Member of the LEC may stand for re-election, provided that an Officer must first have been elected or re-elected as a Steward.

8.4 Elections

- 8.4.1** Elections shall be conducted at general meetings of the Members concerned. Reasonable notice of the meeting and of the elections to take place must be given.
- 8.4.2** Mid-term vacancies occurring among Stewards or Members of LECs shall be filled promptly, by election in accordance with Article 8.4.1, 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.
- 8.4.3** All elections within the Union shall be conducted by secret ballot.
- 8.4.4** In the instance of elections resulting in ranked positions (*e.g.*, first delegate, second delegate, third delegate), the nominee with the highest number of votes will be appointed first delegate, the second highest number will be appointed second delegate, and so on, until all available positions are filled. In instances where the President is automatically a first delegate, then this position shall be ignored in the above rankings.
- 8.4.5** Candidates in an election may not act in any official capacity, but may appoint a member of the Local as scrutineer to represent them in the tabulation of results of the election.

8.5 Removal from Office

- 8.5.1** Any member of the LEC absent for three consecutive LEC meetings or more than 25% of LEC meetings in a year without previously informing the Officers of her/his reasons which are acceptable to the LEC will be considered to have vacated her/his position.

8.6 Duties of Officers, Stewards, and Trustees of the Local

8.6.1 President

The President shall enforce compliance with Bylaws and regulations of the Union and Local; preside at Local meetings; be an *ex officio* member of all Local committees; generally supervise the affairs and operations of the Local; carry out such other duties as may be prescribed by Local Bylaws.

8.6.2 Vice-President

The Vice-President shall perform all the Presidential functions during any absence of the President and accept and exercise such other duties and powers as may be designated by the LEC or the President. The Vice-President may also attend all functions (including all regional meetings and Conventions) of the Union, in place of the President when the President cannot attend.

8.6.3 Secretary

The Secretary shall attend all meetings of the Local and keep Minutes; distribute notices to all members of the Local, as required; answer and/or forward all pertinent correspondence; and forward all pertinent membership information to the appropriate union regional office.

8.6.4 Treasurer

The Treasurer shall be responsible for proper administration of the assets of the Local, including the operating funds.

8.6.5 Chief Steward

The Chief Steward shall coordinate and assist the Stewards.

8.6.6 Stewards

Each Local Steward shall be responsible for representation of members in a working area, including the responsibility to distribute information to the group; to carry the group's issues to the LEC; to communicate LEC decisions to the group; to enlist support of members of the group in workplace actions and union campaigns; and to prepare and investigate grievances from the group.

8.6.7 To carry out these responsibilities, Stewards shall have the right of access to LEC meetings; the right to be informed of the status and disposition of grievances from the group; and the right to high quality education and training necessary to effectively exercise all their responsibilities.

8.7 Trustees

8.7.1 Every Local shall elect an audit committee composed of at least two members to be known as Trustees. The Trustees shall be elected at a general membership meeting from among the members and may not hold any other office in any Local. They shall hold office for a two-year term.

8.7.2 The Trustees shall examine all books, records, and properties of their Local at least twice each year. All Officers of the Local are required to make available all necessary documents to the Trustees on reasonable notice. The Trustees shall file an audit report, in a form specified by Headquarters, to Headquarters at least once in every six months and shall also make a full report to the first general membership meeting following each audit.

Article 9 JOINT CONSULTATION COMMITTEE

- 9.1** The Local's Joint Consultation Committee representatives shall be comprised of the President, the Chief Steward, and a Steward. There shall be up to two Joint Consultation Committee alternates, comprised of Stewards.
- 9.2** The Steward representatives and alternates shall be appointed by the Chief Steward, upon consultation with the President.

Article 10 JOINT HEALTH AND SAFETY COMMITTEE

- 10.1** The Local's Joint Health and Safety Committee representatives shall be comprised of no fewer than two members of the Local, and up to three alternates, also members of the Local.
- 10.2** The Joint Health and Safety Committee representatives and alternates shall be appointed by the Chief Steward, upon consultation with the President.

Article 11 MEMBERSHIP MEETINGS (Article 29.7 – 29.8 of the Constitution)

- 11.1** General membership meetings of all members of the Local shall be convened at least twice each year.
- 11.2** The Order of Business at a general membership meeting and at an LEC Meeting shall be:
1. Call to order.
 2. Statement of Respect.
 3. Adoption of agenda.
 4. Minutes of previous meeting.
 5. Business arising.
 6. Treasurer's report.
 7. Correspondence.
 8. Initiation of new members.
 9. Reports of Officers.
 10. Reports of Committees.
 11. Nominations and/or elections.
 12. Unfinished business.
 13. New business.

14. Adjournment.

In presenting an agenda based on the above Order of Business, the LEC should specify subjects under items 9, 10, 12, and 13. The Local may change the above Order of Business by by-law or for any given meeting by giving reasonable advance notice.

- 11.3 A special general meeting of the Local shall be convened upon the written request of at least ten (10) percent of the membership.
- 11.4 Attendance and participation at Local meetings shall be exclusive to the members of that Local, except that others may attend at the invitation of the President or Executive of that Local or by assignment by the President of OPSEU.

11.5. Quorums

11.5.1 This article defines the quorum for meetings of Committees, LECs and the general membership of the Local.

11.5.2 The quorum for meetings of the groups listed in Article 11.5.1 shall be:

Size of Group	Quorum
1-20 members	50 percent of the members
21-200 members	10 members
201 or more members	5 percent of the members

11.6 Oaths (Articles 14.7 and 29.9 of the Constitution)

11.6.1 All Officers elected at the Local level shall take the following oath before being allowed to take office. The oath shall be administered at a general membership meeting or at a meeting of the LEC.

“I, _____, promise that I will uphold and obey the Constitution and duly-authorized policies of the Ontario Public Service Employees Union, fulfil the obligations and responsibilities of my office to the best of my ability, and promptly deliver to my successor all monies, records, and other property of the Union in my possession at the close of my term in office.”

11.6.2 All Stewards shall take the following oath before being allowed to take office. The oath shall be administered at a general membership meeting or at a meeting of the LEC, or by submitting a signed copy, to be read aloud at a general membership meeting:

“I, _____, promise that I will uphold and obey the Constitution and policies of the Ontario Public Service Employees Union and the Bylaws of my Local, work with the Officers of the Local to represent the members, and fulfil the obligations and responsibilities of my elected position as Steward to the best of my ability.”

11.6.3 Every new Member shall, as part of her/his application for membership in the Union, be required to sign a declaration containing the following words:

“I, _____, solemnly promise to uphold and obey the Constitution and Bylaws of this Union, to assist my fellow members to improve their economic, political, and social conditions, to uphold the principles of democracy and fair play, and to do no deliberate wrong or harm to any other member of this Union.”

Every such declaration must be witnessed by a person who may be a member of the Local, an employee of the Union, or any other representative of the Union duly authorized by it.

11.6.4 It shall be the duty of all Officers and Members to uphold their respective oaths and failure to act in accordance with them shall be deemed to be contrary to the Constitution.

Article 12 FINANCIAL OPERATION (Article 29.10 of the Constitution)

12.1 All funds of the Local shall be used only for legitimate trade union purposes. Accounting for revenue and disbursements shall be done in a proper and business-like manner. Except for reasonable amounts in petty cash accounts, all expenditures shall be by cheque and shall be properly supported by vouchers. Where proper supporting documentation is available, local expenditures may be made by pre-authorized payments or by online banking. The signing officers of the Local shall be any two of the President, Vice-President, Secretary, Treasurer (or Secretary-Treasurer), and Chief Steward.

12.2 Any signing officer of the Local cannot sign a cheque made out to themselves. In special circumstances where a signing officer requires reimbursement and only two signing officers are available, an email regarding the details of the reimbursement shall be sent to the Trustees prior to the reimbursement being made.

12.3 Financial control shall rest with the LEC. The Local shall have full control of funds they may raise through their own activities, or through local assessments. The Local is obligated to supply sufficient funds for the holding of general and negotiating meetings but may retain authority to make the necessary arrangements for the said meetings.

12.4 The LEC shall present a budget annually to a general membership meeting of the Local.

12.5 General Expenses

12.5.1 In situations where a Local member:

- a) must travel to meetings or activities authorized by the Local;
- b) requires accommodation for meetings or activities authorized by the Local;
- c) during a normal meal break, must travel to meetings or activities authorized by the Local or attend a meeting on behalf of the Local; or
- d) requires child care or attendant care during meetings or activities authorized by the Local,

the following chart, which outlines items, expenses, and entitlement, *per* the most current version of the OPSEU Policy Manual, Sections 10.1-10.3, shall be used as a guide:

ITEM	AMOUNT	ENTITLEMENT
Mileage	As per OPSEU policy	All union business
Accommodation	As per OPSEU's rebate formula	A distance greater than 60 kilometres; additional cost of accommodation covered by the Local
Meal Allowance	As per OPSEU policy	OPSEU business; Local business
Child Care and Attendant Care	As per OPSEU policy	All members and their extended family

12.5.2 Other reasonable general expenses shall be reimbursed upon receipt of documentation which is acceptable to both the President and Treasurer of the Local, with the exception of:

- a) the President of the Local submitting documentation for general expenses, in which case, she/he shall be reimbursed upon receipt of documentation which is acceptable to both the Treasurer and one other Officer of the Local, not including the President, or
- b) the Treasurer of the Local submitting documentation for general expenses, in which case, she/he shall be reimbursed upon receipt of documentation which is acceptable to both the President and one other Officer of the Local, not including the Treasurer.

12.6 Convention Expenses

12.6.1 Delegates and alternate delegates for Convention, Conferences/Educationals, and Regional Meetings requiring accommodation will share accommodations with fellow Local delegates and alternate delegates where appropriate. In the event of no other Local member to share accommodations or a request for single accommodation which is approved by the President of the Local or her/his designee, the Local shall pay the difference between shared accommodation covered by OPSEU and the single accommodation rate.

12.6.2 Expenses for delegates which are covered by OPSEU that are not covered by OPSEU for alternate delegates will be reimbursed by the Local to alternate delegates upon request.

Article 13 AMENDMENTS (Article 12.5.1 of the Constitution)

13.1 These Bylaws may be amended. Any subsequent changes to them must not be in conflict with the Constitution, and must be adopted by at least two-thirds of the Members voting at a regular or special general membership meeting of the Local for which reasonable notice has been given to all Members of the intention to deal with the Local's bylaws.

13.2 No supplemental bylaws or changes to them shall take effect until they have been approved by the President of OPSEU.

APPENDIX

Article 13.11 from the Constitution

13.11 A Convention shall be governed by the following rules of order (and in any matter not susceptible to regulation by these rules, Robert's Rules of Order and O. Garfield Jones' Parliamentary Procedure at a Glance shall be applied):

1. Before speaking, unless it be on: a point of order, a motion for reconsideration or objection to consideration, or a motion for the Orders of the Day, or a question of privilege, a delegate must be recognized by the Chairperson. On being recognized, a delegate shall immediately identify himself/herself by name, Local and/or location.
2. When two or more delegates seek recognition simultaneously, the Chairperson shall decide the order in which they shall be recognized.
3. No delegate may speak for more than three minutes on any motion and no delegate may speak twice on the same motion until all other delegates who wish to speak on that motion have had an opportunity to do so.
4. No delegate may interrupt another delegate who has the floor except for the points or motions listed in Rule 1, above.
5. Any delegate who refuses to take his/her seat when called upon by the Chairperson to do so may, at the discretion of the Chairperson, be suspended from the remainder of the Convention or any part thereof, and if any delegate persistently engages in unparliamentary behaviour, the Chairperson shall name him/her and ask the Convention to impose appropriate sanctions.
6. The Chairperson may participate in a debate provided s/he vacates the Chair and does not return until the question has been disposed of.
7. Any motion, once the debate has begun, becomes the business of the Convention and may be withdrawn or replaced by the mover only if there is no objection or, if there be any objection, only with the consent of the Convention.
8. Where a motion or resolution may be amended, an amendment, and an amendment to the amendment (*i.e.*, a sub-amendment), shall be in order. No further sub-amendment shall be in order until the first has been disposed of.
9. Questions shall normally be decided by a show of hands or other acceptable method. Where reasonable doubt may exist, on demand by at least 20 delegates, another show of hands or equivalent shall be called for. Only then, on demand by at least 20 delegates, shall a counted vote be taken. Abuse of this rule shall be considered unparliamentary behaviour, subject to Rule 5. On a motion, supported by a majority of delegates present and voting, a roll-call vote shall be ordered. The motion for a roll-call vote may be moved at any time prior to the question being called.
10. A majority or a two-thirds majority in any vote shall be calculated on the basis of delegates present and voting, or casting valid ballots (in the case of written votes).

11. The Chairperson may vote on any question. In the case of a tie, s/he may cast the deciding vote. If s/he does not break the tie, the motion is lost.
12. A delegate may challenge a decision of the Chairperson. A seconder is required and the issue is not debatable except that the challenger and the Chairperson may each, respectively, state briefly the basis for the challenge and the decision. The Chairperson shall then vacate the Chair and a Vice-Chairperson shall put the question: "Shall the decision of the Chairperson be the decision of this assembly?" A majority vote is required to overturn the decision of the Chairperson.
13. No delegate who has spoken on a question may move or second referral, the previous question, or any other motion that would have the effect of denying or limiting the right of others to speak on the question.
14. A motion to adjourn, table, postpone, or otherwise delay may be repeated after progress.
15. A delegate may move "that the previous question be put." It is not debatable and, if adopted by a two-thirds majority, has the effect of closing debate on only the immediate motion, amendment, or sub-amendment.
16. Any committee bringing a resolution or report before the Convention shall move adoption, any recommendation of the committee notwithstanding.
17. Resolutions and reports of committees may not be amended on the floor of the Convention but they may be referred back without instruction, which is not debatable, or with instructions, which is debatable.
18. A motion to reconsider a question may be made by a delegate who voted with the prevailing side on that question. This motion must be made during the same or immediately succeeding session of the Convention at which the question was decided and must be supported by a majority.
19. A notice of motion to reconsider a question may be given by any delegate who voted with the prevailing side and such notice must be given at the same session of the Convention at which the question was decided. The motion to reconsider then stands to be called up at the next session, or within 24 hours. Any delegate may call up the motion, which requires a simple majority vote to be adopted. If not called up within 24 hours, or if final adjournment shall have intervened, the effect of the notice is lost.
20. When debate begins on the substance of a resolution or constitutional amendment, the Chairperson shall give the opportunity to speak first to a delegate chosen by and from the organization(s) that originated it. If this interrupts the established speaking order, the previous order shall be resumed after the delegate speaks.
21. The Rules of Order and the Order of Business, once adopted, may be changed only by a two-thirds vote.
22. Any rule of order and procedure can be temporarily suspended by a two-thirds majority of the delegates registered.