



LAURENTIAN UNIVERSITY STAFF UNION

**SYNDICAT DES EMPLOYÉS DE
L'UNIVERSITÉ LAURENTIENNE**

CONSTITUTION AND BY-LAWS

2007

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CONSTITUTION

ARTICLE I: NAME

The Laurentian University Staff Union. It shall be referred throughout this Constitution as "LUSU".

ARTICLE II: OBJECTIVES

- a. To Act upon matters deemed to be in the best interest of LUSU and its members.
- b. To encourage closer liaison and communication among all members of LUSU.
- c. To maintain collective bargaining relationships between the employer and LUSU and to benefit LUSU and its members through those relations.
- d. To provide prompt and equitable disposition of grievances of its members.
- e. To provide integral and professional services necessary to the quality functioning of the University.

ARTICLE III: MEMBERSHIP

- a. Membership with LUSU shall be open to all eligible employees with the exception of those employees not eligible for collective bargaining under the Ontario Labour Relations Act.
- b. A member in good standing is a person eligible for membership who has complied with the following conditions:
 - i. signed a membership card and paid the approved membership fee;
 - ii. abides by the Constitution and By-Laws;
 - iii. continues to pay dues as established by LUSU and is not in arrears of dues.
- c. A member while on injury or sick leave (compensable or non compensable) or on other leave of absence shall be considered a member in good standing provided he/she was in good standing at the time of the commencement of such leave.
- d. A member who is not in good standing may not attend the meetings, vote, discuss or participate in the business of LUSU except as provided by the Ontario Labour Relations Act.
- e. The membership fee is to be decided upon by the Executive Committee subject to approval by the general membership.
- f. A member who terminates membership with LUSU for whatever reason (ie. contract terminated, moved to a non LUSU position, changed employment, etc) but returns within one year is deemed to be a member in good standing and as having already paid the approved membership fee provided he/she was a member in good standing at termination.
- g. Membership with LUSU shall be open to all LUSU retirees, provided that they were members in good standing at the time of retirement. Retired members shall have the right to attend LUSU meetings and be recognized by the Chair, however they shall not be counted for quorum, stand for election or have the right to vote.

Retired members must abide by the LUSU Constitution, Bylaws, and Collective Agreement.

- h. Honorary members. Special membership status can be appointed to individuals by the Executive Board. Such members shall have the right to attend LUSU meetings and be recognized by the Chair, however they shall not be counted for quorum, stand for election or have the right to vote. Honorary members must abide by the LUSU Constitution, Bylaws, and Collective Agreement.

ARTICLE IV: ORGANIZATION

LUSU shall consist of one general organization representing the Bargaining Unit The Executive Committee shall formulate and recommend policy concerning the organization of LUSU to the general membership for approval.

ARTICLE V: OFFICERS OF LUSU

President
First Vice-President
Second Vice-President
Secretary
Treasurer
Stewards
Past President

ARTICLE VI: EXECUTIVE COMMITTEE

President
First Vice-President
Second Vice-President
Secretary
Treasurer
Chief Steward
Past President

ARTICLE VII: GRIEVANCE COMMITTEE

One member of the Executive Committee as Chair; Chief Steward; and a Steward.

ARTICLE VIII: NEGOTIATING COMMITTEE

- a. The Electoral Committee shall call for and accept nominations from and for any member who is in good standing. Members will be elected by the Executive Committee and the Steward body by March 1 of each negotiation year.
- b. At least one member of the Executive Committee shall be a member of this Committee.
- c. The Chief Negotiator will be elected among the Negotiating Committee members by the Executive Committee and Negotiating Committee within ten days after the election.

ARTICLE IX: ELECTORAL COMMITTEE

- a. One member of the Executive Committee as Chair.
- b. Two other members appointed by the Executive Committee from amongst the membership at large.

ARTICLE X: STEWARDS

All academic departments	3 stewards
All administrative departments	3 stewards
CTS, E-learning & Instructional media	1 steward
Library	1 steward
MPRO	1 steward

The Stewards and Executive Committee will elect a Chief Steward from the Steward body

ARTICLE XI: ELECTIONS

- a. Election of Officers of LUSU and stewards will be held in November of every second year by secret ballot.
- b. The New Executive shall take office as of January 1, immediately following the elections.
- c. The Electoral Committee shall conduct and organize all matters pertaining to all elections of LUSU.
- d. The Electoral Committee will call for nominations three weeks prior to the election date set.
- e. The Returning Officer is to be chosen by the Electoral Committee preferably a person not associated with LUSU.
- f. The President, Vice-Presidents, Secretary and Treasurer will be nominated and elected by and from the whole membership of LUSU.
- g. Stewards will be nominated and elected by and from the members working in the area stipulated above in Article X.
- h. Where only one nomination has been received for any/all of the positions of President, Vice-Presidents, Secretary, Treasurer and Stewards, an election shall not be conducted and the position will be deemed filled by acclamation.
- i. Only members of LUSU may nominate or cast a ballot for election of LUSU Officers
- j. Elections may be held by mail in voting, electronic voting or advanced polls at the agreement of the Committee and the Executive Committee.
- k. In the event an office becomes vacant for less than eight months the position shall not be filled by election, but by appointment by the Executive Committee. If the vacancy is for more than eight months the Executive Committee will announce such a vacancy and instruct the Electoral Committee to call for and accept nominations for the position for a three week period. A by-election shall be held in accordance with these procedures. The Executive Committee may fill the office in the interim period except as specified in (i) and (ii) below. Should no nominations for an unoccupied position be forthcoming, the office may be filled

by the Executive Committee until the next scheduled election of the Officers of LUSU.

- i. In the event that the position of LUSU President becomes vacant for any reason the position of the President shall automatically be filled by the First Vice-President the position of the First Vice-President shall be filled by the Second Vice-President and the standard procedure for filling a vacancy shall be used to fill the position of the Second Vice-President. However, should the First Vice-President not accept the position of President it shall be filled by the Second Vice-President. Should the Second Vice-President not accept the position of President, then the Electoral Committee, upon notification from the Executive Committee shall conduct an election for the position of President in accordance with the standard procedures for filling a vacancy.
- ii. In the event that the position of the First Vice-President becomes vacant for any reason, the position of the First Vice-President shall automatically be filled by the Second Vice-President; and standard procedure for filling a vacancy shall be used to fill the position of the Second Vice-President. However, should the Second Vice-President not accept the position of First Vice-President the Electoral Committee upon notification from the Executive Committee shall conduct an election for the position of First Vice-President in accordance with the standard procedures for filling a vacancy.

ARTICLE XII: FINANCES

- a. The fiscal year of LUSU shall be January 1 to December 31 of any given year.
- b. LUSU dues shall be decided upon by the Executive Committee, subject to approval by the general membership.
- c. The Treasurer shall deposit all funds received on behalf of LUSU in a chartered bank trust company or other accredited institution as may be named by the members at a general meeting. A minimum of 85% of all LUSU's budgeted yearly savings may be invested, at the discretion of the Executive Committee, in Canadian bonds or other secured stock. The remainder may be invested in growth funds at the discretion of the Executive Committee.
- d. The financial signing officers of LUSU are the Treasurer and the President. Only in the absence of the President or the Treasurer may one of the Vice-Presidents sign as per (e) below.
- e. The President and Treasurer have the power to sign cheques drawn on the accounts of LUSU jointly. In the absence of the President or the Treasurer the First Vice-President may substitute. In the absence of the First Vice-President, the Second Vice-President may substitute.
- f. The Treasurer is empowered to endorse all cheques, money orders and other funds received by LUSU for deposit in LUSU's accounts. In the absence of the Treasurer, the President is empowered to endorse all cheques, money orders and other funds received by LUSU for deposit in LUSU's accounts.
- g. The Treasurer shall present a financial report at each regular meeting of LUSU and a proposed budget at the last regular meeting of the fiscal year.

- h. No parts of the funds in excess of the proposed budget shall be expended and no property shall be alienated except by majority vote in a general meeting, however, an internal transfer of funds can be made at the decision of the Executive Committee.
- i. An Auditor shall be appointed by the Executive Committee and shall conduct an audit on a yearly basis.
- j. The Auditor's report shall be made available to any member in good standing.

ARTICLE XIII: MEETINGS

- a. Two regular membership meetings of LUSU shall be conducted yearly. Other special membership meetings may be called at the request of the Executive Committee as required.
- b. All meetings shall be conducted in accordance with the Constitution and By-Laws of LUSU, and points not so covered shall be governed by Bourinot's Rules of Order.
- c. The President shall call all regular and special membership meetings. An agenda shall be prepared by the President and circulated to the members not less than five days in advance of a regular meeting. As much notice as possible shall be given in advance of a special meeting.
- d. Persons, other than members in good standing, may be invited to attend any meeting, as observers, at the discretion of the Executive Committee.

ARTICLE XIV: MINUTES

Official minutes of all regular and special membership meetings shall be kept and filed, and shall be made available to any member in good standing upon request.

ARTICLE XV: AMENDMENTS

- a. Amendments to the Constitution must be filed with the Executive Committee at least 30 days prior to voting.
- b. Amendments to the Constitution must be given ten days notice prior to a vote being conducted on the amendments.
- c. Amendments to the Constitution may only be carried by a majority vote of the membership.
- d. Amendments to the By-Laws may be made at any regular or special membership meeting and carried by a majority vote of the members present provided they constitute quorum.

ARTICLE XVI: DISSOLUTION

- a. LUSU may be dissolved only by a two-third majority vote of the members. A meeting of its members shall be convened for such purpose on the requisition in writing of not fewer than one-third of the registered membership. Two weeks notice of such meeting shall be given.
- b. In the event of the dissolution of LUSU, all its properties shall be appropriated to a scholarship fund. This scholarship fund shall be established to benefit the family

members of Laurentian University Staff Union. This shall be set up by the membership at the meeting convened for dissolution of LUSU.

ARTICLE XVII: STRIKE

- a. LUSU shall not strike without conducting a strike vote. Voting shall be by secret ballot and 60% majority vote of the membership shall be the deciding factor.
- b. Strike benefits shall be determined by the Executive Committee in consultation with the general membership considering the financial ability of LUSU. The Executive Committee shall have the right to set such rules and regulations as may be necessary in support of such action.

ARTICLE XVIII: OFFICIAL SIGNING OFFICERS

The official signing officers of LUSU, shall be:

- a. For all official documents and correspondence: the President and the First Vice-President. In the absence of the President, or the First Vice-President, the Second Vice-President may substitute.
- b. For all financial matters: the Treasurer and the President. Only in the absence of the President or the Treasurer, may one of the Vice-Presidents sign as per Article XII section e).
- c. For the Collective Agreement after ratification by the LUSU membership: the President and the Negotiating Committee.

ARTICLE XIX ORGANIZATIONAL CHANGES TO LUSU

- a. The Executive Committee shall have the power to enter into discussions concerning merger, amalgamation, transfer of jurisdiction or affiliation with any other trade union or association or to organize any group of employees for purposes of collective bargaining.
- b. LUSU may merge, amalgamate, transfer its jurisdiction to or affiliate with any other trade union or association or organize any group of employees for purposes of collective bargaining only on a two-thirds majority vote of the membership.

ARTICLE XX: DISCIPLINARY ACTION

Disciplinary action may be taken against a LUSU member for the following reasons:

- a. Violation of any provision of this Constitution.
- b. Obtaining membership through fraudulent means or by misrepresentation.
- c. Publishing or circulating among the membership, either verbally or otherwise, false statements or misrepresentations concerning LUSU and/or any LUSU members in respect to any matter connected with the affairs of LUSU.
- d. Promoting interest of any organization which is in competition with LUSU and in a manner which is detrimental to LUSU.
- e. Fraudulently receiving or misappropriating any property or money of LUSU.
- f. Using the name of Laurentian University Staff Union (LUSU) for soliciting funds or advertising without proper authority from the LUSU Executive.

- g. Furnishing a complete or a partial list of the LUSU membership to any person or persons without the written permission of the LUSU Executive Committee.
- h. Entering into any written or verbal agreement with the University or its representatives that conflict with the terms of the collective agreement.
- i. Crossing a legal picket line established by LUSU.

ARTICLE XXI: REVIEW COMMITTEE

- a. Every LUSU member shall be entitled to a fair and impartial review.
- b. If it is alleged that a member or officer of LUSU has committed an offence against this Constitution, specific charges must be submitted in writing to the President, signed by the accuser, who must be a member in good standing of LUSU. Such charges shall be submitted within ninety days after the alleged violation has been made known.
- c. The President, or the First Vice-President should the accused be the President, shall cause the charges to be delivered to the accused, either personally or by registered mail within ten days after the charges have been laid with the President as aforesaid. Simultaneously with the delivery of the charges to the accused, the President shall also deliver to the accused notice of the time and place of the hearing.
- d. A Committee of five shall be appointed by the Executive and the Steward body. All members appointed must be in good standing. The Chair of the Committee shall be selected by and from the five members. The Executive Committee and the Steward body shall appoint a member of the Executive Committee to sit on the Review Committee as a non-voting resource person.
- e. The Committee shall proceed to hear the charges in camera within fourteen (14) days from the date of selection of the Review Committee. Quorum shall consist of all five members present.
- f. The accused and the accuser shall each have the right to be present and shall also have the right to be represented by a member in good standing of LUSU, a member of the Bar Association, etc.
- g. The accused and the accuser shall have the right to call witnesses.
- h. Should the accused fail to appear before the Review Committee, without giving a satisfactory explanation, the Review Committee may, if it considers it advisable, proceed to hear evidence and render a decision in the absence of the accused or adjourn the hearing by notice to all parties.
- i. Should the accuser fail to appear before the Review Committee, without giving a satisfactory explanation, then the Review Committee may dismiss the charges or adjourn the hearing by notice to all parties.
- j. The accuser shall present his evidence first and the accused shall have the right to cross-examine any witnesses called by the accuser.
- k. After the accuser has presented his evidence to the Review Committee, the accused may present his evidence and the accuser shall have the same right of cross-examination.
- l. The Review Committee shall reach a decision by secret ballot. A majority vote shall decide the outcome.

- m. Should the Review Committee find the accused not guilty, the results, with a brief explanation shall be notified to all LUSU members through either a general membership meeting or through a memo from the LUSU President, within 10 working days of the decision.
- n. Should the Review Committee find the accused guilty, it shall then recommend a punishment as set out in the LUSU Constitution, to the Executive Committee, who shall implement the decision within 5 working days, unless the Review Committee's recommendation is appealed, in which case that recommendation will be stayed until the hearing of the appeal. The Committee shall outline the reasons for selecting such a punishment to the Executive. The results, with a brief explanation, shall be made known to the LUSU members within 10 working days by either a general membership meeting or by a memo to all members from the LUSU President.
- o. The accused has a right to appeal within 5 working days of the notification of the Committee's decision. The appeal will be made in writing to the Executive Committee. The appeal will list the reasons why the accused feels that he/she should not have been found guilty. The accused may request a meeting with the Executive.
- p. On appeal the Executive will have the right to enforce the punishment or call a new Review Committee.

ARTICLE XXII: DISCIPLINE

The discipline may take form of a reprimand, fine, removal from office and/or expulsion from LUSU. On appeal the Executive Committee and Steward body will decide on what type of discipline will be imposed.

BY-LAWS

1. DUTIES OF THE PRESIDENT

- The President shall act in matters of policy upon the advice of the Executive Committee and the consent of LUSU.
- The President shall be an ex-officio member of all LUSU committees.
- The President shall Chair all meetings of the Executive Committee.
- The President shall notify all members through the Secretary, of meeting times and locations, and be responsible to draw up the agenda for all meetings.
- The President shall prepare an annual written report at the end of each calendar year for circulation and/or presentation to the Executive Committee.
- The President and the Negotiating Committee shall sign the Collective Agreement after ratification by the LUSU membership.
- In accordance with the Constitution, the President may be a member or Chair of some LUSU Committee(s).
- Report problems to the Executive Committee for action.

2. DUTIES OF THE FIRST VICE-PRESIDENT

- The First Vice-President shall assist the President in all matters pertaining to the office of the President.
- The First Vice-President shall assist in the business of the Executive Committee.
- In the absence of the President the First Vice-President shall assume the duties of the President except as provided in the Constitution Article XI, (k)(i).
- In accordance with the Constitution the First Vice-President may be a member or Chair of some LUSU committee(s).
- Report problems areas to the Executive Committee for action.

3. DUTIES OF THE SECOND VICE-PRESIDENT

- The Second Vice-President shall assist in the business of the Executive Committee.
- In the absence of the President and/or the First Vice-President, the Second Vice-President shall assume the duties of the President and/or the First Vice-President except as provided in the Constitution, Article XI, (k)(ii).
- In accordance with the Constitution, the Second Vice-President may be a member or Chair of some LUSU committee(s).
- Report problems to the Executive Committee for action.
- Report to the Executive Committee on all LUSU committees. The official liaison person between the various LUSU committee representatives and the LUSU Executive.

4. DUTIES OF THE SECRETARY

- The Secretary shall keep the minutes of LUSU membership and Executive Committee meetings.
- The Secretary shall assist in the business of the Executive Committee.
- The Secretary shall maintain an accurate list of the names, position numbers, position title, and the Department in which they work, of each member.
- The Secretary shall record and file for reference all documents and correspondence of LUSU.
- In accordance with the Constitution the Secretary may be a member or Chair of some LUSU committee(s).
- Report problems to the Executive Committee for action.

5. DUTIES OF THE TREASURER

- The Treasurer shall be responsible for the disbursement and collection of all money related to LUSU business.
- The Treasurer shall present a financial report at each Executive Committee meeting.
- The Treasurer shall present a financial report at each regular meeting of LUSU.
- The Treasurer shall have the books audited yearly by an auditor chosen by the Executive Committee.
- The Treasurer shall assist in the business of the Executive Committee.

- The Treasurer shall maintain an accurate record of all financial transactions of LUSU.
- In accordance with the Constitution, the Treasurer may be a member or Chair of some LUSU committee(s).
- Report problems to the Executive Committee for action.

6. DUTIES OF THE STEWARDS

- The Stewards shall promote LUSU in a positive manner at all times.
- The Stewards shall represent and assist members of their specific area in grievances including attendance at arbitrations as requested by the President.
- The Stewards shall be responsible to assure that only members attend the LUSU meetings (except others who may attend when invited by the Executive Committee).
- The Stewards shall report on a monthly basis to the Chief Steward.
- The Stewards will be responsible for interviewing and signing up new employees and collecting the membership fee and submitting same to the Treasurer.
- The Stewards will be responsible for informing members, in their specific areas, of matters concerning LUSU.
- The Stewards will be responsible for checking each job posting for accuracy and reporting any discrepancy to the President of LUSU.
- The Stewards will be responsible for collecting dues monthly in the absence of dues check-off, or at the request of the Executive Committee.
- Each Steward in their designated area will be responsible for assisting in the collecting and collating of questionnaires, when requested by the Chief Steward.
- Report problems to the Chief Steward for action.
- The Stewards shall attend training sessions as required by the Executive Committee.

7. DUTIES OF THE CHIEF STEWARD

- The Chief Steward will be elected in accordance with Article XI of the Constitution.
- The Chief Steward will represent the Steward body on the Executive Committee.
- The Chief Steward will be a member of the Grievance Committee.
- The Chief Steward shall ensure....
- The Chief Steward will be responsible for informing the Steward body of matters concerning LUSU.
- The Chief Steward will be responsible for coordinating the duties of the Steward body.
- The Chief Steward shall Chair all meetings of the Steward body.
- The Chief Steward will report to the Executive Committee at each Executive Committee meeting.
- The Chief Steward shall represent and assist members upon the request of the steward in that area and/or Executive Committee.

- The Chief Steward shall assist the Stewards in their responsibility to assure that only members attend the LUSU meetings (except others who may attend when invited by the Executive Committee).

8. DUTIES OF THE PAST PRESIDENT

- The Past President shall continue to assist in the business of the Executive Committee and act as an advisor to the President.
- In accordance with the Constitution, the Past President may be a member or Chair of some LUSU committee(s).
- Report problems to the Executive Committee for action.

9. DUTIES OF THE EXECUTIVE COMMITTEE

The Executive Committee shall:

- conduct the business of LUSU;
- promote LUSU in a positive manner at all times;
- formulate and recommend policy to the membership;
- appoint members to the committees of LUSU where they are not elected positions, and set up standing or special committees as deemed necessary;
- appoint new officers of LUSU where a vacancy occurs during the term of office of any member in accordance with Article XIII of the Constitution;
- appoint members of LUSU to committees where LUSU is entitled to representative(s);
- receive reports of the various LUSU committees and representatives;
- formulate and revise (when necessary) terms of reference for all LUSU committees and any other LUSU representatives.

10. DUTIES OF THE GRIEVANCE COMMITTEE

The Grievance Committee shall:

- administer the grievance and arbitration procedures;
- endeavour to give fair and effective representation to all LUSU bargaining unit members;
- provide an orderly procedure for settling of grievances by representing the members of the bargaining unit in the grievance procedure;
- report to the Executive Committee through its Chair at each Executive Committee meeting as appropriate.

11. DUTIES OF THE NEGOTIATING COMMITTEE

The Negotiating Committee shall:

- draw up contract proposals of LUSU;
- present proposals and enter into negotiations with the employer;
- keep the membership informed of progress in negotiations;
- present the memorandum of agreement

- to the Executive Committee and Steward body for their recommendation; and
- to the membership for ratification;
- report to the Executive Committee at each Executive Committee meeting until such time as the Collective Agreement is ratified.

By mutual agreement the Chief Negotiator and the President shall be responsible for all statements made concerning negotiations. Where there is a lack of agreement, the Executive Committee shall be consulted and shall make the statement(s).

12. DUTIES OF THE ELECTORAL COMMITTEE

The Electoral Committee shall:

- conduct all elections of LUSU in accordance with the Constitution;
- report to the Executive Committee through its Chair at each Executive Committee meeting, as appropriate.
- inform the membership either through a memorandum or through a general membership meeting the status of the nominations.

13. REPRESENTATION ON UNIVERSITY COMMITTEES

A request for members to sit on LUSU committees and/or to represent LUSU on Laurentian University committees shall be made in January of every year.

The Executive Committee shall appoint and advise, as soon as possible, the committee members and the membership of the appointments.

Representatives of LUSU to the following Laurentian University committees shall be chosen at the discretion of the Executive Committee:

University Benefit Committee
 University Board of Governors
 University Food Committee
 University Parking and Security Committee
 University Status of Women Committee
 University Pension Committee
 University Health and Safety Committee
 Joint Job Evaluation Committee
 Board of Governors Building and Planning Committee
 Employee Assistance Program Committee
 University Harassment and Education Committee
 Board of Governors Bilingualism Committee
 and any ad hoc or special committees.

One LUSU representative from each of the above committees shall submit a written report and/or minutes of the meeting to the Executive Committee through the Second Vice-President, after each meeting of the committee.

14. QUORUM

Quorum at general membership meetings of LUSU shall be 15% of all members in good standing; except where otherwise stated in the Constitution.

Quorum at all LUSU committee meetings shall be 50% plus 1 of all members of the committee.