



ONTARIO MUNICIPAL EMPLOYEES COORDINATING COMMITTEE

# 2017 BYLAWS

(REVISED APRIL 2017)



# TABLE OF CONTENTS

Article 1 - Name..... 4

Article 2 - Purpose..... 4

Article 3 – Objectives ..... 4

Article 4 – Annual Conference ..... 5

Article 5 – Committee Representation ..... 6

Article 6 – Committee Meetings and Duties..... 9

Article 7 – Finance.....10

Article 8 – Expenditures.....10

Article 9 – News Bulletins, Reports and Publications .....10

Article 10 – Interpretation .....11

Article 11 – Amendments to the Constitution.....11



## **ARTICLE 1 – NAME**

This organization shall be known as the Ontario Municipal Employees' Coordinating Committee, a Committee of the Ontario Division of the Canadian Union of Public Employees, hereinafter referred to as "the Committee". For greater clarity, "Municipal Employees" shall be understood to include all employees who work for a Municipality, including those who work for Agencies, Boards and Commissions which are funded by the Municipalities

For the purpose of these bylaws, sub-jurisdictions shall include any group of employees from a particular sector/area of work within the Municipal sector. The current recognized sub-jurisdictions who each hold a seat on OMECC and who are referenced in these bylaws are Library workers, Paramedic workers, and Energy workers.

The President of the Ontario Division may recognize additional sub-jurisdictional group and these bylaws shall be amended accordingly.

## **ARTICLE 2 – PURPOSE**

The Committee shall determine its program of activity to provide for:

- Coordination of bargaining agendas, where feasible;
- Facilitation of the development of coordinated bargaining, where feasible;
- Coordination of information between OMECC locals and between the OMECC Committee and the locals;
- Coordination of political and non-political activities and campaigns which pertain to OMECC locals and their members;
- Research and identification of problems that are peculiar to this jurisdiction, with a view to having them dealt with further through the Ontario Regional Office and the Ontario Division.

Such program shall be confined strictly to this jurisdictional group and will not depart from same, except to the extent that some portions of this jurisdictional group overlap with other jurisdictional groups.

## **ARTICLE 3 – OBJECTIVES**

- 1) To unite Municipal Employees in Ontario in coordinating and presenting common objectives in matters pertaining to Municipal Employee Locals and members.
- 2) To present matters, legal and legislative, of concern to Municipal Employees to the Legislative Committee of the Ontario Division, Canadian Union of Public Employees.
- 3) To submit to the CUPE Coordinator of Municipal Employees Locals of Ontario, those matters referred to the Committee by the Locals for his consideration, advice and/or assistance.
- 4) To, at all times, work for the good and welfare of the members of the Ontario Municipal Employees Local Unions and for the support of the programs of the Ontario Division of the Canadian Union of Public Employees.
- 5) The Committee as a body shall not participate in or support a person or persons for elected positions at conventions.

- 6) The Committee shall take all possible steps to establish close cooperation and communication between Municipal Employees Local Unions in Ontario.
- 7) The Committee, through the Ontario Division, shall establish and maintain an up-to- date file of current collective agreements pertaining to Ontario Municipal Locals.
- 8) To assist and work in co-operation with the Officers and Representatives of the Canadian Union of Public Employees.

#### **ARTICLE 4 – ANNUAL CONFERENCE**

- 1) A conference of Ontario Municipal Employees Local Unions shall be held annually.
- 2) The time and place shall be set by Committee in consultation with the President of the Ontario Division.
- 3) The theme and program of the Annual Conference shall be set out by the Committee.
- 4) The Annual Conference will reserve one (1) full day for sub-jurisdictional groups to meet, which shall be a day added to the conference. This shall include a meeting for workers in services other than Libraries and Utilities.
- 5) The Conference Call shall be in the hands of the Local Unions at least sixty(60) days prior to the date of the conference. Any proposed resolutions and/or bylaw amendments shall be sent to the Secretary-Treasurer of OMECC forty (40) days prior to the date of the conference and in the hands of the Local Unions at least thirty (30) days prior to the date of the conference.
- 6) The number of delegates who may attend conferences shall not be limited. No Local shall be entitled to votes in excess of that allowed under the CUPE Ontario Division Constitution. The following shall be how the number of voting delegates are selected from each Local Union.

Number of Local Members	Voting Delegates
Up to 100	2
101-250	3
251-400	4
Each additional 150 members	1
District Council	1

In addition, the President of the Ontario Division, or their appointee, shall be accorded delegate status. Area Councils shall be allowed one (1) voting delegate. Fraternal delegates shall be permitted voice in any debate which is of a non-constitutional nature. A coordinated bargaining committee composed of five (5) or more Local Unions shall be allowed one (1) voting delegate. At no time shall any one local have more than ten (10) voting delegates.

- 7) Registration fees for delegates shall be determined by the Committee for each conference, having regard to costs involved.
- 8) The sitting member of the Coordinating Committee who is not an accredited delegate at the time of the annual conference in the even-numbered years shall be entitled to attend the conference at the expense of the Division, with voice but no vote. They shall not be eligible for re-election.

The sitting member of the Coordinating Committee who is not an accredited delegate at the time of the annual conference shall be entitled to attend the conference at the expense of the Division with voice and vote, in the odd-numbered years of the conference when no elections are held.

Notwithstanding the above, no sitting member of the Coordinating Committee shall be entitled to attend the annual conference unless the local union, of which they are a member, is entitled to representation at the annual conference.

- 9) The Annual Conference shall be governed by Rules of Order in accordance with the Constitution of the Canadian Union of Public Employees.

## **ARTICLE 5 – COMMITTEE REPRESENTATION**

- 1)
  - a) The Chairperson of the Committee shall be elected for a two-year term by voting delegates on the convention floor in the even numbered years. Whereas they automatically sit on the CUPE Ontario Executive Board by way of this title, the Chair cannot be considered for any additional positions on the Committee.
  - b) A Vice-Chairperson of the Committee shall be elected for a two (2) year term in even numbered years following the annual conference from amongst the members of the committee and shall assist the Chairperson as well as take the chair in the absence of the Chairperson. Should the Chairperson permanently vacate the position during the term of office, the Vice-Chair will assume the Chair's role until the Committee can be convened and elect a new Chairperson.
  - c) A Trades Committee representative shall be elected for a two-year term in even numbered years following the annual conference from amongst the members of the committee and shall be the OMECC representative on the Trades Committee.
- 2) The CUPE Coordinator of the Municipal Employees Local Unions for Ontario shall act as liaison to the Committee shall assist in every way possible to provide the Committee with the facilities and services of the National Organization.
- 3) Representation on the Committee shall be one (1) representative from each of the following areas:
  - AREA 1: Districts of Kenora, Rainy River and Thunder Bay
  - AREA 2: Districts of Algoma, Manitoulin, Sudbury, Cochrane, Timiskaming, Nipissing and City of Sudbury
  - AREA 3: Counties of Renfrew, Lanark, Prescott-Russell, Stormont Dundas & Glengarry and City of Ottawa
  - AREA 4: Counties of Leeds & Grenville, Frontenac, Lennox & Addington, Hastings and Prince Edward
  - AREA 5: Counties of Haliburton, Peterborough, Northumberland, City of Kawartha Lakes and Region of Durham
  - AREA 6: Regions of York, Peel, Halton and City of Toronto
  - AREA 7: Districts of Parry Sound and Muskoka, Counties of Simcoe, Grey, Bruce and Dufferin
  - AREA 8: Cities of Hamilton, Haldimand, Norfolk and Region of Niagara

AREA 9: Counties of Wellington, Brant, Perth, Oxford, Huron, Middlesex, Elgin and Region of Waterloo

AREA 10: Counties of Lambton, Kent and Essex

- 4) OMECC recognizes Library, Paramedic and Energy Workers sub-jurisdictional groups. These sub-jurisdictional group Chairpersons or their designate shall be seated on the OMECC Board with voice and vote.

Sub-jurisdictional group Chairpersons will be elected in accordance with the Respective procedures of that sub-jurisdictional group. If no procedures exist, the sub-jurisdictional group Chairperson shall be elected at the annual OMECC conference in even numbered years at their caucus as per above.

The CUPE Associate Coordinators assigned to each sub-jurisdictional group shall act as the liaison with the CUPE Coordinator of the Municipal Employees Local Unions for Ontario.

REPRESENTATION ON THE PARAMEDIC SUB-JURISDICTIONAL COMMITTEE SHALL BE in accordance with the CACO bylaws as amended from time to time (attached).

Area 3 shall be permitted one (1) Executive and Areas 1 and 2 shall each be permitted two (2) executive members.

- 5) Area Representatives listed in Article 5.3 shall be elected for a two (2) year term in even numbered years by the delegates from the geographical area present at the Annual Conference. To be eligible to run for election, the candidate must be a delegate from a local who is affiliated to the Ontario Division.

- 6) The Committee shall elect for a two (2) year term in even numbered years following the annual conference from its members one (1) member to be Secretary- Treasurer to the Committee.

- 7) Vacancies – Area representatives

Members of the Committee will be deemed to have vacated their position and will be replaced in the following instances: if the member resigns; if the member's local disaffiliates from the Ontario Division; if the member is absent from two (2) consecutive duly called meetings of the Committee without reasonable excuse.

Replacements for members of the Committee who vacate their position within a period of less than one year until the next OMECC conference where elections are regularly held shall be appointed by the Committee in accordance with its procedures whereby the Chair in consultation with the Coordinator appoints a replacement.

Replacements for members of the Committee who vacate their position for a period of more than one year until the next biennial OMECC conference where elections are regularly held shall be elected by the delegates from the appropriate geographical area present at the Annual Conference in the odd numbered years. The Chair in consultation with the Coordinator may appoint a temporary replacement until the delegates may elect the successor for a one (1) year term.

- 8) A Health and Safety Representative shall be elected for a two (2) year term to represent OMECC on the Ontario Division Health and Safety Committee by all delegates present at the Annual Conference in the even numbered years.

The Health and Safety Representative will be a member of the OMECC Committee and will report to the Committee on all Health and Safety issues relating to OMECC.

- 9) An Injured Worker Representative shall be elected for a two (2) year term to represent



OMECC on the Ontario Division Injured Workers Committee by all delegates present at the Annual Conference in the even numbered years.

The Injured Workers Representative will be a member of the OMECC Committee and will report to the Committee on all Injured Workers issues relating to OMECC.

- 10) In the event that either the Health and Safety Representative or the Injured Worker Representative position falls vacant, the vacancy shall first be offered to the runner up on the ballot and then if accepted, shall serve the remaining term office until the next general election at the even numbered year conference. In the event that the Health and Safety Representative and/or the Injured Worker Representative was acclaimed and therefore no runner up on the ballot, or, in the event that the runner up declines, the Representative shall be appointed by the President of the Ontario Division.
- 11) Should the Chairperson permanently vacate the position during the term of office, the Vice Chair will assume the Chair's role until the committee can be convened and elect a new Chairperson as soon as reasonably possible.

**REPRESENTATION ON THE LIBRARIES SUB-JURISDICTIONAL COMMITTEE SHALL BE AS FOLLOWS:**

- a) Chair of the Libraries Sub-Jurisdictional Committee shall be elected by the sub-jurisdictional committee at their caucus voting delegates off the sub-jurisdictional conference floor in advance of the OMECC conference in even numbered years.
- b) Chair of the Libraries Sub-Jurisdictional Committee shall be on the OMECC Committee and be responsible for coordinating all library activities with the Associate Coordinator (Library), OMECC Coordinator and Chair of OMECC:
- c) A Vice-chair of the Library Sub-Jurisdictional Committee shall be elected for a two-year term in even numbered years following the annual conference from amongst the members of the committee and shall assist the Chairperson as well as take the chair in the absence of the chairperson. Should the Chairperson permanently vacate during the term of office, the Vice-chair will assume the chair's role until the committee can be convened and elect a new chairperson
- d) Additional representatives shall be elected at the Library Sub-Jurisdictional Committee caucus in advance of the OMECC conference in even numbered years:
  - One (1) member from the north, defined as a member from OMECC areas 1 and 2;
  - Five (5) members at large, i.e. with no geographic restriction;
- e) If no member is elected from the north, defined as a member from OMECC areas 1 or 2, then the position may be filled from members elected at large;
- f) No more than one (1) committee member may be elected from any given bargaining unit.

The CUPE Ontario President and Secretary Treasurer, other CUPE National and CUPE Ontario Staff and OMECC Chair and the Associate Co-ordinator (Library) shall be invited to attend at least one meeting during the term.

## **MISSION STATEMENT**

The Library Workers Committee of Ontario endeavours to:

1. Represent the interests of library workers in CUPE and to work for the good and welfare of Library members and CUPE members in general;
2. To formalize communication, establish networks and give continuity to ideas;
3. To work toward coordinating collective bargaining; and
4. To work in co-operation with the officers and representatives of CUPE in order to achieve the aforementioned;

In addition, the Library Workers Committee is committed to:

Promote the role of library workers in our communities and educate the public as to the importance of our work and our contribution to those communities, including the Ontario Public Library Week Event.

Library Affiliations / Memberships

Upon agreement of the Ways and Means Committee and the Secretary Treasurer affiliation to the Federation of Ontario Public Library Federation (FOPL) and the Ontario Library Association (OLA) will be funded by CUPE Ontario.

When CUPE Ontario sends delegates to attend FOPL meetings, and to the AMO Conference, the Chair, or their designate, shall be sent as a representative.

Recognition of Ontario Public Library Week and Library Workers.

## **ARTICLE 6 – COMMITTEE MEETINGS AND DUTIES**

- 1) The Committee shall meet three (3) times per year at the call of the Committee Chair and such meetings shall be at the CUPE Ontario Regional Office, unless otherwise decided upon by the Committee. The sub-jurisdictional groups shall meet two (2) times per year at the call of the respective sub-jurisdictional Chair.
- 2) The Committee shall conduct all business referred to it by the Annual Conference and shall, in the interval between conferences, have full and complete charge of all business.
- 3) Members of the Coordinating Committee shall be designated Area Committee members and shall be responsible for the establishment of liaison with the Local Unions in their geographic areas and reporting Local Union problems to the Committee.
- 4) The Committee shall be empowered to set up sub-committees for study and reporting on special issues.
- 5) The Committee, in conjunction with the Coordinator, shall advise Local Unions on all matters of contractual, legislative or similar matters which may affect the welfare of the Local Union or its membership in general.
- 6) The Committee or the Annual Conference, recognizing the autonomy of Local Unions, shall have no right or authority to bind Local Unions to any course of action or decision of the Committee or Annual Conference unless such decision is ratified by the Local Unions concerned.
- 7) The members of the Committee or the Committee as a whole shall not in any way interfere in the operation of Local Unions unless so authorized by the Local Union concerned.

## **ARTICLE 7 – FINANCE**

- 1) Financing shall be as provided in the Constitution of the Ontario Division of the Canadian Union of Public Employees. A separate accounting of all monies received and disbursed shall be maintained by the Ontario Division.
- 2) The Secretary-Treasurer of the Ontario Division shall provide the Chairperson, Secretary-Treasurer and Coordinator reports of expenditures and receipts no less frequently than quarterly. Additional reports shall be provided when requested by the Chairperson, Secretary-Treasurer or Coordinator.
- 3) The recognized sub-jurisdictions shall be fully funded by OMECC and shall be identified separately on all reports provided to OMECC by the Secretary-Treasurer of the Ontario Division.
- 4) The recognized sub-jurisdictions shall maintain their own and separate levies which shall be kept in a separate accounting by the Secretary-Treasurer of the Ontario Division.

## **ARTICLE 8 – EXPENDITURES**

Members of the Committee incurring expenses or lost time, when involved on behalf of and authorized by OMECC, will be reimbursed in accordance with the policy of the Ontario Division, as is applied to members of the Ontario Division Executive, as amended from time to time.

## **ARTICLE 9 – NEWS BULLETINS, REPORTS AND PUBLICATIONS**

- 1) The Committee shall, through the Ontario Division of the Canadian Union of Public Employees, endeavour to publish such reports as required, giving a brief summary of Committee activities and provincial news.
- 2) The Committee may, from time to time, publish reports, pamphlets, newsletters, etc., in order to acquaint Local Unions with urgent problems or to convey information to the Local Unions.
- 3) Conference Report  
A summary of the Annual Conference shall be prepared by the Secretary in conjunction with the Coordinator and forwarded to all Locals within four (4) months, where possible, after the close of the conference.
- 4) Reports to the Conference  
All Committee members and the Chairpersons of sub-committees shall submit a written report to the Secretary, of all their actions during their term of office, at least thirty (30) days prior, where possible, to the Annual Conference and same shall be part of the General Conference Report.

## **ARTICLE 10 – INTERPRETATION**

Whenever the gender pronoun has been used throughout this Constitution; it shall be taken to include the opposite gender, where the context so allows.

## **ARTICLE 11 – AMENDMENTS TO THE CONSTITUTION**

These Bylaws, or any of its clauses, may be amended at any regular Annual Conference by form of resolution, or committee recommendation and being approved by a two-thirds (2/3) majority vote of the voting delegates present at the Annual Conference, provided however, that such amendments do not conflict with the Constitution of the Canadian Union of Public Employees or the Ontario Division and shall be subject to approval by the National Executive Board. Unless specifically stated otherwise, all amendments shall take effect immediately following the conclusion of the conference which adopts them.

## **APPENDIX “A”**

### **RULES AND ORDER OF BUSINESS**

The Rules and Order of Business governing conferences shall be:

1. The Chairperson, or in his absence or request, a Vice-Chairperson, shall take the Chair at the time specified at all regular and special conferences. In the absence of both, the Chairperson or his designated representative, a Chairperson shall be chosen by the Committee.
2. No question of a religious character shall be discussed.
3. When the delegate wishes to speak, he shall proceed to one of the microphones provided for that purpose and when recognized by the Chairperson he shall give his name and the organization he represents and shall confine his remarks to the question at issue.
4. Speeches shall be limited to five (5) minutes, except in the moving of a motion, and then the delegate shall be allowed ten (10) minutes.
5. A delegate shall not speak more than once upon a subject until all who wish to speak have had an opportunity to do so.
6. A delegate shall not interrupt a speaker, except to call a point of order.
7. If a delegate is called to order he shall, at the request of the Chairperson, take his seat until the question of order has been decided.
8. Should a delegate persist in unparliamentary conduct, the Chairperson may be compelled to name him and submit his conduct to the judgement of the Conference. In such case the delegate whose conduct is in question should explain and then withdraw and the Conference will decide what course to pursue in the matter.
9. When a question is put, the Chairperson after announcing the question shall ask: "*Are you ready for the question?*" If no delegate wishes to speak, the question shall be put.
10. Questions may be decided by a show of hands, or a standing vote, on the basis of one vote per voting delegate. A role call may be demanded by two-thirds of the delegates present. In a role call vote, each voting delegate shall be entitled to one vote.
11. The Chairperson shall have the same rights as other delegates to vote on any question and in the case of a tie, he shall also cast the deciding vote.
12. When the previous question is moved, no discussion or amendment to either motion is permitted. If the majority vote that "the question be now put", the original motion has to be put without debate. If the motion to put the question is defeated, discussion will continue on the original motion.
13. A delegate shall not move a motion to refer back after he has spoken on the question at issue.
14. A motion to refer back is not debatable and when properly seconded, the question shall immediately be put to the Conference.
15. If a report is adopted, it becomes the decision of the Conference.

16. When a question is pending before the Conference no motion shall be in order except:
- a) to refer;
  - b) to adjourn for the previous question;
  - c) to postpone for a definite time.

If any of the foregoing motions is negated it cannot be renewed until after an intermediate proceeding.

17. A motion may be reconsidered providing the mover of the motion to reconsider voted with the majority and a notice of motion is given for consideration at the next sitting and said notice of motion is supported by two-thirds of the delegates qualified to vote.