

1375, boul. St. Laurent Blvd., Ottawa, ON K1G 0Z7

Tel./Tél. : (613) 237-1590 Fax/Télec. : (613) 237-5508 Toll free/Sans frais : (844) 237-1590

cupemail@cupe.ca/courriel@scfp.ca – cupe.ca/scfp.ca

## **BY E-MAIL**

January 10, 2019

Stephen Horner  
National Representative  
Ontario Regional Office

Dear Brother Horner:

I am writing in response to your e-mail of July 20, 2018 to Sister Jo-Anne Tremblay with which you submitted for approval proposed amendments to Local 3903's bylaws. Please accept my apologies for the delay in replying.

Since the most current document on file was dated in 2011, and the National Constitution has been amended since then, I have reviewed your recent set of bylaws in its entirety to ensure compliance. For the most part, the document has been found in conformity with the National Constitution. I do, however, have certain comments to make, some of which will require amendment in order to ensure conformity.

### **Article 7: Dues and Assessments**

(c) May I ask the local to clarify if the dues are of regular or gross wages?

Also, may I recommend that Local 3903 consider adding provisions covering non payment of dues and assessments? This would provide the local with a method of dealing with any such occurrence. Suggested wording can be found in the Guide to Preparing Local Union Bylaws under Section 12.

.../2

**MARK HANCOCK**

National President/Président national

**CHARLES FLEURY**

National Secretary-Treasurer/Secrétaire-trésorier national

**DENIS BOLDUK, FRED HAHN, JUDY HENLEY, DANIEL LÉGÈRE, MARLE ROBERTS**

General Vice-Presidents/Vice-présidences générales

## **Article 8: Executive Committee**

(m) This proposed provision is viewed as discipline and must be removed.  
The approved method is the Trial Procedure under the National Constitution.

### I. OFFICERS SITTING ON THE EXECUTIVE COMMITTEE

#### CHAIRPERSON

(f) Our thinking on the issue of the Chairperson casting the deciding vote in elections has greatly evolved in the last few years as this restricts the members' right to democracy. We now encourage locals to turn back to the membership for a revote. May I ask that Local 3903 reconsider this provision?

## **Article 14: Elections**

### V. Vacancies/By-elections

(a) Article B.2.5 of the National Constitution was amended at the 2011 National Convention to reflect the interpretation of this article. Specifically, absences from membership meetings and executive meetings cannot be combined to declare a position vacant. This provision will require amendment to read as follows:

*"If an Officer fails to attend three consecutive membership meetings or three consecutive executive meetings without good and sufficient reason, their office will be declared vacant and filled at the next meeting".*

## **General**

At the 2011 National Convention, delegates adopted a new clear language document and clarified the sequence and order of provisions found under Appendix B. As a result, references to certain articles of the National Constitution have been changed. When Local 3903 next reviews its bylaws, it will want to update any references to articles as appropriate. They follow:

Page 35 – Article 14 IV. (b) – Article B.3.10 is now Article B.2.4;  
Page 37 – Article 16 – Section B.VI is now Articles B.11.1 to B.11.5; and  
Page 41 – Article 20 (g) – Article B.6.1(m) is now Article B.11.1 (m).

With the exception of these remaining issues, on which I look forward to hearing from you again, the bylaws are in compliance with the National Constitution and I am therefore pleased to confirm my approval of them in accordance with the provisions of Article XIII.

When the local has a moment, I would appreciate receiving a copy of Local 3903's updated bylaws in order to update our file and to facilitate our review of future submissions.

In solidarity,

A handwritten signature in black ink, appearing to read 'MH' followed by a stylized flourish.

MARK HANCOCK  
National President

:ms/cope 491 | Encl.

cc: D. Burke; J. Matasic; G. Smith; CUPE Local 3903