

BY-LAWS

OF THE

**Communications Workers of America |
Syndicat des communications d'Amérique
Canada
(CWA|SCA Canada)**

AMENDED April 2010

INDEX

ARTICLE	1	NAME
ARTICLE	2	PURPOSES
ARTICLE	3	GOVERNANCE
ARTICLE	4	MEMBERSHIP
ARTICLE	5	LOCALS
ARTICLE	6	DISAFFILIATION
ARTICLE	7	NATIONAL REPRESENTATIVE COUNCIL: AUTHORITY
ARTICLE	8	NATIONAL REPRESENTATIVE COUNCIL: DELEGATES
ARTICLE	9	NATIONAL REPRESENTATIVE COUNCIL: MEETINGS
ARTICLE	10	THE EXECUTIVE COMMITTEE AND ITS OFFICERS
ARTICLE	11	ELECTION OF OFFICERS
ARTICLE	12	PER CAPITA PAYMENTS
ARTICLE	13	FINANCES
ARTICLE	14	LEGAL ASSISTANCE PROGRAM
ARTICLE	15	COMMITTEES
ARTICLE	16	CREATION OF NEW DIVISIONS, BRANCHES
ARTICLE	17	AMENDMENTS
ARTICLE	18	DISCIPLINE
ARTICLE	19	INTERPRETATION
ARTICLE	20	GENERAL LAWS
ARTICLE	21	FORMER PRINT SECTOR LOCALS' STRIKE FUND

**BYLAWS OF THE Communications Workers of America | Syndicat des
communication d'Amérique Canada (CWA|SCA Canada)**

As adopted March 30, 1996
and last revised **April 2010**

ARTICLE 1 - NAME

1. The Communications Workers of America | Syndicat des communications d'Amérique Canada (CWA|SCA Canada), is a national Canadian trade union based in Ottawa, with members and Locals across the country.

ARTICLE 2 – PURPOSES

1. CWA|SCA Canada shall organize, represent and advocate for workers who wish to belong to a trade union.
2. There are no restrictions on the occupations of members or the industries which may be represented within CWA|SCA Canada, but it began as a media union and continues to have a special link with media employers and those in the communications sector. Groups within the union may use an additional name, linked to CWA|SCA Canada, which more closely identifies them with their particular industry and/or has historical significance. For example, Locals in the media group may continue to use the name of The Newspaper Guild in their Local name, with the addition of CWA|SCA Canada (i.e.: The Ottawa Newspaper Guild, CWA|SCA Canada).
3. CWA|SCA Canada and member Locals shall strive to promote the interests and well-being of members, improve their working conditions and defend their collective agreements. This shall be done through aid provided by the National Office including servicing by staff representatives, effective communication, education, CWA|SCA Canada's legal assistance program and the mobilization of members.
4. In addition, the union shall promote the interests of organized labour nationally and internationally. It shall work for a society in which all people, regardless of nationality, religion, ethnic origin, sexual orientation or disability, shall have a right to fair employment, fair wages and a workplace free of discrimination or harassment in any form.

5. It shall organize non-union workers within the Canadian labour force and welcome organized workers who seek to join CWA|SCA Canada and its member Locals, as long as they do so in a way that conforms to provincial or federal labour laws.

ARTICLE 3 - GOVERNANCE

1. CWA|SCA Canada shall be governed by the Constitution of the Communications Workers of America, their policies adopted in International Convention, the Constitution of The Newspaper Guild - Communications Workers of America, the two documents adopted by membership referendum in 1995, namely the *Agreement for Affiliation and Merger between the CWA and TNG* and *A Proposal for Structuring TNG Canada*, and these bylaws.
2. The supreme decision-making body of CWA|SCA Canada shall be the National Representative Council, composed of delegates elected by member Locals. Between meetings of the council, CWA|SCA Canada shall be governed by the National Executive and the Director of CWA|SCA Canada, through the authority granted by the Representative Council and these Bylaws.
3. Under the CWA constitution revised in 2008, the Canadian Region of the CWA was created. Known as CWA|SCA Canada, the Region consists of all CWA Locals in Canada and operates with full administrative, operational and financial authority for the Locals and members in Canada.

ARTICLE 4 – MEMBERSHIP

1. Different categories of membership may be offered by Locals within CWA|SCA Canada or by CWA|SCA Canada itself, including Full Membership, Associate Membership, Retired Membership and Honorary Membership. Applicants for membership in CWA|SCA Canada shall furnish such information as CWA|SCA Canada and/or the Locals require.
2. All Locals shall ensure that every employee working under their jurisdiction is asked to sign a membership card to become a member of the Local and CWA|SCA Canada.
3. Each full member shall receive from his or her Local a standard membership card which will verify membership in the Local and CWA|SCA Canada. Full members shall have all rights of membership and shall be eligible for election to any office and to vote in any election in accordance with the CWA Constitution,

Page 5 of 25

TNG/CWA Constitution and CWA|SCA Canada Bylaws.

4. No member not in good standing shall be permitted to vote, offer or second a motion, nominate for office, hold office, or be a candidate for office.
5. A member shall belong to the Local that negotiates his or her collective bargaining agreement. Members not covered by a collective bargaining agreement or serving as full-time paid staff may belong to the Local in the area of their principal employment, another Local based where the member lives or to another Local designated by CWA/SCA Canada.
6. Each member shall advise his or her Local, and the Local shall advise CWA|SCA Canada, on forms provided for the purpose, of his or her home address and any change in home address.
7. Associate and retired members shall be entitled to an appropriate card issued by CWA|SCA Canada and shall have the right to attend and to speak at meetings but shall not have the right to make or second motions, to vote, or to hold office, except in the conduct of activities of associate or retired units.
8. Associate members shall belong to the nearest Local in the area in which their institutions are located. They may be formed into associate units of the Local, subject to the by-laws and regulations of the Local.
9. Retired members shall be permitted to join CWA Retired Members' Clubs and serve on the Retired Members' Council consistent with Article V, Sections 5 and 6 of the CWA Constitution.

ARTICLE 5 – LOCALS

1. Locals shall be established by charter granted by the CWA on the effective recommendation of the Director of CWA|SCA Canada, acting on the approval of the Executive.
2. Locals shall be responsible for enforcing provisions of these Bylaws, the CWA Constitution and, if relevant, the Constitution of The Newspaper Guild/CWA, regarding their members.
3. No Local shall adopt any bylaws that conflict with these bylaws or the constitutions and policies of CWA and, if applicable, TNG/CWA.

Page 6 of 25

4. Every Local shall submit to CWA|SCA Canada a copy of its bylaws and any amendments as adopted.
5. Locals shall hold general membership meetings at least four times a year and at no time shall there be a lapse of more than four months between meetings.
6. Exceptions to this rule may be made in Locals of 3,500 members or more or Locals which have units separated by 65 kilometres or more. They shall be required to have both an Executive Committee and a Representative Assembly. The by-laws of such Locals shall further provide adequate referenda procedures.
7. Locals shall have the option of electing officers annually, biennially or triennially, as directed by the members through referendum. At a minimum, the officers shall include a president, a vice-president, a secretary-treasurer or secretary and treasurer. No member shall be permitted to hold more than one such office.
8. Elections shall be by secret ballot.
9. At least 15 days' notice of election of officers and members of an Executive Committee shall be sent to each eligible member, including elections to fill vacancies.
10. In conformity with the CWA and TNG/CWA Constitutions, Local delegates to the TNG/CWA Sector Conference and CWA Convention shall be elected by a vote of the members.
11. Local delegates to all bodies other than the Sector Conference and CWA Convention shall be elected by the membership or elected or appointed by such other body of the Local as the membership may decide.
12. A member who wishes to protest the conduct of any election held by his or her Local may submit the protest in accordance with the procedures set out in the CWA Constitution.
13. All Locals shall have procedures in place to dispense funds in accordance with its Bylaws, the Constitutions of CWA and TNG/CWA, these Bylaws, and any relevant federal and provincial labour laws.
14. Local funds shall be used only for legitimate operating expenses, for the financing of strike activities and for the purchase for local members of group life, accident, health, hospital, medical and surgical, unemployment and retirement benefit insurance, singly or in any combination.

15. Local funds also may be used for the purpose of assisting labour and other organizations and the labour movement and for other activity within the purposes of CWA|SCA Canada, including fraternal and social activity.
16. Each Local shall establish a Local Organizing Fund into which it shall deposit \$1 per member per month or, alternately, it may elect to remit \$1 per member per month to the National Office of CWA Canada, which shall use the money solely for organizing or related activities. The assets of the Local Organizing Fund also shall be used solely for organizing and related activities. Each Local shall keep its financial records in accordance with procedures and on forms supplied by or satisfactory to CWA|SCA Canada. Each Local of more than 100 members shall cause an audit of all its books, records, and funds to be made annually for its fiscal year by an independent professional accountant designated by the Local or its governing body. Locals of 100 or fewer members must file annual financial statements.
17. Audits or annual financial statements shall be prepared and submitted according to procedures and on forms supplied by or satisfactory to CWA|SCA Canada. They shall be available to the membership of the Local and a copy shall be sent to CWA|SCA Canada within 30 days of its completion.
18. In the event that a copy of the annual audit or statement is not submitted within 90 days from the close of a Local's fiscal year, the CWA|SCA Canada Treasurer may cause an audit or statement to be completed, the expense of which shall be borne by the Local. Or, alternately, the Director of CWA|SCA Canada may take such action as deemed necessary to ensure a Local complies with this provision.
19. All Local officers and employees authorized to sign cheques upon Local funds or handling Local monies shall be bonded in amounts and in a manner designated by the Local or its governing body. All cheques issued by a Local shall require at least two signatures.
20. In the event that a Local's charter is revoked, suspended, or that the Local disbands, the charter and all books and property shall be delivered to CWA|SCA Canada within 10 days of a request being made.
21. Each Local shall ensure that each of its members is provided with a copy of the current collective bargaining agreement applicable to the member, a copy of the Local's by-laws and shall make available to each member, on request, a copy of CWA|SCA Canada's Bylaws, the TNG/CWA Constitution and the CWA Constitution.

ARTICLE 6 - DISAFFILIATION

1. As per the merger document TNG/CWA of 1995, Locals may exercise their right to leave CWA\SCA Canada in accordance with a procedure that ensures members are informed and can make a reasoned decision.
2. The Local Executive Committee shall notify CWA/SCA Canada of its intention to invoke its right to leave CWA/SCA Canada and of its commitment to follow the procedures set out in these bylaws.
3. The Local membership shall be informed, in writing, of the intent to leave CWA/SCA Canada and the reasons for this decision. The Director and Executive of CWA/SCA Canada shall be notified of the reasons for disaffiliation at least 30 days prior to the mailing of the written notice. They shall have the opportunity to communicate with the members in writing, accompanying the notice of intention to leave.
4. The Local's written notice shall also include the date of a vote of the general membership on the proposal to leave CWA/SCA Canada. The vote shall be no sooner than 30 days following the mailing of the first written notice but no later than 60 days.
5. The vote may take place at a general membership meeting, a vote in or near the workplace or by written, mailed ballot or another method approved by the CWA. The Director or a designate of CWA/SCA Canada may elect to be present at any meeting and shall have the same rights to speak as the Local Executive officers.
6. A second written notice advising members only of the date of the vote and the wording of the motion shall be mailed to all members 15 days prior to the date of the vote.
7. Whether by a vote at a membership meeting, workplace, by mailed ballot or by another method approved by the CWA, all votes must be by secret ballot.
8. A two-thirds majority of votes cast is required to pass the motion. If the motion passes, the Local must ensure that its financial obligations to CWA/SCA Canada are met prior to severing of ties. Failure to do so will render the result of the vote null and void.
9. If a Local fulfills its responsibilities under this section, the Executive of CWA/SCA

Canada shall recognize the will of the members and ensure the expeditious transfer of authority and responsibility to any other national or international union or to the Local Executive.

ARTICLE 7 - NATIONAL REPRESENTATIVE COUNCIL: AUTHORITY

1. Consistent with the CWA and TNG/CWA Constitutions, the CWA|SCA Canada National Representative Council, herein known as the National Representative Council, will have the authority to govern CWA|SCA Canada.
2. The Director of CWA|SCA Canada, herein known as the Director, will take direction from the National Representative Council.
3. The Director, under the authority of The National Representative Council, shall direct the activities of CWA|SCA Canada staff.
4. The National Representative Council will be responsible and accountable for all the financial affairs of CWA|SCA Canada. The Council will administer all funds collected from TNG/CWA and other sources of income and set an annual budget of income and expenditures for CWA|SCA Canada.
5. The National Representative Council may decide if any of its officers are to receive remuneration or honoraria and determine the amounts of any such payments.
6. The National Representative council will pay the transportation, accommodation and meal expenses for all table officers and the two Canadian regional vice-presidents to attend Representative Council meetings.

ARTICLE 8 - NATIONAL REPRESENTATIVE COUNCIL: DELEGATES

1. The National Representative Council shall consist of delegates from Locals in good standing. Any Local three (3) months or more behind in its per capita, thirty (30) days prior to a National Representative Council meeting, will not be deemed to be in good standing. However, should a Local pay all owed per capita anytime prior to the National Representative Council meeting, good standing status will be awarded. In addition, the Council shall include the Director and Deputy Director of CWA|SCA Canada, the TNG/CWA Eastern and Western Canadian Vice-Presidents and any member of CWA|SCA Canada elected to the TNG Executive Council.

Page 10 of 25

2. Delegates to the National Representative Council shall be elected every two years. Each Local shall elect its delegates by executive or representative assembly or by membership secret ballot. Election of such delegates shall be certified by the Secretary of each Local to the Secretary of the National Representative Council. In the event of a vacancy among the delegates, a replacement delegate may be elected by executive or representative assembly or by membership secret ballot in the affected Local.
3. Each Local shall be entitled to representation on the National Representative Council according to the following formula:

Locals with less than 50 members, one delegate;
50 to 199 members, two delegates;
200-399 members, three delegates;
and one additional delegate for each 400 members or major fraction thereof.
4. There shall be no voting by proxy, except that a Local composed of less than 50 members may assign its vote to a delegate from another Local attending a meeting of the National Representative Council. No Local shall be allowed to vote more than one such assignment.
5. The first order of business at National Representative Council meetings will be the adoption of the Agenda.

ARTICLE 9 - NATIONAL REPRESENTATIVE COUNCIL: MEETINGS

1. Meetings of the National Representative Council shall take place at least once annually.
2. The place of the next meeting shall be set before the conclusion of Council business. When circumstances require, the place of the next meeting may be decided before the National Representative Council meeting, by a polled majority of CWA|SCA Canada Local Presidents.
3. Small Locals, consisting of 150 or fewer members, may receive financial subsidies from CWA|SCA Canada to cover the costs of sending delegates to meetings. Requests for subsidies shall be submitted in writing to the Executive Committee at least six weeks in advance of a meeting. The Executive will determine the subsidies at least three weeks in advance of the meeting. Locals whose delegates have to travel a great distance to attend a meeting may also request financial subsidies.

Page 11 of 25

4. Notwithstanding the previous articles, a special meeting of the National Representative Council may be called at the request of one third of Locals or, in exceptional circumstances, by the Council's Executive Committee. The Executive Committee shall only call such meetings if an emergency situation arises which, it is determined, can be dealt with effectively solely by a meeting of the Representative Council. The Executive Committee shall fix the time and location for any special meeting.
5. Any Local may submit agenda items for consideration by the National Representative Council. Agenda items must be submitted at least two weeks in advance of the meeting and circulated to all Locals.
6. The Director shall present a written report of CWA|SCA Canada, and a general review of operations.
7. The Canadian Vice-Presidents of TNG/CWA shall report on TNG / CWA Executive Council meetings.
8. Roberts Rules of Order shall be the authority of all procedural questions not covered by the TNG/CWA Constitution, the CWA Constitution, or these Bylaws.
9. Council meetings, whenever possible, shall be hosted by affiliated Locals in rotation.
10. Delegates from one third of Locals representing the majority of the membership in good standing in CWA|SCA Canada shall constitute a quorum for National Representative Council meetings.
11. When a vote is called for, decisions shall require the support of a majority of delegates present, representing a majority of CWA|SCA Canada members in good standing. Each Local's voting strength shall be equal to their delegate allowance as per Article 7.3.

ARTICLE 10 - THE EXECUTIVE COMMITTEE AND ITS OFFICERS

1. The Executive Committee shall oversee the affairs of CWA/SCA Canada.
2. It shall allocate financial resources as needed to ensure Locals and members are served.
3. It may draft policies regarding the work of staff and volunteers and dealing with such issues as hiring, performance and discipline, among others, for approval by

the National Representative Council.

4. To carry out its work the Executive Committee shall meet at least twice a year in person and by telephone conference calls as needed.
5. The members of the CWA|SCA Canada Executive Committee are the Director, the Deputy Director, the Secretary, the Treasurer, the Canadian Vice-Presidents of TNG/CWA, and six Officers-at-large. At least two Officers-at-large shall come from former Print Sector Locals and at least one shall come from an equity-seeking group.
6. The following members of the Executive Committee are its table officers: the Director, the Deputy Director, the Treasurer and the Secretary. The table officers will also form the Management Committee of the Executive.
7. The Director is the senior Executive Officer of CWA|SCA Canada whose responsibilities include:
 - Presiding as chairperson over all meetings of the National Representative Council;
 - Supervising the work of officers and staff;
 - Co-ordinating collective bargaining efforts and strategic action;
 - Researching and making presentations to groups on issues that affect the members;
 - Identifying and pursuing organizing projects;
 - Conducting member and leadership education and training;
 - Keeping Local officers aware of CWA|SCA Canada operations;
 - Overseeing CWA|SCA Canada's legal assistance program;
 - Assisting Locals in all matters;
 - Effectively recommending contract approval and strike sanction to the TNG/CWA Executive Council.

The Director shall be an ex-officio member of all Council committees.

8. The Deputy Director shall perform the duties of the Director in the absence of the Director.
9. The Secretary shall keep minutes of all proceedings of the Council and shall make copies of such minutes available to those in attendance within one month of each meeting. Unapproved copies of the minutes shall also be sent to all Locals of CWA|SCA Canada within one month of each meeting.

Page 13 of 25

10. The Treasurer shall keep accurate financial records and shall report on the financial position of CWA|SCA Canada when requested. The Treasurer shall reside in, or near, the city where the headquarters of CWA/SCA Canada are located.
11. The Officers-at-large are to provide counsel and balance to the Executive Committee, take part in all deliberations and undertake any specific tasks assigned them or for which they volunteer.
12. The quorum for Executive Committee meetings shall include the Director or Deputy Director of CWA|SCA Canada and a total attendance of at least one more than 50% of the membership of the Executive Committee.
13. Any member of the Executive Committee may request a conference call of the Presidents of every Local to discuss major policy initiatives between regular or special meetings. Such a request requires a majority vote of the committee to become effective.
14. Any officer or director absent without notice for three (3) consecutive Executive meetings, or absent from three (3) consecutive Executive meetings without a valid reason as determined by the NRC, shall be deemed to have resigned from office and shall be replaced in accordance with Article 9, Section 8 of these bylaws.

ARTICLE 11 - ELECTION OF OFFICERS

1. Any member in good standing of CWA|SCA Canada shall be eligible to stand for election to the Executive Committee.
2. The election of the CWA|SCA Canada Executive Committee, except for the Director, the Deputy Director and the vice-presidents for Canada East and West, shall be held every three years, starting in 2008, at the annual meeting of the National Representative Council.
3. A call for nominations shall be sent out at least 45 days prior to the date of the meeting. Attendance at the meeting is not a requirement for candidates but nomination forms, signed by the candidate, must be received prior to the date of the meeting. All nominees must be members in good standing. Nominations may be made at the meeting if the nominee is present.
4. In an election year, as the second order of business, delegates shall elect a National Representative Council Election Committee from members attending

Page 14 of 25

the annual meeting of the National Representative Council. It shall preside over the election of Executive Committee members at the meeting. No candidates for National Executive positions being voted on at the meeting shall be eligible to sit on the committee.

5. Candidates attending the meeting will be provided an opportunity to speak. For those nominees not in attendance, written statements may be presented and read into the record. Any necessary vote shall be held on the last day of the meeting.
6. Voting will be by secret ballot and in accordance with Article 5, section 3.
7. In the event of a tie, the NRC Election Committee shall have authority to resolve the tie at the meeting, using a method approved by the National Representative Council.
8. At the conclusion of every election, the Council shall witness an oath of office administered by the Director to those elected. The same oath shall also be taken by the Director, the Deputy Director the vice-presidents for Canada East and West at the first opportunity following their election.
9. A vacancy on the Executive Committee, other than in the positions of Director, Deputy Director and vice-presidents for Canada East and West, shall be filled by election at the next regular or special meeting of the National Representative Council.

The following clauses (10-17) in this Article will be reconsidered after TNG completes its own process of reconsidering the rules of its election process

10. The vice-presidents for Canada East and Canada West shall be elected for a term of four years pursuant to the procedures set out in the TNG/CWA Constitution.
11. The Director and Deputy Director shall be elected for a four year term fixed for CWA officers in the CWA Constitution. The election shall be by vote of the general membership of CWA|SCA Canada, according to rules and regulations developed by the National Election Committee, in accordance with these bylaws, and approved or modified by the National Representative Council and communicated to all Locals.
12. A National Election Committee of three members in good standing shall be elected at the first National Representative Council meeting held following

Page 15 of 25

elections for the Director and Deputy Director. Any member of the committee who decides to run for either the Director or Deputy Director must resign from the committee. Any subsequent vacancy on the committee shall be filled by byelection by a vote of the National Executive.

13. The National Election Committee shall be responsible for the call for nominations, must ensure that candidates meet the requirements for office and must ensure all rules and regulations established by the Committee, and approved by the National Representative Council, are followed during the election process. If the Committee feels any change to the rules for conducting the election must be made that cannot go before a National Representative Council meeting, the change must be approved by the CWA/SCA National Executive.
14. Once the date for the CWA Convention in an election year is fixed, a date for CWA\SCA Canada elections shall be fixed by the National Election Committee and communicated to all Locals to ensure the process is completed prior to the CWA Convention. The process shall include:
 - a) A nomination period of 21 days.
 - b) A campaign period of 21 days.
 - c) A period of at least 21 days but no more than 28 days to complete voting.
15. Ballots must be counted within five working days of the end of the voting period. The tabulated results shall be communicated to all Locals immediately. The Director shall take office upon certification of the results and the taking of the oath of office at the CWA Convention. For the Deputy Director, the oath shall be administered after the certification of results by the Secretary of CWA/SAC Canada at the next Executive meeting.
16. The voting process shall be by mail-in ballot, prepared, printed and distributed by the National Election Committee, unless Locals opt to conduct a vote using ballot boxes or the Internet or a combination of methods. The National Election Committee must be satisfied that any voting process a Local chooses provides a secure, verifiable democratic vote and is in accord with the provisions of the CWA Constitution.
17. In the event that a position is uncontested, the sole nominee shall be declared acclaimed at the conclusion of the nominating period.
18. Any challenge to an election result must be submitted in writing to the National Election Committee, stating grounds for the objection, within seven days of the result being announced.

ARTICLE 12 – PER CAPITA PAYMENTS

1. Locals shall remit payments to the National Office of CWA|SCA Canada consistent with the terms of their various merger agreements or, in the case of new Locals, by such method as is agreed to between the Local and CWA|SCA Canada.
2. Locals are expected to remit payments monthly. Locals which find, for reasons beyond their control, that a monthly remittance is not possible shall explain to the Treasurer of CWA/SCA Canada the nature of this problem.
3. Locals which have failed to make the past three monthly payments shall be considered not to be in good standing.
4. Unless an explanation is offered, satisfactory to the Treasurer and Executive of CWA/SCA Canada, the officers or members of any Local not in good standing shall lose their right to sit on the National Executive of CWA/SCA Canada or any of its standing committees. Further, the CWA/SCA Canada Legal Assistance Program shall not be liable for any actions taken by the Local Executive, although the program shall still be responsible for defending members of the Local against any action by an employer, subject to the usual conditions of the Legal Assistance Program.

ARTICLE 13 - FINANCES

1. CWA|SCA Canada shall ensure that funding is available to provide assistance to member Locals for negotiations, the resolution of disputes between the Locals and their managers, CWA|SCA Canada Legal Services, and other matters that Locals and members face.
2. CWA|SCA Canada shall also be responsible for making payments to CWA and TNG/CWA to ensure participation in the Members Relief Fund, the Strategic Industries Fund, the CWA and TNG Defence Funds, and other international funds and programs.
3. The National Representative Council will have a permanent Finance Committee consisting of the Director, the Deputy Director, the Treasurer and other members deemed appropriate to oversee the financial affairs of CWA|SCA Canada, including the development of the annual budget, the establishment and maintenance of bank accounts, the selection of an accountant and auditor, and

other major financial issues facing the union.

4. The signing officers for disbursing CWA|SCA Canada funds shall be the Director, the Treasurer and two other members of the Executive or one other member of the Executive and one member of CWA|SCA Canada's staff appointed by the National Representative Council. Two signing officers will be required to disburse funds, one of whom shall normally be the Treasurer.
5. Locals and Local delegates of CWA|SCA Canada shall be provided a copy of the CWA|SCA Canada 'Finance Report' not later than 10 days prior to every National Representative Council meeting.

ARTICLE 14 – LEGAL ASSISTANCE PROGRAM

1. CWA|SCA Canada's legal assistance program shall assist Locals in the defence of their members, collective agreements and from legal threats incurred as a result of their normal operations. The program shall be administered by the Legal Review Committee, which shall consist of the Director of CWA|SCA Canada, who shall be the chairperson of the committee, CWA|SCA Canada's General Counsel, a Staff Representative and two members elected by Locals at the first Representative Council meeting following TNG/CWA elections.

Should any decision of the committee come to a vote, only those members who are duly elected shall have the right to vote. Elected officials include the Director of CWA|SCA Canada and the two elected members by Locals.

The committee shall review all requests for assistance and follow the guidelines of the Legal Assistance Policy in dealing with those requests. Should a Local's request for assistance be denied, the Local may appeal the decision to CWA|SCA Canada's Executive Committee.

ARTICLE 15 - COMMITTEES

1. The National Representative Council may elect or appoint members to as many standing or ad-hoc committees as may be required.
2. The National Representative Council shall establish the following standing committees whose duties and responsibilities are outlined in these Bylaws:

Management Committee,
Finance Committee,

Bylaws Committee,
Legal Committee,
Print Sector Fund Committee,

In addition, there shall be a standing Organizing Committee. It shall be responsible for co-ordinating and encouraging organizing by Locals within CWA|SCA Canada.

ARTICLE 16 - CREATION OF NEW DIVISIONS, BRANCHES

1. CWA|SCA Canada and its affiliated and member union Locals, through its National Representative Council, may create other appropriate and distinct divisions, representing a number of Locals, or new branches, representing members who may not fit into traditional Locals. They may include a freelance branch, as described in the TNG Constitution, or such other branches or divisions that shall represent workers with common interests.
2. When a new division or branch is created, the National Representative Council shall also determine the appropriate democratic structure to guarantee the interests and rights of all CWA members in Canada. For example, a separate Representative Council may be created, if numbers warrant. CWA|SCA Canada members who form a division may choose a name they feel is reflective of their common interests and it shall be used in conjunction with the name of CWA|SCA Canada to identify the member Locals in the division.
3. Division names shall require endorsement by a majority vote of the membership of a division and subsequent ratification by a majority vote of the National Representative Council.

ARTICLE 17 - AMENDMENTS

1. These Bylaws may be amended, revised, provisions deleted or added, at any regular meeting of the National Representative Council.
2. Notice of such a motion must be submitted to CWA|SCA Canada's National Office at least 45 days before the National Representative Council meeting at which the amendment(s) will be considered. Such notice will be circulated to all member Locals, and their known delegates to the National Representative Council, at least 30 days in advance of the meeting and will be subject to a vote

pursuant to Article 7, Section 11.

3. Any proposed changes in the Bylaws of CWA|SCA Canada must come from the executive body of a member Local or CWA|SCA Canada's Bylaws Committee.
4. Changes to the Bylaws shall be communicated to all Locals as soon as possible after they are made.
5. Any changes to the Bylaws shall be in full compliance with the Constitutions of CWA and TNG/CWA, the two documents adopted by membership referendum in 1995, the merger agreement concerning the Print Sector Locals in 1997, and the amending provisions of these Bylaws.

ARTICLE 18 - DISCIPLINE

1. Discipline under these Bylaws shall be governed by the provisions of the Constitution of TNG/CWA and the CWA Constitution and by relevant federal and provincial labour laws.
2. Before talking disciplinary action against an individual member, Locals shall consult with the National Office regarding process.
3. Locals are encouraged to have their own disciplinary process within their bylaws but it must meet the standards set out below.
4. Members have a right to expect their elected officers to perform their duties to the best of their abilities and to fulfill their obligations under these Bylaws, their Local bylaws and the Constitution of TNG/CWA and the CWA Constitution, are met.
5. Locals have a right to expect members to live up to their responsibilities to their Local and to other members.
6. It is preferable that any differences be settled through discussion and, where necessary, mediation. Locals or members who have been unable to settle matters internally may request assistance from CWA/SCA Canada. CWA/SCA Canada may then appoint a mediator to assist the parties.
7. If, after all attempts to resolve differences, an issue remains unsettled, it may proceed to the trial process if, when proven, it would breach these Bylaws, Local bylaws or the Constitution of TNG/CWA and the CWA Constitution and/or

constitute one of the following offences:

- I) A failure on the part of an officer to perform his or her duties to such an extent that the operation of the Union is affected.
 - II) A breach of good faith, including but not limited to misuse of union funds.
 - III) Wilful violation of these Bylaws or the Constitutions of CWA or TNG/CWA
8. All charges against a member or an officer shall be in writing and submitted within 60 days of the date the accuser becomes aware of the alleged offence, or, if mediation has taken place, within 30 days of the submission of a report by the mediator.
 9. Charges within a Local involving members or officers shall be submitted to the President. If the charge involves the President, the charge shall be submitted to the Secretary.
 10. The Local Executive Council shall appoint a prosecutor to assist the accuser and investigate the charge. If the prosecutor determines there is probable cause to believe a violation under this Article has been committed, he or she shall report to the Local Executive Council which shall appoint a trial committee of not less than three but not more than seven members of the Local, selected at random.
 11. The trial shall be held as soon as possible. The accused shall have the right to be represented by a member of the Local of his or her choosing. Witnesses shall testify under oath, all proceedings shall be recorded and a decision shall be rendered within five days of the end of the hearings.
 12. If the prosecutor finds no probable cause that an offence has been committed, he or she shall report to the Local Executive and the accuser. Any appeal of that decision may be made to the Executive Council of CWA/SCA Canada, within 30 days of the receipt of the prosecutor's report.
 13. The same provisions and procedures shall be applied by CWA/SCA Canada to its officers if a trial is necessary for any reason, except that any appeal shall be to the CWA Executive Board.

ARTICLE 19 - INTERPRETATION

1. These Bylaws shall be interpreted by the National Representative Council.

ARTICLE 20 - GENERAL LAWS

1. At the date of the merger between the Print Sector Locals in Canada and CWA|SCA Canada, the General Law Provisions of the CWA Print Sector became part of the Bylaws of CWA|SCA Canada and are affixed to the end of this bylaw document.

ARTICLE 21 - FORMER PRINT SECTOR LOCALS' STRIKE FUND

1. CWA|SCA Canada will maintain a special segregated Strike Fund for the use by members of the CWA Print Sector Locals in Canada. The \$150,000 U.S., which was transferred from the Print Sector to Canada in 1997, is to be administered and used for the sole and exclusive purpose of providing members of bargaining units formerly represented by Locals in the PPMWS, benefits of the type and pursuant to the criteria provided by the Print Sector Strike Fund at the time of the October, 1997, merger.
2. The segregated fund will be used for strike or lockout benefits in addition to those the CWA or TNG may provide to members. The Segregated Fund will be kept in a separate bank account and all records concerning the money in the Fund will be kept separate from the other financial records of CWA|SCA Canada.

**General Laws of the Printing, Publishing and
Media Workers Sector of the CWA**

Article I—Apprentices

Section 1. No employer shall employ an apprentice unless the employer has the equipment necessary to afford adequate training.

Sec. 2. Any person hired as an apprentice shall be at least sixteen years of age; and shall have satisfactorily passed an aptitude test given by the joint apprenticeship committee.

Sec. 3. The period of apprenticeship shall not exceed four years. The joint apprenticeship committee shall have authority to advance apprentices consistent with their ability to learn without approval of the Printing, Publishing and Media Workers Sector of the CWA.

Sec. 4. A local joint apprenticeship committee composed of equal representation of the employers and the union should be formed to make surveys and study, investigate and report upon apprentice conditions. The committee shall act to enforce the conditions of the agreement covering apprentices, and shall have full power and authority any time during the term of apprenticeship to terminate the employment of an apprentice who does not show aptitude and proper qualifications for the work, or for any other reason. This committee shall meet jointly at the call of the chairman of each committee at such time and place as may be determined by them. This committee shall have authority to vary training programs to meet the problems arising because of varying equipment of the shops under contract and shall have authority to direct temporary transfers of apprentices from one shop to another to accomplish as much all-around training as may be suited to the capacity of the apprentice.

Sec. 5. The foreman and chairman of the chapel shall see that apprentices are afforded every opportunity to learn the different trade processes by requiring them to work in all classifications of the trade. When apprentices are judged competent in one work classification they must be advanced to the next step in the established training program.

Sec. 6. Apprentices shall be given the same protection as journeymen and shall be governed by the same shop rules, working conditions and hours of labor.

Sec. 7. No apprentice shall be employed on overtime work unless the number of journeymen working overtime on the same shift equals the ratio prescribed in the contract. Provided, When journeymen choose not to make themselves available in sufficient numbers to meet contract commitments, the ratio may be waived by permission of the local union. At no time shall an apprentice have charge of a department, class of work, or any other employee.

Sec. 8. Apprentices in military or naval service shall be counted as apprentices employed for the purpose of determining the number of apprentices permitted, unless the contract provides to the contrary.

Sec. 9. No apprentice shall leave one office and enter that of another employer without the written consent of the joint apprenticeship committee.

Article II—Foremen

Section 1. None but journeymen or apprentices may be employed to perform all work within the jurisdiction of the union. The foreman shall be a journeyman.

Sec. 2. The foreman is the only recognized authority. Assistants may be designated to direct the work, but only the foreman may employ and discharge. In filling vacancies the foreman shall be governed by the provisions of Article V, General Laws.

Sec. 3. The foreman may discharge (1) for incompetency; (2) for neglect of duty; (3) for violation of office rules which shall be kept conspicuously posted, and which shall in no way abridge the civil rights of employees, or their rights under accepted Printing, Publishing and Media Workers Sector of the CWA laws. A discharged journeyman shall have the right to appeal in accordance with the laws of the International as provided in the contract, and shall have the right to challenge the fairness of any office rule which is applied to bring about his discharge. Suspension is prohibited as a method of discipline.

Sec. 4. When it becomes necessary to decrease the force in an office where departments are not recognized it shall be determined upon what class of work the reduction is required. The journeyman with lowest priority standing in the office engaged upon

the class of work indicated shall be discharged first: Provided, The journeyman to be discharged may claim

any other work in the office such journeyman is competent to do which is being performed by a journeyman with lower priority standing: Provided further, A journeyman claiming other work to avoid discharge to reduce the force shall not be exempt from discharge if incompetent.

Sec. 5. In offices where departments are recognized a decrease in the force shall be accomplished by discharging first the journeyman holding a situation who has the lowest priority standing in the department in which decrease is necessary.

Sec. 6. A journeyman discharged to reduce the force shall be re-employed, either as regular or extra, upon work such journeyman is competent to perform in the order of priority standing.

Sec. 7. In offices where departments are recognized a journeyman declared incompetent in one department shall not be denied the privilege of seeking employment in another department nor be barred for incompetency within the meaning of Section 9 of this article, while there is work in another department such journeyman is competent to perform.

Sec. 8. A journeyman discharged for any reason, may demand and the foreman shall give in writing the reason for discharge: Provided, Such demand shall be made within seventy-two hours after journeyman is informed of discharge.

Sec. 9. A journeyman who has been discharged and who believes such discharge to be illegal or unjust shall have the right to appeal to the local union in the manner provided by the laws of such local union. If the local union orders reinstatement the decision must be complied with until reversed. When a local union has made specific provisions in its contract for reference of controversies over discharge to a joint agency, the dispute shall be decided as provided in the contract. A journeyman who has been discharged for any reason other than to reduce the force may be reinstated at the option of the foreman, or by proceeding in accordance with the terms of this section. A journeyman discharged for incompetency, neglect of duty or a minor reason shall not be denied the privilege of seeking work in the office for a period longer than six months.

Sec. 10. A foreman shall not designate any particular day, nor how many days a journeyman shall work in any one week: Provided, The journeyman must engage a substitute when absent.

Any journeyman covering a situation is entitled to and may employ in his stead whenever so disposed any competent journeyman without consultation or approval of the foreman: Provided, Local unions may adopt laws requiring the employment of substitutes in the order of their priority standing; or for specified periods in severe unemployment emergencies, with the consent of the Sector President, may establish provisions for equitable distribution of subbing among eligible substitutes.

Sec. 11. A foreman shall not be permitted to select the force from day to day, but must have such number of regular situations as are necessary to meet requirements and to reduce employment of extras to a minimum. Employment other than for regular situations shall be classed as extra work.

Sec. 12. Where contracts or agreements provide for holidays with pay, the foreman shall not be permitted to change regular off-days to such holidays in order to evade payment for the holiday.

Sec. 13. Except as provided in Section 2, Article I, an employee's age shall not be a factor in employment or separation from employment.

Sec. 14. No journeyman shall be required to submit to a physical examination as a condition of employment.

Article III—Departments

Section 1. When departments are recognized priority shall date from time of accepting work in the department either by original employment or permanent transfer.

Sec. 2. When departments are not recognized an employee shall not be discharged to reduce the force or for incompetency while there is work in the office such employee is competent to perform and to which such employee is entitled by priority.

Sec. 3. When departments are recognized by agreement no transfer shall be made except in emergencies: Provided, When all available extras are hired in any department transfers may be made into that department.

Sec. 4. Regulations applying to transfers are for the purpose of preventing discrimination in the hiring of journeymen seeking work as extras. The hiring of more journeymen than are needed in one class of work or department and later transferring journeymen from this class of work or department to work which could have been done by others not hired, but entitled thereto because of their priority is discriminatory.

Sec. 5. Transfers are not required to permit journeymen to exercise priority upon a vacancy either regular or extra, which the journeyman is not qualified to fill: Provided, Transfers made for the convenience of the office shall be made to permit cancellation of overtime or observance of the five-day law and for the convenience of journeymen desiring to engage a substitute.

Sec. 6. Journeymen transferred to a class of work upon which they do not claim competency shall not be discharged for incompetency nor shall a foreman be permitted to make transfers which are discriminatory or for the purpose of depriving other journeymen of work to which they are by priority entitled.

Article IV—Struck Work

Section 1. Local unions at all times have the right to define as struck work composition and mailing room work executed wholly or in part in shops not under contract relationship with a local union of the Printing, Publishing and Media Workers Sector of the CWA, and composition, mailing room, or other work coming from or destined for printing concerns which have been declared by the union to be unfair, after which employees may refuse to handle the work classified as struck work.

Article V—Priority

Section 1. Persons considered capable as substitutes by foremen shall be deemed competent to fill regular situations, and the substitute oldest in continuous service shall have prior right in the filling of the first vacancy. This section shall apply to incoming as well as outgoing foremen.

Sec. 2. Local unions shall establish a system for registering and recording priority standing of journeymen in all chapels, which shall be conspicuously posted or kept in a place within the chapel accessible to journeymen at all times. The priority standing of a journeyman shall stand as recorded.

Sec. 3. No journeyman shall hold priority in more than one office nor shall a journeyman retain priority standing or a situation in an office if such employee performs work over which the Printing, Publishing and Media Workers Sector of the CWA has jurisdiction, either supervisory or mechanical, in another printing office whether or not the journeyman is interested financially or otherwise in said office:

Provided, That in the event of a strike or lockout

involving a substantial number of journeymen, the local union where such strike or lockout exists may adopt a law that will provide that journeymen involved may establish priority rights in another chapel in the same jurisdiction, and in the event of a settlement of said strike or lockout may relinquish priority so established and be granted their former priority standing in the struck or locked out plant: Provided further, Local unions may establish regulations whereby journeymen may be permitted to accept temporary employment in another office without loss of situation or priority standing, and under such regulations may excuse journeymen who accept such temporary work from giving it out as overtime to any journeyman who refused to accept such temporary work.

Sec. 4. Local unions may establish regulations permitting a situation holder, or a substitute having established priority standing, to engage in pursuits other than at the trade for a period not to exceed ninety calendar days in any twelve month period without loss of situation or priority: Provided, Journeymen exercising this privilege shall employ the priority substitute competent to perform the work.

Sec. 5. Local unions may establish regulations permitting a situation holder, or a substitute having established priority standing, to accept temporary employment in another office without loss of situation or priority standing while attending an approved technical training facility. Such employment shall be on a nonpriority basis and journeymen exercising this privilege shall employ the competent priority substitute.

Sec. 6. Any journeyman engaged to serve the Printing, Publishing and Media Workers Sector of the CWA, a local union, or to perform work in the interest of the organized labor movement, shall employ while absent the available competent priority substitute. Journeymen performing aforesaid work, or any journeyman incapacitated by illness, shall not suffer loss of situation or priority standing while so employed or so incapacitated, in the event a substitute is not available. Available priority substitute competent to perform the work must be employed on any new situation created because of the absence of a situation holder whose priority is protected under the provisions of this section or other sections of Sector laws or contracts. Local unions shall adopt laws specifying the time, which shall be not less than thirty nor more than ninety calendar days, after which such new situation shall be filled. Should a substitute

with greater priority become available, such substitute shall be placed on said situation. Upon reporting for duty full priority rights shall be restored to the situation holder who was absent.

Sec. 7. Journeymen and apprentices admitted as residents of the Union Printers Home and journeymen and apprentices in the armed forces of the United States and Canada or those who may engage in war work for the American Red Cross, or other similar accredited agencies shall have their priority and/or situations protected for such time as they are so engaged: Provided, Journeymen serving in the armed forces whose priority is protected under the provisions of this section may, while so engaged, seek work within the jurisdiction of a sister local subject to conditions prescribed by the Sector President.

Sec. 8. Journeymen and apprentices in the Organized Reserve of the armed forces of the United States or the Dominion of Canada, or other such organizations, shall have their priority protected while serving tours of active duty with such organizations in time of peace: Provided, When priority is protected under Sections 6 or 7 of this article, a journeyman or apprentice shall be considered to have full-time employment at the printing trade except when all available substitutes have been hired and such journeymen are eligible to cancel accumulated overtime of other journeymen only when voluntarily granted.

Sec. 9. A foreman employed from outside the shop shall accumulate no priority standing during period as foreman.

Sec. 10. A journeyman with established priority in an office may work for the same firm performing work other than work within the jurisdiction of the union without loss of priority in the composing room or mailing room.

Article VI—Five Day Law, Overtime

Section 1. Five shifts shall constitute a situation and no employee performing any work within the jurisdiction of the union shall be required or permitted to hold a situation composed of more than five shifts or less than five shifts within a financial week, except when a contract has been entered into for a shorter workweek of no more than eight hours per shift. All time worked in excess of the unit of hours comprising a regular shift and all time worked in excess of the number of hours established as a regular situation shall be considered overtime. No journeyman or apprentice may work an additional

shift in excess of the contractual workweek at less than the overtime rate.

Sec. 2. Not less than time-and-one-half of the individual's hourly rate of pay shall be paid for any shift worked in excess of the number established as a regular situation within a financial week. When a journeyman or apprentice is required to work on a regular off-day or off-night not less than the individual's overtime rate shall be paid for such work performed.

Sec. 3. Employees required to work in excess of the unit of hours established as a regular shift must receive the overtime rate for all such excess time. The overtime rate shall be not less than one and one-half times the employee's hourly rate for the shift on which work is performed. A foreman performing executive or clerical work exclusively is not subject to the overtime laws. A foreman who does any work within the jurisdiction of the union at any time is subject to the overtime laws. In extreme emergencies, such as fire, flood or disaster, the overtime rate may be waived by the local union as the contracting party.

Sec. 4. Where journeymen work during a regularly scheduled vacation period and receive pay in addition to vacation pay for such time worked, such time worked shall be classed as overtime at the ratio of day for day.

Sec. 5. Local unions shall have full authority and the responsibility to adopt regulations for the complete government of overtime.

Article VII—Sublist and Control of Work

Section 1. Establishing or maintaining situations composed of less than the number of shifts constituting a week's work as provided in Section 1, Article VI, General Laws, thereby creating and controlling extra work constitutes the operation of a sublist and is prohibited.

Sec. 2. Laying off a situation holder and employment of another journeyman as an extra to perform work which the situation holder is competent to perform and is entitled to by priority is prohibited.