



Proposed Amendments

CANADIAN OFFICE AND PROFESSIONAL
EMPLOYEES UNION, LOCAL 397

CONSTITUTION

In accordance with Article 25.2 of the current Constitution, the amended Articles have been included for your review and approval.

The current Constitution and the National Constitution are available on our Website www.cope397.ca/organization/constitution for referencing.

ARTICLE 3 – EXISTENCE

	Old	New	Explanation/Rationale
3.1	<p>When any Local Union ceases to represent employees of any employer, in such a way that affects its viability the National Executive may suspend the charter of such local union and order it dissolved. The National Executive will work with Local Unions to examine their viability having regard to the legal responsibilities of union representation. The funds of a Local Union cannot be divided among individual members and may be utilized only for valid union purposes. Upon the dissolution of any Local Union, all its properties and assets, including its funds, books and records, shall become the property of the National Union, to be held by the National Union in trust for a period of one (1) year, during which time such property shall be returned to the Local Union, if it is reconstituted. After such one- (1) year period, such properties and assets shall become the property of the National Union, and the funds placed in the National Union treasury to be used by the National Union for its general purposes.</p>	<p>3.1 When this Local Union ceases to represent employees of any employer, in such a way that affects its viability the National Executive may suspend the charter of this local union and order it dissolved. The National Executive will work with this Local Union to examine their viability having regard to the legal responsibilities of union representation. The funds of this Local Union cannot be divided among individual members and may be utilized only for valid union purposes. Upon the dissolution of this Local Union, all its properties and assets, including its funds, books and records, shall become the property of the National Union, to be held by the National Union in trust for a period of one (1) year, during which time such property shall be returned to this Local Union, if it is reconstituted. After such one- (1) year period, such properties and assets shall become the property of the National Union, and the funds placed in the National Union treasury to be used by the National Union for its general purposes.</p>	Housekeeping

ARTICLE 5 – MEMBERSHIP

	Old		New	Explanation
5.1	Membership	5.1	Membership	Clarification – Housekeeping
5.1.1	No applicant shall be barred from membership in the Union because of prohibitive grounds of discrimination as described in the Human Rights Act.	5.1.1	No applicant shall be barred from membership in the Union because of prohibitive grounds of discrimination as described in the Canadian and Provincial Human Rights legislation (or any related legislation).	

	Old		New	Explanation
5.1.2	All applicants shall sign the Application for Membership which includes the following oath: <i>I HEREBY APPLY FOR MEMBERSHIP IN COPE LOCAL 397. IF ACCEPTED AS A MEMBER, I PROMISE TO ABIDE BY THE CONSTITUTION OF THE LOCAL UNION AND THE CONSTITUTION OF THE NATIONAL UNION AND AUTHORIZE SUCH ORGANIZATION TO BE MY EXCLUSIVE COLLECTIVE BARGAINING REPRESENTATIVE. I WILL NOT KNOWINGLY HARM A MEMBER OR SEE A MEMBER HARMED IF IT IS WITHIN MY POWER TO PREVENT IT. I WILL LEARN ABOUT AND SUPPORT THE AIMS, OBJECTIVES AND BEST INTERESTS OF COPE LOCAL 397. I AUTHORIZE MY EMPLOYER TO DEDUCT DUES AND ASSESSMENTS.</i>	5.1.2	All applicants shall sign the Application for Membership which includes the following oath: <i>I HEREBY APPLY FOR MEMBERSHIP IN COPE LOCAL 397. IF ACCEPTED AS A MEMBER, I PROMISE TO ABIDE BY THE CONSTITUTION OF THE LOCAL UNION AND ALL OFFICIAL POLICIES OF COPE LOCAL 397 AND THE CONSTITUTION OF THE NATIONAL UNION AND AUTHORIZE SUCH ORGANIZATION TO BE MY EXCLUSIVE COLLECTIVE BARGAINING REPRESENTATIVE. I WILL NOT KNOWINGLY HARM A MEMBER OR SEE A MEMBER HARMED IF IT IS WITHIN MY POWER TO PREVENT IT. I WILL LEARN ABOUT AND SUPPORT THE AIMS, OBJECTIVES AND BEST INTERESTS OF COPE LOCAL 397. I AUTHORIZE MY EMPLOYER TO DEDUCT DUES AND ASSESSMENTS.</i>	Housekeeping

	Old		New		Explanation
5.2	All officers of the National Union shall be ex officio members of all Local Unions with the privilege of participating in Local Union meetings, with voice but no vote; provided, however, such officers shall retain and may exercise their rights of participation in the Local Union in which they hold membership.	5.2	All officers of the National Union shall be ex officio members of this Local Union with the privilege of participating in Local Union meetings, with voice but no vote; provided, however, such officers shall retain and may exercise their rights of participation in the Local Union in which they hold membership.	Housekeeping	
	Old		New		Explanation
5.3.3	An active member who is not actively working due to dismissal, layoff, illness, disability, or a contractually provided leave of absence, and has recall rights, or has filed a grievance under the collective agreement, may continue to pay dues and maintain active membership for the period for which their recall rights are valid or their grievance is pending, or by the length of leave, or if eligible, they may apply for another classification of membership provided for in this Article.	5.4	An active member who is not actively working due to dismissal, layoff, illness, disability, or a contractually provided leave of absence, and has recall rights, or has filed a grievance under the collective agreement, may continue to pay dues and maintain active membership for the period for which their recall rights are valid or their grievance is pending, or by the length of leave, or if eligible, they may apply for another classification of membership provided for in this Article.	Renumber to Article 5.4 and renumber remaining, as required.	

ARTICLE 6 – UNIT AND SUB-LOCAL

Old	New	Explanation
<p>6.4 Sub-Locals as designated in this Article, Clause 6.2, and any other Unit(s) of seven (7) members or more upon request, shall receive from the Local an operating fund of seventy-five (75) cents per member per month and in addition, if required, payment of any legitimate Union expense. These funds will be deposited in an appropriately named bank account and must be spent by cheque. A voucher of expenses shall be kept and a financial report shall be made every three (3) months and given to the Local Treasurer who will supply a copy to the Trustees. If at any time a Unit or Sub-Local does not meet the above-mentioned requirements, or refuses to submit any books and financial records, or documents deemed necessary by the Local for the purposes of verification/audit, the Local Treasurer shall withhold payment of the operating fund until such time as a review has been conducted by the Executive Board.</p>	<p>6.4 Sub-Locals as designated in this Article, Clause 6.2, and any other Unit(s) of seven (7) members or more upon request, shall receive from the Local an operating fund of seventy-five (75) cents per member per month and in addition, if required, payment of any legitimate Union expense. These funds will be deposited in an appropriately named bank account and must be spent by cheque. A voucher of expenses shall be kept and a financial report shall be made every three (3) months and given to the Local Treasurer who will supply a copy to the Trustees. If at any time a Unit or Sub-Local does not meet the above-mentioned requirements, or refuses to submit any books and financial records, or documents deemed necessary by the Local for the purposes of verification/audit, the Local Treasurer shall withhold payment of the operating fund until such time as a review has been conducted by the Executive Board.</p>	<p>Change to reflect National Constitutional Amendments removing Trustees from the Executive Board – Effective January 1, 2017</p>

ARTICLE 7 – UNIT, SUB-LOCAL AND SPECIAL MEETINGS

Old	New	Explanation
<p>7.1 Only members fulfilling the requirements of Article 5 – Membership of this Constitution shall be eligible to attend meetings. Invited guests of the Executive Board or of this Union may attend and participate to the extent of the purpose for which they are invited, but shall not vote.</p>	<p>7.1 Only Active and Non-Active members fulfilling the requirements of Article 5 – Membership of this Constitution shall be eligible to attend meetings. Invited guests of the Executive Board or of this Union may attend and participate to the extent of the purpose for which they are invited, but shall not vote.</p>	<p>Clarification</p>

Old		New		Explanation
7.2	Quorum	7.2	Quorum	
7.2.1	One percent (1%) of all active members of the Local shall constitute quorum for regular General Membership Meetings in Regina.	7.2.1	One percent (1%) of all active members of the Local shall constitute quorum for General Membership Meetings, or Special Meetings in Regina.	Clarification
7.2.2	Five percent (5%) of all active members in a Unit or Sub-Local shall constitute a quorum for any Unit, Sub-Local or Special Meetings.	7.2.2	Five percent (5%) of all active members in a Unit or Sub-Local shall constitute a quorum for any Unit, Sub-Local or Special Meetings of the Unit or Sub-Local.	Clarification
7.2.3	No motions shall be passed, unless quorum is present.	7.2.3	No motions shall be passed, unless quorum is present. Any motions that have not been addressed will be referred to the Executive Board and/or Prairie Council in accordance with Policy.	Clarification

Old		New		Explanation
7.3	General Membership Meetings	7.3	General Membership Meetings	
7.3.1	There shall be five (5) General Membership meetings per year held in Regina, for the purpose of reporting the activities of the local union to the membership. The meetings will be held on the second Thursday of February, April, June, September and November whenever possible.	7.3.1	There shall be five (5) General Membership meetings per year held in Regina, for the purpose of reporting the activities of the local union to the membership. The meetings will be held on the second Thursday of February, April, June, September and November whenever possible. The meeting date will be determined by the Executive Board. The membership will be provided notice by the President or designate at least thirty (30) days in advance of the meeting.	

Old	New	Explanation
7.4.1	The Executive Board has the ability to add meetings as required. If an event beyond the control of the Executive Board occurs, the Board may change the date and/or location of the meeting and will advise the Membership as soon as possible.	New – & renumbering as required
Old	New	Explanation
7.4.1	7.4.2	Renumber
A Special Meeting of the Union may be called by a majority of the members of the Executive Board or by a majority of the members of the Prairie Council or upon a request submitted to the President by not less than ten percent (10%) of active members, but said meeting shall not take place the day of adjournment of any regular meeting.	A Special Meeting of the Union may be called by a majority of the members of the Executive Board or by a majority of the members of the Prairie Council or upon a request submitted to the President by not less than ten percent (10%) of active members, but said meeting shall not take place the day of adjournment of any regular meeting.	
Old	New	Explanation
7.4.2	7.4.3	Housekeeping – Clarification of existing practise & Renumbered
The Recording Secretary or their designate shall send out notices of any special meeting, stating the purpose for such meeting. Such meeting shall be convened by a notice comprised of at least two (2) working days sent electronically and/or posted on the Website and/or Bulletin Board(s). No other business shall be transacted at such special meeting.	The Recording Secretary or their designate President or designate shall provide notices of any special meeting, stating the purpose for such meeting. Such meeting shall be convened by a notice comprised of at least two (2) working days sent electronically and/or posted on the Website and/or Bulletin Board(s). No other business shall be transacted at such special meeting.	
Old	New	Explanation
7.5	7.5	Clarification & Renumbered pursuant to new Article 7.5
Issues of concern raised at General Membership Meetings or Special Meetings shall be referred to the Prairie Council as the governing body for their consideration.	Issues of concern raised at General Membership, Unit, Sub-Local or Special Meetings shall be referred to the Executive Board and/or Prairie Council for their consideration.	

ARTICLE 9 – OFFICERS AND DUTIES

Old	New	Explanation
<p>9.1 The Union shall have the following Officers (elected by the active membership): President, First Vice-President, Second Vice-President, Treasurer, Recording Secretary, Sergeant-at-Arms, three (3) Trustees, and Unit Representatives of the Prairie Council as outlined in Article 12.2.1</p>	<p>9.1 The Union shall have the following Officers (elected by the active membership): President, First Vice-President, Second Vice-President, Treasurer, Recording Secretary, Sergeant-at-Arms, three (3) Trustees, and Unit Representatives of the Prairie Council as outlined in Article 12.2.1.</p>	<p>Change to reflect National Constitutional Amendments removing Trustees from the Executive Board – Effective January 1, 2017</p>
<p>9.3 President</p> <p>d) be an ex officio member of all COPE Local 397 committees; they shall chair the following COPE Committees:</p> <ul style="list-style-type: none"> ◦ Staffing, ◦ Communications, ◦ Strike Strategy, ◦ SGI Bargaining; <p>j) enforce due observance of and interpret the Constitution;</p>	<p>9.3 President</p> <p>9.3.1</p> <p>d) be an ex officio member of all COPE Local 397 administrative committees, with the exception of the Balloting Board; they shall chair the following COPE Committees:</p> <ul style="list-style-type: none"> ◦ Staffing, ◦ Communications, ◦ Strike Strategy, ◦ SGI Bargaining <p>j) enforce due observance of and interpret the Constitution; ...</p> <p>9.3.1 m) authorize staff to obtain legal counsel, as required, to perform their duties.</p>	<p style="text-align: center;">Explanation</p> <p>Moved to new Article 10.12</p>

	Old	New	Explanation
9.4	First Vice-President	9.4 First Vice-President	
	9.4.1	9.4.1	
	c) act as Chairperson of the Trustees and is required to call no less than quarterly meetings of the Trustees. They shall have the right to require the presence of all necessary officers and/or staff at such meetings including the Treasurer.	e) act as Chairperson of the Trustees and is required to call no less than quarterly meetings of the Trustees. They shall have the right to require the presence of all necessary officers and/or staff at such meetings including the Treasurer.	Change to reflect National Constitutional Amendments removing Trustees from the Executive Board – Effective January 1, 2017

	Old	New	Explanation
9.5	Second Vice-President	9.5 Second Vice-President	
	9.5.1	9.5.1	
	c) act as Chairperson of a Committee as determined by the Executive Board.	c) act as Chairperson of a Committee as determined by the Executive Board. Be a member of the Staffing Committee	Delete existing and replace with new

	Old	New	Explanation
9.6	Treasurer	9.6 Treasurer	
	9.6.1 The Treasurer shall:	9.6.1 The Treasurer shall:	
	...	h) be a member of the Staffing Committee	New

Old	New	Explanation
<p>9.6.2 The Treasurer or designate shall deposit all funds of this Union in a Financial Institution recommended by the Trustees or designate. They shall submit all books and records to the Trustees for verification and approval whenever called upon to do so, and, upon the expiration of their term, turn over to their successor all properties and assets, including funds, books, and records of this Union. They shall turn over all properties and assets, including funds, books and records, to the Treasurer of the National Union or the duly authorized representative when properly called upon to do so.</p>	<p>9.6.2 The Treasurer or designate shall deposit all funds of this Union, where possible, in a unionized Financial Institution. The Treasurer or designate shall submit to the National Secretary-Treasurer all relevant information pertaining to the bank accounts (name of the institution, full address, account number, ...). They shall ensure all books and records are submitted to the Auditor for the annual audit whenever called upon to do so. Upon the expiration of their term, they shall turn over to their successor all properties and assets, including funds, books, and records of this Union. They shall turn over all properties and assets, including funds, books and records, to the Treasurer of the National Union or the duly authorized representative when properly called upon to do so.</p>	<p>Clarification</p> <p>Required by the National</p> <p>Clarification</p>
<p>Old</p>	<p>New</p>	<p>Explanation</p>
<p>9.6.5 The Treasurer shall develop and present the proposed budget to Prairie Council.</p>	<p>9.6.5 The Treasurer, together with the Finance Committee, shall develop and present the proposed budget to Prairie Council.</p>	<p>Budget should be drawn up collaboratively, as per Policy</p>

	Old		New	Explanation
9.7	Recording Secretary	9.7	Recording Secretary	
			9.7.4 The Recording Secretary or designate will provide the National President and the National Secretary-Treasurer with the names and contact information of all the Local Union officers as well as any changes to that information.	Required by the National
	9.7.4 The Recording Secretary shall act as chairperson of a committee as determined by the Executive Board.	9.7.5	The Recording Secretary shall act as chairperson of a committee as determined by the Executive Board.	Renumbered from 9.7.4 to 9.7.5 and Delete
	Old		New	Explanation
9.8	Sergeant-at-Arms	9.8	Sergeant-at-Arms	
	9.8.2 The Sergeant-at-Arms shall act as the chairperson of the Social Committee.	9.8.2	The Sergeant at Arms shall act as the chairperson of the Social Committee.	
	Old		New	Explanation
9.9	Trustees	9.9	Trustees	Change to reflect National Constitutional Amendments removing Trustees from the Executive Board – Effective January 1, 2017
	9.9.1 The Trustees shall verify the financial records of the Treasurer (in a manner consistent with the recommendations of the Auditor) quarterly and shall report each such verification, in writing to the Prairie Council and to the Treasurer of the National Union.	9.9.4	The Trustees shall verify the financial records of the Treasurer (in a manner consistent with the recommendations of the Auditor) quarterly and shall report each such verification, in writing to the Prairie Council and to the Treasurer of the National Union.	

	Old	New	Explanation
9.9.2	Trustees shall verify any books and financial records of the Units and Sub-Locals and examine any papers or documents which they deem necessary for this purpose.	Trustees shall verify any books and financial records of the Units and Sub-Locals and examine any papers or documents which they deem necessary for this purpose.	Change to reflect National Constitutional Amendments removing Trustees from the Executive Board – Effective January 1, 2017
9.9.3	Each Trustee shall act as a chairperson of a committee as determined by the Executive Board.	Each Trustee shall act as a chairperson of a committee as determined by the Executive Board.	

ARTICLE 10 – EXECUTIVE BOARD

	Old	New	Explanation
10.1	The Executive Board shall consist of the President, First Vice-President, Second Vice-President, Treasurer, Recording Secretary, Sergeant-at-Arms, and three (3) Trustees. Executive Board members are to be elected by a plurality of the voting membership, notwithstanding Article 11.	The Executive Board shall consist of the President, First Vice-President, Second Vice-President, Treasurer, Recording Secretary, and Sergeant-at-Arms, and three (3) Trustees. Executive Board members are to be elected by a plurality of the voting membership, notwithstanding Article 11.	Change to reflect National Constitutional Amendments removing Trustees from the Executive Board – Effective January 1, 2017

	Old	New	Explanation
10.2	The Executive Board shall meet monthly. Whenever possible the meeting will be held on the first Thursday of each month.	The Executive Board shall meet monthly. These meetings may be held in person, by teleconference or by an electronic meeting technology.	Where technology is available it is much more cost effective.

	Old	New	Explanation
10.7	Where possible, regular meetings of the Executive Board shall be held within the fourteen (14) days preceding the General Membership Meeting. Ad hoc meetings of the Executive Board may be called by the President, and must be called upon the request of a majority of the members of the Executive Board. All members of the Executive Board shall be given reasonable notification by the Recording Secretary designate of any special meeting of the Board.	Where possible, regular meetings of the Executive Board shall be held within the fourteen (14) days preceding the General Membership Meeting. Ad hoc meetings of the Executive Board may be called by the President, and must or be called upon at the request of a majority of the members of the Executive Board. All members of the Executive Board shall be given reasonable notification by the Recording Secretary President or designate of any special meeting of the Board.	Housekeeping – Clarification of existing practise.

Old	New	Explanation
10.9 The Executive Board may recommend and retain legal counsel subject to approval of the Prairie Council.	10.9 The Executive Board may recommend and retain legal counsel, as required subject to approval of with a full explanation to the Prairie Council.	Common sense should prevail; there is a duty of fair representation.
Old	New	Explanation
10.10 The Executive Board may, subject to the approval of the Prairie Council, and in accordance with the United Food and Commercial Workers (UFCW)/COPE Collective Bargaining Agreement, appoint organizers for a period of time exclusive of the appointment of temporary member organizers.	10.10 The Executive Board may, subject to the approval of the Prairie Council, and in accordance with the United Food and Commercial Workers (UFCW)/COPE Collective Bargaining Agreement, appoint organizers for a period of time exclusive of the appointment of temporary member organizers.	To reflect responsible and responsive staffing practices.
Old	New	Explanation
10.11 The Executive Board shall authorize employment of staff to maintain the conduct of the Union's Business and shall determine the compensation for such employee(s) in accordance with the UFCW/COPE Collective Bargaining Agreement.	10.11 The Prairie Council Executive Board shall authorize employment of staff to maintain the conduct of the Union's Business and shall determine the compensation for such employee(s) in accordance with the UFCW/COPE Collective Bargaining Agreement.	To reflect responsible and responsive staffing practices.
10.11.1 Increases in the established staff positions shall be subject to the approval of the Prairie Council.	10.11.1 Increases in the staff positions shall be subject to the approval of the Prairie Council.	
Old	New	Explanation
	10.12 The Executive Board shall enforce due observance of and interpret the Constitution. Any interpretation is subject to appeal to the National President.	Moved from Article 9.3.1. (j) – renumber, as required. Required by the National
Old	New	Explanation
10.13 Any member of the Executive Board, who fails to attend three (3) regularly scheduled or specially called meetings in a calendar year, without being excused from such attendance by the Executive Board, shall be deemed to have forfeited their office.	10.13 Any member of the Executive Board, who fails to attend three (3) regularly scheduled or specially called meetings in a calendar year, may be deemed to have forfeited their office. Forfeiture of office shall be determined by the Executive Board.	Officers, in their Oath of Office, pledge to perform the duties assigned to them in their Office. Meetings are scheduled with enough notice to allow Employers to make alternate arrangements to replace a worker or reschedule their work to allow the request for a leave of absence, thus allowing full participation

ARTICLE 11 – VACANCIES IN OFFICE

Old	New	Explanation
11.2 An officer, as defined in Article 9, who is an active member as defined in Article 5.3 and is not actively working due to dismissal, layoff, illness, extended disability, or a contractually provided leave of absence, and has recall rights, shall be permitted to take a leave of absence from their elected position for the duration of the leave, provided the duration of the leave shall not exceed the term of the elected position. In the event the expected date of return is beyond the term of the elected position, the official shall so declare their resignation from their position at the time the expected duration is known. In the event a vacancy is created, the Executive Board shall be empowered to fill the vacant position, either on a permanent or temporary basis, in accordance with the provisions of the Constitution.	11.2 An officer, as defined in Article 9, who is an active member as defined in Article 5.3 and is not actively working due to dismissal, layoff, illness, extended disability, or a contractually provided leave of absence, and has recall rights, shall be permitted required to take a leave of absence from their elected or appointed position for the duration of the leave, provided the duration of the leave shall not exceed the term of the elected position. In the event the expected date of return is beyond the term of the elected position, the official shall so declare their resignation from their position at the time the expected duration is known. In the event a vacancy is created, the Executive Board shall be empowered to fill the vacant position, either on a permanent or temporary basis, in accordance with the provisions of the Constitution.	Clarification

ARTICLE 12 – PRAIRIE COUNCIL

Old

New

Explanation

12.1.1 All Prairie Council members will attend General Membership meetings and their respective unit meetings. These meetings may be attended in person, by teleconference or by an electronic meeting technology, if applicable.

All Members of Prairie Council, in order to fulfill the duties of their office, must be in attendance at Annual General Membership meetings to be fully accountable/aware of all Local 397 proceedings.

'if applicable', Required by the National

Old

New

Explanation

12.1.2 Any member of the Prairie Council, who fails to attend two (2) **Prairie Council** meetings in a calendar year, without ~~being excused a legitimate reason from such attendance by the Prairie Council,~~ shall be deemed to have forfeited their office and a new election will be held under the guidance of the Executive Board.

Moved from 12.7

12.2 12.2.1 The Prairie Council shall consist of all the members of the Executive Board and the representatives of the following units:

Old

Saskatchewan Government Insurance (SGI):	
Kindersley	1 member
Lloydminster/Meadow Lake	1 member
Moose Jaw	1 member
North Battleford	1 member
Prince Albert	1 member
Regina – Branches	2 members
Regina – Head Office	3 members
Saskatoon	2 members
Swift Current	1 member
Tisdale	1 member
Weyburn/Estevan	1 member
Winnipeg	1 member
Yorkton	1 member
NDP Provincial Office	1 member
NDP Caucus Office	1 member
NDP Constituency Assistants	1 member
SEIU West	1 member
Calgary Unit	1 member
University of Regina Faculty Association	1 member
Rural Municipality of Alexander	1 member
SK Association for Safe Workplaces in Health	1 member

New

Saskatchewan Government Insurance (SGI):	
Kindersley	1 member
Lloydminster/Meadow Lake	1 member
Moose Jaw	1 member
North Battleford	1 member
Prince Albert	1 member
Regina – Branches	4 members
Regina – Head Office	5 members
Saskatoon	3 members
Swift Current	1 member
Tisdale	1 member
Weyburn/Estevan	1 member
Winnipeg	1 member
Yorkton	1 member
NDP Provincial Office	1 member
NDP Caucus Office	1 member
NDP Constituency Assistants	1 member
Calgary Unit	1 member
University of Regina Faculty Association	1 member
Rural Municipality of Alexander	1 member

Old

New

Explanation

12.2.2 There will be one (1) Prairie Council Member for every one hundred (100) people in a unit, to a maximum of five hundred (500) people:
 Up to 100 people – 1 member
 101 – 200 people – 2 members
 201 – 300 people – 3 members
 301 – 400 people – 4 members
 401 - 500 people plus – 5 members

More representative

	Old	New	Explanation
12.5.2	<p>The election for each Prairie Council member shall be held in December or January and shall be for a two (2) year term. Notice of the election is to be posted in the Units for at least five (5) working days.</p> <p>a) Effective the election following the ratification of this constitution, Prairie Council term of office shall be a two (2) year term.</p>	<p>12.5.2 The election for each Prairie Council member shall be held in December or January and shall be for a two (2) year term. Notice of the election is to be posted in the Units for at least five (5) working days.</p> <p>a) Effective the election following the ratification of this constitution, Prairie Council term of office shall be a two (2) year term.</p>	Housekeeping
12.5.3	<p>Each Unit shall select an Election Board charged with the duty of conducting the election of the Unit Representative. The Election Board shall have the duty of enforcing the right of members to vote. In case of any difficulties they may refer the case to the Executive Board for decision or guidance.</p>	<p>12.5.3 Each Unit shall may select an Election Board Chair charged with the duty of conducting the election of the Unit Representative(s). The Election Board Chair shall have the duty of enforcing the right of members to vote. In case of any difficulties they may refer the case to the Executive Board for decision or guidance.</p>	<p>Explanation</p> <p>A Chair may suffice and, if required/deemed necessary, is empowered to constitute an Election Board</p>
12.7	<p>Any member of the Prairie Council, who fails to attend two (2) meetings in a calendar year, without being excused from such attendance by the Prairie Council, shall be deemed to have forfeited their office and a new election will be held under the guidance of the Executive Board.</p>	<p>12.7 Any member of the Prairie Council, who fails to attend two (2) meetings in a calendar year, without being excused from such attendance by the Prairie Council, shall be deemed to have forfeited their office and a new election will be held under the guidance of the Executive Board.</p>	<p>Explanation</p> <p>Delete – moved to Article 12.1.2</p>

	Old	New	Explanation
12.10	In case of or the potential for postal disruption the Prairie Council is empowered to make any decisions concerning the manner in which the secret ballot vote will be taken on issues such as a vote on a collective bargaining agreement, strike vote, or election of officers. Under normal conditions, these votes will be taken by mail balloting.	In case of or the potential for postal disruption The Prairie Council is empowered to make any decisions concerning the manner in which the secret a ballot or electronic vote will be taken on issues such as a vote on a collective bargaining agreement, strike vote, constitutional amendment or election of officers. Under normal conditions, these votes will be taken by mail balloting. All voting will be conducted in secrecy.	If technology is available, much more cost effective
12.19	The Trustees shall give a quarterly Trustee Report at the Prairie Council's regular meeting.	The Trustees shall give a quarterly Trustee Report at the Prairie Council's regular meeting.	Delete – Required by the National
12.22	The Prairie Council shall report its activities at the General Membership Meeting in Regina, and at the Unit and Sub-Local level preferably as soon as practicable after each Prairie Council meeting.	Members of the Prairie Council shall report its their activities at the General Membership Meeting in Regina, and at the Unit and Sub-Local level preferably as soon as practicable possible after each Prairie Council meeting.	Clarification of duties

ARTICLE 13 – BALLOTING BOARD

	Old		New		Explanation
13.1	A Balloting Board of five (5) members shall be elected in the year preceding Officer Elections at the September General Membership Meeting in Regina. The Balloting Board shall elect a Chair at the first meeting following their commencement of the term. Balloting Board Members must resign from the Balloting Board upon acceptance of a nomination for an Executive Board position. The Balloting Board has the power to fill Balloting Board vacancies as required. The Balloting Board shall have the right to utilize the administrative staff as required.	13.1	A Balloting Board of five (5) members shall be elected in the year preceding Officer Elections at the last General Membership Meeting of the calendar year in Regina. The Balloting Board shall elect a Chair at the first meeting following their commencement of the term. Balloting Board Members must resign from the Balloting Board upon acceptance of a nomination for an Executive Board position. The Balloting Board has the power to fill Balloting Board vacancies as required. The Balloting Board shall have the right to utilize the administrative staff as required.	Clarification	
13.3	The Balloting Board is charged with the duty of overseeing any situation requiring a ballot of the general membership or membership of a Unit when so determined, which may include, but is not limited to: a) The election of Officers; b) Constitutional amendments.	13.3	The Balloting Board is charged with the duty of overseeing any situation requiring a ballot or electronic vote of the general membership or membership of a Unit when so determined, which may include, but is not limited to: a) The election of Officers; b) Constitutional amendments.	If technology is available, much more cost effective	Explanation
13.4	In consultation with the relevant Committee the Balloting Board shall establish reasonable timelines for the mail-out ballot to be distributed and returned in all instances where none exist.	13.4	In consultation with the relevant Committee the Balloting Board shall establish reasonable timelines for the mail-out ballot or electronic vote to be distributed and returned in all instances where none exist.	If technology is available, much more cost effective	Explanation
13.6	The Balloting Board can examine the membership status of all members before permitting a ballot being mailed to them and can compare the said status with lists to be supplied by the Office Administrator.	13.6	The Balloting Board can examine the membership status of all members before permitting a ballot or electronic vote being mailed provided to them and can compare the said status with lists to be supplied by the Office Administrator.	If technology is available, much more cost effective	Explanation

	Old		New		Explanation
13.7	Upon the mail-out ballot return deadline, which is established in accordance with Article 13.3 the Balloting Board shall meet to determine results. The results shall be reported to the membership by the Chair of the Balloting Board.	13.7	Upon the mail-out ballot or electronic vote return deadline, which is established in accordance with Article 13.3 the Balloting Board shall meet to determine results. The results shall be reported to the membership by the Chair of the Balloting Board.		If technology is available, much more cost effective

	Old		New		Explanation
13.8	After a mail-out ballot has occurred and the report of the Balloting Board has been rendered, all records and ballots shall be stored in the Local Union office for safekeeping for not less than sixty (60) days. These records cannot be opened unless authorized by the Balloting Board.	13.8	After a mail-out ballot or electronic vote has occurred and the report of the Balloting Board has been rendered, all records and ballots shall be stored in the Local Union office for safekeeping for not less than sixty (60) days. These records cannot be opened unless authorized by the Balloting Board.		If technology is available, much more cost effective

ARTICLE 14 – ELECTIONS

	Old		New		Explanation
14.1	14.1.1 a) The Officers of the Executive Board shall be elected by the membership and shall hold office for a term of two (2) years.	14.1	14.1.1 a) The Officers of the Executive Board shall be elected by the membership and shall hold office for a term of three (3) years.		
	b) Effective with the elections taking place in the fall of 2015, the Officers of the Executive Board shall be elected to hold office for a term of three (3) years.		b) Effective with the elections taking place in the fall of 2015, the Officers of the Executive Board shall be elected to hold office for a term of three (3) years.		Housekeeping

Old	New	Explanation
<p>14.1.3 For composite Local unions, when an Employer definitely shuts down operations governed by a certified bargaining unit held by a Local Union, or if the certificate is revoked while an Officer is in its employ, this Officer may continue to pay the regular monthly union dues until the end of their term. Once their term has expired, this person may not be nominated to any officer of the Local Union.</p>	<p>14.1.3 For composite Local unions, When an COPE Local 397 Employer definitely shuts down operations governed by a certified bargaining unit held by a Local Union, or if the certificate is revoked while an Officer is in its employ, this Officer may continue to pay the regular monthly union dues until the end of their term. Once their term has expired, this person may not be nominated to any officer of the Local Union.</p>	Housekeeping

Old	New	Explanation
<p>14.3 No person shall be elected as an Executive Board member of this Local Union unless they are an active member as set out in Article 5.3 of this Local Union.</p>	<p>14.3 No person shall be elected, or appointed to the Executive Board of this Local Union unless they are active member as set out in Article 5.3. They must also have continuous active membership status for at least the preceding twelve (12) months or have permanent employment status with their Employer.</p>	<p>Provides candidates with more stable employment thereby ensuring more stability for the Local. Members not meeting the qualifications should be encouraged/invited to run as soon as they are eligible.</p>

Old	New	Explanation
<p>14.6 The Balloting Board shall open nominations for the Executive Board positions no later than the first Friday in October. Notice of such opening will be posted on Bulletin Boards. Nominations shall close fourteen (14) calendar days after they open. Upon closing of the nominations, the Balloting Board will contact nominees by regular mail providing notification of the position(s) that they have been nominated for. All members wishing to accept their nomination must do so in writing within twenty-eight (28) days of the opening of nominations.</p>	<p>14.6 The Balloting Board shall open nominations for the Executive Board positions no later than the first Friday in October. Notice of such opening will be posted on Bbulletin Bboards and the COPE Local 397 Website. Nominations shall close fourteen (14) calendar days after they open. Upon closing of the nominations, the Balloting Board will contact nominees either by regular mail or electronic means providing notification of the position(s) that they have been nominated for. All members wishing to accept their nomination must do so in writing within twenty-eight (28) days of the opening of nominations.</p>	<p>If technology is available, much more cost effective</p>

	Old		New		Explanation
14.8	A list showing all candidates for office will be posted on bulletin boards for seven (7) days prior to the mailing of ballots. Ballots are to be mailed no later than November 15 th .	14.8	A list showing all candidates for office will be posted on bulletin boards and the COPE Local 397 Website for seven (7) days prior to the mailing or the electronic distribution of ballots or votes . Ballots or electronic votes are to be mailed distributed no later than November 15 th .		If technology is available, much more cost effective
	Old		New		Explanation
14.10	The election shall be by secret ballot to every active member at their last known address on Union or company files.	14.10	The election shall be conducted by secret ballot or electronic vote to every active member at their last known address on Union or company files.		If technology is available, much more cost effective

14.17	Old	New	Explanation
14.17	<p>The oath of office of the elected members shall be held at the first Prairie Council meeting or at the first Executive Board meeting following the election, and the elected members shall subscribe to the following installation obligation:</p> <p>“I, _____, DO HEREBY SINCERELY PLEDGE MY WORD AND HONOUR TO PERFORM THE DUTIES ASSIGNED TO ME IN THE LOCAL UNION CONSTITUTION, TO THE BEST OF MY ABILITY AND WITH COMPLETE GOOD FAITH TO SUPPORT, ADVANCE AND CARRY OUT ALL OFFICIAL POLICIES OF THE LOCAL UNION AND TO PROMOTE A HARASSMENT AND DISCRIMINATION-FREE ENVIRONMENT. I WILL, AT ALL TIMES, DEVOTE MY EFFORTS TO FURTHER THE AIMS, OBJECTIVES AND BEST INTERESTS OF THE CANADIAN OFFICE AND PROFESSIONAL EMPLOYEES UNION. I WILL ALSO SURRENDER ALL BOOKS, PAPERS AND OTHER PROPERTY OF THE LOCAL UNION IN MY POSSESSION TO MY SUCCESSOR IN OFFICE.”</p>	<p>14.17 The oath of office of the elected members shall be held at the first Prairie Council meeting or at the first Executive Board meeting following the election, and the elected members shall subscribe to the following installation obligation:</p> <p>“I, _____, DO HEREBY SINCERELY PLEDGE MY WORD AND HONOUR TO PERFORM THE DUTIES ASSIGNED TO ME IN THE COPE LOCAL 397 UNION CONSTITUTION. I PROMISE TO ABIDE BY THE CONSTITUTION AND ALL OFFICIAL POLICIES OF COPE LOCAL 397. I WILL WORK TO THE BEST OF MY ABILITY AND WITH COMPLETE GOOD FAITH TO SUPPORT, ADVANCE AND CARRY OUT ALL OFFICIAL POLICIES OF THE THIS LOCAL UNION AND TO PROMOTE A HARASSMENT AND DISCRIMINATION-FREE ENVIRONMENT. I WILL, AT ALL TIMES, DEVOTE MY EFFORTS TO FURTHER THE AIMS, OBJECTIVES AND BEST INTERESTS OF THE CANADIAN OFFICE AND PROFESSIONAL EMPLOYEES UNION. I WILL ALSO SURRENDER ALL BOOKS, PAPERS, ELECTRONIC DATA AND OTHER PROPERTY OF THE LOCAL UNION IN MY POSSESSION TO MY SUCCESSOR IN OFFICE.”</p>	<p>Housekeeping</p> <p>Required by the National</p>

ARTICLE 15 – ELECTION OFFENCES

	Old	New	Explanation
15.1 (a)	If the Balloting Board suspects any tampering with ballots, illegal voting, fraud having been committed, violence, coercion, or other conduct not included in the foregoing, which in any manner interferes with a member's voting rights it may file a complaint to the Prairie Council within ten (10) days following the election results by following the <i>New COPE Appeal Procedure</i> as adopted the 13, 14, 15 November 2013. The person who is the subject of the complaint has the right to contest the complaint in writing by transmitting their statement to the President of the Local Union before the Prairie Council's meeting. The President of the Local Union shall transmit such statement to the Prairie Council. Should the Local Union President be the subject of or implicated in the complaint, the complainant shall submit their statement directly to the Prairie Council. The Prairie Council shall render its decision according to equity and the merits of the case.	15.1 (a) If the Balloting Board suspects any tampering with ballots, illegal voting, fraud having been committed, violence, coercion, or other conduct not included in the foregoing, which in any manner interferes with a member's voting rights it may file a complaint to the Prairie Council within ten (10) days following the election results by following the New <i>COPE Appeal Procedure</i> as adopted the 13, 14, 15 November 2013 . The person who is the subject of the complaint has the right to contest the complaint in writing by transmitting their statement to the President of the Local Union before the Prairie Council's meeting. The President of the Local Union shall transmit such statement to the Prairie Council. Should the Local Union President be the subject of or implicated in the complaint, the complainant shall submit their statement directly to the Prairie Council. The Prairie Council shall render its decision according to equity and the merits of the case.	Housekeeping
15.2 (a)	A member who has reason to believe that an election offense may have been committed may file a complaint with the Prairie Council within ten (10) days following the election results.	15.2 (a) A member who has reason to believe that an election offense may have been committed may file a complaint with the Prairie Council within ten (10) days following the election results.	
	(b) The process outlined in Article 15.1 applies in these circumstances.	(b) The process outlined in Article 15.1 applies in these circumstances.	
15.3	The Member may also use the COPE SEPB Discipline Procedures.	15.3 (c) After exhausting the COPE Local 397 discipline procedures , the Member may also use the COPE SEPB Discipline Procedures.	Clarification

ARTICLE 15 – ELECTION OFFENCES

	Old	New		Explanation
16.7	All disbursements, exclusive of Staff wages, shall be made by cheques drawn on the General Fund and shall be signed by two authorized signators. Whenever possible cheques should be signed by the Treasurer of the Local and either the President or the First Vice-President.	16.7 All disbursements, exclusive of Staff wages, shall be made by cheques or electronic funds transfer (EFT's) drawn on the General Fund and shall be signed by two authorized signators. Whenever possible cheques should be signed by the Treasurer of the Local and either the President or the First Vice-President.	Clarification	

ARTICLE 19 – DISCIPLINE PROCEDURES AND REMOVAL OF OFFICERS

	Old		New	Explanation
19.1	All officers and members of any committee(s) are deemed "officials" within the context of this Article.	19.1	Discipline Procedures and Removal of Officers	
19.2	Further to Article 18, any official who has been found guilty of any of the following offences may be disciplined or removed from office, and in addition may be expelled from membership, or be forever barred from holding any office in the Union:	19.1.1	All Officers and Members of any committee(s) are deemed "officials" within the context of this Article.	
	19.2.1 Dishonesty in the conduct of their office, fraud, corruption, accepting any bribes or harassment of any members;	19.1.2	Further to Article 18, any official who has been found guilty of any of the following offences may be disciplined or removed from office, and in addition may be expelled from membership, or be forever barred from holding any office in the Union:	
	19.2.2 Abuse of office or gross negligence in the conduct of their office;	(a)	Dishonesty in the conduct of their office, fraud, corruption, accepting any bribes or harassment of any members;	
	19.2.3 Conduct unbecoming an official of this Union;	(b)	Abuse of office or gross negligence in the conduct of their office;	
	19.2.4 Holding membership or working in the interests of any organization engaged in subversive activity; or against the best interests of COPE;	(c)	Conduct unbecoming an official of this Union;	
	19.2.5 Committing a breach of confidentiality.	(d)	Holding membership or working in the interests of any organization engaged in subversive activity; or against the best interests of COPE;	
		(e)	Committing a breach of confidentiality.	
19.3	In the event an official of the local union is charged with an offence, the COPE Internal Discipline Procedures shall apply.	19.2	In the event an official of the local union is charged with an offence, the Local Union COPE—Internal Discipline Procedures, as found beginning in Article 19.4 , shall apply.	

19.4	Old	New	Explanation
	None of the foregoing is applicable to any matter involving delinquency or failure to pay dues. Any Local Union may provide in its Policies for automatic suspension of any Member who is delinquent in their obligations	<p>19.3 None of the foregoing is applicable to any matter involving delinquency or failure to pay dues. Any Local Union may provide in its Policies for automatic suspension of any Member who is delinquent in their obligations.</p> <p>19.4 Charges</p> <p>19.4.1 A Member who has reasonable grounds to believe that another Member has:</p> <ul style="list-style-type: none"> (a) Committed acts which are detrimental to the welfare of the Local Union; (b) Violated any provision of this Local Constitution or the Constitution of COPE National; (c) Violated the Member's Oath of Office or Oath of Membership; (d) Revealed confidential information about the Local Union to anyone not entitled to such information; (e) Crossed a union picket line; (f) Committed fraud or misrepresentation in connection with a Local Union election; (g) Engaged in an activity or course of conduct which is detrimental to the welfare or best interests of the Local Union or a Local Union Member; 	<p>NEW – Discipline Procedures now set out in the Constitution, as required by the National and the Local</p>

Old

New

Explanation

May prefer a charge against the Member not later than six (6) months after the date on which the person making the charge knew or ought to have known of the action or circumstances giving rise to the charge in accordance with the procedure set out in this Article.

19.5 Form of Charges

19.5.1 Any proceedings shall commence with a complaint filed with the President of the Local Union in writing who shall then submit it to the Executive Board of the Local Union. The President shall also notify, by mail, the charged Member that a complaint has been filed and the reasons thereof, unless adequate disposition of the complaint requires that the charged party not be informed of the filing of the complaint. To that effect, the President shall consider the seriousness of the prejudice the complaint may cause to the Local Union notably when an allegation is made with regards to the finances, fraud or falsification of documents or books.

19.5.2 In the event the President of the Local Union is charged in the complaint filed, the First Vice-President of the Local Union shall replace them for the purpose of application of these procedures. These procedures apply only to Members and Officers.

Old

New

Explanation

- 19.5.3 All complaints should include the following:
- (a) The name of the charged Member;
 - (b) date or dates of each alleged offense;
 - (c) The Constitution or the Policies of the Local Union, or the Constitution of the National Union which are alleged to have been violated;
 - (d) A brief statement of the facts describing each alleged violation;
 - (e) The printed name, address, telephone number and the signature of the person filing the complaint.
- 19.5.4 Any Active Member is entitled to file complaints.
- 19.5.5 In the event one of the Members of the Executive Board of the Local Union is charged in the complaint filed, they shall refrain from participating in the disposition of the complaint.

Old

New

Explanation

- 19.5.6 The charged Member shall have the right to contest such complaint in writing by transmitting their statement to the Union President within fifteen (15) working days of the charge being mailed to the Member. The President shall transmit such statement to the Executive Board.
- 19.5.7 It is within the power of the Executive Board of the Union to decide, at its next meeting, to:
- (a) Pursue the complaint; or
 - (b) Appoint an Investigator(s) to investigate the complaint and to report to the Executive Board whether or not to pursue the complaint; or
 - (c) Dismiss the statement of the complaint as unwarranted.
- 19.5.8 Written notification of any action taken shall be sent to the complainant and the charged party.
- 19.6 Trial
- 19.6.1 Where the Investigator(s) has determined that the charges have sufficient merit to warrant a trial the Executive Board will appoint a Trial Committee consisting of at least three (3) Members to hear the charges.

Old

New

Explanation

- 19.6.2 The Trial Committee will hear and receive evidence in accordance with the following principles:
- (a) Members have the right to know the charges against them and if necessary, to have particulars of those charges;
 - (b) Members must be given reasonable notice of the charges prior to any hearing and must be given reasonable notice of the hearing date;
 - (c) The hearing must be conducted in substantial compliance with the intent and purpose of this Local Constitution and the National Constitution.
 - (d) Members and persons bringing charges will have the right to call evidence, introduce documents, cross-examine witnesses and make submissions;
 - (e) The trial must be conducted in good faith and without actual bias;

Old

New

Explanation

- (f) The Trial Committee is not bound by the strict rules of evidence, however, any verdict reached must be based on the actual evidence adduced and not influenced by any matters outside the scope of the evidence;
- (g) The parties have the right to call witnesses and to produce evidence relevant to the complaint and the right to cross-examine any witness. They also have the right to be represented by an advocate or legal counsel at their own expense.

19.7 Decision

- 19.7.1 Upon conclusion of the hearing the Trial Committee shall, as soon as practical, publish a written decision and forward it to the Executive Board, the Member bringing the charge and the Member charged.

Old

New

Explanation

- 19.7.2 The Trial Committee shall decide if the charged Member has given cause for some degree of discipline and if so the appropriate level of discipline considering all of the circumstances. If appropriate, the Trial Committee may seek further submissions from the parties before imposing any discipline. Discipline may include the following:
- (a) reprimand in writing;
 - (b) fine;
 - (c) suspension from membership for a specified period of time;
 - (d) suspension of the right to hold office for a specified period of time;
 - (e) expulsion from membership, or prohibition from holding office;
 - (f) any combination of the foregoing penalties.

Old

New

Explanation

19.8 Appeal

19.8.1 Level 1 Appeal

- (a) In the event of the Executive Board of the Local Union dismissing the complaint file, the complainant may, within a period of fifteen (15) days, address an appeal to the National Union Executive Board in writing directed to the National President with a written statement of the basis of such appeal. The National President will then notify the President of the Local Union of the rights of the Local Union to submit a written statement that sets forth its position, with copy to the complainant. Upon receipt of those documents, the National President transmits the documents to the National Executive which shall arrive at one of the decisions outlined in the preceding paragraph, with copy to the complainant, the Member and the President of the Local Union. In the event the National Executive decides to pursue the complaint, the proceedings shall be made in accordance with the procedure described hereinafter.

Old

New

Explanation

- (b) In the event a decision is made to pursue the complaint the President of the Local Union shall forward said decision by certified mail or by bailiff to the charged party.
- (c) In the event of the appointment of an Investigator, they shall meet with the interested parties and any witnesses that they may find suitable and report to the National Executive.
- (d) Refusal to meet with the Investigator or to answer their questions or refusing to produce documents required by the Investigator shall be considered as misconduct against the best interests of the Union.
- (e) In the event the complaint is to be pursued, a copy of the decision of the National Executive shall be sent to the Region 3 Vice-President who shall appoint a hearing officer to hear the dispute.

Old

New

Explanation

- (f) If the Region 3 Vice-President fails to appoint a hearing officer within a reasonable period of time or if the Region 3 Vice-President has conflict of interest, the appointment shall be made by the National President.
- (g) If the National President fails to appoint a hearing officer within a reasonable period of time or if the National President has a conflict of interest, the appointment shall be made by the National Executive.
- (h) The hearing officer shall not have any conflict of interest.
- (i) The hearing officer shall hold a hearing at a suitable place and send written notice thereof, at least fifteen (15) days in advance, which shall specify the date, time and place of the hearing to all interested parties.

Old

New

Explanation

- (j) If a complainant fails to appear at the hearing when called by the hearing officer they have the authority to:
 - (i) dismiss the complaint;
 - (ii) postpone the hearing to a later date.
- (k) If the charged party in the complaint fails to appear at the hearing when called by the hearing officer, they have the authority to:
 - (i) proceed ex-parte;
 - (ii) postpone the hearing to a later date.
- (l) The hearing officer shall proceed in an orderly, fair and impartial manner, in accordance with the hearing proceedings and introduction of evidence they so choose and in accordance with the principles of natural justice and the duty of fairness.
- (m) Onus of proof is on the complainant.

Old

New

Explanation

- (n) The parties have the right to call witnesses and to produce evidence relevant to the complaint and the right to cross-examine any witness. They also have the right to be represented by an advocate or legal counsel at their own expense.
- (o) The hearing officer shall render their decision in writing and decide on the validity of the complaint within forty-five (45) days of the close of the hearing. Should the complaint be deemed valid, they shall impose the penalty deemed to be fair and just:
 - (i) reprimand in writing;
 - (ii) fine;
 - (iii) suspension from membership for a specified period of time;
 - (iv) suspension of the right to hold office for a specified period of time;

Old	New	Explanation
	(v) expulsion from membership, or prohibition from holding office;	
	(vi) any combination of the foregoing penalties.	
	(p) The decision shall be forwarded to each party to the hearing, the President of the Local union and the appointing officer.	
	(q) Expenses and/or fees of the hearing officer shall be borne by the Local Union.	

19.8.2 Level 2 Appeal

- (a) Within twenty (20) days of the date the decision is received, the parties may appeal to the Executive Board of the Local Union in writing to the President of the Local Union setting forth the grounds for appeal, with copy to the other party. The opposing party has twenty (20) days to present its views in writing to the President of the Local Union, with copy to the appealing party.

Old

New

Explanation

- (b) An appeal filed in accordance with these rules will not defer the imposition of any penalty. A request for the suspension of any penalty must state the reasons supporting the request and shall be filed with the President of the Local Union with a copy to the opposing party, who may choose to contest. The Executive Board of the Local Union shall decide, at its next meeting, on the validity of the request on the basis of the documents presented in support of the request. Suspension of penalty may be granted when the applicant appears to be entitled to it and it is considered to be necessary in order to avoid serious or irreparable injury to them, or a situation of such a nature as to render the judgment in appeal ineffectual. The decision on the request for suspension of penalty is final.

Old

New

Explanation

- (c) Upon receipt of the documents mentioned in paragraph (a), the President of the Local Union shall transmit them to the Executive Board of the Local Union for decision at its next meeting. The Executive Board of the Local Union sitting in appeal shall render any decision that it considers just and reasonable in accordance with the Local Constitution.
- (d) The President of the Local Union shall forward copies of the decision of the Executive Board to the interested parties and to the Region 3 Vice-President.

Old

New

Explanation

19.8.3 Level 3 Appeal

- (a) Within twenty (20) days of the receipt of the decision, the parties may file an appeal in writing to the National Executive by forwarding to the National President a statement of reasons for the appeal, with copy to the opposing party. The opposing party has twenty (20) days to present its views in writing and forward them to the National President, with copy to the appellant. In the event of an appeal, a full record shall be transmitted to the National President by the President of the Local Union.

- (b) Upon receipt of the documents mentioned in the preceding Article, the National President shall submit them to the Executive Board for decision. The National Executive sitting in appeal may render any decision that it considers just and fair in accordance with the Constitution.

Old	New	Explanation
	(c) The National President shall forward a copy of the National Executive's decision to the interested parties and the President of the Local Union.	
	19.8.4 Level 4 Appeal	
	(a) Any decision may be appealed to the next regular convention of the National Union by filing a notice of such appeal in writing with the National President within thirty (30) days of the date the decision is received, with copy to the other party. The opposing party then has thirty (30) days to transmit its views in writing to the National Secretary-Treasurer, with copy to the appellant. The appeal will then be heard in conformity with the Constitution of the National Union.	
	(b) Time limits defined in this Article may be extended by the Region 3 Vice-President if reasonable grounds warrant such extension and provided that no serious prejudice to any party results from such extension.	

Old

New

Explanation

- (c) Upon request, the Region 3 Vice-President shall obtain copies of all the documents, testimony and all other information submitted to any officer or entity in connection with the complaint.
- (i) In the case of an expulsion or suspension of an officer of the Local Union, all funds, properties, books and assets in their possession shall be turned over to an individual duly authorized by the Region 3 Vice-President.
- (ii) There shall be no resort to any court of law until all remedies within the National Union under its Constitution have been exhausted.
- (iii) The foregoing procedures are not applicable to any matter involving delinquency or failure to pay dues.

ARTICLE 23 – ~~NEGOTIATING/BARGAINING COMMITTEES~~

	Old		New		Explanation
23.1	The Bargaining Committee for each Unit shall be comprised of members from that Unit and a Union Representative. The members of the bargaining committee shall be endorsed by the Prairie Council. This endorsement shall not be unduly withheld.	23.1	The Bargaining Committee for each Unit shall be comprised of members from that Unit, the Local Union President and a Union Representative. The members of the bargaining committee shall be endorsed by the Prairie Council. This endorsement shall not be unduly withheld.	Revised	
23.2	SGI Bargaining	23.2	SGI Bargaining		Explanation
	23.2.1 The SGI members of the Prairie Council will determine the members of the SGI Bargaining Committee for the purposes of negotiating the SGI Collective Bargaining Agreement. The President and two (2) Union Representatives shall serve on the Committee.		23.2.1 The SGI members of the Prairie Council will determine the members of the SGI Bargaining Committee for the purposes of negotiating the SGI Collective Bargaining Agreement. The President, and two (2) Union Representatives shall serve on the Committee.		See Article 23.1 above for the composition of the Bargaining Committee for each Unit
	23.2.2 The SGI members of the Prairie Council shall determine the proposals to be taken forward.		23.2.2 The SGI members of the Prairie Council shall determine the proposals to be taken forward.		
	23.2.3 SGI tentative agreements shall be authorized by SGI Prairie Councillors prior to a ratification vote by the COPE membership employed at SGI.		23.2.3 SGI tentative agreements shall be authorized by SGI Prairie Councillors prior to a ratification vote by the COPE membership employed at SGI.		
23.3	The Negotiating Committee for each of the other Units shall be comprised of members from that Unit and endorsed by the Provincial Council. This endorsement shall not be unduly withheld.	23.3	The Negotiating Committee for each of the other Units shall be and comprised of member(s) from that Unit, and endorsed by the Provincial Council and a Union Representative. This endorsement shall not be unduly withheld.		Explanation
					Delete – See Article 23.1 above for the composition of the Bargaining Committee for each Unit

ARTICLE 25 – AMENDMENTS

Old	New	Explanation
<p>25.2 Executive Board and Prairie Council shall include the proposed amendment(s) in its minutes at their regular meeting. The proposed amendment(s) shall be provided to the membership in a manner determined by the Prairie Council for a minimum period of seven (7) days. It shall also contain a statement of explanation of the proposed amendment(s) and the recommendation of the Prairie Council.</p>	<p>25.2 Executive Board and Prairie Council shall include the proposed amendment(s) in its minutes at their regular meeting. No amendment to this Constitution shall be provided to the Membership until the approval of the President of the National Union has been secured. The proposed amendment(s) shall then be provided to the membership in a manner determined by the Prairie Council for a minimum period of seven (7) days. It shall also contain a statement of explanation of the proposed amendment(s) and the recommendation of the Prairie Council.</p>	<p>Incorporated from Article 25.7</p>
<p>25.4 Ballots shall be mailed within ninety (90) days to all active members at their last known address on Union or company files. The member shall return their vote by the specified date as determined by the Balloting Board in consultation with Prairie Council.</p>	<p>25.4 Ballots or electronic votes shall be mailed or electronically distributed within ninety (90) days to all active members at their last known address on Union or company files. The member shall return their vote by the specified date as determined by the Balloting Board in consultation with Prairie Council.</p>	<p style="text-align: center;">Explanation</p> <p>If technology is available, much more cost effective</p>
<p>25.7 No amendment to this Constitution shall take effect until the approval of the President of the National Union has been secured.</p>	<p>25.7 No amendment to this Constitution shall take effect until the approval of the President of the National Union has been secured.</p>	<p style="text-align: center;">Explanation</p> <p>Incorporated into Article 25.2</p>
<p>25.7 No amendment to this Constitution shall take effect until the approval of the President of the National Union has been secured.</p>	<p>25.7 Any amendment to the National Constitution affecting a Local Union or a Council shall automatically be included in the Constitutions of the Local Union or Council unless the National President approves otherwise.</p>	<p style="text-align: center;">Explanation</p> <p>Required by the National</p>