

SEIU LOCAL 1 CANADA
CONSTITUTION

Adopted on November 20, 2019

SEIU Healthcare

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CONSTITUTION SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 1 CANADA

ARTICLE 1: Name

- 1.1 This organization shall be known as Service Employees International Union Local 1 Canada of the Service Employees International Union, CLC.

ARTICLE 2: Jurisdiction, Objective, Vision Statement

- 2.1 This Local Union shall have such jurisdiction for workers in Ontario in SEIU's jurisdiction, except those employed in the gaming industry, including race tracks and casinos, and otherwise as granted and approved from time to time by the International Union in accordance with the International Constitution and Bylaws.

2.2 SEIU Local 1 Canada Vision Statement

- (a) In 2003, six proud SEIU local unions in Ontario come together to form a single, united local: SEIU Local 1 Canada. Our vision for our new local is based on the notion of synergy. Our new local will be more than the sum of its parts:
- We will operate from a clear and strategic sense of direction from this membership driven local;
 - We will become a powerful force to be reckoned with in organizing, bargaining, and political action;
 - Active and informed members will be our foundation because of our accomplishments as a local and the respect with which we hold in our communities, the labour movement and throughout the province, our members will be proud to be Local 1 members;

- Our province-wide local will combine the benefits of size and resources with accessibility to members. We will centralize resources and systems to be effective and efficient. At the same time, we will be available and accountable to our members in all aspects of our regionally based operations. Through all of our activities, we will combine respect for and involvement of our diverse membership with effective unity of purpose and effort;
 - Our strength will be based on growth, increasing density in the healthcare and community service sectors and on integrated programs of bargaining and political action;
 - In all our work, we will be grounded in solid trade union principles of solidarity, unity, dignity, democracy, integrity, trust, fairness, and equity;
 - We stand for progressive politics, with one foot planted firmly in the present struggle of our members, and the other planted in the future, making the world a better place for our children and grandchildren. As part of our effort, we will commit to involve youth as active members in our local.
- (b) The object of this Local Union shall be to develop a closer union and more complete organization of all wage earners under its jurisdiction, and to assist its members in obtaining adequate compensation for their labour and the general improvement of the conditions under which they work. It shall be the object and duty of this Local Union to organize its jurisdiction completely and fully. This Local Union shall, as an affiliate of the International Union, carry out all of the objects and purposes of the International Union.

2.3 SEIU Member Bill of Rights and Responsibilities in the Union

- The right to have opinions heard and respected, to be informed of union activity, to be educated in union values and union skills.
- The right to choose the leaders of the union in a fair and democratic manner.
- The right to a full accounting of union dues and the proper stewardship over union resources.
- The right to participate in the union's bargaining efforts and to approve union contracts.
- The right to have members' concerns resolved in a fair and expeditious manner.
- The responsibility to help build a strong and more effective labour movement, to support the organizing of unorganized workers, to help build a political voice for working people, and to stand up for one's co-workers and all workers.
- The responsibility to be informed about the internal governance of the union and to participate in the conduct of the union's affairs.
- The responsibility to contribute to the support of the union.
- The responsibility to treat all workers and members fairly.
- The responsibility to offer constructive criticism of the union.

2.4 SEIU Member Bill of Rights and Responsibilities on the Job

- The right to have work that is worthwhile to society, personally satisfying to the worker, and which provides a decent standard of living, a healthy and safe workplace, and the maximum possible employment security.
- The right to have a meaningful and protected voice in the design and execution of one's work and in the long-term

planning by one's employer, as well as the training necessary to take part in such planning.

- The right to fair and equitable treatment on the job.
- The right to share fairly in the gains of the employer.
- The right to participate fully in the work of the union on the scope, content, and structure of one's job.
- The responsibility to participate in the union to expand the voice of workers on the job.

ARTICLE 3: Membership

- 3.1 Any member of Local 1 Canada who has paid their dues shall be a member in good standing .
- 3.2 Any person employed in any employment over which this union claims or exercises jurisdiction or is employed by the local shall be eligible to be considered for membership.
- 3.3 This Local Union can with the approval of the International Union, establish different categories of membership and rates of dues for persons represented and not represented by this Local Union for collective bargaining purposes, including retired members and associate members.
- 3.4 There shall be no discrimination against any member, or any applicant for membership, by reason of race, creed, color, religion, gender, gender expression, sexual orientation, national origin, citizenship status, marital status, ancestry, age, or disability.
- 3.5 Every member, by virtue of his or her membership in this Local Union is obligated to adhere to and follow the terms of the International Constitution, the SEIU Canadian Council Constitution, and this Local Constitution, and the working rules

promulgated in accordance with this Constitution, with respect to his or her rights, duties, privileges, and immunities conferred by them and by statute. Each member shall faithfully carry out such duties and obligations and shall not interfere with the rights of fellow members.

- 3.6 Every member, by virtue of his or her membership in this Local Union, authorizes this Local Union:
- (a) to act as his or her exclusive bargaining representative with full and exclusive power to execute agreements with his or her employer governing terms and conditions of employment; and
 - (b) to act for him or her and have final authority in presenting, processing, and adjusting any grievance, difficulty, or dispute arising under any collective bargaining agreement or out of his or her employment with such employer, in such manner as this Local Union or its officers deem to be in the best interests of this Local Union.

This Local Union and its officers, union representatives, and agents may decline to process any such grievance, complaint, difficulty, or dispute, if in their discretion and judgment such grievance, complaint, or dispute lacks merit.

- 3.7 No member shall interfere with the elected officers or staff of this organization in the performance of their duties and each member shall, when requested, render such assistance and support in the performance of such duties as may be required of him or her, provided that this does not interfere with his or her individual rights as a member. Each member shall adhere to the terms and conditions of pertinent collective bargaining

agreements and shall refrain from any conduct that would interfere with the performance by this Local Union of its legal or contractual obligations.

- 3.8 No member shall engage in dual unionism or espouse dual unionism or disaffiliation in the course of any meeting, or shall slander or libel this Local Union, its members, or its officers, and shall not be a party to any activity to secure the disestablishment of this Local Union as the collective bargaining agent for any employee.
- 3.9 SEIU Local 1 Canada recognizes the policies mandated in these documents titled:
- Code of Conduct
 - SEIU Local 1 Canada Stewards Governance Policy
 - Election Process for SEIU Local 1 Canada Stewards

ARTICLE 4: Officers and Executive Board

- 4.1 The officers of this Local Union shall consist of a President, Secretary-Treasurer, and Executive Vice-President. The President, Secretary-Treasurer, and the Executive Vice-President shall be full-time, paid positions.
- 4.2 This Local Union shall have an Executive Board, elected at convention, consisting of the three (3) officers and eighteen (18) members representing the membership as follows:
- Three (3) sector seats with one (1) member from:
- Long Term Care
 - Hospitals
 - Community Care

Seven (7) Community Representation seats with one (1) member from:

- Young Workers
- Workers of Colour
- Women
- Persons with Disability
- Retirees
- LGBTQ2+
- Aboriginal/Indigenous

Eight (8) Regions with one (1) member from:

- Region 1 - Thunder Bay
- Region 2 - Northumberland Region
- Region 3 - Georgian Bay Region
- Region 4 - GTA Region
- Region 5 - Hamilton/Halton Regions
- Region 6 - Norfolk/Niagara Regions
- Region 7 - London and Southwestern Ontario Region
- Region 8 - Algonquin Regions

Descriptions are contained in Appendix A.

By virtue of the election or appointment of the division President, they shall serve as a Vice-President on the executive board.

- 4.3 Eligibility for nominations and election to the Executive Board for Sector, Regions, and Representative Seats require a candidate to be actively working in an existing Local 1 Canada bargaining unit within the respective sector region and Representative Community in addition to other requirements for eligibility contained within the Constitution.
- 4.4 Effective in 2007, all officers, trustees, and executive board members shall be elected to four year terms of office.
- 4.5 No candidate, including a prospective candidate for any office in the Local Union, shall solicit or accept financial support or any other direct or indirect support of any kind from a non-member of SEIU.

4.6 Any member wishing to protest the election of any officer or executive board member must file a written complaint signed protest with elections/roll call committee within the time specified and at the place indicated in the rules of the Convention at which time the officer or executive board member was elected.

All rules of Convention and procedures that may govern the Convention will be available to all delegates prior to the commencement of Convention.

4.7 Eligibility

No person shall be eligible for nomination as an officer, member of the board, or any other office of the Local Union who has not been a member in continuously good standing for at least two (2) years immediately preceding the nomination and has, during all of that time, paid the full dues required for working members of the Local Union within each month when due. With the exception of all retirees attending convention and paying retiree dues are eligible to be nominated and vote for the retiree Executive Board seat. The International President may waive the foregoing requirement for good cause shown. Associate members and those retired members paying less than the full dues required for working members of the Local Union shall not be eligible for nomination as an officer, member of the Executive Board, or any other office in the Local Union.

To be eligible to run for any of the top three officer positions, the member must have served at least one full term on the Executive Board or is the incumbent.

Proxy voting shall not be permitted in any election for an officer, member of the executive board, or any office in the Local Union.

Write in candidates shall not be permitted in any election for an officer, member of the executive board, or any other office in the

Local Union, except if expressly approved by the International President upon request of the Local Union Executive Board.

4.8 No person who has been convicted of an indictable offence in Canada shall, in accordance with the provisions of applicable law, be eligible to hold office in this Local Union.

4.9 All officers and employees handling any monies of this Local Union shall be bonded in the amounts and the form required by applicable statutes, said bond or bonds to be procured immediately upon assuming office or employment, the premiums to be paid for by this Local Union. The International Secretary-Treasurer may direct the increase or decrease in the amount of the bond when he or she deems it advisable and may direct bonding of any Local Union not required by statute to obtain a bond.

4.10 Delegates to Conferences and Conventions

The Executive Board of the Local Union shall determine the number of delegates and alternates which shall represent it at conferences or conventions. Officers of the Local Union hereafter elected in conformity with applicable statutes shall by virtue of such election be considered to be eligible delegates to all conferences or conventions which may take place during their term of office, except the SEIU International Convention and the National Canadian Council Convention. If the total number of elected officers is greater than the number which the Local Union is permitted to send to a conference or convention other than the SEIU International Convention or Canadian Council Convention, then the officers shall attend as delegates in the order listed in Section 4.1 hereof. The four trustees are to be listed in descending order based on the number of votes each received in the last election. The President shall appoint all additional delegates.

4.11 Delegates to the SEIU International and Canadian Conventions

All delegates to the SEIU International Convention and Canadian Council Conventions shall be elected by local wide nomination and secret ballot election. For the purpose of this election process, the President shall appoint the election committee who will conduct the nomination and secret ballot election. The election committee shall notify all members thirty (30) days in advance of the nominations date of the nominations and election process.

To be eligible for election as a delegate, a candidate must have been a member in good standing for at least two (2) years immediately preceding the nomination and must have, during all of that time, paid the dues required for members of the Local Union within each month when due.

ARTICLE 5: Duties of Officers, Executive Board, Trustees, and Division Vice President

5.1 President

It shall be the duty of the President to preside at all meetings of this Local Union and to preserve order therein. The President shall appoint all committees, report at all meetings, ensure that the Local's responsibilities for collective bargaining and representation are carried out, sign all collective agreements, and perform such other duties as may pertain to the office of the President. The President shall, when authorized by the Local Union, have the full power and authority to sign all contracts and agreements or any other documents for or on behalf of the Local Union.

The President shall have the authority to hire and fire staff as necessary, and to retain counsel, accountants, professional, and other personnel as may be required to assist in the duties of the office and to fix their compensation.

The President shall be an ex-officio member of all committees with voice and vote in their deliberations.

The President shall appoint delegates to representative bodies, except where otherwise specified within this Constitution.

The President shall prepare a version of the Executive Board minutes for distribution to the Chief Stewards and general distribution to the membership.

5.2 Secretary-Treasurer

It shall be the duty of the Secretary-Treasurer to assure that a correct record of all monies collected and expended is kept.

The Secretary-Treasurer shall submit his or her books and receipts to the International Union for their audit and approval when called upon to do so, and at the expiration of his or her official term of office shall turn over to his or her successor all monies and property of the Local Union that may be in his or her possession.

All funds shall be deposited in a bank in the name of the Local Union, subject to an order signed by the President and the Secretary-Treasurer.

The Secretary-Treasurer shall keep all membership records and application cards, and shall send to the International Union and the SEIU Canadian Council an accurate record of the correct names and addresses, Social Insurance Numbers, e-mail addresses and phone numbers, if available for all members of the Local.

The Secretary-Treasurer shall promptly forward to the International Secretary-Treasurer copies of all annual audit reports and copies of all financial reports setting forth a statement of assets and liabilities and a statement of receipts and disbursements, which are required by law.

5.3 Executive Vice-President

The Executive Vice President will oversee the meetings of the Executive Board when the President is absent.

It shall be the duties of the Executive Vice President to keep a correct and impartial account of the proceedings of each meeting of the Local Union and Executive Board.

The Executive Vice President shall ensure the notification to the Secretary-Treasurer of the International Union of the names and addresses of Officers, Executive Board Members, and trustees within fifteen (15) days after the election.

The Executive Vice President shall ensure that a copy of the proposed changes to the Constitution is submitted to the International President for final approval.

The Executive Vice President shall work under the supervision of the President and shall perform such duties as are assigned to him or her by the President.

5.4 Trustees

The Trustees shall hold in trust in the name of the Local Union, as Trustees, all property of this Union not otherwise provided for.

The Trustees shall examine the books of the Secretary-Treasurer monthly and report their findings on the same in writing, such report to be filed with the Executive Board. They shall attend to the bonding of the Secretary-Treasurer and all other officers and employees handling any monies of this Local Union, in accordance with the requirements of the Constitution and By-Laws of the International Union.

On an annual basis, the Treasurer shall a report available on the budget to the Executive Board and the union membership.

Any expenditure not provided for in the current annual budget shall be reviewed and approved by the Executive Board.

5.5 Division Vice-President

Divisions may be established from time to time with their own budget, constitution, and bylaws.

Division chairs shall either be elected by their division or appointed by the President.

The Division can request a division levy or any general or special assessment which is approved by the procedures set out by the division.

The Division mandate and procedures to be followed are to be set out by the division convention with the approval of the President.

As of 2006, the RPN division, also known as the Nursing Division, is recognized as a division of SEIU Local 1 Canada.

By virtue of the election or appointment of the division President, they shall serve as a Vice-President on the executive board as outlined in Article 4 of this constitution.

5.6 Local Executive Board

The Executive Board shall manage and direct the affairs of the Local Union between conventions.

The Executive Board shall ensure compliance with the International Union Constitution and Bylaws, the SEIU Canadian Council Constitution, and the Local Union's rules, regulations, instructions, policies, and decisions.

It shall report upon all matters which in its judgment require consideration by the Local Union or which may have been committed to the Executive Board. The Executive Board shall be further empowered to appropriate funds to defray necessary expenses. The Executive Board is charged with the adoption of the annual budget.

The Executive Board shall have the power to receive and hear complaints filed against any member or members (including

determination of election protests) and act as trial body and to submit to the membership its findings and recommendations. When a member of the Executive Board is an interested party or a witness to any proceeding, he or she shall be automatically disqualified from sitting as a member of the trial body.

The Executive Board shall meet quarterly, at a time, date and place determined by the President.

Special meetings of the Executive Board may be called by the President. Whenever a majority of the Executive Board requests the President to call a meeting thereof, it shall be mandatory upon him or her to do so.

A majority of the Executive Board shall constitute a quorum. The decisions of the Executive Board shall be decided by a majority vote of those members present.

5.7 Executive Board Members Responsibilities

- Attend all assigned board meetings;
- Participate in standing committees of the Constitution to which they have been elected and/or appointed;
- Preside over committees as assigned by the President;
- Engage in strategic planning and policy;
- Ensure at all times a united union voice on all matters;
- Be aware of the needs of the members in their regional section and ensure those needs are brought to the attention of the Executive;
- Maintain ongoing communications with the chief stewards in their region.
- The Local Executive Board shall be responsible for reviewing and approving the Local Union budget, reviewing the financial reports of the trustees, adopting, and assisting in the development and implementation of programmatic plans for

the Union, receiving periodic reports from the Officers and the Executive Board, and such other tasks as it may from time to time be assigned by the President.

- The Executive Board will determine each year a recompense in recognition of the dedication and work in representing the membership for all stewards and chief stewards.

5.8 Vacancies in Office

In the event of a vacancy in the office of the President, occasioned by death, resignation, forfeiture or other causes, the Secretary Treasurer shall assume the duties of the President. Vacancies in other elected office occasioned by death, resignation, forfeiture, or other causes shall be appointed by the President.

- 5.9 If an Executive Board member misses three consecutive meetings without furnishing suitable reasons for absence satisfactory to the President, their position shall be declared vacant.

ARTICLE 6: Local 1 Canada Convention

- 6.1 Conventions shall be held every four years and shall convene at such time and place as the Executive Board may determine.

- 6.2 The basis of regional representation at Convention shall be one (1) delegate for five hundred (500) members or less and one (1) additional delegate for every additional five hundred (500) members or major fraction thereof up to 5,000 members and then one additional delegate for every additional one thousand members or major fraction thereof. The Executive Board of this Local Union shall determine the number of delegates and the process for regional and divisional representation.

Membership count will be given not more than ninety (90) days prior but not less than thirty (30) days prior to the call of Convention. For the purposes of voting, the computation

of membership for Local 1 Canada shall not include retired members paying less than the full dues required for the members of the Local Union and associate members.

ARTICLE 7: Membership Meetings

- 7.1 Procedures for the conduct of the meetings shall be in accordance with this Constitution, Parliamentary procedure (Robert's rules of order) and policies passed by the membership of Local 1 Canada.
- 7.2 Special membership meetings of this Local may be called by the President or by a majority vote of the Local Executive Board upon reasonable notice to the membership. Any such notice shall specify the business to be brought before the membership and only the business so specified in the notice may be acted on at the meeting.

ARTICLE 8: Fees, Dues and Assessments

- 8.1 The revenues of this Local Union shall be derived from monthly dues, fines, and assessments, dues and such other sources as may be approved by the Executive Board.
- 8.2 The dues rates for members of any newly organized unit will be at the rate of 1.8% of the member's regular earnings. Effective April 1, 2012, the dues rates for members will be at the rate of 1.8% of the member's regular earnings. There shall be a cap of \$99.00 per month.
- Each member must pay the dues or assessments of this Local Union on or before the last day of the month. In which the same are due and the Local Union must remit the member's per capita tax to the International Union and the SEIU Canadian Council no later than the last day of the month following the payment by the member.

- 8.3 Any new member shall have remitted to the union an initiation fee of \$10.00. Any newly organized member will be subject to the same initiation fee to be remitted upon ratification of the first collective agreement.
- 8.4 **Minimum Dues**
The dues of the Local Union shall be a minimum of \$11.00 per month, or as prescribed by the International Constitution.
- 8.5 **Retired Members**
The dues for retired members as defined in this Constitution shall be three dollars (\$3.00) per month.
- 8.6 Any member failing to pay dues and assessments of the Local on or before the last day of the month in which the same are due shall stand automatically suspended as a member of the Union and from all rights and privileges of such membership. A suspended member must pay the Local Union all back dues and assessments before being readmitted to membership, but in no event shall such readmission restore any privileges, death gratuities, or other benefits.
- 8.7 **Reduced Dues Members**
The dues for members who are on long term Disability, Pregnancy or Parental Leave or reduced income as a result of Long-Term Illness shall have their dues reduced to the minimum dues as provided in this Constitution.
- 8.8 Life members are any members that were life members prior to May 2000 and will continue as life members.
- 8.9 When a member is laid-off from employment or is absent from work due to employer lockout or union-authorized strike for more than twenty days in any calendar month, such member will be credited for membership dues for the period

of unemployment but not to exceed six months in any calendar year, provided Local Union policies regarding strikes is followed by the member.

In order to be eligible to receive credit for membership dues for the purposes of maintaining continuous good standing and death gratuity eligibility, a member shall be deemed to have been “laid-off from employment” where the loss of work is of an unanticipated nature and is for an indefinite period of time, due to cut-backs in production or services or other unforeseen circumstances. The provisions shall not apply where the loss of work is of an annual or otherwise regular nature.

8.10 Any increase in the rate of dues or fees or the levying of any general or special assessment, which have not been mandated by a Convention of the International Union, shall when required by applicable law be made only in accordance with the following procedure:

- (a) Reasonable notice shall be given by the Secretary-Treasurer to the delegates at least thirty (30) days prior to the Convention at which the membership will consider the question of whether or not such dues, or reinstatement fees, general or special assessment, shall be changed or levied. The notice shall indicate that an increase or assessment is to be voted on.
- (b) Voting shall be by secret ballot of the members in good standing.
- (c) All dues increases require the approval of 2/3 of the membership who cast a ballot.

8.11 This Local Union shall pay per capita tax to the International Union for any person from whom the Local Union receives revenue, whether called dues or otherwise. This Local Union shall likewise pay any other obligations due to the International

Union, and it shall have no right to pay any bills before it pays its full obligations to the International Union each month.

- 8.12 All records of this Local Union pertaining to income, disbursements, and financial transactions of any kind whatsoever must be kept for a period of at least six (6) years or longer if required by applicable law.
- 8.13 Neither this Local Union nor any subdivision thereof, nor members or groups of members, including councils, conferences, leagues, clubs, or any association composed of members of this Local Union, or subdivision thereof, shall in any manner, directly or indirectly, use, exploit or trade upon the name of the International Union, SEIU Canada, or affiliated body, or this Local Union, or any similar name or designation, nor in the name of SEIU Canada, the International Union, or affiliated body, nor in the name of this Local Union, levy or collect any taxes, dues, or other moneys, nor in the name of the International Union, or affiliated body, nor in the name of this Local Union, conduct any affair or any other activity, for the purpose of raising funds, including programs or soliciting advertising in any publication, either directly or indirectly, without first obtaining written permission from the International President of the International Union.

All of the aforesaid matters covered by this section, including without limitation, funds, solicitations, gifts, and donations, collected in the name of the International Union, or SEIU Canada shall at all times be subject to audit by the International Union, and all books, records, and documents pertaining to matters covered by this section shall be available for inspection, copying, and audit by the International Union.

ARTICLE 9: Collective Bargaining

- 9.1 The results of any collective bargaining negotiations shall be subject to ratification by the members affected.
- 9.2 The Local 1 Canada head office, SEIU Canadian Council, and the International Union shall be notified in writing when any collective bargaining negotiations or memorandum of understanding have been concluded and be advised of the number of employees covered and the expiration date of the contract.
- 9.3 A true copy of all collective bargaining agreements and contracts entered into by this Local Union shall, immediately upon execution, be filed with the International Department of Research and Local 1 Canada.

ARTICLE 10: Strikes and Lockouts

10.1 Strike Provisions

Before a strike is called in a Bargaining Unit, all workers in the Bargaining Unit will, as far as possible, be given the opportunity to vote on the strike proposition by secret ballot.

- 10.2 In order to carry a strike vote and the strike call, the secret ballot vote must be carried by a 70% majority of those in the bargaining unit, or as prescribed by law or as directed by the President.

- 10.3 This Local Union shall not strike without previous notification to the International President, or, where prior notice is not practicable, without notification as soon as possible after commencement of the strike, in which notice this Local Union has stated that it has complied with all applicable notice requirements. If this Local Union fails to give such notice, the

International President may withhold sanction for the strike called by this Local Union.

10.4 The Executive Board shall set the strike pay in all cases.

ARTICLE 11: Affiliations

11.1 This Local Union shall affiliate with the Ontario Federation of Labour and labour councils, where these exist, and with the Canadian Council of SEIU.

ARTICLE 12: Committees

12.1 The President may appoint committees as may be required from time to time to advise and to carry out the mission of the Local Union.

- Members of the committees will be appointed following each Local 1 Canada convention.
- Committees will formulate policies from time to time which will be presented to the Executive Board for approval.
- The Union shall pay lost wages, per diem, and transportations costs for members of the committee when attending committee meetings and/or activities.
- The Union promotes the use of conferencing technology in carrying out meetings of the committees to reduce costs.
- The President will not appoint a member to sit on more than two committees during President's four year term.

12.2 The Standing Committees of this Union shall consist of:

- Political Education Committee
- Human Rights Committee
- Education Committee

- Women's Committee
- WSIB and Health and Safety Committee
- Retirees Committee
- Young Workers Committee
- Organizing Committee
- Paramedic Committee
- Homecare Committee
- Community Service Committee
- And any other committees as the Union may from time to time deem advisable.

ARTICLE 13: Quorum

- 13.1 A quorum shall consist of seven (7) members assembled at a regular or special meeting called in accordance with this Constitution, and they shall be qualified to transact such business as may properly be considered at such meeting.

ARTICLE 14: Dissolution

- 14.1 This Local Union cannot dissolve, secede, or disaffiliate while there are seven (7) dissenting members and in accordance with the procedures contained in Article XXV of the International Constitution and Bylaws. In the event of secession, dissolution, or disaffiliation, all properties, funds, and assets, both real and personal, of this Local Union shall become the property of the International Union. Under no circumstances shall this Local Union distribute its funds, assets, or properties individually among its membership.

ARTICLE 15: Property Rights

- 15.1 The title to all property, funds, and other assets of this Local Union shall at all times be vested in the Local Executive Board for the joint use of the membership of this Local Union, but no member shall have any severable proprietary right, title, or interest therein.

Membership in this organization shall not vest any member with any right, title, or interest in or to the property of this Local Union, including the funds of this Local Union.

ARTICLE 16: Amendments and Relation to International Constitution

- 16.1 The Constitution and Bylaws of this Local Union may be amended only by 2/3 majority vote at convention, provided no amendment shall be valid or become effective until approved by the International Union.
- 16.2 The Constitution and Bylaws of SEIU Local 1 Canada shall at all times be subordinate to the International Constitution and Bylaws and the Canadian Council Constitution as it may be amended. If any conflict should arise between the Constitution and Bylaws of this Local Union, or any amendments thereto, and the International Constitution and Bylaws, or any amendments thereto, the provisions of the International Constitution and bylaws shall control.
- 16.3 All constitutional amendments and resolutions to be acted upon by the convention proposed by a Local 1 bargaining unit, must be submitted to the Secretary Treasurer in writing at least 30 days prior to convention. The resolution must be adopted by a majority of members at a unit meeting. Quorum of seven (7) members must be present.

ARTICLE 17: Procedure and Debate

17.1 The meetings of SEIU Local 1 Canada shall be governed by the manual of common procedure, rules of debate and order of business set forth in the Constitution and Bylaws of the International Union. Every member shall follow and be subject to such rules governing debate at all meetings of this Local Union.

ARTICLE 18: Effective Date

18.1 This Constitution shall be in effect as of November 2019, and shall remain in effect until such time as amended.

ARTICLE 19: Charges and Appeals

19.1 PREAMBLE. In order to ensure members' protection from the filing of frivolous charges, the following procedures shall apply:

19.2 Wherever charges are proffered against any member or officer of this Local Union, the charges shall be filed in writing in duplicate with the Secretary-Treasurer. The charging party should specify what he/she believes constitute a basis for the charges and the specific subsection(s) of Section 1 of Article XVII of the International Constitution the charging party believes has been violated. The Secretary-Treasurer shall serve a copy of the charges on the accused either personally or by registered or certified mail directly to the last known address of the accused at least ten (10) days before the hearing on the charges. If the charges are not specific, the trial body may dismiss the charges either before or at the hearing, but the charging party shall have the right to re-file more detailed charges which comply with this Section. No charges may be filed more than six months after the charging party learned, or could have reasonably learned, of the act or acts which are the bases of the charges.

- 19.3 The Executive Board shall be the trial body. The decision of the Executive Board shall be deemed final unless the individual or individuals against whom said decision shall have been rendered files with the Secretary-Treasurer a written request to appeal the decision of the Executive Board to the general membership of the Local Union within fifteen (15) days.
- 19.4 Anyone appealing a decision of the Executive Board shall be permitted to present his or her case to the general membership of the Local Union and shall thereafter be temporarily excused from the meeting during the discussion and voting following his or her presentation. A two-thirds (2/3) vote of the general membership present shall be required in order to overrule the decision of the Executive Board. The members of the Executive Board shall have a voice but no vote in connection with appeals. Any member under charges may have another member of this Local Union act as counsel, to represent him or her in the presentation of his or her defense.
- 19.5 Charges and the basis for charges shall be governed by the provisions of the Constitution and Bylaws of the International Union.
- 19.6 In the event disciplinary action is taken against the accused, appeals may be taken in accordance with the provisions of the Constitution and Bylaws of the International Union.
- 19.7 Subject to the provisions of applicable statutes, every member or officer of this Local Union against whom charges have been proffered and disciplinary action taken agrees, as a condition of membership or affiliation and the continuation of membership or affiliation, to exhaust all remedies provided for in the Constitution and Bylaws of the International Union and in this Constitution, and further agrees not to file or prosecute any action in any court, tribunal, or other agency until those remedies have been exhausted.

19.8 The SEIU Member Bill of Rights and Responsibilities in the Union shall be enforced exclusively through the procedures provided in this Article and any decision rendered pursuant to the procedures provided for herein, including any appeals, shall be final and binding on all parties and not subject to judicial review.

APPENDIX A: EXECUTIVE BOARD REPRESENTATION

Three (3) Sector seats with one (1) member from:

HOSPITAL SECTOR: Members working as paramedics, in hospitals or hospital services; and/or working under a hospital collective agreement.

LONG TERM CARE SECTOR: Members working in Nursing and Retirement homes; and/or working under a nursing or retirement home collective agreement.

COMMUNITY CARE SECTOR: Members working in Homecare and Community Services; and/or working under a homecare or community services collective agreement.

Seven (7) Community Representation seats with one (1) member from:

Workers of Colour: Members who identify as a person of colour.

Young Workers: Members aged 35 and under.

Women: Members who identify as women.

Retiree: Members retired from SEIU Healthcare bargaining units.

Persons with Disability: Members who identify as having a disability.

LGBTQ: Members who identify as Lesbian, Gay, Bi-sexual, Trans, or Queer.

Aboriginal/Indigenous: Members who identify as First Nations, Metis, Inuit.

Eight (8) Regions with one (1) member from:

Region 1 - Thunder Bay

Region 2 - Northumberland Region

Region 3 - Georgian Bay Region

Region 4 - GTA Region

Region 5 - Hamilton/Halton Regions

Region 6 - Norfolk/Niagara Regions

Region 7 - London and Southwestern Ontario Regions

Region 8 - Algonquin Regions

Region 1 – Thunder Bay

Region 1 encompasses the major Towns and Cities of Thunder Bay, Sault St. Marie, Elliott Lake, Killarny, Kenora, Ft. Francis, Kirkland Lake, Sudbury, Sturgeon Falls, and Espanola.

Boundaries

- **WEST:** Along the southern shore of Lake Nipissing, and following the French River to and along the northern banks of Georgian Bay to Little Current and continuing west along the northern shoreline of the North Channel to the Canada/U.S. Border at Sault Ste. Marie. At Sault Ste. Marie follow the northern shoreline of Lake Superior to Thunder Bay. At Thunder Bay follow the Canada/U.S. Boarder westward to Fort Frances. Fort Frances on a line westward to Rainy River. Rainy River northward on a line to Kenora. Kenora west along the Trans Canada Hwy to the Ontario/Manitoba Boarder. Follow the Ontario/Manitoba Boarder north to Hudson Bay.
- **NORTH:** Hudson Bay and James Bay southern shorelines east and south to the Ontario/Quebec Border, to Point Fortune.

Region 2 - Northumberland

Region 2 encompasses the major Towns and Cities of Deseronto, Napanee, Belleville, Oshawa, Port Perry, Peterborough, Tweed, Lindsay, Felenon Falls, Minden, Little Hawk Lake, Pickering, Whitby, Trenton, Cobourg, Marmora, and Ajax.

Boundaries

- WEST: From North Bay, south on Hwy 11 to the intersection of Hwy's 11 and 12, excluding Huntsville, Bracebridge, Gravenhurst, Orillia, south along Hwy 12 including Whitby, Ajax, and Pickering, to Lake Ontario.
- NORTH: Hwy 17.
- EAST: Western Boundary of Region 1.
- SOUTH: Northern shore of Lake Ontario from Kingston to Hwy 12.

Region 3 - Georgian Bay

Region 3 encompasses the major Towns and Cities of Owen Sound, Blue Mountains, Collingwood, Wasaga Beach, Barrie, Uxbridge, Georgina, Orillia, Gravenhurst, Huntsville, Midland, and Parry Sound.

Boundaries

- WEST: From Sauble Beach, north along the west coast line of the Bruce Peninsula, Manitoulin Island, and Cockburn Island to the Canada/U.S. Boarder. Along the Canada/U.S. Boarder northward to Sault Ste. Marie.
- NORTH: From the Western Boundary of Region 2, west along the Southern shore of Lake Nipissing, and following the French River to and along the northern banks of Georgian Bay, and the North Channel to the Canada/U.S. Border at Sault Ste. Marie.

- EAST: Western Boundary of Region 2.
- SOUTH: From Sauble Beach east along Bruce County Hwy 8, to Hwy 6. Hwy 6 to Hwy 26, east along Hwy 26 including Owen Sound, Collingwood, and Barrie. At Barrie on a line southeast to Uxbridge. From Uxbridge, east along Durham County Hwy 47 to Hwy 12. Hwy 12 south to Lake Ontario, excluding Whitby, Ajax, and Pickering.

Region 4 - GTA

Region 4 encompasses the major Towns and Cities of Toronto, Woodbridge, Bolton, Richmond Hill, King City, Aurora, Vaughan, Thornhill, Markham, Newmarket, and Stouffville.

Boundaries

- WEST: Barrie on a line to Bolton. Bolton on a line to Port Credit, including Woodbridge and Malton.
- NORTH: Southern Boundary of Region 3.
- EAST: At Barrie on a line southeast to Uxbridge. From Uxbridge, east along Durham County Hwy 47 to Hwy 12. Hwy 12 south to Lake Ontario, excluding Whitby, Ajax, and Pickering.
- SOUTH: From Hwy 12, westward along the Northern shoreline of Lake Ontario to Port Credit.

Region 5 - Hamilton/Halton

Region 5 encompasses the major Towns and Cities of Clarkson, Oakville, Burlington, Hamilton, Guelph, Milton, Georgetown, Brampton, Caledon, Orangeville, Stoney Creek, Alliston, Shelburne, Mississauga.

Boundaries

- WEST: From Hamilton on a line northwest to Guelph. From Guelph, follow Hwy 6 north to Hwy 26, excluding Owen Sound.
- NORTH: Southern Boundary of Region 3.

- EAST: Western Boundary of Region 4.
- SOUTH: Lake Ontario shoreline westward from Port Credit to Hamilton, continuing around the Golden Horseshoe to Fifty Point.

Region 6 - Norfolk/Niagara

Region 6 encompasses the major Towns and Cities of Grimsby, St. Catharines, Niagara Falls, Welland, Thorold, Pelham, Fonthill, Port Colborne, Dunville, Haldimond, Simcoe, Norfolk, Kitchener, Cambridge, and Brantford.

Boundaries

- WEST: From Waterloo on a line south to Brantford, including Paris. From Brantford on a line south to Long point on Lake Erie.
- NORTH: From Waterloo on a line eastward to Guelph.
- EAST: West and Southern Boundaries of Region 5, continuing southeast along the southern shoreline of Lake Ontario, and along the Canada/U.S. Border to Fort Erie.
- SOUTH: From Fort Erie westward along the northern shoreline of Lake Erie to Long Point.

Region 7 - London and Southern Ontario

Region 7 encompasses the major Towns and Cities of Port Elgin, Kincardine, Hanover, Walkerton, Goderich, St. Mary's, Thames Centre, London, St. Thomas, , Tillsonburg, Ingersoll, Windsor, Woodstock, Dutton, Blenheim, Stratford, Listowel, Chatham, Leamington, Sarnia, and Clinton.

Boundaries

- WEST: Southwards along the eastern shoreline of Lake Huron from Sauble Beach to Sarnia. At Sarnia southwest along the Canada/U.S. Border to Bassett Island. At Bassett Island along the east and south shorelines of Lake St.Clair to Windsor.

- NORTH: Western Boundaries of Region 3.
- EAST: Western Boundaries of Region 5 and the Northern and Western Boundaries of Region 6.
- SOUTH: At Windsor follow the Detroit River southwards to Lake Erie, and eastward along the northern shoreline of Lake Erie to Long Point.

Region 8 - Algonquin Regions

Region 8 encompasses the major Towns and Cities of North Bay, Ottawa, Cornwall, Kingston, and Haliburton.

- WEST: Kingston northwest on a line to before Napanee, before from Napanee on a line to Haliburton, and from Haliburton on a line to North Bay.
- EAST: South from Point Fortune along the Ontario/Quebec Border to Riviere Beaudette.
- SOUTH: West along Hwy 401 from Riviere Beaudette to Kingston.

NURSING DIVISION



APPENDIX B: SEIU LOCAL 1 CANADA NURSING DIVISION

Governance

The Nursing Division is governed by the SEIU Local 1 Canada Constitution under Article 5.5 and Appendix B.

Vision

As a Division, we are Nurses who work towards creating workplaces free of professional discrimination, where Nurses are fully utilized, valued and adequately compensated for their knowledge, skill, judgment, and their vital contribution to Ontario's Healthcare system.

Mission

The SEIU Local 1 Canada Nursing Division will work to enhance, promote, and protect the role of the Nurse in all practice settings by:

Being Advocates for safe work environments that are rewarding and foster an environment patients will thrive in.

Being Activists who are known as the voice of the profession in the workplace and respected as such by the decision-making bodies of the province.

Being Champions of Unity through the growth of our profession and partnerships we foster in all settings within our profession.

Values

To be leaders in our communities and workplaces

To be role models in our profession

To ensure we act confidently and demonstrate a fighting spirit

To practice unity, participation, and always put our patients first

Mandate

- Provide a Division report at each Executive Board meeting and at the SEIU Local 1 Canada Convention
- Promote all Nurses to work to full scope of practice while fostering collaboration amongst the interprofessional healthcare team
- Educate Nurses to further understand how trade unionism develops through professional practice, organizational power, and through the enforcement of collective bargaining agreements
- Address the professional/clinical needs of Nurses
- Promote and expand nursing education as it relates to standards of nursing practice
- Empower Nurses through unity and collective action
- Organize and recruit Nurses for SEIU Local 1 Canada campaigns

Membership in the Division

Membership shall consist of all Nurses in SEIU Local 1 Canada.

Division Structure

The following 12 positions will make up the Nursing Division Executive

- Division President
- Vice President - Community Care
- Vice President - Hospitals
- Vice President - Long Term Care
- Regional representatives (one from each region, for a total of 8 Regional representatives)

Should a member of the Nursing Division Executive be unable to fulfill their duties, the Executive may appoint a replacement to serve in the role between conventions.

The Nursing Division Executive shall define the roles and set the policies of the Division.

With the exception of the Nursing Division President, no other member of SEIU Healthcare will hold both a position on the SEIU Healthcare Executive Board and the Nursing Division Executive Board at the same time.

Nursing Division Elections

Elections will be conducted at the Nursing Division Convention.

A nominating committee and Election Marshall will be appointed by the Executive to recruit candidates and conduct elections respectively.

Order of Election

President

Vice Presidents

Regional Representatives

Meetings

Meetings of the Nursing Division will be in accordance with the bylaws at the call of the chair and/or according to a schedule agreed to at the first executive meeting. The chair may participate in any meetings of the Division.

Convention

The Nursing Division Convention will take place every three years to plan and review Division activities, as well as the effectiveness and productivity of the Division structure. Each convention shall include an educational component.

Delegates must meet eligibility criteria as per 4.11 of the SEIU Local 1 Canada Constitution.

Registered delegates may submit resolutions for consideration by convention delegates. These resolutions must be submitted to the Nursing Division President 30 days prior to the convention. Resolutions may be related to policy or to the constitution and bylaws of the division. All resolutions considered by convention will require approval of 51% of the delegates to the Nursing Division Convention.

This process will be governed by the Nursing Division Executive.

Finances

The Nursing Division budget will cover the cost of Division expenses. Unbudgeted expenditures necessary to carry out the mandate and objectives of the Nursing Division must be approved by the SEIU Local 1 Canada Executive Board.

Fiscal Year

The fiscal year of the Division will coincide with the fiscal year of SEIU Local 1 Canada.

SEIU LOCAL 1 CANADA, NURSING DIVISION BYLAWS

I. The name shall be SEIU Local 1 Canada Nursing Division.

II. Executive Officers of the Division:

President, Vice President Hospitals, Vice President Long Term Care, Vice President Community Care, and 7 Regional Representatives as follows:

Thunder Bay

Northumberland

Georgian Bay

Greater Toronto Area

Hamilton/Halton

Norfolk/Niagara

London and Southern Ontario

Algonquin

Elections will be held at the SEIU Local 1 Canada Nursing Division Convention as per the constitution

III. Committees

The president may appoint standing and ad hoc committees as needed

IV. Meetings

Meetings will be held at the call of the president with one being an annual strategy meeting. Division executive will meet three times a year, at a time, date and place determined by the president. Ad hoc meetings will be held at the call of the president.

Conference calls are an acceptable meeting format.

An agenda will be provided at least one week in advance.

V. Quorum

Attendance of 75% of executive members constitutes quorum.

In the absence of quorum, no formal action will be taken except to adjourn the meeting to a subsequent date.

VI. Decision Making

Decision making will be by consensus.

VII. Conflict of Interest

Any executive member who has a personal or official interest in or conflict with any matter pending before the division shall excuse him/herself from discussion on said matter.

VIII. Amendments

These bylaws may be amended by agreement of 75% of executive members present at any meeting, provided there is quorum

IX. Roles and Responsibilities

SEIU Local 1 Canada's Nursing Division members will be required to meet the defined roles and responsibilities.

Sector Vice Presidents

Hospital Sector VP, Community Care and Home Care VP, Long Term Care VP

- Attend all assigned board meetings.
- Ensure at all times a united union voice on all matter when dealing with our membership.
- Be aware of the needs of the sector and ensure those needs are brought to the attention of the division president.
- Submit reports on sectoral activities to Nursing Division President.

- Participate in sectoral central contract negotiations.
- Develop member leaders to be the voice and subject experts when called upon to assist or present at decision making tables, i.e. bargaining, political, councils.
- Graduate a Leadership Academy.
- Engage in strategic planning and policy development with the Nursing Division.
- COPE participant.
- Work towards getting their own unit on program.
- Political watch dog for sector issues.
- Participate in a leadership capacity during assemblies.
- Develop relationships and maintain ongoing communications with the Nurse leaders in their region.
- Provide a written monthly report of mandatory volunteer hours.

8 Regional Representatives

- Attend all assigned board meetings.
- Ensure at all times a united union voice on all matter when dealing with our membership.
- Engage in strategic planning and policy development with the Nursing Division.
- Be aware of the needs of the members in their regional area and ensure those needs are brought to the attention of the division president.
- Develop relationships and maintain ongoing communications with the Nurse leaders in their region.
- Participate in contract negotiations.

- Submit reports on regional activities to Nursing Division President.
- Recruit and develop geographical leaders by engaging Nurses in leadership academy and activities/campaigns of the union.
- Graduate a Leadership Academy.
- Commit to increasing political activism amongst Nurses.
- Engage regional members.
- Provide a written monthly report of mandatory volunteer hours.
- Provide sector VP summary reports post attendance and participation in educations, conferences, caucus, political action, committee meetings.
- COPE participant (path to 5000 recruitment).
- Work towards getting their own unit on program
- Political watch dog for regional nursing advancements and issues.

If a Nursing Executive Board member misses three consecutive meetings without furnishing suitable reasons for absence satisfactory to the Nursing Division president in advance of the meeting, their position shall be declared vacant.

GLOSSARY

BARGAINING: A discussion or series of discussions intended to produce a collective agreement.

COLLECTIVE AGREEMENT: A negotiated contract that regulates the terms and conditions of employees in their workplace, their duties, and the duties of the employer.

DUES: A regular payment of money made by union members to fund the various activities the union engages in, such as bargaining, arbitration, and campaigns.

MEMBER: An employee that is part of a union.

ORGANIZE: To recruit others to join you in a cause or movement. SEIU Healthcare organizers identify the need for non-unionized workers to stand up for their rights and improve their working conditions by becoming part of the union.

RATIFICATION: The final vote completed by union members to accept a collective agreement.

SOLIDARITY: Unity or agreement arising from common responsibilities and interests.

STEWARD: An employee elected by his or her co-workers to act as the onsite union representative. Stewards are generally responsible for handling grievances, resolving disputes, and overseeing the implementation of the terms of the collective agreement.

STRIKE: When employees vote to exercise their right to refuse to work as a form of organized protest, usually in attempt to obtain a new and/or improved collective agreement.

UNION: An organized association of workers formed to protect and further their rights and interests.

UNION REPRESENTATIVE: The main person of contact for members in a specific unit. Union representatives assist in clarifying collective agreements, processing grievances, and encouraging members to become more involved in getting their voices heard.

Regional Offices

Main Office

125 Mural Street, Richmond Hill,
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MEMBER SERVICE CENTRE:

1-877-MSC-SEIU (672-7348)

