

# CMG Bylaws

*As amended by referendum June 2022.*

## **STATEMENT OF PRINCIPLES ON HUMAN RIGHTS**

The CMG is committed to working for the dignity, respect and well-being of all its members. The CMG affirms as a matter of principle its opposition to all forms of discrimination against and harassment of its members.

The CMG recognizes that some of its members have been and will be victimized by discrimination and harassment. The CMG commits to breaking down systemic barriers in the workplace that may confront people on the basis of age, disability, ethnic or racial origin, family status, gender, political or religious affiliation or belief, sexual orientation, social condition, or union activity or affiliation.

The CMG commits to actively seeking out and including members of underrepresented groups in union activities and leadership.

The CMG commits to negotiating strong and clear contract language with respect to human rights, paying particular attention to discrimination, harassment and health and safety clauses.

The CMG commits to protecting its members from discrimination in pay, benefits and working conditions.

The CMG recognizes that human rights are relevant within a broad range of issues including but not limited to accommodation for disabilities, discrimination, equal pay, family emergency leaves, family and child care, harassment, hiring, job security, job sharing, parental leaves, part-time and temporary status, training and education, transfers and promotions.

The CMG commits to monitoring employers' compliance with all human rights provisions in its contracts and to holding employers accountable for any violations of these provisions either through grievance and arbitration procedures or through referral to the appropriate federal or provincial Human Rights Commission.

The CMG commits to ensuring that its members are educated about human rights within the workplace with specific attention to what constitutes harassment and discrimination and the procedures for handling complaints.

The CMG affirms as a matter of principle that all members are treated equally. The CMG commits to providing leadership and assistance to its members in an even-handed way to address human rights issues within the workplace.

The CMG commits to taking a vigorous, proactive approach to human right issues rather than limiting its activity to individual complaints.

The CMG supports in general the principles of the Universal Declaration of Human Rights and in particular, Article 23 which states that “Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment. Everyone, without any discrimination, has the right to equal pay for equal work. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection. Everyone has the right to form and to join trade unions for the protection of his interests”; and Article 19 which states that, “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”.

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## **ARTICLE 1 – NAME AND HEADQUARTERS**

1.1 The organization shall be known as the Canadian Media Guild, Local 30213 of Communications Workers of America | Canada (CWA Canada) and in French as La Guilde canadienne des medias, Section 30213 de Syndicat des communications d'Amérique | Canada (SCA Canada).

1.2 The headquarters of the Canadian Media Guild shall be in Toronto.

## **ARTICLE 2 – PURPOSES AND AIMS**

### **PREAMBLE**

- The CMG is a vital, progressive, dynamic, diverse and bilingual Union that promotes and defends the rights of its members;
- The CMG uses its resources and experience to build a strong national democratic union based on the common values of its members;
- The CMG, in recognition of the principle of strength in unity, has greater ability, as a single entity, to serve and represent its members who belong to its component parts;
- The CMG is committed to promoting a healthy communication industry serving all Canadians and is involved in the public discourse on vital questions of communication policies;
- The CMG acts in support of the wider Canadian labour movement in pursuit of social and economic justice;
- The CMG has shown its ability to successfully organize workers throughout the ever-expanding Canadian communication industry and continues to do so.

Mindful of the diversity of its membership and the fact that it represents workers at different media organizations, the CMG is dedicated to the national common good while respecting the unique needs of all its component branches.

The CMG has members in all provinces and territories of Canada. It is governed by a National Executive Committee. It also has Location Units where clusters of members are located and, in some cases, Presidents Councils.

In order to best serve and protect the rights of its members, the CMG is organized, both structurally and politically, into a number of branches. Each branch represents its own members.

Each individual branch is responsible for negotiating, enforcing and administering its contract for the benefit of its members. In accordance with these bylaws, the branch is also responsible for developing its structure and carrying on all its executive and other activities.

It is recognized that in order to sustain a strong union each branch, regardless of its size, has the finances, staff and other resources necessary to fulfill its role and service its members.

2.1 The Canadian Media Guild shall:

- (a) advance the social, economic and working conditions of its members through greater unity and strength;
- (b) provide a high standard of service to its members;
- (c) defend the civil and human rights of its members and encourage all members, without regard to race, creed, gender, sexual orientation, marital status, employment status, colour, age, national origin or disability, to share in the full benefits of the Canadian Media Guild;
- (d) take a leadership role in helping to formulate public policy issues of concern to the members;
- (e) promote mutual understanding and co-operative relationships between employers and members on all matters of common interest;
- (f) foster mutual understanding and cooperation among all members of the union;
- (g) work to ensure the preservation of free democratic trade unionism.

### **ARTICLE 3 – DEFINITIONS AND ABBREVIATIONS**

3.1 The English and French texts of these bylaws have equal force..

3.2 Unless otherwise specified, President, Secretary-treasurer, Vice-President, Director of Equity and Human Rights and Director of Francophone Issues, shall refer to officers of the National Executive Committee of the Canadian Media Guild.

3.3 Constitution shall be deemed to refer to the Constitution and Bylaws of Communications Workers of America | Canada.

3.4 Bylaws shall refer to the Bylaws of the Canadian Media Guild.

3.5 The word “Local” means Canadian Media Guild, Local 30213 of Communications Workers of America | Canada

3.6 A member in good standing shall mean a person who has been issued a Canadian Media Guild membership and who is deemed to be paying dues under Article 14.

3.7 The Freelance Branch is comprised of individuals engaged by an employer on a freelance basis.

3.8 Abbreviations used in these Bylaws include:

AFP – Agence France-Presse

APTN – Aboriginal Peoples Television Network

BEC – Branch Executive Council

CBC – Canadian Broadcasting Corporation

CP – The Canadian Press

CMG – Canadian Media Guild

CWA|SCA Canada — Communications Workers of America | Canada

FB – Freelance Branch

LEC – Location Unit Executive Committee

NEC – National Executive Committee

SRC – Société Radio Canada

TVO – TV Ontario

## **ARTICLE 4 – MEMBERSHIP**

4.1 Membership in the Canadian Media Guild shall be considered effective on the date of signing of an application for CMG membership by the applicant, upon meeting the requirements of the Communications Workers of America | Canada 's Constitution and Bylaws

4.2 New members of the CMG shall be accepted in accordance with the Constitution and Bylaws.

4.3 A member in good standing may transfer membership from one Branch or Location Unit to another without further obligation, but shall be a member only of the Location Unit in which the employee works.

4.4 By applying for membership in the CMG each member of a Location Unit shall be deemed to have designated and constituted CMG, Local 30213 of the Communications Workers of America | Canada as the exclusive collective bargaining agent for dealing and contracting with the employer.

4.5 Each Location Unit or Branch, where there are no location units, shall supply the Canadian Media Guild Headquarters with the names and addresses of its members, Location Unit officers and stewards, and it shall be the Location Unit's duty to inform the Canadian Media Guild of any change in names or addresses.

4.6 Any notice or document to be sent to a member shall be deemed to be served if it is addressed to the member at the last address supplied.

4.7 A member temporarily re-assigned to Management or Confidential shall lose all rights and privileges except the right of return without payment or penalty.

4.8 Any permanent employee of the Canadian Media Guild, upon being confirmed to permanent staff, shall be eligible for membership in the Canadian Media Guild.

4.9 A member who is not currently paying dues as set out in this article, and is not on an authorized unpaid leave (e.g. long-term disability) shall be deemed to have lost his/her good standing. Upon recommencement of dues payment the member's good standing shall be reinstated.

4.10 Former CMG members, no longer employed by any branch represented by the CMG, may apply for Associate or Retired member status.

4.11 Associate and Retired members shall have the right to attend and to speak at Canadian Media Guild sessions, but will not have the right to make or second motions, vote, hold office or be delegates to conventions.

4.12 Associate and Retired members shall belong to the Location Unit where they were last a member. If an Associate or Retired member moves, they may apply for a transfer to the closest Location Unit.

4.13 Associate and Retired members will pay an annual membership fee of \$25.00 in accordance with Article 14.4.

4.14 Associate and Retired members may be appointed by Location Units, Branches or the NEC to serve on committees.

## **ARTICLE 5 – STRUCTURE OF THE UNION**

To encourage the maximum democratic participation of members, the CMG structure shall provide for location units, branches, presidents' councils and a National Executive Committee.

5.1 The Canadian Media Guild shall be structured as follows:

- (a) The membership.
- (b) For branches with more than one location, Location Unit Executive Committees.
- (c) For the CBC branch, and others that may be designated by the NEC, a council of location unit presidents.
- (d) The branches and Branch Executive Councils.
- (e) The National Executive Committee.

5.2 The membership at large shall elect a National Executive Committee every three (3) years that shall consist of a President; Vice-President; Secretary-Treasurer; Director, Equity & Human Rights; Director, Precarious Workers, and Director, Francophone Issues. A Director, Small Branches, will come from a small branch and be elected by members of small branches (those with fewer than 50 members at the time of the election call). The president of each branch with 50 or more members shall be a director of the NEC and branch elections shall be held in conjunction with NEC elections. In addition to the CBC Branch president, the CBC Branch Vice-President will also sit as a director on the NEC.

a) For the purposes of this section, the branches of the CMG are defined as:

- i) CBC
- ii) Canadian Press
- iii) Thomson Reuters  
Vice
- v) TVO
- vi) TFO
- vii) Aboriginal Peoples Television Network
- viii) ZoomerMedia
- ix) Private Radio (CKOF)
- x) Buzzfeed
- xi) Canada's National Observer



- xii) Islington Printing Plant
- xiii) Such other branches as may be approved by the NEC

b) In addition, the CMG recognizes employees who work at Agence France-Presse shall be represented solely by the National Executive Committee.

c) The CMG may admit such other branches as shall be admitted to membership in CWA|SCA Canada and assigned to the jurisdiction of the CMG by the Executive Committee of CWA|SCA Canada

5.3 Elected officers of the CMG shall continue to hold office as long as they maintain their membership and continue to meet the specific branch, geographical and other requirements for the office in question as fixed by these bylaws.

5.4 The supreme authority of the Canadian Media Guild, Local 30213 of the Communications Workers of America | Canada, shall be vested in the membership of the union.

## **ARTICLE 6 – LOCATION UNITS**

6.1 The role of the Location Unit is to strengthen the union within the workplace by welcoming and orienting new members to the CMG, developing a network of workplace representatives and furthering communication within the CMG. When more than one branch operates under a single collective agreement at any given location, there shall be a joint location unit, unless otherwise directed by the NEC. The NEC shall have the power to create location units.

6.2 For branches with more than one location, location units may be established in those areas where there are 10 or more members, if they elect to form such a unit. Location units shall welcome new members, familiarize them with the CMG and their union contract and work with the branch executive and NEC to strengthen the union in the workplace.

6.3 Location units shall be established by a branch and submitted for approval to the National Executive Committee. Lists of location units and executive officers shall be maintained at the national headquarters and by each BEC.

6.4

a) Locations with fewer than 10 members may be represented by the closest location unit or may combine with another location to form a separate unit. Permission to form a separate unit with fewer than 10 members must be sought from the appropriate BEC.

b) Locations that fall to fewer than nine members: if an existing location unit membership remains below nine (9) for any three (3) year period, its viability may be reviewed by the appropriate BEC

and/or the NEC. Before any recommendation is made to the NEC for a change in status, there will be close consultation with the Location Unit Executive and/or membership, taking into consideration the impact of any proposed change on representation of the membership in the location.

6.5 Any changes in location units must be approved by the appropriate Branch Executive Council and by the National Executive Committee.

6.6 Each location unit shall be governed by an executive committee elected by the members of the location unit and consisting of a president, vice-president, secretary-treasurer and such other officers as are deemed necessary by the location unit.

6.7 Branches without location units shall receive funding under section 6.12 and ensure that all the duties and requirements in this section are met by the BEC.

6.8 Duties of Location Unit Officers:

a) The Location Unit President shall preside at meetings of the LEC, supervise the affairs of the location unit and report on its affairs to the Presidents' Council, ensure elected officers attend meetings and that effective communication with the members is maintained. The president shall also be a member of the unit grievance committee.

b) The Location Unit Vice-President shall assume all the duties of the Location Unit President in his/her absence.

c) The Location Unit Secretary-treasurer shall be responsible for supervising the financial affairs of the location unit, establish and supervise proper accounting procedures for the receipt and disbursement of funds in accordance with these bylaws.

d) Where possible, the Secretary-treasurer should sign all cheques but signing authority shall include any two of the following; President, Vice-president(s) or Secretary-treasurer.

6.9 Upon the request of a Branch, the National Executive Committee may adjust the Location Unit structure of the Branch.

6.10 An existing Location Unit shall not divide itself or merge with another Location Unit, except in accordance with these Bylaws

6.11 The Location Unit Executive Committee will be responsible for administering and enforcing all aspects of the Collective Agreement and supervising the affairs of the Location Unit.

a) The LEC shall be responsible for the election or appointment of Shop Stewards in all locations included in the Unit.

b) The LEC shall be responsible for the appointment of a Location Unit Grievance Committee, where required. The Location Unit President shall be a member of the Committee and shall be responsible for the distribution of minutes of grievance meetings to the Branch Executive Council, and if applicable, the Branch's Grievance Committee.

c) The LEC will establish other standing committees, such as Health & Safety or Labour/Management, as are necessary.

d) All monies and assets are the property of the CMG to be used for the good and welfare of the members. Location Unit Funds, *with the exception of honoraria*, are not intended to be distributed directly to members as a form of compensation, remuneration or gratuity. Expenditure of funds other than for routine expenses shall require a recorded vote of the LEC or membership. If necessary, in emergency situations and following approval by a majority vote of the relevant Council of Presidents, the NEC may recover monies from Location Units.

#### 6.12 Unit Financing:

a) Location Units will receive from the CMG an amount equal to three and one-half per cent (3.5%) of the dues remitted by their unit on a quarterly basis. None of this money may be used as a contribution to a political party. A location unit with ongoing circumstances may seek additional funding by submitting an annual budget to its BEC for approval. In no case shall a Location Unit receive less than five hundred dollars (\$500) per quarter.

b) Should a Location Unit wish to undertake a special project or identify a specific need that goes beyond its normal budget it may submit a request to the BEC, which must then be forwarded to the NEC for consideration.

c) In addition, CBC Location Units in Toronto, Ottawa, and Vancouver will have up to one day of work release per week paid by CMG for the Location President, or their designate, to allow them to conduct Location Unit business

d) Location Units will prepare and submit an annual budget and submit semi-annual financial reports to the Branch Executive Council and the NEC. Location Units failing to submit budgets and/or reports will not receive the next quarterly remittance. Location Unit officers failing to submit reports may be subject to discipline including removal from office.

#### 6.13 Unit Meetings:

a) Location Unit membership meetings shall be called at least four (4) times a year by the LEC.

b) The LEC shall give at least five (5) days notice to the membership in advance of Location Unit meetings.

- c) A Special Meeting of the Location Unit shall be called upon written petition of not less than twenty-five per cent (25%) of the Location Unit membership in good standing.
- d) The Location Unit President shall preside at all Location Unit meetings or designate an elected alternate to preside in his/her absence.
- e) Location Units will determine what constitutes a quorum for their own purposes.
- f) Within fifteen (15) days following each meeting the LEC shall make available the minutes of the proceedings and forward a copy of such minutes to the BEC.

#### 6.14 Election of Location Unit Officers:

- a) Location unit officers of the union shall be elected every two (2) years by secret ballot no later than December 10, on a date set by the BEC. Location unit officers shall be elected by and from within the membership of their Location unit. The Location Unit officers take office on January 1 following the election.
- b) The LEC shall appoint a standing Election Committee to conduct elections in the Location unit. No member of the Election Committee is eligible for nomination in the election they are administering.
- c) Nominations shall be submitted to the Election committee in writing bearing the signatures of the nominator and two seconders, who shall be members of the union in good standing. The candidate shall submit a signed declaration indicating a willingness to stand for election.
- d) Nothing shall prohibit a member in good standing from holding office at the local and/or national level, except as it may be specified in these Bylaws or the CWA|SCA Canada Constitution and Bylaws.
- e) The Location unit Election Committee will notify the membership of Location unit elections no later than two (2) weeks prior to the election, and shall set up nominating and balloting procedures.
- f) If a Location unit fails to meet an election deadline, the Branch President has the authority to call an election.
- g) Location unit elections may be conducted by on-site ballot supervised by the Location unit Election committee. If the ballot is conducted at a membership meeting, at least two (2) weeks notice must be given.

#### 6.15 Vacancies

a) Vacancies on the Location unit Executive shall be filled as follows:

i) if the office becomes vacant after June 15 in an election year the LEC will appoint to fill the vacancy;

ii) if the office becomes vacant on or before June 15 of an election year, a by-election will be held. The standing Election Committee shall supervise the by-election in accordance with the Bylaws.

b) The Location unit Executive Committee may declare a position vacant if a member is unable to perform the duties of office. A position shall be declared vacant if the member, through transfer or other change in work status, ceases to meet any qualifications for office, such as employment within a specific region or location.

c) In situations where no candidate has come forward for a position, the Election Committee must conduct a second nomination process. If there are still no candidates, the other elected officers may choose either a) to assign the responsibilities of that portfolio to one of themselves; b) to appoint a person chosen by consensus.

## **ARTICLE 7 – NATIONAL EXECUTIVE COMMITTEE**

7.1 The National Executive Committee is the senior executive body of the Canadian Media Guild.

a) After appropriate consultation with the Branches in accordance with Article 7.5, Finance Committee, it shall have final approval over all expenditures, other than Location Unit transfers under Article 6.12, including branch and committee budgets.

b) It shall hire staff, negotiate with the Canadian Media Guild Employees Union (CUPE 1281) and ensure at least one service representative in the national office can respond to the needs of francophone members in French. In consultation with the Branches, it shall be responsible for ensuring staff are meeting the needs of the Branches and the members.

c) Relationships with other unions, national and international labour organizations, shall be conducted through the NEC or its designates.

d) It shall develop national administrative policies and ensure they are followed.

e) It must approve a strike request from a branch before it is passed on for further approval and must approve all arbitrations and legal action.

f) It shall maintain a national communications network to inform all union members of Local activities.

- g) It shall interpret and oversee the application of CMG bylaws.
- h) It shall maintain an organizing program to attract new members.
- i) It shall create and maintain training programs for members and officers to enhance their ability to serve the membership at large.
- j) It shall ensure that a proper accounting is kept of the funds of the union and must authorize expenditures other than those of a routine nature.
- k) The National Executive Committee shall confer upon as many officers and employees as may be required, but at least two, the authority to co-sign cheques and disburse money for routine and authorized expenditures and for per-capita payments to CWA|SCA Canada. One of the signatories must be the Secretary-treasurer or another member of the National Executive Committee. Unelected employees can only co-sign cheques in emergency cases; however, in all instances where cheques have been signed by an unelected employee and/or without the Secretary-Treasurer's signature, those processing the cheques must immediately inform the Secretary-Treasurer with all related details. In addition, any cheques co-signed by an unelected employee will be reviewed at the next Management Committee meeting. Signing officers shall be bonded in accordance with Article 7.8 of the CWA|SCA Canada Constitution and Bylaws.
- l) It may create new branches.

## 7.2 The National Executive shall be comprised as follows:

- a) A President, elected at large, is the chief executive officer of the Canadian Media Guild, responsible for presiding at meetings of the National Executive Committee, chairing Management Committee, developing strategy for future development of the union, and representing the CMG within the CWA|SCA Canada. The President shall supervise the affairs of the CMG, promote its welfare and preside at meetings, report on the affairs of the union, sign all official documents and perform all other duties of the president as provided by these bylaws and such other duties as may be prescribed by the NEC. The President shall be paid by the Canadian Media Guild on a full-time basis while holding office. Any individual may serve a maximum of three (3) three-year terms as CMG president.
- b) A Secretary-Treasurer, elected at large from the membership. The Secretary-Treasurer must live within 150 km of Toronto and is responsible for all record-keeping, including accurate minutes of meetings, and the funds of the union. The Secretary-Treasurer shall, as chairperson of the Finance Committee, prepare an annual budget that includes forecast expenditures of the union, its branches and committees. The Secretary-Treasurer shall work in conjunction with the branches to ensure they prepare estimates of their needs and financial requirements, taking into consideration the number of members in each branch, the number of location units and the amount of dues revenue generated

by the branches. The Secretary-Treasurer shall, at least twice a year or when required by the NEC, provide a report on the financial affairs of the union.

The National Secretary-Treasurer shall be provided a copy of all final contracts at least 24 hours before they are fully executed (signed) and that all contracts are archived in one place accessible to the Secretary-Treasurer for reviewing from time to time. These contracts are, but not limited to, contracts of employment, contractors, third party vendors, consultants, legal firms, settlements and any other similar contracts binding the Canadian Media Guild.

c) One Vice-president, elected at large, who shall perform the duties of the president in the absence of that officer or, if the office falls vacant, until the vacancy is filled as provided by these bylaws, and such other duties as prescribed by the NEC.

d) One Director of Equity and Human rights, elected at large, who shall be chairperson of the Equity and Human Rights Committee and shall promote the establishment and maintenance of workplaces free from discrimination on the basis of race, gender, disability, religious or political affiliation or activity, marital or parental status, sexual orientation, age or national origin.

e) One Director of Francophone Issues, elected at large, who shall ensure that the interests of francophone members of the Guild are represented on the NEC.

f) One Director of Precarious Workers, elected at large, who shall be chairperson of a “temporary workers task force”. The Director shall communicate with and coordinate efforts by the union at all levels on matters related to precarious employment. The Director must be a member employed as a precarious worker under the CMG jurisdiction within the previous 10 years at the time of nomination.

g) One Director, Small Branches, who shall be responsible for establishing and maintaining effective communication among branches with less than 50 members (with the exception of AFP) and between those branches and the NEC. They shall represent the wishes of the Branch Executive Councils to the NEC, participate in the work of the NEC and perform such duties as may be assigned by the NEC. The Director will be elected by members of branches with less than 50 members.

h) Branch Presidents of those branches with 50 or more members (at the time of the election call) who shall be responsible for establishing and maintaining effective communication among the branches, and between the branch and the NEC. They shall represent the wishes of the Branch Executive Council to the NEC, participate in the work of the NEC and perform such duties as may be assigned by the NEC.

### 7.3 Meetings:

a) The NEC shall meet at least four times each calendar year and at least two of those meetings shall be in person. Other meetings may be held by conference call.

b) Additional meetings of the NEC may be called by the President with the consent of the NEC or by written request of a majority of the members of the NEC. Such additional meetings may be in person or by conference call.

c) A quorum at any meeting of the NEC or any committee constituted by the NEC shall consist of a simple majority of its members.

d) At a meeting of the NEC, each member shall have one vote.

e) Written minutes shall be kept of each meeting of the NEC and these minutes, along with supporting documentation, shall be proactively disclosed to and shared, in a secure manner, with CMG members.

Any officer absent without valid reason for three (3) consecutive meetings for which proper notice has been given shall be deemed to have given up office and may be replaced by the NEC in accordance with these bylaws.

#### 7.4 National committees:

##### **a) Election Oversight Committee**

At the beginning of its term, the NEC shall appoint a standing committee of three (3) people to oversee international, national and branch elections, by-elections and referenda. At least two (2) members of the Election Oversight Committee shall not be members of the NEC.

The Election Oversight Committee shall establish and publish procedures for national elections to ensure that members are well informed and campaigns are equitable.

The National Executive Committee shall communicate notice of, and publish procedures for, any election for any national position for which a CMG member in good standing is eligible to run. This includes elections held under the auspices of CWA|SCA Canada, The NewsGuild-CWA, and CWA, including but not limited to the positions of CWA|SCA Canada President, Vice-President, Secretary, Treasurer, Diversity / Equity Member, and Member-at-Large on the executive.

##### **b) Finance Committee**

The Finance Committee, in addition to the chairperson, shall consist of at least two branch directors elected by the NEC. It shall prepare an annual budget and submit it for approval to the NEC. In addition, the Finance Committee shall review and make recommendations on any additional requests for money throughout the fiscal year.

##### **c) Equity and Human Rights Committee**



The Equity and Human Rights Committee shall be responsible for developing, supervising and maintaining an effective program to promote human rights and equity issues within the union.

**d) Management Committee**

The NEC shall establish a management committee consisting of the president, secretary-treasurer and three other NEC members to oversee the general affairs of the CMG between NEC meetings. While the NEC may assign other duties, the management committee shall not have the authority to establish CMG policies or authorize spending in excess of a specific limit imposed from time to time by the NEC. The management committee shall maintain written minutes of its meetings and share these with and report them in a timely fashion to the NEC.

**e) The NEC shall establish such other committees as may be required to conduct the business of the union.**

7.5 Finance Committee:

a) In order to have the appropriate consultation on its budget, the NEC shall establish a national finance committee. Its job will be to balance the need of the CMG, to develop recommendations to the NEC on its national and Branch budgets and to oversee an accountability process on expenditures, which will be reported to the Branches and the National Executive Committee.

b) The Finance Committee shall be chaired by the National Secretary-Treasurer and shall also consist of the NEC President, and the Branch treasurers or such other person a Branch Executive Council may appoint in lieu of its Treasurer.

c) Each year, the Finance Committee shall receive the budget from the National office and its committees, examine Branch budgets and shall develop the national CMG budget, all of which shall go to the NEC for final approval.

d) Preparation of the Branch and National Executive budgets will be done during the last four months of the fiscal year before the budget is to take effect.

e) During the budgeting period, the process will be followed in a timely manner to allow for Branch input and consultation. The process will be carried out in a manner to allow each of the Branch Executives to be consulted.

f) The Finance Committee will make recommendations to insure that all necessary resources are made available to each branch based on its need, regardless of its size, to do its work.

g) If a Branch budget gets amended either by the committee or the NEC, the budget will be sent back to the affected Branch Executive for reconsideration. The Branch Executive will then resubmit its second and final proposed budget for reconsideration by the Finance Committee.

h) If a non-Branch item on the national CMG budget is altered or in dispute at the NEC level, it shall be referred back to the Finance Committee with recommendation for reconsideration.

i) The Finance Committee shall also meet at least quarterly, by phone or in person, to review expenditures of the CMG and the Branches. The Finance Committee shall report its finding after each quarterly meeting to the NEC and the Branch Executives.

j) Costs spent on behalf of branches shall be reported back to the concerned Branch on a timely basis.

k) The Finance Committee shall also review and make recommendations to the NEC concerning amendment to the budget's allocation, except in emergencies.

l) In order to enhance accountability, transparency and cost control, the Finance Committee may make recommendations to the NEC on national processes and policies concerning the expenditure of CMG funds.

## **ARTICLE 8 – BRANCH EXECUTIVE COUNCILS**

8.1 Each branch shall have an Executive Council elected by the membership of the branch every three years.

8.2 The Branch Executive Council shall consist of a President, Secretary-treasurer and a Vice-President and such additional officers or directors, at the discretion of the Branch, as needed to ensure the business of the branch is conducted efficiently, providing the positions are consistent with these bylaws.

8.3 The Branch Executive Council shall be responsible for the orderly conduct of branch business, the enforcement of the contract, ensuring that members concerns and issues are addressed and providing leadership in advancing the interests of the branch as a whole.

8.4 Duties of Branch Executive Council Officers:

The Branch President shall preside at meetings, supervise the affairs of the branch, ensure elected officers attend meetings, and serve on the branch grievance committee.

The Branch Secretary-Treasurer shall be responsible for supervising the financial affairs of the branch, in conjunction with the Local Treasurer, including the preparation of an annual forecast of

financial needs, including the needs of branch committees. The Branch Secretary-Treasurer shall be responsible for keeping accurate records of Branch Executive Council meetings and ensuring that minutes are prepared and distributed, and forwarded to the NEC.

8.5 Each Branch Executive Council shall have a minimum of four meetings a year, at least one of which must be in person.

8.6 The responsibility and authority of a Branch Executive Council shall include but not be limited to:

- a) Appointing committees including a national grievance committee and any other that may be required by a collective agreement or deemed useful by the Branch Executive Council. In addition, branches without location units shall appoint shop stewards.
- b) The Branch Executive Council shall be responsible for the selection of a bargaining committee and the conduct of contract negotiations.
- c) If applicable, the Branch Executive Council shall ensure that the Presidents' Council is consulted regarding the selection of the bargaining committee and the preparation of contract proposals.
- d) The Branch Executive Council shall ensure its decisions and other relevant material is communicated to the membership.
- e) Branch executive councils may enact branch bylaws subject to the approval of the general membership of the branch. Such bylaws shall be consistent with the CMG bylaws, and the constitutions of CWA|SCA Canada and the Communication Workers of America.
- f) The branch executive shall have the exclusive authority to interpret its own bylaws except where the interpretation derogates from CMG bylaws or policies, or the constitution or the policies of CWA|SCA Canada or the Communication Workers of America.
- g) The branch executive council shall have the authority to hear disputes respecting the election of officers at the location unit level. Such rulings and decisions made by that branch shall be referred to the National Executive Committee for ratification.

8.7 Where more than one branch operates under a single collective agreement, members of the affected Branch Executive Councils shall have the right to send one (1) representative to the other Branch Executive Council meetings. This representative shall have voice but no vote.

8.8 Branch elections:

- a) Branch elections shall be held in conjunction with the National Executive Committee elections every three years and subject to the same rules and procedures.

b) A member may vote in only one branch election.

c) A member who may qualify to vote for more than one slate of branch officers shall be required to select one branch and shall be given voting rights only for that branch.

#### 8.9 Collective bargaining:

a) A Bargaining Committee of not more than eight (8) members in good standing shall be elected at any time prior to the start of negotiations for any Collective Agreement by the Branch Executive Council, in consultation with the Presidents' Council(s) if appropriate.

b) All members in good standing are eligible for election to Bargaining Committees. Representation will take into consideration job function and/or work category, media and linguistic lines, and geography.

c) The Bargaining Committee will deal with all issues common to members of the bargaining unit. Sub-committees may be established as necessary to deal with issues specific to certain employee groups. All sub-committees will report to the full Bargaining Committee.

d) At any time prior to the expiry of the Collective Agreement or the commencement of bargaining, whichever occurs first, the Branch Executive Council will ensure that members of the bargaining unit are solicited for input into the issues to be discussed during the upcoming collective bargaining session. Such consultation will be in the form of an all-member survey and reports from membership meetings. The BEC will contact all Location Unit Presidents to advise them of the need to hold meetings to solicit bargaining proposals.

e) The Bargaining Committee and at least two (2) members of the Branch Executive Council will meet with the relevant Presidents' Council to review all survey results or other contributions acquired from pre-bargaining meetings..

f) Prior to submitting proposals or interest statements to the employer, the Bargaining Committee will meet with all Location Unit Presidents in person or by conference call to discuss the final submission.

g) Joint bargaining with any employee group shall be permitted subject to the approval of the NEC.

h) Bargaining Committees are responsible for maintaining regular communication with the membership, the Branch Executive Council and NEC.

i) Once agreement in principle is reached, the Bargaining Committee will communicate the details of the agreement in principle to the Branch Executive council and Presidents' Council, if one exists, at

the start of the ratification process. Those bodies shall ensure that the Bargaining Committee fully informs members of the details of the agreement prior to the vote.

j) Authority for the NEC to order a strike shall be derived from a strike vote agreed to by a Bargaining Committee, provided a majority of all those voting by secret ballot support strike action. Only members in good standing may vote.

k) The Bargaining Committee will make recommendations to the NEC concerning the type and timing of any proposed strike. The final decision (such as when to start, how to conduct and when to end) shall be made by the Bargaining Committee in consultation with the Branch Executive Council and the NEC.

## **ARTICLE 9 – NATIONAL TRUSTEES**

9.1 Three Trustees shall be elected at large. Elections for trustees will be held in conjunction with elections for national office.

9.2 Trustees shall ensure financial and other decisions are made in accordance with the decision-making process set out by the Constitution and/or Bylaws. Trustees shall examine the books, records and minutes, and inspect or examine all properties, bonds and all other assets of the Canadian Media Guild annually and shall report to the NEC on the condition of the funds and accounts.

9.3 Trustees shall have the same authority to review the books, records and minutes and inspect or examine all properties, bonds and all other assets held by Branches or Location Units within CMG and shall randomly select at least one Location Unit each year, and not more than three, for such an examination.

9.4 Trustees shall report on their findings to the NEC as well as any Branch or Location Unit reviewed and make any recommendations that they deem necessary, including but not limited to any decisions involving the spending of members' money, to afford the efficient and honest administration of the CMG.

9.5 The NEC shall direct such funds and resources necessary to enable the Trustees to fulfill their responsibilities.

9.6 Trustees must be members in good standing to be eligible for office.

9.7 If an office of Trustee should fall vacant on or before June 15 of an election year, the unexpired portion of the term shall be filled by a by-election, held within sixty (60) calendar days of the vacancy occurring.

## **ARTICLE 10 – NATIONAL ELECTIONS**

10.1a) National and branch officers of the union shall be elected every three (3) years by secret ballot ending no later than the third Monday in November on a date set by the Election Oversight Committee. With the exception of the Branch representatives, NEC officers shall be elected by an at-large vote of the membership of the CMG. Branch officers shall be elected by and from within the membership of their Branch. The NEC and Branch Executive Councils take office on January 1, following the election.

b) Election of the National and Branch Officers shall be supervised by the standing Election Oversight Committee as defined in Article 7.4 of these Bylaws. At least fifteen (15) days' notice of election of officers shall be given to each eligible member.

c) No later than ten (10) days before the close of nominations the Election Oversight Committee shall call for nominations from all Location Units and Branches through the Location Unit Presidents and Branch presidents. The closing date of nominations shall be at least three (3) and no more than six (6) weeks before the election.

d) Nominations shall be submitted to the Election Oversight Committee in writing or electronically, by fax or scanned and e-mailed nomination form, bearing the signatures of the nominator and two seconders, who shall be members of the union in good standing. The candidate shall submit a signed declaration indicating a willingness to stand for election.

e) Candidates will submit a biography of no more than one page (8.5" X 11") to the national office for distribution to all members.

f) A candidate may withdraw by notifying the Election Oversight Committee in writing. However, if notification is received later than seven (7) days after the close of nominations, it may not be possible to remove the candidate's name from the ballot.

g) The Election Oversight Committee will determine the method of conducting the election and tabulating election results, but it will be by secret ballot.

h) The Election Oversight Committee handles and decides all questions concerning the conduct and challenges of elections. It will investigate all complaints about candidate behaviour in a timely manner. Should a complaint be upheld, the matter will be addressed with the candidate(s) involved to correct the situation. Should the matter be unable to be resolved directly with the candidate(s) (e.g., candidate's(s') refusal to comply with an order from the committee) then the matter will be referred to the President of CWA/SCA Canada. Any challenge to the conduct of an election must be filed within ten (10) working days of the tentative certification of the results. The committee must rule on any such challenges and must within twenty (20) working days of the tentative certification of the results make a final determination or certification.

In the case of elections held under the auspices of CWA|SCA Canada, The NewsGuild CWA, and CWA, including but not limited to the positions of CWA|SCA Canada President, Vice-President, Secretary, Treasurer, Diversity / Equity Member, and Member-at-Large on the executive, and Canada Vice-President at The NewsGuild CWA, the National Executive Committee shall ensure at least fifteen (15) days' notice of election of officers shall be given to each eligible member.

#### 10.2 Vacancies:

a) Vacancies in the offices of NEC members other than branch representatives shall be filled as follows:

i) if the office becomes vacant after June 15 in a general election year, prior to the election, the NEC will appoint to fill the vacancy;

ii) if the office becomes vacant on or before June 15 of an election year a by-election will be held. The standing Election Oversight Committee shall supervise the by-election in accordance with the Bylaws

b) Branch Director vacancies on the NEC shall be filled by another member of the Branch Executive Council elected by that Council. If, for any reason, that is impossible, a by-election will be held.

c) Branch Executive Council vacancies shall be filled as follows:

i) All Branches shall hold a by-election if the office becomes vacant on or before June 15 in an election year. The standing Election Oversight Committee shall supervise the by-election in accordance with the Bylaws.

ii) If an office becomes vacant after June 15 of a general election year, prior to the election, the Branch Executive Council shall appoint a replacement.

d) The National Executive Committee or Branch Executive Council may declare a position vacant if a member is unable to perform the duties of office. A position shall be declared vacant if the member, through transfer or other change in work status, ceases to meet any qualifications for office, such as employment within a specific region or location.

e) In situations where no candidate has come forward for a position, the Election Oversight Committee must conduct a second nomination process. If there are still no candidates, the other elected officers may choose either a) to assign the responsibilities of that portfolio to one of themselves; b) to appoint a person chosen by consensus. Except as provided in Article 10.2.a.ii. and Article 10.2.c.ii above, the Election Oversight Committee will be consulted prior to any appointment(s) being made to the National Executive Committee or a Branch Executive Committee.

## **ARTICLE 11 – PRESIDENTS’ COUNCILS**

11.1 Each branch with location units, with the exception of The Canadian Press, shall have a Presidents’ Council, consisting of the presidents of the location units, the branch president and vice president(s).

11.2 A new branch entering the CMG may petition the NEC to amend or waive this requirement.

11.3 The Presidents’ Councils shall coordinate Branch affairs in preparation for collective bargaining, advise Branch executives and maintain closer ties between Location Units.

11.4 Presidents’ Councils shall be established at:

- Canadian Broadcasting Corporation
- and any other Branch as ordered by the NEC.

11.5 Location Unit delegates to Presidents’ Councils must be a member of the Branch.

11.6 Branch Executive Council presidents shall preside at branch presidents’ council meetings and the branch Secretary-Treasurer shall keep minutes of each meeting.

11.7 A Location Unit may designate another member of the Unit as an alternate to a meeting of the Presidents’ Council if the Location Unit President is unable to attend the meeting. The designation must be made at a meeting of the Location Unit.

11.8 Meetings:

a) Meetings of the Presidents’ Councils may be called:

i) upon written request of the majority of the members of the Presidents’ Council or upon written request of a majority of Branch officers, or upon written request of the Branch President.

ii) upon petition of twenty-five per cent (25%) of the Branch membership in good standing.

iii) Conference call meetings of the Presidents’ Councils may be called by written request of a majority of the Branch’s officers or by written request of 25% of the Location Unit Presidents.

b) A quorum at any meeting of a Presidents’ Council shall consist of a simple majority of the members or alternates of the Council.

At meetings of the Presidents’ Councils, each member or alternate shall have one vote.



## **ARTICLE 12 – HONORARIA**

12.1 Honoraria may be awarded to elected officers of the CMG.

12.2 In the case of the NEC, the amount to be paid for each officer shall be recommended to the national convention and shall remain fixed until altered at a subsequent convention. If approved, honoraria will be paid at the end of the calendar year.

12.3 Branch Executive Councils and Location Unit Executives have the right to set honoraria for Branch and Location Unit officers, provided they do not exceed the limits set for the NEC. Honoraria for these bodies must be approved at a general membership meeting in the case of a location unit or branch without location units. For other branches, honoraria must be approved by a general membership meeting or by a referendum vote of the respective membership.

12.4 Branch Executive Councils and Location Unit Executives have the right to set honoraria for grievance and bargaining committee members in accordance with 12.3.

## **ARTICLE 13 – NATIONAL CONVENTION**

13.1 Every two years or when special circumstances warrant, the CMG shall hold a national biennial convention to:

- a) Receive and approve reports from the NEC and its standing committees regarding the financial and administrative activities conducted on behalf of the membership;
- b) Direct the NEC on policy issues and the business of the CMG through the consideration and passage of resolutions;
- c) Foster communication and understanding between the various branches and Regions represented by the union;
- d) Offer professional development;
- e) In accordance with 13.2 c) and d), receive and consider amendments to the Bylaws, with the exception of any resolution relating to dues or the amending procedure of these bylaws which must be submitted to a referendum. Bylaw amendments must pass by at least a two-thirds (2/3) majority vote of delegates to convention.
- f) Allow for attendance as a delegate by any CMG member in good standing elected by a Location Unit.

13.2 The NEC is responsible for the organization of the convention.

- a) It shall strike a Convention Committee no later than six (6) months prior to each convention.
- b) No later than ninety (90) days prior to the convention the NEC shall ensure that each Location Unit and Branch is advised in writing of the time and place of the convention, the delegate and observer entitlement and any other relevant information. This notice will include instructions on the proposing of Bylaw amendments and resolutions. Delegates will be elected by secret ballot by members in their respective Location Units or Branch, if it does not have location units.
- c) No later than sixty (60) days prior to the convention the NEC shall appoint a Resolutions Committee to receive resolutions to be presented to the convention. The committee shall consist of at least three members and at least one shall be a member of the NEC. The committee shall review all resolutions and bylaw amendments to ensure they are properly moved and seconded and that they comply with the Constitution and Bylaws of CWA|SCA Canada. The committee shall be responsible for the resolutions/bylaw amendments book that groups resolutions according to subject and any other grouping that the committee feels will assist delegates in dealing with resolutions.
- d) At the convention, the Resolutions Committee shall advise whether resolutions from the floor comply with the by-laws and the Constitutions and Bylaws of CWA|SCA Canada.
- e) Resolutions and bylaw amendments shall be received at the National Office of the CMG no later than sixty (60) days prior to the convention.
- f) Resolutions and bylaw amendments received by the National Office of the CMG or postmarked sixty (60) days prior to the opening of the Convention shall be circulated to all members thirty (30) days prior to the opening of the Convention.
- g) Resolutions not submitted in advance may be moved from the floor, provided they are not bylaw amendments.

13.3 Notwithstanding the above, the NEC in extraordinary circumstances and by referendum of the members has the authority to postpone the convention.

#### 13.4 Delegates to Convention:

- a) Members of the National Executive Committee and all Branch Executive Councils shall be automatic delegates to Convention.
- b) Location Units presidents shall be automatic delegates to Convention.
- c) In addition, Location Units and Branches without Location Units shall elect delegates from the general membership based on the following formula:

- one delegate for the first 50 members
- one delegate for each additional 75 or portion thereof

## **ARTICLE 14 – DUES & ASSESSMENTS**

14.1 Monthly dues for members covered by a Collective Agreement shall be 1.55% of all wages including overtime, up to a maximum of:

2010: \$1,600  
2011: \$1,700  
2012: \$1,800  
2013: \$1,900  
2014: \$2,000  
2015: \$2,100  
2016: \$2,200  
2017: \$2,300  
2018: \$2,400  
2019: \$2,500  
2020 and after: no maximum

14.2 Dues for members not covered by a Collective Agreement shall be determined by the NEC.

14.3 Dues for associate members as defined by the CWA|SCA Canada Constitution and Bylaws shall be twenty-five dollars (\$25.00) per year.

14.4 The NEC may in an emergency situation levy a pro-rated assessment of no more than five dollars (\$5.00) per member per month. An assessment of a higher amount must be approved by a majority of the members of the union in a referendum vote.

14.5 All monies collected on behalf or in the name of the union, except for those collected for CWA|SCA Canada, shall be the property of the Local.

14.6 Union dues shall be forwarded by the employer to the Canadian Media Guild National Office. The Secretary-Treasurer shall forward three and one-half per cent (3.5%) to Location Units who shall deposit same in a bank or credit union.

14.7 Requests from the Location Units needing additional funds to finance specific projects will be presented to its Branch Executive. Such requests will be considered keeping in mind the financial well being of the Location Unit and any residual or excess funds that it might have.

14.8 Each month seven and one half per cent (7.5%) of the monthly dues will be allocated to the Defence Fund and said allocation will appear as a line item in the annual budget. Surpluses if any, which accumulate in the General Fund on a yearly basis, will be transferred to the Defence Fund.

These monies are to be placed on deposit in a chartered Canadian Bank, Trust Company or Credit Union covered by Federal Deposit Insurance or in other investment vehicles deemed appropriate by the NEC.

14.09 Defence Fund monies are to be kept in a separate account. A statement of this fund shall be submitted every three (3) months to the NEC. This report shall be separate from the financial report of the General Funds.

14.10 A three (3) person sub-committee of the NEC will be elected to be responsible for the administration and investment of Defence Fund monies. It is understood that all earnings from investment shall accrue to the Defence Fund.

14.11 An annual audited statement of the Defence Fund shall be sent to all Location Units and the NEC.

14.12 Defence Fund monies may be used in defence of the Collective Agreement, including such things as strike action, activities of an emergency nature, and activities which advance the good of the union and benefit Guild membership and in accordance with CWA|SCA Canada Constitution and Bylaws.

## **ARTICLE 15 –DISCIPLINE**

15.1 Any accusations against members or elected officers of the Canadian Media Guild, its Branches or Location Units shall be handled under the provisions of ARTICLE 23 – DISCIPLINE, in the most recent version of the Constitution and Bylaws of CWA|SCA Canada. The section is repeated here for reference purposes only. The word “Locals” in this section refers to Locals within CWA/SCA Canada (the Canadian Media Guild is Local 30213).

1. *Discipline under this Constitution and Bylaws shall be governed by the provisions of the CWA Constitution and by relevant federal and provincial labour laws.*
2. *Before talking disciplinary action against an individual member, Locals shall consult with the President of CWA/SCA regarding process.*
3. *Locals are encouraged to have their own disciplinary process within their bylaws but it must meet the standards set out below.*

4. *Members have a right to expect their elected officers to perform their duties to the best of their abilities and to fulfill their obligations under this Constitution and Bylaws, their Local bylaws and the CWA Constitution, are met.*
5. *Locals have a right to expect members to live up to their responsibilities to their Local and to other members.*
6. *It is preferable that any differences be settled through discussion and, where necessary, mediation. Locals or members who have been unable to settle matters internally may request assistance from CWA/SCA Canada. CWA/SCA Canada may then appoint a mediator to assist the parties.*
7. *If, after all attempts to resolve differences, an issue remains unsettled, it may proceed to the trial process if, when proven, it would breach this Constitution and Bylaws, Local bylaws or the CWA Constitution and/or constitute one of the following offences:*
  - a) *A failure on the part of an officer to perform his or her duties to such an extent that the operation of the Union is affected*
  - b) *A breach of good faith, including but not limited to misuse of union funds.*
  - c) *Willful violation of this Constitution and Bylaws or the CWA Constitution.*
8. *All charges against a member or an officer shall be in writing and submitted within 60 days of the date the accuser becomes aware of the alleged offence, or, if mediation has taken place, within 30 days of the submission of a report by the mediator.*
9. *Charges within a Local involving members or officers shall be submitted to the Local President. If the charge involves the Local President, the charge shall be submitted to the Local Secretary.*
10. *The Local Executive Council shall appoint a prosecutor to assist the accuser and investigate the charge. If the prosecutor determines there is probable cause to believe a violation under this Article has been committed, he or she shall report to the Local Executive Council which shall appoint a trial committee of not less than three but not more than seven members of the Local, selected at random.*
11. *The trial shall be held as soon as possible. The accused shall have the right to be represented by a member of the Local of his or her choosing. Witnesses shall testify under oath, all proceedings shall be recorded and a decision shall be rendered within five days of the end of the hearings.*
12. *If the prosecutor finds no probable cause that an offence has been committed, he or she shall report to the Local Executive and the accuser. Any appeal of that decision may be made to the Executive Council of CWA/SCA Canada, within 30 days of the receipt of the prosecutor's report.*
13. *The same provisions and procedures shall be applied by CWA/SCA Canada to its officers if a trial is necessary for any reason, except that any appeal shall be to the President of CWA/SCA Canada or, if the charge involves the President of CWA/SCA Canada, to the CWA Executive Board.*

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## **ARTICLE 16 – AMENDMENTS**

16.1 In addition to a vote of delegates at a National Convention as set out in Article 13.1 (e), the Bylaws may be amended by a vote of the membership through national referendum upon submission of the proposed amendments by:

- a) the NEC; or,
- b) petition signed by not less than fifteen per cent (15%) of the membership in good standing; or,
- c) a majority vote of the delegates at a biennial convention.

16.2 Notice of the proposed amendment(s) shall be given to all members of the union.

16.3 The referendum on the proposed amendment(s) shall take place not less than thirty (30) days and not more than sixty (60) days after the date of notice to the members.

16.4 For the amendment to be successful a majority of those voting in the referendum must support the amendment.

## **ARTICLE 17 – INTERPRETATIONS**

17.1 These bylaws shall be interpreted by the NEC subject to appeal to the membership of the Local at Convention, CWA|SCA Canada, the President of CWA and the biennial International CWA Convention, where the appeal is heard by the delegates to the convention.

17.2 Questions of procedure not covered by these Bylaws, the Constitution and Bylaws of CWA|SCA Canada, the Constitution of The Communications Workers of America or International Convention decisions shall be governed by Roberts Rules of Order.

## **ARTICLE 18 – APPENDICES**

18.1 Branch structures may be amended subject to a motion from a Branch Executive Council that has been submitted to and duly approved by a vote of the branch membership and ratified by the NEC.