



BY LAWS

OF

LOCAL 100

NATIONAL AUTOMOBILE, AEROSPACE,

TRANSPORTATION AND GENERAL WORKERS

UNION OF CANADA

ADOPTED BY

THE CAW LOCAL 100 BY-LAWS CONSTITUTIONAL CONVENTION

HELD OCTOBER 18 - 20, 2010

AT THE

PORT ELGIN FAMILY EDUCATION CENTRE

PREAMBLE

This Organization shall be known as Local 100, of the National Automobile, Aerospace, Transportation and General Workers Union of Canada, CAW-Canada. This Local is established in accordance with the Constitution of CAW- Canada. We pledge to advance the well being of our members and that of their families by all legitimate means and by the utilization of our collective strengths, abilities and resources to protect and administer our collective rights.

ORGANIZATION

SECTION 1:

1. This organisation shall be known as Local 100 CAW Canada. It shall be composed of the officers and members from each of the Lodges and any other units that may wish to affiliate.
2. No one may dissolve, merge or alter the Local/Lodge without the express written consent of the National Executive Council and the Local 100 Executive Council.
3. The headquarters of Local 100 shall be situated in the home location of the Local 100 President.
4. The Officers of Local 100 shall consist of Local President, and five Vice-Presidents, one from each of the following jurisdictions.

(i) MOUNTAIN REGION (ii) PRAIRIE REGION (iii) GREAT LAKES REGION
(iv) VIARAIL QUEBEC (including Ottawa) and ST. LAWRENCE REGION and
ATLANTIC REGION (v) HEALTH AND SAFETY LEGISLATIVE

The 6 Officers shall be employed on a full time basis and shall devote the whole of their time to the interest of the members of Local 100 CAW Canada. The 6 officers referred to above shall act as the Administrative Executive Council and shall supervise the administration of this Local. A Local 100 Executive Council shall be formed consisting of the Local President, 5 Vice-Presidents and an Executive Council member, one from each of the five respective jurisdictions, one from VIA, .

The Executive Council shall meet at the call of the Local 100 President on common matters involving the welfare of the membership of Local 100. All elected Lodge officers shall, by virtue of their respective Lodge office, be Executive Council members at large and may be assigned when required to perform such duties or services as may be necessary by the Vice-Presidents and approved by the Local 100 President, bearing in mind that they will not have authority to enter in to or sign any form of agreement with management regarding working rules or other collective agreement matters, unless expressly directed to do so in writing by the Local 100 President.

Notwithstanding any other part of these bylaws, the Executive Council shall have the authority, by majority vote, to increase or decrease the number of Vice-President positions on a full or part time basis in the Local Union. However, the number of Vice President part time or full time positions may be decreased only when the Executive Council decided that such a step is warranted by the adverse financial position of the Local Union, due to layoffs, workplace closures and or other kinds of membership or financial losses.

5. All officers shall retire by the age 65.
6. No Local 100 officers shall hold office after their employment relationship with their employer has voluntarily been severed, or in case of discharge, all avenues of appeal have been exhausted.

ELECTION OF OFFICERS

SECTION 2:

1. Election of Officers shall take place every three years.
2. The Local 100 President shall be elected by the membership of Local 100 in accordance with these By-laws and Article 34 of the CAW National Constitution.
3. Local 100 Vice-Presidents and Executive Council members shall be elected by the membership they represent, in their respective jurisdictions.
4. The Vice-Presidents and Executive Council Members positions will be declared open for nominations immediately following the election of the President of Local 100.
5. One Executive Council member shall be selected by the Executive Council as a Chairperson/auditor to serve a three year term. Full-time Local 100 officers shall be excluded from holding a position of Chairperson/auditor. The Chairperson/auditor will perform two internal audits per year. A Chartered Accountant will be retained to conduct one of the semi-annual audits. A semi-annual report will be made which includes Local 100 officer financial reports of expenses only. The fiscal year of Local 100 shall begin on 01 January and end on 31 December.
6. Incoming Officers shall be obligated and installed within 30 days upon completion of election.
7. No member is eligible for election as a Local 100 Officer or Local 100 Executive Council Member until he/she has been a member in continuous good standing for one year immediately prior to the nomination.
8. No member holding a permanent or temporary position of a supervisory nature with an employer is eligible for any elected position in Local 100.
9. Any member holding an Local 100 elected position, committee position, and/or representative of Local 100 who accepts a permanent or temporary position of a supervisory nature shall have his/her position declared vacant immediately.

ELECTION PROCESS

SECTION 3:

1. Election of Local 100 Officers shall be held triennially beginning in 1996.
2. Notices shall go out to each Lodge on January 1st of each election year that all offices of Local 100 shall be declared open for nomination on February 1st of that year. A sufficient number of nomination forms shall go out to each Lodge. All nominations must be sent by registered mail and received by the Election Committee Chairperson postmarked prior to 12:00 Midnight, March 1st of election year.
3. Nomination forms must be signed by two (2) Local 100 members in good standing and by the nominee.
4. Each candidate may submit their printed election information with their nomination papers, such printed information to be no more than one single spaced 8"x 11" page.
5. The balloting method for the election of Local 100 Officers shall be mail-out, mail-in. **EXCEPTION NOTE:** the CAW local 100 Executive Council shall investigate the use of Electronic and Telephone Call-in Voting. If this form of voting is cost effective and acceptable to the Local 100 Executive Council, it shall make arrangements to secure a reputable Company to administer electronic / telephone Voting)

6. The Election Committee shall mail a ballot, a ballot envelope, a stamped envelope addressed to the Election Committee postal box and containing the return address of the member, and directions on balloting directly to each member in good standing and each member shall return the ballot by mail directly to the Election Committee postal box.
7. The Local 100 President shall select a three person Election Committee from one Location. The election will be carried out from the home location of the committee. A Committee Chairperson and a Committee Secretary shall be selected from amongst the Committee. The Election Committee shall secure a postal box, to be used only for the purpose of the return of ballots.
8. All Lodge Presidents and Lodge Recording Secretaries shall be notified forthwith of the mailing address and telephone number of the Election Committee Chairperson.
9. The Election Committee shall cause a ballot to be mailed to each Local 100 member in good standing postmarked no later than May 1st of election year. Ballots must be returned to the Election Committee postmarked no later than June 1st of election year. Counting of ballots shall begin no later than June 6th of election year and the Local 100 President notified forthwith of the final election results.
10. If a runoff election is required dates shall be set by the Election Committee.
11. The election call shall be posted on the CAW Local 100 Website @ (www.cawlocal100.com) no later than 8 weeks prior to January 1st of election year outlining a detailed explanation of the election process. Care shall be taken to explain that mail balloting is absolutely secret.

VACANCIES

SECTION 4:

1. Vacancy of the Local 100 President will be filled immediately in accordance with the CAW Constitution, Article 35 Section 10 by a Local 100 Vice-President duly elected by the Local 100 Executive Council.
2. Vacancies in any of the Local 100 offices, which occur more than twelve months prior to calling a regular election, shall be filled in the following manner.
3. The Local 100 President or other assigned Officer shall send out a call for nomination to the Lodges affiliated with Local 100.
4. Upon receipt of nomination forms by Local 100, an Election will be held.

CONVENTIONS

SECTION 5:

1. Conventions of Local 100 shall be held at the call of the Local 100 Executive Council and shall occur at least once every five (5) years.
2. Local 100 Executive Council shall have the authority to call a Special Convention at anytime, in the case of emergency.
3. Executive Council members shall be delegates to Local 100 Convention.
4. Any Lodge with seven or more members, on whom per capita tax is being paid to Local 100, shall have the right to an accredited delegate at the Local 100 Convention

5. Members of Local 100 who work for employers that do not have the sufficient numbers to be granted delegate status shall have the right to send at least one (1) guest (per Collective Agreement) to Convention. Cost to be borne by Local 100.
6. Local Lodge delegates to Local 100 Convention must be elected from the membership of their respective Lodges.
7. Lodges having more than 300 members, on whom per capita is being paid to Local 100 will be entitled to send one additional delegate for each additional 300 members, or major portion thereof.
8. In the event of a roll call vote the accredited delegate(s) shall have one vote for every 20 members or major portion there-of.
9. Lodges with more than one accredited delegate shall split their vote(s) evenly.
10. A roll call vote shall be held upon the request of (1/5) of the delegates present and voting. A roll call vote may be requested at any time by an accredited delegate either before or after a show of hands.
11. The Financial Secretary of Local 100 shall make arrangements for insurance protection of accredited delegates while attending convention.
12. Lodges may send additional members to Convention with voice but no vote, at the Lodges expense.
13. Local 100 will send out a call letter of resolutions 180 days prior to the convention. Resolutions for consideration at Convention shall be forwarded to Local 100, not later than 120 days prior to Convention, or may be submitted to Convention upon approval of 2/3 of the delegates present.
14. There shall be only one subject to each resolution, to each full size sheet of paper, and signed by the Secretary of the Lodge.
15. The Executive Council of Local 100 may submit resolutions to Convention for consideration.
16. Copies of all resolutions submitted shall be sent to lodges at least 60 days prior to Convention.
17. Local 100 credentials to the CAW National Constitutional Convention shall be distributed to the five geographic Regions and the President of Local 100. Delegates' credentials will be allotted as per the CAW Constitution Article 9 Section 9. Credentials will be distributed to the Local 100 President, by virtue of office, and equally among each geographic Region in the following manner:
 - a. One delegate elected from the largest Lodge in the Region.
 - b. One delegate elected from the amalgamated grouping of the remainder of the Lodges in the Region.

ORDER OF BUSINESS

SECTION 6:

- Rule 1: Convention shall be called to order at 9:00am and remain in session until 12:00pm. Convene at 14:00pm and remain in session until 17:00pm.
- Rule 2: If a delegate, while speaking is called to order she/he shall, at the request of the chair, take her/his seat until the question of order has been decided.

- Rule 3: Should two or more delegates rise to speak at the same time the Chair shall decide who is entitled to the floor.
- Rule 4: No delegate shall interrupt another in her/his remarks, except if it to a point of order or to ask a question of privilege.
- Rule 5: A delegate shall not speak more than once on any question until all who wish to speak have had the opportunity to do so.
- Rule 6: During the session, no one shall leave the room, except by permission of the chair.
- Rule 7: Speeches shall be limited to five minutes, except in moving a resolution, when delegates shall be allowed ten minutes.
- Rule 8: When a motion is pending before the Convention, no motion shall be in order, except: to refer, for the previous question, to postpone indefinitely, to postpone for a certain time, to divide or amend. The motions shall have precedence in order named.
- Rule 9: A motion to reconsider shall not be entertained unless moved by the delegate(s) who voted with the prevailing side. The motion to reconsider must receive two thirds (2/3) of the vote to carry.
- Rule 10: When a roll call vote has been ordered, no adjournment shall take place until results have been announced.
- Rule 11: A roll call vote shall require a demand for same by one fifth (1/5) of the delegates present and voting. A roll call vote may be requested at any time, either before or after a show of hands, by an accredited delegate to the Convention. The voting procedure will be one (1) vote for every twenty (20) members or major fraction thereof, on whom per capita tax is being paid to Local 100.
- Rule 12: Delegates wishing to speak on any subject will, after they have been recognised by the chair, announce their name, lodge number and location.
- Rule 13: Delegates reporting 30 minutes or more late, or absenting themselves from the session, without the chair's approval, will be reported absent and shown on the minutes.
- Rule 14: Questions not herein provided for shall be governed by Bourinot's Rules of Order.

DUTIES
SECTION 7:

1. The duties of the officers and the Executive Council of Local 100 shall be governed by the bylaws of this Local. The Local 100 Executive Council shall have the authority to merge vice-presidents positions as dictated or determined by the finances of Local 100.
2. The Local 100 President with the assistance of the Vice-Presidents shall handle all grievances, arbitrations, and other Local 100 business between all units, at the appropriate level. The Local 100 President will have the authority to assign Health and Safety and Legislative duties to a Regional Vice-Presidents. This does not restrict the Local 100 President from utilising the services of the CAW National Office in any of these matters.
3. The Local 100 President shall have the power to convene necessary committees to facilitate the work for a called Convention.
4. In case of emergency and upon justifiable request from a lodge, the Vice- President of the respective jurisdiction shall proceed to the scene of the emergency, subsequent to the

approval of the Local 100 President. The Vice-Presidents shall issue a written quarterly report on their activities if so requested by a Lodge or any duly elected Lodge Chairperson within their jurisdiction. All full time Officers shall submit a written report on their activities to Convention.

5. The Local 100 Health & Safety Legislative Vice-President, under the direction of the Local 100 President, shall be responsible for all issues pertaining to health & safety and legislative matters which are of concern to the members of Local 100.
6. All cheques drawn on Local 100 funds shall be signed by two signing Officers of Local 100. The Local 100 President, by virtue of Office, shall be a signing Officer. The elected Vice President selected by the Executive Council shall fulfil the role of Financial Secretary. The Executive Council shall assign an additional signing officer to be utilised in the absence of either of the two signing officers.
7. The Financial Secretary of Local 100 shall be responsible for keeping a true and correct record of the finances of the Local. She/he shall discharge on behalf of the Local such duties as may be imposed upon her/him by law, including the filing of any reports to Federal or Provincial authorities and the maintaining of such records as the law requires. She/he shall also be responsible for informing Lodges as to their obligation under law. She/he shall file and safely keep all papers and documents received by her/him. It shall be her/his duty to keep an accurate record of all monies received and paid out by this Local, and make a report to all Lodges semi-annually. She/he shall make all arrangements for the Local 100 Convention and as soon as possible after the close of Convention; the Financial Secretary shall distribute three copies of Bylaws to all the Lodges of Local 100.
8. The Executive Council shall meet twice (2) a year, or at the call of the Local 100 President, and a report of such meetings shall be distributed to all Lodges affiliated with this Local.
9. The Local 100 President shall have the authority to assign other duties to any Officer of Local 100, in addition to their regular duties.
10. In the case of excessive workload, on the request of a Regional Vice President the Executive Council shall have the authority to allow the respective Regional Executive Council member up to 10 days per month to assist the Regional Vice President. Lost wages and Expenses to be covered by Local 100
11. The Local 100 President shall have the authority to hire a secretary if deemed necessary. The secretary's salary shall be set or adjusted by the Executive Council.
12. The Executive Council shall have the authority to enact interim measures for the welfare of the membership. If interim measurers are instituted they shall be subject to the approval at the following Local 100 Convention. When such interim measure has the effect of altering the relationship of between Local 100 and the Local Lodges as established by Convention action, and upon demand from local Lodges representing (1/3) one third of the Local 100 membership, such measures shall not be instituted until approved by a majority of the membership through referendum ballot.
13. Each jurisdiction shall set up a Local Chairperson's meeting, where by the Local Chairpersons of each Lodge shall meet at least once a year, if required, and with prior approval of the Local 100 President, additional meetings may be held. Lost time wages shall be the responsibility of the respective Lodges. Local 100 shall pay 50% of reasonable transportation costs, along with cost of meeting halls. Regional Vice-Presidents shall co-ordinate and gain prior approval from the Local 100 President prior to such meetings

being held. A Lodge with less than fifty (50) members may apply to Local 100 for additional financial assistance to pay the cost of one (1) overnight accommodation. This additional assistance will only be provided with prior written approval from Local 100. Original receipts must be forwarded upon completing the assembly. The Local 100 President shall attend meetings, if possible. Minutes of meetings shall be distributed to all Lodges in the respective jurisdictions as well as to Local 100.

14. Local 100 shall sponsor and administer a Local 100 webpage for improved communications and information.

BARGAINING COMMITTEES

SECTION 8:

Where applicable, the CAW Local 100 Executive Council Member will also hold the position of elected Bargaining Representative. Should there be no Executive Council Member elected from a particular Work Jurisdiction, the same format as outlined below will apply.

CNR: The President of Local 100 to Chair, Vice-Presidents and Health & Safety Vice-President as required. Five elected members, one from each of the respective jurisdictions.

VIA: The President of Local 100 to chair, Vice-President of St Lawrence Region, and Health & Safety Vice-President as required, two elected members, one from the East and one from the West. The Quebec-Ontario border shall be the dividing line for these election purposes.

ACR: The President of Local 100 to chair, Health & Safety Vice-President as required and one elected member from the ACR membership.

AUTOPORT: The President of Local 100 to chair, Health & Safety Vice-President as required and two (2) elected members from the Autoport membership.

ACT (ALSTOM): The President of Local 100 to chair, Vice President, Health & Safety Vice-President as required and two elected member from the Alstom membership.

CARLTON TRAIL RAILWAY: The President of Local 100 to chair, Health & Safety Vice-President as required and one elected member from the Carlton Trail membership.

ESSEX TERMINAL: The President of Local 100 to chair, Health & Safety Vice-President as required and one elected member from the Essex Terminal membership.

HUDSON BAY RAILWAY: The President of Local 100 to chair, Health & Safety Vice-President as required and one elected member from the Hudson Bay membership.

MacKenzie Northern Railway: The President of Local 100 to chair, Health & Safety Vice-President as required and one elected member from the MacKenzie Northern membership.

The President shall have the authority to call Officers and members as required, to facilitate committees. The Local 100 President shall have the authority to assign other duties to any Officer of Local 100, in addition to their regular duties.

LODGE OFFICERS, DUTIES, ELECTIONS, AND MEETINGS
SECTION 9:

1. Immediately following Lodge elections, the Secretary of each affiliated Lodge shall forward a list of names and addresses of elected Lodge officers and outside correspondents to Local 100, along with date, time, and location of meetings.
2. Locations with 7 or more members may have a Lodge.
3. Lodge meetings will be held at least quarterly.
4. A minimum of 6 members will constitute a quorum.
5. Each Lodge will have:

President	Vice President
Lodge Chairperson	Vice Chairperson
Secretary Treasurer	H&S Representative

Any other Officer as deemed necessary by the Lodge.

6. All Lodge Officers shall be elected by their respective Lodge membership.
7. It shall be the responsibility of the Lodge Chairperson(s) or designate(s) to ensure their members' rights are protected under the Collective Agreement and all applicable Rules and Laws.
8. This does not restrict the Lodge from assigning duties to other Officers as required.
9. All members elected to a position on Health & Safety Committees must attend CAW Basic Level 1 Health & Safety course or a recognized equivalent.
10. In accordance with Section 2(c) of Article 41 of the National Constitution, the number of petitioners required for a recall of an elected Lodge workplace representative shall be 35% of the total number of members that the representative represents. The quorum required to hold a recall meeting shall be 50% + 1 of the total number of members that the workplace representative represents. It should be noted that all petitions for recall must list the specific complaints against the workplace representative. Further the petition must be dated on each page and each page of signatures must clearly indicate at the top what the petitioners are signing.

REVENUE
SECTION 10:

1. The revenue of Local 100 shall be established as per the CAW National Constitution, and Bylaws of Local 100.
2. All per capita will be forwarded to the Financial Secretary of Local 100, and of said amount 15% will be forwarded to each respective Lodge on a per capita basis. The Local 100 Executive Council will review on a by-annual basis, the financial feasibility of raising the per capita revenue which is forwarded to each Lodge.

SALARIES AND COMPENSATION

SECTION 11:

1. The Local 100 President shall devote the whole of her/his time to the interests of the members and shall receive for her/his services the sum of Journeyman rate plus 45% per month. She/he shall be granted vacation annually with pay, as per applicable collective agreement. Vacation must be taken by December 31st of each year.
2. The Local 100 Vice-Presidents shall devote the whole of their time to the interests of the members and shall receive for their services the sum of Journeyman rate plus 25% per month. They shall be granted vacation annually with pay, as per applicable collective agreement. Vacation must be taken by December 31st of each year.
3. The Local 100 Health & Safety Legislative Vice-President shall devote the whole of her/his time to the interests of the members and shall receive for her/his services the sum of Journeyman rate plus 25% per month. She/he shall be granted vacation annually with pay, as per applicable collective agreement. Vacation must be taken by December 31st of each year.
4. Officers shall be granted vacation annually with pay as per applicable collective agreement in which the Officer is a member. Vacation must be taken by December 31st of each year. However, if unable to take all vacation due in the current year, they may apply to the Executive Council for dispensation to carry vacation over to the following year, with no added expense to Local 100.
5. The Officers salaries shall be adjusted by all subsequent 12 Collective Agreements.
6. With the exception of the Local 100 President, who may rent adequate office space, all other Local 100 officers shall be granted up to \$150.00 per month for maintaining an office.
7. Officers and members required to be away from their home on business of Local 100 for 24 hours or over night, shall be allowed expenses as set by the CAW Local 100 Executive Council. Local 100 per diem shall not exceed the allowable sum as covered by the CAW National Office.
8. Officers and members engaged on Local 100 business at their home station shall be allowed a sum not exceeding \$35.00 a day for meals etc. Receipts will be required to cover such expenses.
9. A per diem will be allowed for returning home on travel days. CAW Local 100 per diem shall not exceed the allowable sum as covered by the CAW National Office.
10. Mileage shall be paid at a rate of \$0.40 per kilometre.
11. The Local 100 Executive Council shall have the authority to adjust the above expenses when deemed necessary. Part time Local 100 officers and members occasionally engaged on Local 100 business shall be compensated for actual regular lost wages.
12. Officers of this Local who are governed by a Bargaining Unit Pension Plan shall have their pension rights protected as per applicable plan, or equivalent.
13. The President of Local 100 shall arrange to cover with \$40,000.00 accident and impairment policy, all Lodge Chairpersons, any staff and Officers of Local 100, on a yearly basis during their term of office.
14. The salary of any Local 100 Officer shall be reduced proportionately on a daily pro rata basis for any period of time they are receiving salary from the National Office of CAW, any Company, or other Labour Organisation.
15. Per diem shall not be paid to any Officer or member if they are receiving per diem or expenses from the National Office, any Company, or other Labour Organisation.

16. Any member of this Local who from time to time is assigned to act on behalf of the Local, shall be compensated as per the Bylaws of Local 100.
17. Fringe benefits provided for in the current applicable Collective Agreements shall be paid by the Local for all Local Officers, excluding any provisions already covered by these Bylaws. In the case of part time employees a proportional amount is to be paid in such provisions where premiums are required.

DISPOSAL OF GRIEVANCES AND APPEALS

SECTION 12:

1. Members who consider they have been unjustly dealt with or the provisions of their respective Collective Agreement have not been correctly complied with, shall make a statement of the grievance in writing to the Local Chairperson or equivalent.
2. The Local Chairperson or equivalent in consultation with the Lodge Grievance Committee shall give prompt and careful consideration to all grievances and if found to be justified, will proceed with same to local management, and use all honourable means to achieve a satisfactory settlement and make report of their actions to the Lodge. If the result is not satisfactory, the grievance shall be progressed as per applicable Collective Agreement.
3. Officers of Local 100 shall consult with Lodge Chairpersons or designate before taking up local matters with local Officials of the Company. If interviews are necessary with local management, the Lodge Chairperson or designate shall accompany the Local 100 Officer.
4. Outside correspondents shall be elected at points where no Lodge is located. They shall take up all complaints promptly with Company officials and report their results to their Lodge Chairpersons.
5. Any member who wishes to appeal a decision of the Local Chairperson may present her/his grievance in writing to the Lodge, if the Lodge agrees with the member's request, the grievance may be forwarded to the Vice-President of their respective jurisdictions for consideration, further appeal to the Local 100 President, then to the Local 100 Executive Council and finally follow the procedures in accordance with Article 25 of the CAW National Constitution.
6. Vice-Presidents shall forward to the Local 100 President, copies of all grievances sent to them. Vice Presidents must notify the respective Local Chairperson when dropping a grievance.

TRIAL OF MEMBERS OR OFFICERS

SECTION 13:

Charges when preferred shall be in writing, signed by the member(s) or Officer(s) making the charge(s) and submitted to the President of Local 100 within 45 days of the time the complainant became aware, or reasonably should have become aware of the alleged offence. If the complaint is against the President, then the complaint shall be sent to Local 100 Financial Secretary. Such charges shall be dealt with in accordance with Article 24 of the CAW National Constitution.

RETIRED WORKERS

SECTION 14:

Local 100 shall have a Retired Workers Charter.
All expenses incurred will be the responsibility of the individual Retiree Councils/Charter.

PRINTING AND EFFECTIVE DATES

SECTION 15:

1. The Bylaws of Local 100 shall be printed in the official languages of Canada and in newspaper column form.
2. Sufficient copies of the Bylaws of Local 100 will be supplied to all Lodges Officers. Electronic version of the Local 100 By-laws shall be posted on the CAW Local 100 Website. Lodges shall supply members print out copies of the By-laws if requested.
3. No provisions of Local 100 Bylaws shall conflict with the CAW National Constitution.
4. The revised bylaws shall become effective the 1st of the month following the Local 100 Convention, and subject to the approval of the CAW National Office.
5. Local 100 will assume the responsibility for the cost of printing and distribution of the Local 100 Constitutions to the membership.

STRIKES AND LOCKOUTS

SECTION 16

1. Any member of a Local 100 bargaining unit offering their services to a Company which the National Executive Board or National President or their authorized representative(s) has sanctioned the withdrawal of our members' services, to support demands placed upon the employer will be subject to the following monetary penalties :
 - (a) Any member who offers their services to the employer after the National Executive Board or National President or their authorized representative(s) has sanctioned strike action will be subject to a \$1,000.00 fine, in addition to any other penalties imposed by the National Executive Board or National President or their authorized representative(s) and/or Lodge.
 - (b) Any member who is compensated for such services while Local 100 is engaged in legally sanctioned job action will be subject to fines which will be the equivalent to that paid them by the employer for that period.
 - (c) Where after due process, a member is convicted of the above charges; Local 100 will use all means up to and including court action, at its disposal to enforce said penalties.

EXCESSIVE OVERTIME

SECTION 17

1. Where any member or members of a Local 100 Bargaining Unit are being permitted or required to work overtime hours in excess of applicable Federal or Provincial Labour Codes to perform regular workload, Local 100 shall file charges pursuant to applicable Labour Codes against such employers engaging in this action, to have such excessive overtime reduced to be within applicable Labour codes.

2. Where any member of a Local 100 Bargaining unit is found to be working overtime hours in excess of applicable Federal or Provincial Labour Codes to perform regular workload it shall be considered “conduct unbecoming a member” and be subject to charges pursuant to Article 24 of the CAW National Constitution.
3. Where any member of a Local 100 bargaining unit is working excessive overtime pursuant to existing mandatory overtime provisions in collective agreements and/or emergency service work provisions, said members shall be exempted from this Section 17.
4. In dealing with Articles 1, 2 and 3 of section 17, the Executive Council shall review at each of its meetings, the records of overtime being worked at each bargaining unit, by region, to determine if excessive overtime is being scheduled by an employer to the detriment of the long-term employment of the membership.

ORGANIZING SECTION 18

The Local 100 president will be authorized to assign the responsibility of negotiating and administering a collective agreement to an existing Lodge in the respective Province as required by the Provincial Labour Code.