



**EDUCATION, TECHNICAL, OFFICE AND PROFESSIONAL  
(ETOP)  
INDUSTRY COUNCIL BY-LAWS**

**PREAMBLE**

The Technical, Office and Professional Council (TOP) was originally established when we were still part of the UAW at the 1953 convention under the direction of Walter Reuther who saw that there was a need to co-ordinate the organizing of auto industry workers not involved in shop floor production – clerical workers, engineers, designers and technicians. Later, the TOP extended its organizing activities to white collar workers outside the auto industry.

The TOP continued on as a Council of the CAW in 1985 when we formed our own Canadian Union. Today Unifor represents thousands of specialized highly-skilled workers in a range of office and technical professions (including air traffic controllers, health care specialists, computer programmers, engineering and laboratory workers).

The TOP has now evolved to include education workers – a perfect fit for professional workers throughout Unifor. The newly formed ETOP Industry Council will set about expanding our membership base with a commitment to organizing. We are proud of our past and enthusiastic about our future.

## **ARTICLE 1 – NAME**

The Council will be known as the Education, Technical, Office and Professional Industry Council of Unifor hereinafter called “the Council” in these By-Laws.

## **ARTICLE 2 – PRINCIPLES**

The principles and objectives of this Council will include the following, but not be limited to:

1. To raise awareness and address issues that affect education, technical, office and professional employees in various sectors within Unifor.
2. To enhance and raise the profile of education, technical, office and professional employees at all levels of government.
3. To promote the exchange of ideas of common interest including common bargaining issues and/or strategies amongst education, technical, office and professional employees within Unifor.

## **ARTICLE 3 – MEMBERSHIP**

### **Section 1**

Membership in the Council shall consist of all Unifor Local Unions and Units which represent education, technical, office and professional employees and which comply with the per capita arrangements prescribed in these By-Laws.

### **Section 2**

All delegates shall be elected for a three (3) year period.

### **Section 3**

Delegates from delinquent Local Unions shall have no vote at Council meetings. A delinquent Local Union shall be a Local that is three (3) months in arrears on its per capita tax.

**Section 4**

A delinquent Local Union may restore itself to good standing by paying delinquent monthly per capita tax thirty (30) days prior to the next Council meeting.

**ARTICLE 4 – DELEGATE REPRESENTATION AND COUNCIL VOTING**

**Section 1**

Delegates to the Council shall be determined by the number of education, technical, office and professional members in the Local Union on the basis of one (1) Council Delegate for each one hundred (100) members or a portion thereof, plus the President (or designate) of each ETOP Local.

**Section 2**

Local Unions shall elect their Delegates to the Council on the following basis:

|      |   |      |         |       |    |       |
|------|---|------|---------|-------|----|-------|
| 1    | - | 100  | members | ..... | 1  | vote  |
| 101  | - | 200  | members | ..... | 2  | votes |
| 201  | - | 300  | members | ..... | 3  | votes |
| 301  | - | 400  | members | ..... | 4  | votes |
| 401  | - | 500  | members | ..... | 5  | votes |
| 501  | - | 600  | members | ..... | 6  | votes |
| 601  | - | 700  | members | ..... | 7  | votes |
| 701  | - | 800  | members | ..... | 8  | votes |
| 801  | - | 900  | members | ..... | 9  | votes |
| 901  | - | 1000 | members | ..... | 10 | votes |
| 1001 | - | 1100 | members | ..... | 11 | votes |

And so on

### **Section 3**

Local unions are entitled to a further additional delegate providing that the delegate is from an equity seeking group (i.e., women, young workers, racialized and Aboriginal workers, LGBT, workers with disabilities).

### **Section 4**

Voting strength for each Local Union shall be determined by the average monthly per capita tax paid on behalf of its members to the Council for a twelve (12) month period ending two (2) months prior to a Council meeting.

### **Section 5**

Voting for Local Unions not in existence for twelve (12) months shall be based on an average for the months for which per capita tax was actually paid.

### **Section 6**

Voting at Council meeting shall normally be by a show of hands. A roll call vote can be held at the request of any Delegate supported by twenty-five percent (25% of the Delegates present.

### **Section 7**

The total votes of a Local may be equally divided among its Delegates present or the Local may vote in block.

## **ARTICLE 5 – POWERS OF ADMINISTRATION**

### **Section 1**

The highest authority of this Council shall be the Delegates in official session.

### **Section 2**

The Executive Board shall represent the Council between the meetings of the Delegates Body and shall take care of all matters requiring prompt and decisive action. The Executive Board shall stay in communication on all vital matters.

## **ARTICLE 6 – FINANCES**

### **Section 1**

Each Local Union affiliated with the Council shall pay twenty (20) cents per member per month. The minimum per capita tax paid by any Local having Council Delegates shall be \$100 per year.

### **Section 2**

Per capita tax monies are payable to the Education, Technical, Office and Professional Council and shall be sent to the Secretary-Treasurer monthly. These monies shall be deposited into a bank account in the name of the Council.

### **Section 3**

All funds received by the Council shall be deposited in a bank under the signatures of the President, Secretary-Treasurer or one (1) Executive Board Members as determined by the Executive Board. They shall be empowered to issue and sign all cheques on behalf of the Council with all deposits covered by one (1) signature and all withdrawals by two (2) signatures.

### **Section 4**

The Secretary-Treasurer shall issue a financial statement every six (6) months to each participating Local Union and a copy of such statement shall be sent to the National Secretary-Treasurer and National President, Unifor.

### **Section 5**

The fiscal year of the Council shall be from January 1 to December 31.

### **Section 6**

The Council shall have the records audited annually, with a copy sent to the National Secretary-Treasurer's office.

## **ARTICLE 7 – COUNCIL MEETINGS**

### **Section 1**

The Council shall meet at least once per year at a time and in a geographical area that will permit maximum participation.

## **Section 2**

The Executive Board may call special Council meetings as required by a majority vote of the Council.

## **Section 3**

Local Unions and Units shall be notified at least forty-five (45) days in advance of Council meetings wherever possible.

## **Section 4**

The Recording Secretary shall prepare the minutes and shall send same to each Local Union. A copy will also be sent to the National Secretary-Treasurer and the National President, Unifor.

## **ARTICLE 8 – OFFICERS OF THE EXECUTIVE BOARD**

### **Section 1**

The Council shall elect and install the following Officers of the Executive Board every three (3) years or to fill the unexpired term of office should a vacancy occur: President, Vice-President, Recording Secretary, Secretary-Treasurer, Sergeant-at-Arms, three (3) Trustees and Member-at-Large (Equity).

## **ARTICLE 9 – ELECTIONS OF EXECUTIVE BOARD**

### **Section 1**

The elections of the Offices shall be by secret ballot vote.

### **Section 2**

The election of the Officers shall be conducted in the following order:

Nomination and election of the President;

Nomination and election of the Vice-President;

Nomination and election of the Recording Secretary;

Nomination and election of the Secretary-Treasurer;

Nomination and election of the Sergeant-at-Arms;

Nomination and election of three (3) Trustees; and

Nomination and election of the Member-at-Large (Equity)

### **Section 3**

Elections of Officers shall be by majority vote (“first past the post”).

### **Section 4**

The term of office shall expire upon the election and installation of new officers.

### **Section 5**

The elected Officers shall be required to take a pledge of office at the Council meeting. The member’s pledge of office shall be the same as that of the Constitution of the National Union.

### **Section 6**

Upon termination of office by virtue of incapacity, resignation, etc. the outgoing Officer shall relinquish all records, books and other property that may be in their possession to their successor in office.

### **Section 7**

Members of the Executive Board shall be delegates to the Unifor Canadian Council according to Article 9 (Canadian Council) of the Unifor constitution.

## **ARTICLE 10 – DUTIES OF OFFICERS OF THE EXECUTIVE BOARD**

### **Section 1**

#### **President**

The President shall preside at all meetings of the Council and the Executive Board. They shall make a complete report of all meetings of the Executive Board to the Council

The President shall perform such other duties as are required by the National Constitution or that are assigned by the Council or by the Executive Board.

## **Section 2**

### **Vice- President**

The Vice-President shall oversee all communication matters. The Vice-President shall perform the duties of the President when the President is absent or incapacitated and shall assist the President at all times in the performance of their duties.

## **Section 3**

### **Recording Secretary**

- a) Shall record the proceedings of all meetings of the Council and Executive Board.
- b) Shall prepare, in consultation with the President, the agenda for Council and Executive Board meetings.
- c) Will keep records of all correspondence and records for the Council.
- d) Shall furnish each Delegate and National Representative a copy of the minutes of all meetings.
- e) May perform other duties as may be assigned by the President.

## **Section 4**

### **Secretary-Treasurer**

- a) Shall receive and issue receipts for all monies paid to the Council.
- b) Shall be responsible for the payment of all expenses incurred as authorized by the Council or the Executive Board.
- c) Will submit a report of all monies received and expended at each meeting of the Council and Executive Board.
- d) Will prepare and submit financial reports every six (6) months to each participating Local Union and a copy of such statement shall be sent to the National Secretary-Treasurer and National President, Unifor.
- e) Shall determine the voting strength of each Local Union by obtaining the necessary information prior to each Council meeting.
- f) May perform other duties as may be assigned by the President.



## **Section 5**

### **Sergeant-at-Arms**

- a) The Sergeant-at-Arms shall maintain proper order and voting at all meetings of the Council.
- b) May perform other duties as may be assigned by the President.

## **Section 6**

### **Trustees**

- a) The three (3) Trustees shall audit financial statements prior to Council meetings.
- b) May perform other duties as may be assigned by the President.

## **Section 7**

### **Member-at-Large (Equity)**

- a) The Member-at-Large (Equity) will participate fully in the ETOP Executive Board bringing an equity perspective to decision making.
- b) May perform other duties as assigned by the President.

## **ARTICLE 11 – EXECUTIVE BOARD MEETINGS**

### **Section 1**

The Executive Board shall meet every six (6) months at a place and time as determined by the Board.

### **Section 2**

Special meetings of the Board may be called by the President or by a simple majority of the Executive Board members.

### **Section 3**

All Officers of the Executive Board shall be notified at least thirty (30) days in advance of Board meetings wherever possible.

### **Section 4**

The Recording Secretary shall prepare the minutes and shall send same to each Officer within one (1) month following each meeting.

A copy will also be sent to the National Secretary-Treasurer and the National President, Unifor. Section 5.

A quorum shall be the members of the Executive Board that are present.

### **Section 6**

Officers who have missed two (2) consecutive Board meetings without reasonable justification shall be deemed to have resigned office.

## **ARTICLE 12 – PROCEDURES FOR MEETINGS**

### **Section 1**

All expenses incurred by the delegates to the Council shall be borne by their respective Local Unions.

### **Section 2**

Members of the Executive Board of the Council while attending Executive Board meetings will be reimbursed for lost time and other expenses incurred as follows”

Lost time at the equivalent of their normal hourly rate excluding overtime.

Travel allowance for auto transportation at the rate set by the National Union or coach fare via train or air as determined by the Executive Board.

Out-of-town expenses, including hotel accommodations plus per diem set by the National Union to cover meals, plus any taxi, parking, etc. For meetings where less than a full day is required, the per diem will be as set by the National Union.

## **ARTICLE 13 – AMENDMENTS TO THE COUNCIL BY-LAWS**

### **Section 1**

The By-Laws of the Education, Technical, Office and Professional Council shall become effective upon ratification by the Council and upon submission for approval of the National President, Unifor.

## **Section 2**

Proposed amendments to the By-Laws must be forwarded to all the Local Unions at least forty-five (45) days in advance of a Council meeting.

## **Section 3**

The By-Laws may be amended by a two-thirds (2/3) vote of the Delegates present at any meeting of the Council.

## **Section 4**

The provision of the Council By-Laws shall not be inconsistent with the Constitution of the National Union.

Adopted by ETOP November 29, 2018