

**C A W C A N A D A**  
**A I R T R A F F I C S P E C I A L I S T S**  
**L O C A L 2 2 4 5**  
**B Y - L A W S**



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# ARTICLE 1

## NAME

### ***Section 1.1 – Name***

- 1.1.1 The name of the Local Union shall be the Air Traffic Specialists Local No. 2245, National Automobile, Aerospace, Transportation and General Workers Union of Canada (CAW-Canada). The Local Union may be referred to by the short title “the Local Union”.
- 1.1.2 The CAW-Canada may be referred to by the short title “the National Union”.

### ***Section 1.2 – Purpose***

- 1.2.1 The purpose of Local 2245 is to represent the members in Collective Bargaining and in all other relations with their employer, to further the professional status of its members, to enhance its stature and to promote aviation safety nationally and internationally.

### ***Section 1.3 – Headquarters***

- 1.3.1 The national headquarters of the Local Union shall be located as determined by the Executive Board.

### ***Section 1.4 – Constitution***

- 1.4.1 The Constitution of the Local Union shall be the Constitution of the National Union and these by-laws shall at all times be sub-ordinate and subject to the Constitution of the National Union, except for those provisions where the supreme governing body of the National Union has permitted an exception to the Constitution through the approval of these by-laws and the Merger Agreement.

### ***Section 1.5 – Language***

- 1.5.1 The English and French versions of these by-laws shall have equal authority. Should a difference arise between the meanings of the English and French by-laws, the version in the language in which they were drafted shall prevail.

Amended Winnipeg, Manitoba October 2006

## ARTICLE 2 MEMBERSHIP

### ***Section 2.1 – Scope of Membership***

- 2.1.1 The Local Union shall be composed of workers eligible for membership in the National Automobile, Aerospace, Transportation and General Workers' Union of Canada (CAW-Canada), over whom the Local Union has jurisdiction.

### ***Section 2.2 – Classification of Membership***

- 2.2.1 Except as otherwise provided for in these by-laws or the governing Constitution, in order to be a member in good standing of the Local Union, a membership candidate must:

- a) Sign an application for membership and pay the prescribed entrance fee, and;
- b) Pay dues to the Local Union and any assessment levied by the Local Union.

A member in good standing who is on an authorized absence from his or her employer maintains his or her good standing.

- 2.2.2 Life Member - life membership shall be granted to members in good standing upon retirement.
- 2.2.3 Honorary Member - an honorary member is a person who, by two-thirds majority vote of the delegates at a Convention, has been granted honorary membership in the Local Union. There shall be no more than three honorary memberships granted at any one Convention. Such memberships may be rescinded in the same manner as they are granted.

### ***Section 2.3 – Application for Membership***

- 2.3.1 Membership in the Local Union may be requested by submitting a completed application form as per Article 17 Section 1 of the CAW National Constitution.
- 2.3.2 It shall be understood that each applicant, by becoming a member of the Local Union, agrees and subscribes to its policies, its by-laws and the governing Constitution.
- 2.3.3 The Executive Board shall review and verify all questionable applications to determine acceptance or rejection of the application.
- 2.3.4 Any employee, for whom the Local Union and the National Union is a recognized bargaining agent, who fails to apply for membership upon becoming eligible to be a member in good standing, shall be deemed to have accepted the terms and conditions of membership without, however, any of its rights and privileges.

### ***Section 2.4 – Privileges***

- 2.4.1 Upon becoming a member in good standing of the Local Union, the member shall become entitled to all rights and privileges which includes the right to vote and hold office.

## **Section 2.5 – Dues**

- 2.5.1 The dues for members are set at 1.8% of the top increment of the regular annual salary of the member's substantive position. The dues shall be reviewed at each Local Union Convention.

## **Section 2.6 – Assessments**

- 2.6.1 By two-thirds majority vote of the Executive Board and on provision of thirty (30) calendar days notice supplementary assessments may be levied on all members to meet expenses of an extraordinary nature or for defense. The levy is not to exceed a maximum of twenty dollars (\$20.00) per member per month (\$240.00 per year).
- 2.6.2 Assessments shall not be made against honorary or life members.

## **Section 2.7 – Violations**

- 2.7.1 The following shall constitute specific charges, which may be brought under the terms of Article 24 of the governing CAW National Constitution.
- a) Misappropriating funds or other assets of the Local Union or the National Union.
  - b) Willfully defaming officers and members of the Local Union or the National Union.
  - c) Divulging to unauthorized person(s) the business of the Local Union or the National Union.
  - d) Intentionally violating the terms and provisions of these by-laws or the governing Constitution to the detriment of the Local Union or National Union.
  - e) Instituting or urging or advocating that a member institute action outside the Local Union or the National Union, against the Local Union or the National Union, or any of the members or officers without first exhausting all avenues of correction and appeal provided in these by-laws and/or the governing Constitution.
  - f) Working in the interests of, or accepting membership in, any organization dual to the Local Union or the National Union.
  - g) Using the name of the Local Union or the National Union for soliciting funds, advertising, or for any other purpose prejudicial to the interests of the Local Union or the National Union.
  - h) Engaging in any other activity detrimental to the interests of the Local Union or the National Union.
- 2.7.2 Any member found guilty of violating any of the above charges may be disciplined or expelled in a manner proportional and appropriate to the seriousness of the violation.

## ***Section 2.8 – Registry***

- 2.8.1 In the event a member changes his/her name, work location, mailing address, telephone number or classification, it shall be the responsibility of the member to advise the headquarters of the Local Union and his/her regional Vice-President in writing of such change in order to maintain a correct regional and Local Union record.

# ARTICLE 3 ORGANIZATION

## **Section 3.1 – Structure**

- 3.1.1 The Local Union shall have an elected full-time President.
- 3.1.2 The Local Union shall have a First Vice-President.
- 3.1.3 The organization of the Local Union shall be divided in “Regions”.

A Region is a geographical area that may include members of a single bargaining unit or multiple units. There are currently seven Regions:

- Atlantic
- Central
- Gander IFSS
- Ontario
- Pacific
- Québec
- Western

The members in each Region shall elect a Vice-President.

New Regions may be designated and existing Regions may be realigned by a constitutional amendment at Local Union Conventions.

- 3.14 The Local Union shall have an elected Financial Secretary.
- 3.15 The Local Union shall have an elected Board of Trustees comprised of a Chairperson and two (2) members.
- 3.16 The Local Union shall have a Health and Safety Coordinator.
- 3.17 The Local Union shall have at least one Site Representative at each work location.

## **Section 3.2 – Executive Board**

- 3.2.1 Between Conventions, the management, direction and control of the affairs of the Local Union, including control over the Local Union’s funds, properties, other assets and raising of revenue, shall be vested in the Executive Board. In addition, the Executive Board shall have the authority to determine and approve policies and procedures that it deems necessary to promote the interests of the Local Union. The Executive Board shall have authority to affiliate the Local Union with any body within the National Union.
- 3.2.2 The voting members of the Executive Board shall be the President, Financial Secretary and the Regional Vice-Presidents.  
  
Upon invitation of the Local President, other persons may attend the Executive Board meetings.
- 3.2.3 The Executive Board shall be responsible for the finalization of an annual budget.

### ***Section 3.3 – Bargaining Committee***

- 3.3.1 The Bargaining Committee will be comprised of the President and the Regional Vice-Presidents. The President, or his/her designate, will chair the Committee and be responsible for the negotiations. Such designate will not be a voting member of the Committee unless appointed from amongst the Bargaining Committee members.
- 3.3.2 The President may appoint additional members to the Bargaining Committee to reflect the membership's diversity, in particular the factors of geography, gender, experience and job functions. Appointed members shall not have a vote on the Committee.

### ***Section 3.4 – Board of Appeals***

- 3.4.1 There shall be a Board of Appeals comprised of a Chairperson and two (2) members.

## ARTICLE 4 DUTIES OF OFFICERS

### ***Section 4.1 – President***

- 4.1.1 The President shall function as the Chief Executive Officer of the Local Union. He or she shall exercise supervision over the affairs of the Local Union, be responsible for negotiating collective agreements, sign all official documents and preside at Conventions and at meetings of the Executive Board. He or she shall have the power to appoint all committees not otherwise provided for. He or she or his/her designate shall represent the Local Union to all higher bodies within the National Union, and to other labor, government, social and industrial bodies.
- 4.1.2 The President shall have the authority to interpret and enforce these by-laws and his/her interpretation shall be conclusive unless reversed or changed by the Executive Board or Convention, and subject to the members' right to appeal under the constitution of the CAW.
- 4.1.3 The President shall have the authority to convene, or cause to be convened, a meeting of any body within the Local Union.
- 4.1.4 The President, subject to the approval of the Executive Board, shall have the authority to employ such officials, consultants, representatives and employees as are necessary and such positions shall be bulletined to all members in good standing. The direction of all officers, representatives and employees shall be under the authority of the President and his/her designated representative.

### ***Section 4.2 – Vice-Presidents***

- 4.2.1 The First Vice-President shall act as deputy for the President during any period of temporary absence by the President. The deputy shall devote such time as is necessary to fulfill the duties of the office in conjunction with his or her normal regional duties.
  - a) He or she shall be responsible for the initial approval of all expense claims.
  - b) He or she shall ensure that all expense claims are forwarded to the Financial Secretary for final approval and payment.
- 4.2.2 The Regional Vice-Presidents shall perform all functions required of them as members of the Executive Board as provided for in these by-laws and the governing Constitution.
- 4.2.3 The Regional Vice-Presidents shall assist the President in administering the affairs of the Local Union and shall provide counsel to Shop Stewards within their Region. They shall have the authority to convene a meeting of their Shop Stewards and to convene membership meetings within their Region. They shall monitor the activities of their Shop Stewards and provide direction and control over the sites in their Region to ensure adherence to the policies, procedures and programs of the Local Union and the National Union. By virtue of their office the Vice-Presidents may be delegates to the CAW Council.
- 4.2.4 A copy of all correspondence bearing the signature of a Regional Vice-President shall be sent to the President of the Local Union.

- 4.2.5 In the event a Regional Vice-President is incapacitated or cannot otherwise perform his/her duties of office, he/she may appoint an alternate from the Shop Stewards within his/her Region.

### ***Section 4.3 – Financial Secretary***

- 4.3.1 The Financial Secretary and President of the Local Union will sign all cheques.
- 4.3.2 The Financial Secretary will be responsible for all financial and accounting affairs of the Local Union, verification of the accounts payable and receivable, bank statements and financial affairs of the Local Union to insure that they are carried out in accordance with the constitution, policies and good financial practices of the Local Union.
- 4.3.3 The Financial Secretary shall prepare a complete annual financial statement covering income and expenses for the fiscal year, the assets and liabilities of the Local Union and such statements shall be certified by the Board of Trustees for presentation at the Executive Board meeting.
- 4.3.4 The Financial Secretary shall exhibit, at all reasonable times, the books and accounts to any Executive officer or Trustee of the Local Union upon application at headquarters office during business hours.
- 4.3.5 The Financial Secretary shall furnish a Balance Sheet and Income Statement report to all members of the Board of Trustees and the Executive Board every month and a Balance Sheet report shall be forwarded to the membership every twelve (12) months.
- 4.3.6 He/she shall cooperate with every reasonable request of the Board of Trustees.
- 4.3.7 He/she in conjunction with the Local Union Executive prepares the budgetary estimates for the financial year, presents these estimates to the Executive Board and, if so requested submits them to the meeting for adoption.
- 4.3.8 He/she carries out any other duties assigned to him/her by the Executive Board.

### ***Section 4.4 – Board of Trustees***

- 4.4.1 The Board of Trustees, twice a year, shall audit all expenditures of the Local Union. By maintaining vigilance over the financial affairs of the Local Union, it shall ensure that the Executive Board is made aware of excessive disbursements of funds beyond the provisions of the budget and of any necessity to provide for meeting any extraordinary expenditure.

### ***Section 4.5 – Board of Appeals***

- 4.5.1 The Board of Appeals shall have the authority to hear appeals of any action, decision, or penalty by any of the officers of the Local Union and to make recommendations to the Executive Board.

## ***Section 4.6 – Health and Safety Coordinator***

- 4.6.1 The Local Union Health and Safety Coordinator shall assist the President in administering the affairs of the Local Union, which are related to safety and health issues. The duties may include assisting the Vice-Presidents in establishing safety and health committees, conducting educational seminars and workshops for the membership, assisting in the investigation of workplace accidents and unsafe or unhealthy working conditions, preparing information materials for distribution to the membership and other functions as may be determined by the President or the Executive Board.
- 4.6.2 A copy of all correspondence bearing the signature of the Local Union Health and Safety Coordinator shall be sent to the President.
- 4.6.3 In the event the Local Union Health and Safety Coordinator is incapacitated, or cannot otherwise perform his/her duties of office, the President may appoint an alternate from within the elected Health and Safety Representatives.

## ***Section 4.7 – Site Representatives***

- 4.7.1 The Shop Steward(s) shall represent the Local Union at the work site. At larger sites, the number of Stewards shall be determined by the members of that facility. If more than one Shop Steward is required there will be a Chief Shop Steward.

## ***Section 4.8 – General***

- 4.8.1 No person employed by the Local Union or the National Union shall hold any office in the Local Union.

# ARTICLE 5

## OFFICERS – ELECTIONS AND APPOINTMENTS

### ***Section 5.1 – General***

- 5.1.1 The officers of the Local Union shall be the President, Vice-Presidents, Financial Secretary and Shop Stewards.
- 5.1.2 No officer in the Local Union shall hold dual office except:
- Shop Stewards may hold dual office as members of the Board of Trustees.
  - Regional Vice-Presidents may hold dual office as First Vice-President.
- 5.1.3 All candidates for any office in the Local Union shall be members in good standing. Any member of the Local Union in good standing, other than employees of the Local Union or the National Union shall be eligible for election.
- 5.1.4 All candidates for Vice-Presidents office shall be members of the Region that they seek to represent.
- 5.1.5 If, because of a tie vote, an election has not resulted in the filling of all vacant office(s), a runoff ballot shall be held between the leading candidates who are tied.
- 5.1.6 All elections shall be conducted by secret ballot. “Write-in” votes are not permissible. A secret ballot need not be conducted where nominees are unopposed.
- 5.1.7 All vacancies, except the President, must be filled by election as soon as possible and in any event within ninety (90) days.

### ***Section 5.2 – Elections Chairperson***

- 5.2.1 There shall be a Local Union Elections Chairperson who is a member in good standing of the Local Union, but who is not a member of the Executive Board. This person shall be elected by the general membership.
- 5.2.2 The Election Chairperson shall not stand as a candidate for any position on the Executive board during the appointment.
- 5.2.3 The term of office of the Elections Chairperson shall be three (3) years. His/her election shall take place one year following the tri-annual convention.

### **Section 5.3 – President**

- 5.3.1 The President shall be elected by the general membership.
- 5.3.2 Immediately upon election of a new President, the president-elect shall be put on a leave of absence from his/her employer in order to become familiarized with the duties of President. The President shall assume office within 60 days following his/her election. Unless approved otherwise by the Executive Board, the President shall serve on a full-time basis for the duration of his/her term of office.
- 5.3.3 The executive board shall determine the location of the office of the President.
- 5.3.4 The annual salary shall be at the top increment of FSS-06 + 25%, plus any allowances the member was entitled to prior to election in office.

### **Section 5.4 – Vice-Presidents**

- 5.4.1 The term of office of the Vice-Presidents shall be three (3) years. The election of the Vice-Presidents shall be completed no later than October 31<sup>st</sup> 2002 and every three (3) years thereafter.
- 5.4.2 Vice-Presidents shall be elected by the members in their Region, using ballots distributed by the Elections Chairperson to the shop steward/site contact for distribution.
- 5.4.3 The Elections Chairperson shall distribute each candidate's statement of his/her qualifications for office. It will be each candidate's responsibility to provide the Elections Chairperson with such a statement.
- 5.4.4 In the event that the results, and/or the procedure used during elections are under dispute, the candidate(s) claiming redress shall file a written complaint within fourteen (14) calendar days of the posting of the election results to the Elections Chairperson, stating the reason(s) for protesting the election.
- 5.4.5 The Elections Chairperson shall thoroughly investigate the matter and within twenty-eight (28) calendar days following receipt of the complaint and advise those concerned of his/her decision to let the election results stand or to declare the election results null and void.
- 5.4.6 The decision of the Elections Chairperson may be appealed first to the President of the Local, then to the Appeals Committee and then to the National President, in accordance with Article 36, Section 11 of the CAW National Constitution.
- 5.4.7 Vice-Presidents shall assume office on the first of the month following their election.

### **Section 5.5 – First Vice-President**

- 5.5.1 The First Vice-President shall be elected from the Regional Vice-Presidents and elected by the voting members of the Executive Board.

Amended Winnipeg, Manitoba October 2006

### **Section 5.6 – Financial Secretary**

- 5.6.1 There shall be a Local Union Financial Secretary who is a member in good standing and shall be a member of the Executive Board.
- 5.6.2 This person shall be elected from the general membership.

### **Section 5.7 – Board of Trustees**

- 5.7.1 There shall be a Board of Trustees comprised of a Chairperson and two (2) members.
- 5.7.2 The Board of Trustees shall be elected by the general membership.
- 5.7.3 The Chairperson of the Board of Trustees shall be elected on one ballot and the two (2) trustees on a separate ballot.
- 5.7.4 The members of the Board of Trustees shall assume office on the first of the month following their election. The Board of Trustees shall meet at least annually to audit the Local Union's books.

### **Section 5.8 – Health and Safety Coordinator**

- 5.8.1 The Local Union Health and Safety Coordinator shall be appointed by the President of the Local Union, upon recommendation of the Executive Board of the Local Union.
- 5.8.2 The term of office of the Local Union Health and Safety Coordinator shall be determined by the President.

### **Section 5.9 – Board of Appeals**

- 5.9.1 5.9.1 There shall be a Board of Appeals comprised of a Chairperson and two (2) members.

### **Section 5.10 – Site Representatives**

- 5.10.1 The Regional Vice-President will ensure that, where there is more than one Shop Steward at a work location, a Chief Shop Steward is elected. The Regional Vice-President will also ensure that a local Elections Chairperson is elected when required.
- 5.10.2 Local Union Shop Stewards will be elected for a three (3) year term 6 months prior to the Tri-annual Convention unless an election for Shop Steward has been held within eleven (11) months prior to that Tri-annual Convention.
- 5.10.3 All members in good standings as defined in Article 2, as of the date on which nominations are called for by the Elections Chairperson, are eligible to stand for election to the position of local Shop Steward representing his/her work site.

- 5.10.4 A period of not less than fifteen (15) days shall be open for members to declare their candidacy.
- 5.10.5 A vote shall be conducted by members in good standing of the work site to elect the Shop Steward or Stewards after the closure of the nomination period. The Shop Steward shall be determined to be elected by acclamation or on receipt of the votes of the majority of the members in good standings at that work site.
- 5.10.6 The local Elections Chairperson shall ensure that the Regional Vice-President and National Office are advised of the result of the election within ten (10) days of election.

# ARTICLE 6 MEETINGS

## ***Section 6.1 – Conventions***

- 6.1.1 The supreme governing body of the Local Union shall be the delegates at a convention. A special convention shall be held no later than November 30<sup>th</sup> 2003, and Local Union Conventions shall be held every three (3) years thereafter. Notice of the precise time and place of a convention, as determined by the Executive Board, shall be sent to each work unit. The Union Local Executive Board may advance or delay the Convention by 2 months.
- 6.1.2 The number of delegates will be determined by the Executive Board.
- 6.1.3 The minutes of a Convention will be made available to the members within sixty (60) days following the adjournment of the Convention.

## ***Section 6.2 – Executive Board Meetings***

- 6.2.1 The Executive Board shall meet at least once per year. The meetings of the Executive Board shall be called by the President on at least seven (7) days notice to each member of the Executive Board. Special meetings of the Executive Board may be called, as and when required by the President, or by a petition signed by a majority of the Executive Board officers.
- 6.2.2 A quorum shall constitute of the President (or First Vice-President) and a minimum of four (4) Vice-Presidents.

## ***Section 6.3 – Order of Business***

- 6.3.1 The following order of business should be observed:
  - a) Calling meeting to order;
  - b) Adoption of the agenda (orders of the day);
  - c) Reading and approval of previous minutes;
  - d) Unfinished business;
  - e) Reports of Committees, standing and special;
  - f) New business
  - g) Any other business
  - h) Adjournment
  - i) Reports to the general membership

## ***Section 6.4 – Ratification of Collective Agreement***

- 6.4.1 All negotiated collective agreements between the Local Union and the Company must be put to a ratification vote of the general membership.

Prior to the ratification vote being held, the headquarters of the Local Union shall forward a Memorandum of Agreement detailing the changes that have been negotiated.

Members shall have sufficient time to study the Memorandum of Agreement prior to vote.

- 6.4.2 A collective agreement shall be considered ratified with a simple majority of votes cast.
- 6.4.3 The Local Union shall furnish the appropriate bilingual standard ballots in order that the members may conduct a vote.

# ARTICLE 7

## FINANCES & EXPENSES

### ***Section 7.1 – General***

- 7.1.1 The fiscal year shall run from January 1<sup>st</sup> to December 31<sup>st</sup> of each year.
- 7.1.2 No money shall be drawn from the treasury except in accordance with these by-laws and the governing Constitution.
- 7.1.3 All bills, notes, cheques or other negotiable instruments of the Local Union shall be issued in the name of the Local Union.
- 7.1.4 All officers, appointees and employees of the Local Union who have access to the Local Union funds shall be bonded.
- 7.1.5 The President and the Financial Secretary shall be the signing officers for the Local Union.

### ***Section 7.2 – Expenses***

- 7.2.1 Allowable expenses for members of the Executive Board on approved union business in the normal execution of their duties shall be as per CAW National Union policy.
- 7.2.2 The President and the members of the Executive Board shall receive an allowance to cover daily local expenses as follows:
  - a) President: \$110.00 per week
  - b) Financial Secretary: \$250.00 per month
  - c) Vice-Presidents: \$250.00 per month
- 7.2.3 Expense claims for amounts in excess of the above allowances shall be reimbursed upon production of an expense claim and satisfactory receipts for such expenditures. Advances for such expenses may also be issued with the approval of the Financial Secretary.
- 7.2.4 Expense claims for the President and Vice-Presidents shall require the approval of the Financial Secretary.
- 7.2.5 All claims for expenses shall be received by the First Vice-President for approval within sixty (60) days of the expenses being incurred.
- 7.2.6 The First Vice-President shall provide approval numbers to both the member and the Financial Secretary of the Local Union.
- 7.2.7 The claimant shall then forward the completed expense claim with the approval numbers and applicable receipts to the Financial Secretary of the Local Union for final approval and payment.

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- 7.2.8 The Local Union will pay child care expenses while on union business if such expenses would not have been incurred during the normal work schedule.

### **Section 7.3 – Investment**

- 7.3.1 The Local Union’s reserves will be administered by the National Executive and shall be kept on deposit in chartered banks, Credit Unions and Trust Companies.

- 7.3.2 All bonds held by the Local in whole or in part of this reserve shall meet one of the following criteria:

- a) Canadian Government Bonds
- b) Provincial Government Bonds with a rating of “A” or better as determined by the Dominion Bond Rating Service (DBRS)
- c) Canadian Corporate Bonds with a minimum single “A” rating
- d) Canada Savings Bonds
- e) Government Guaranteed Strip Bonds
- f) Provincial Savings Bonds with a rating of “A” or better as determined by the DBRS
- g) Guaranteed Investment Certificates
- h) Treasury Bills