

ARTICLE XIV

Canada

SECTION 1. CANADIAN AUTONOMY. The Office and Professional Employees International Union fully recognizes the right of the Local Unions within Canada to establish their own autonomous national union if such is the desire of a majority of Office and Professional Employees International Union members within that country.

SECTION 2. CANADIAN DIRECTOR. (a) The Canadian Director, in consultation with the International President, shall be responsible for the coordination of organizing, education and servicing activities in Canada. The Canadian Director shall also be the spokesperson for Canadian members on matters affecting Canadian membership.

(b) In consultation with the International President, and in accordance with existing constitutional provisions, the Canadian Director shall authorize strike action in Canada.

(c) The Canadian Director shall be the editor of an official publication of the International Union and shall be authorized to employ such assistance as is necessary in connection therewith. Such publication shall be published at the discretion of the Canadian Director, and shall be called "The Leader". The publication shall be free to all Canadian dues paying members.

SECTION 3. CANADIAN CONVENTION. (a) Canadian Conventions shall be held each three (3) years and shall convene some time during the months of April, May or June in a city designated by the Canadian National Committee. Canadian Conventions shall be held for the purpose of establishing policy on matters affecting the Canadian membership. Special Conventions may be called by the Canadian National Committee.

(b) The Convention Call and credential forms shall be sent to Local Unions by the Canadian Director at least ninety (90) days prior to the opening date of the Convention, except in the case of special Conventions where they shall be sent at least forty-five (45) days prior to the opening date of such special Conventions.

(c) All Local Unions sending delegates shall fill out the credentials, place the seal of the Local Union thereon, and return them to the Canadian Director at least four (4) weeks prior to the opening of the Convention, except in the case of special Conventions where they shall be returned at least two (2) weeks prior to the opening of such special Conventions.

(d) Delegates whose credentials are not received within the time limits prescribed may be seated by action of the delegates seated at a Convention.

(e) Each Local Union shall be entitled to as many delegates as it has votes, except that no Local Union shall have more delegates than the number of delegates present at a Convention as permitted in the Canadian Convention rules adopted by the prior Convention. The delegate or delegates from each Local Union may cast the entire vote of the Local Union.

(f) The Canadian National Committee shall constitute the credentials committee, and for that purpose shall meet in advance of the Convention. The Canadian Director may appoint additional members to the Resolutions Committee. The Canadian Director shall appoint any other committee as may be required.

(g) Except as hereinafter specified, all resolutions, petitions, memorials to be considered by any Convention shall be written and submitted in duplicate signed copies to the Canadian Director and received by the Canadian Director not later than twenty-one (21) days prior to the opening date of the Convention. Resolutions can be submitted only by Local Unions, Convention committees, the Canadian National Committee, and Convention delegates. Resolutions originating with the Convention's committees must have relevance to the committee's functions and can be submitted at any time prior to the submission of such committee's final report. Resolutions originating with individual delegates can be submitted at any time during the Convention with the consent of the Convention by a two-thirds (2/3) vote.

(h) A quorum shall consist of a majority of qualified delegates in attendance at a Convention.

(i) Questions may be decided by a voice vote, division, or show of hands, but if a call of the roll on any question is demanded by one-tenth (1/10) of the delegates present, such question shall be decided by roll call vote on the basis of voting strength provided in Article XIV, Section 3, paragraph (k).

(j) A complimentary copy of the official proceedings of the Convention shall be provided to each Local Union.

(k) Each Local Union in good standing shall have one (1) vote in Convention for each one hundred (100) members or major fraction thereof, on which per capita tax has been paid for the twelve (12) month period

ending two months prior to the month of a regular Convention, or paid for the twelve (12) month-period ending two months immediately prior to the month of any special Convention; except that any Local Union having less than a major fraction of one hundred (100) shall, nevertheless, be entitled to one (1) vote. If a Local Union has paid per capita tax for less than all the months of such a twelve (12) month period, and has not been suspended in accordance with Article XV, Section 1 of this Constitution, that Local Union shall be entitled to one-twelfth (1/12) of its total vote for each month on which per capita tax was paid during the applicable period.

(l) No Local Union which has been chartered during the two (2) calendar months preceding the month of any regular or special Convention, or during the month of such Convention, shall be entitled to representation at such Convention.

(m) The voting strength and representation of a Local Union resulting from an amalgamation of two (2) or more Local Unions, shall be based on the total per capita tax payments made by the Local Unions forming such a Local Union.

(n) No Local Union may be represented at any Convention by proxy, nor may it delegate its voting strength to any other Local Union, and no delegate to any Convention shall represent more than one (1) Local Union.

(o) Each delegate to a Convention must have been in continuous good standing with the Local Union such delegate represents for at least twelve (12) months prior to the convening of the Convention, unless the Local Union has been functioning (the period when a Local Union shall be deemed to be functioning shall be that commencing with the first month for which per capita tax payments are regularly made) for less than one (1) year, in which case such delegate must have been in good standing during the period that the Local Union has been so functioning. Each delegate shall be selected in accordance with the constitution and bylaws of the Local Union.

(p) Except as otherwise specified, all officers of the International Union shall be entitled to participate fully in all Conventions and shall be eligible for election to any office in the International Union to be filled in any Convention. No officer of the International Union shall be entitled to vote on any Convention action unless such officer is a delegate (except that the presiding officer of a Convention can vote to break a tie).

(q) The election rules governing the election of all the officers shall be as devised and specified by regular Conventions, subject to the provision of

(f) In case of emergencies and in response to request by the Canadian Director for a decision, the Canadian National Committee members shall vote by mail or facsimile; provided, however, that in such cases it shall require a majority vote of the entire Canadian National Committee to decide any issue.

(g) Regions I, VIII and X shall each have five (5) representatives and Region IX shall have three (3) representatives.

(h) The Canadian Director, the four (4) Regional Vice Presidents and the person on the Canadian Vice President seat reserved for women shall be included in the numbers hereinabove mentioned.

(i) The following requirement must be observed in the election of the Regional Officers in Regions I and VIII: a Region shall have no more than three (3) representatives from the same Local Union.

(j) The following requirement must be observed in the election of the Regional Officers in Region IX: the Region shall have no more than two (2) representatives from the same Local Union.

(k) The following requirement must be observed in the election of the Regional Officers in Region X: the Region shall have no more than three (3) representatives from the same Local Union; at least one (1) representative shall come from the Central Ontario Council and at least one (1) representative shall come from the Mid Canada Council.

(l) The Regional Officers shall each be nominated and elected by the Convention delegates from the Local Unions located in each Region voting their representation.

(m) Any vacancy in the position of Canadian Director, Vice President seat reserved for women, Regional Vice President or Regional Officer shall be filled by a majority vote of the Canadian National Committee. The position of Canadian Director and of Vice President seat reserved for women shall be filled from amongst then current Canadian National Committee members.

(n) The limitation setting the maximum number of Regional Officers from the same Local Union shall only apply in cases where a Region is comprised of more than one Local Union.

(o) In case of a vacancy because of resignation, suspension, expulsion, incapacity or death of the Canadian Director, the Canadian National Committee shall meet within thirty (30) days at the call of the President to fill the vacant office, which office shall be held until the next regular Convention. Incapacity shall be defined as a medical condition certified by

their representation. They shall nominate and elect one (1) Vice President in Region I; one (1) Vice President in Region VIII; one (1) Vice President in Region IX; and one (1) Vice President in Region X. It shall require a majority of votes cast to elect. In case no candidate receives a majority, the candidate receiving the lowest number of votes shall be dropped from subsequent balloting. Voting shall be by secret ballot and thereafter tabulated.

(d) The person on the Canadian Vice President seat reserved for women shall be elected by the delegates voting their representation and it shall require a majority of votes cast to elect. In case no candidate receives a majority, the candidate receiving the lowest number of votes shall be dropped from subsequent balloting. Voting shall be by secret ballot and thereafter tabulated.

SECTION 8. CANADIAN NATIONAL COMMITTEE. (a) The Canadian National Committee role shall be: to set policies for Canada and make recommendations to Canadian Director and Vice Presidents for action; to act as resolutions committee at Canadian Convention; to prepare agenda for Convention; and to assist in preparing documentation pertaining to education, negotiations, public relations, organizing, staff training, union communications, etc.

(b) The Canadian National Committee shall meet semi-annually at the call of the Canadian Director. It shall meet before and after each Convention, and the members thereof shall be available for meetings during any Convention.

(c) The Canadian National Committee shall be composed of: the Canadian Director; one (1) Regional Vice President in each of the Canadian Regions; one (1) Vice President seat reserved for women; twelve (12) Regional Officers.

(d) These officers shall constitute the Canadian National Committee. All officers shall hold office until their successors are elected and installed, as hereinafter provided.

(e) A quorum for the transaction of business at any meeting of the Canadian National Committee shall consist of a majority of the members of the committee. All members of the committee shall be given reasonable notification of Canadian National Committee meetings. The actions of the Canadian National Committee shall be determined by majority vote of the members present.

1.1 Nominations are open for the reserved seat(s);

1.2 The candidate(s) receiving the highest number of votes shall be declared elected.

(2) The afore described process shall apply thereafter.

(t) Voting strength at Canadian Conventions shall be the same as provided in Article XIV, Section 3, paragraph (k) of the International Union Constitution. The Canadian Director shall be the chairperson at the Canadian Convention, or in the chairperson's absence, one of the Vice Presidents.

SECTION 4. FINANCE. The Secretary-Treasurer shall make an annual financial statement indicating the balance sheet of Canadian revenue and expenditures (including overhead costs) and submit a copy to all members of the Executive Board and to all Local Unions in Canada. The Secretary-Treasurer shall deposit or invest in a chartered bank, credit union or securities issued or guaranteed by the Canadian Government, all funds received from Canada.

SECTION 5. CANADIAN COUNCILS. Notwithstanding any other provision of this Constitution, affiliation with an established Canadian Council by each Local Union within the jurisdiction of such Council shall be mandatory, except if a Local is exempted by action of the International Union Executive Board. This exemption is subject to a revision.

SECTION 6. CANADIAN CONVENTION FUND.

Each Local Union participating in the Canadian Convention shall receive an amount of money from the Canadian Convention Fund in accordance with Article XVI and the rules and regulations of such Fund.

SECTION 7. ELECTION OF CANADIAN OFFICERS. (a) The Canadian Director, one (1) Vice President per Region as defined in Article VIII, Section 4 of this Constitution and Bylaws, and the person on the Canadian Vice President seat reserved for women shall be elected at the Canadian Convention and shall sit on the Executive Board of this International Union.

(b) The Canadian Director shall be elected by the delegates voting their representation and it shall require a majority of votes cast to elect. In case no candidate receives a majority, the candidate receiving the lowest number of votes shall be dropped from subsequent balloting. Voting shall be by secret ballot and thereafter tabulated.

(c) Regional Vice Presidents shall each be nominated and elected by the Convention delegates from the Local Unions located in each Region voting

this Constitution. In the event, however, that more than one (1) candidate is nominated for more than one (1) office from any one (1) Local Union, the balloting for each office shall be conducted by separate ballots for each office for which such candidates have been nominated, in the order of the office of Canadian Director, the Vice Presidents of each Region numerically and the Canadian Vice President seat reserved for women.

(r) After each seat on the International Union Executive Board has been filled, and subject to the next paragraph dealing with International Union Region X, the Regional Officers shall each be nominated and elected in accordance with the following procedures:

(1) Nominations are open for Regional Officers;

(2) In the event that there are more candidates than the number of positions to fill, the vote shall be held as follows:

2.1 Delegates will cast votes in accordance with their representation.

2.2 Ballots shall be declared void if the following conditions are not met:

2.2.1. Delegates shall cast votes for as many candidates as there are positions to be filled.

2.2.2. Delegates shall not have the right to vote for more candidates from the same Local Union than the remaining number of positions that may be held by candidates from that Local Union.

2.3 The candidates receiving the highest number of votes shall be declared elected subject to the limitation in the maximum number of Regional Officers from the same Local Union.

2.4 If that limitation prevents the election of a certain candidate, the candidate from another Local Union receiving the highest number of votes shall be declared elected.

2.5 In the event candidates cannot be declared elected because of a tie vote, a subsequent balloting shall be held only between these candidates. Candidates may withdraw at any time before voting is held.

(s) After each seat on the International Union Executive Board has been filled, the Regional Officers representing Region X shall each be nominated and elected in accordance with the following procedures:

(1) If the reserved seats for the Mid Canada Council or the Central Ontario Council have not been filled with the election of the members of the Executive Board, the following procedure shall apply:

a licensed physician as making the Canadian Director unable to perform the duties of the office. Whenever any such incapacity should occur that is not permanent, the temporary appointment by the Canadian National Committee shall terminate as soon as the Canadian Director is certified by a licensed physician as able to resume performance of the duties of the office.

(p) The Regional Officers shall subscribe by oath to the following obligation;

I, _____, do hereby sincerely pledge my honour to perform the duties of my office as prescribed by the Constitution of the Office and Professional Employees International Union. I will deliver to my successor in office all books, papers and other property of this International Union that may be in my possession at the close of my official term. I will also deliver all property of this International Union to the proper authority of the same upon lawful demand. I will at all times devote my efforts to further the objectives and best interest of the International Union.

SECTION 9. CANADIAN REGIONAL ORGANIZING COOPERATIVE FUND. The Canadian Director, in consultation with the International President and the Canadian Vice Presidents, shall be responsible for the Canadian Regional Organizing Cooperative Fund. Notwithstanding any other provision in the Constitution, the Canadian Director shall have signing authority to all transactions of such fund and shall submit to the Secretary-Treasurer, on a quarterly basis, a report of all transactions. Investments related to such fund shall be subject to Article XI, Section 3 of this Constitution.