



# LOCAL 727 BYLAWS

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UPDATED: AUGUST 2024

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## **PREAMBLE**

In order to improve the social and economic welfare of its members without regard to sex, colour, race, or creed, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, this Local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

The following By-laws are adopted by the Local pursuant to, and to supplement, Appendix "B" of the CUPE Constitution, to safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

## **SECTION 1 - NAME**

The name of this Local shall be:  
Canadian Union of Public Employees, Local No. 727

## **SECTION 2 - OBJECTIVES**

The objectives of the Local are to:

- (a) Secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- (b) Support CUPE in reaching the goals set out in the CUPE Constitution;
- (c) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (d) Encourage the settlement by negotiation and mediation of all disputes between the members and their employers.

## **SECTION 3 - INTERPRETATION AND DEFINITIONS**

- (a) All pronoun or gender references contained in this document are understood to be gender neutral in application.
- (b) The CUPE Constitution should be read in conjunction with these By-laws.

## **SECTION 4 – MEMBERSHIP**

### (a) Membership

An individual employed within the jurisdiction of Local 727 as a condition of employment initiates their membership in the Local by signing an application and, through their first payroll deduction, paying the initiation fee set out in these By-laws.

(b) Approval of Membership

At the first membership meeting, names of new members will be read out and accepted into membership.

(c) Oath of Membership

New members will take the following oath when being sworn in at their first meeting:

*"I promise to support and comply with the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union."*

(d) Continuation of Membership

A member continues as a member in good standing while employed within the jurisdiction of Local 727, unless the member loses good standing under the provisions of the CUPE Constitution.

(e) Member Obligations

Members will provide the Union with their current contact information which will include:

- Telephone number
- Current address
- Email address

The information will be protected and kept confidential. The member will advise of any changes of their contact information. The purpose is to ensure contact with members on important issues and events. Members contact information will not be shared with any outside agencies without their expressed written consent.

## **SECTION 5 - MEMBERSHIP MEETINGS - REGULAR AND SPECIAL**

- (a) Regular membership meetings shall be held each month, except for the months of July and August. A minimum of 7 days notice will be given to members. If a statutory holiday or unforeseen circumstances intervene, the Executive shall give a notice of any change in the date of the regular meeting with as much notice as possible.
- (b) In the summer months of July and August, the Executive Board shall conduct all Union business. Advice as to the business conducted shall be given at the September General Meeting.
- (c) Special membership meetings may be ordered by the Executive or requested in writing by no fewer than twelve (12) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called, and notice given.

- (d) A quorum for the transaction of business at any regular or special meeting shall be twelve (12) members, including at least three (3) members of the Executive.
- (e) In the event of a quorum not being met then the Executive Board shall conduct all Union business. A report as to the business conducted shall be given at the first meeting where a quorum is present.
- (f) The order of business at regular membership meetings is as follows:
  - 1. Roll Call of Officers
  - 2. Reading of Equality Statement
  - 3. Voting on New Members and Initiation
  - 4. Reading of Minutes
  - 5. Matters Arising
  - 6. Secretary-Treasurer's Report
  - 7. Correspondence
  - 8. Executive Board Reports:
    - President
    - Vice President
  - 9. Reports of Committees and Delegates
  - 10. Nominations, Elections, or Installations
  - 11. Unfinished Business
  - 12. New Business
  - 13. Good of the Union
  - 14. Adjournment

## **SECTION 6 – VOTING OF FUNDS**

- (a) Ordinary expenses and bills will be paid, and a report will be provided at each meeting by the Secretary-Treasurer.
- (b) For the purpose of donations or contributions, no sum over five hundred (\$500) dollars shall be paid out without membership approval.
- (c) For any expenditure beyond ordinary expenses or the budget that was passed at the December General Meeting, a Notice of Motion will be given in writing at a regular membership meeting to be dealt with at the following membership meeting.
- (d) At the completion of twenty-five (25) years of service, a member in good standing shall receive a gift (value \$150 dollars). Service shall be determined by date of hire.
- (e) Upon retirement as per Article 1.07 of the Collective Agreement, or death prior to retirement, a member in good standing shall receive a gift (Value \$30) dollars per year of service. Service shall be determined by date of hire.

## **SECTION 7 – OFFICERS**

- (a) Officers of the Local shall be the President, Vice-President, Secretary-Treasurer, Corresponding Secretary, Recording Secretary, seven (7) Stewards preferably one (1) from Maintenance; one (1) Transportation; one (1) from Clerical/Information Technology; two (2) from Education Assistants/Noon Hour Supervisors; one (1) from Custodial; one (1) from the West Coast/Bamfield; Sergeant-At-Arms; and three (3) Trustees. All officers shall be elected by the membership. Where a vacancy occurs, a by-election will be held to fill the remainder of the term.
- (b) The Election of the President, Treasurer, Corresponding Secretary and Stewards from Maintenance; Clerical/Information Technology; (1) Education Assistants/Noon Hour Supervisors shall take place every even year. In the alternate years' elections will be for the Vice-President, Recording Secretary and the Stewards from Custodial; Transportation; West Coast/Bamfield; and one (1) Education Assistant. The Sergeant-At-Arms shall be elected annually. One (1) Trustee shall be elected annually for a three (3) year term. Where a vacancy occurs, a by-election will be held to fill the remainder of the term.
- Table Officers cannot hold a Trustee position while in office.

## **SECTION 8 – EXECUTIVE BOARD**

- (a) The Executive Board shall comprise of all Officers, except Trustees and Shop Stewards.
- (b) The Executive Board shall meet at least once every month, excluding July and August, unless the President calls a special meeting.
- (c) A majority of the Executive Board constitutes a quorum.
- (d) The Executive Board officers shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- (e) The Executive Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- (f) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
- (g) Should any Executive Board member fail to answer the roll call for three (3) consecutive regular membership meetings without having submitted good reasons for those failures, the office shall be declared vacant and shall be filled by an election at the following membership meeting.
- (h) The President, Secretary-Treasurer, and one additional Executive Board member shall be Signing Officers for the Local on all bank accounts. Any two of three to sign cheques.

## SECTION 9 - DUTIES OF OFFICERS

All Officers must return all properties, assets, funds, and all records of the Local Union to their successors at the end of their term of office.

All Signing Officers of Local 727 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority or holding a position at the Local level.

(a) The **President** shall:

- Be the spokesperson at all meetings with members and the employer unless otherwise designated
- Enforce the CUPE National Constitution, these By-laws, the Equality Statement and the Code of Conduct
- Interpret these By-laws as required
- Preside at all membership and Executive meetings and preserve order
- Decide all points of order and procedure (subject always to appeal to the membership)
- Have a vote on all matters (except appeals against their rulings) and in case of a tie vote in any matter, including elections, will conduct a second vote by the membership to try to break the tie. If the tie then remains, the President may continue to conduct voting until the tie is broken or move the vote to the next meeting.
- Be allowed to incur expenses on behalf of the Local supported by expense vouchers and/or receipts
- Review and sign expense vouchers, with the exception of their own, which shall be signed by the Vice-President or Secretary-Treasurer
- Be responsible for the operation and management of the Union office
- Ensure that all signing Officers of Local 727 shall be bonded through the master bond held by CUPE National
- Ensure the Collective Agreement is adhered to by both the employer and members
- Ensure that members are fully informed of their rights, Division policies, Union policies and objectives, labour legislation and legislative programs
- Ensure that all officers perform their assigned duties
- Make regular reports to the Executive and Membership
- Enforce the return of all properties, assets, funds, and all records of the Local Union to their successor(s) at the end of their term of office
- Fill committee vacancies where elections are not provided for
- Introduce new members and conduct them through the initiation ceremony

- Be a signing officer for all bank accounts and ensure that the Local's funds are used only as authorized or directed by the Constitution, By-laws, or vote of the membership
- Have first preference as a delegate to all conventions, conferences, and education participated in by the Local

(b) The **Vice-President** shall:

- If the President is absent or incapacitated, perform all duties of the President
- If the office of President falls vacant, be Acting President until a new President is elected
- Assist the President as needed in all aspects of representation and meetings
- Assist any member of the Executive
- Assist and work with all Shop Stewards
- Hold Steward meetings once per month
- Identify, in consultation with the Executive Board, educational needs of Stewards
- In consultation with the President, ensure that the Collective Agreement is adhered to by both the employer and members
- Ensure Stewards investigate, research grievances; and prepare documents for the President to aid in processing grievances
- Review and sign expense vouchers, with the exception of their own, which shall be signed by the President, or Secretary-Treasurer
- Ensure that members are fully informed about their rights, Division policies, Union policies and objectives, labour legislation and legislative programs
- Work for the welfare of the group, act promptly and decisively, develop teamwork and fight for what is right
- Following the President, have first preference as a delegate to all conventions and conferences participated in by the Local

(c) The **Secretary-Treasurer** shall:

- Make all books available for inspection by the Trustees and/or Auditors on reasonable notice
- Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union By-laws, or vote of the membership
- In consultation with the Executive Board, designate a signing officer during prolonged absences



- Be bonded through the master bond held by CUPE National. If the elected Secretary-Treasurer cannot qualify for the bond, they shall be disqualified from holding office and will not have signing authority
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period
- Be responsible for maintaining, organizing, safeguarding, and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union
- Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union
- Prepare all CUPE National per capita tax forms and remit payment in a timely manner
- Record all financial transactions in a manner acceptable to the Executive and in accordance with good accounting practices
- Prepare and maintain, in consultation with the Executive Board, a yearly budget to be presented to the membership and provide updates as necessary
- Review and sign expense vouchers, with the exception of their own, which shall be signed by the President or Vice-President
- No voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated
- Pay no money unless supported by a voucher duly signed by the President and one other member of the Executive Committee or any two other members of the Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated

(d) The **Recording Secretary** shall:

- Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings; including motions and decisions.
- Include a copy of the Secretary-Treasurer's full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer
- Keep a record of all Trustees' Reports
- Record all alterations in the By-laws
- Have all records ready on reasonable notice for Auditors and Trustees

(e) The **Corresponding Secretary** shall:

- Answer correspondence and fulfill other secretarial duties as directed by the Executive
- File a copy of all letters sent out and keep on file all communications

- Prepare and distribute all circulars and notices to members
- Education to arrange for representation of the Local at any appropriate and available educational seminars, conferences, and submit recommendations accordingly to the Executive Board
- Keep members informed of upcoming Union workshops and education which helps to improve the integrity of our members

(f) The **Shop Stewards** shall:

- In consultation with the Vice-President and/or President, advise members on the Collective Agreement
- Attend a training session for Stewards within the first year of election
- Ensure that the Collective Agreement is adhered to by both the employer and the members
- Attend meetings with members as required for representation purposes
- Ensure that grievances are investigated, researched, and files of information are kept
- Ensure and maintain confidentiality, privacy, and security of member's files, grievances, and information
- Work with the Vice-President to provide information to members in response to grievances
- In consultation with the Vice-President ensure that members are fully informed about their rights, Division policies, Union policies and objectives, labour legislation and legislative programs
- In consultation with the Executive Board, be a communication tool to distribute information and materials for members
- Engage members as directed by the Executive Board
- Work for the welfare of the group, act promptly and decisively, develop teamwork and fight for what is right

(g) The **Sergeant-At Arms** shall:

- Sergeant-At-Arms guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the President and by consent of the members present
- Assist in maintaining the record of membership attendance at meetings
- Set up the meeting hall for all general membership meetings
- Collate, number, and dispense all meeting packages
- Collect all meeting packages at the end of all meetings
- Perform other duties as may be assigned by the Executive Board

(h) The Trustees shall:

- Not a voting member of the Executive Board
- Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, Recording Secretary, and the committees at least once per calendar year
- Make a written report of their findings at the first general meeting following the completion of each audit
- Submit in writing to the President and Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner
- Ensure that proper financial reports are made to the membership
- Be responsible to ensure that monies are not paid out without proper constitutional or membership authorization
- Inspect at least annually any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership
- Send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer) Provide a copy of the report along with their recommendations and concerns to the President and Secretary-Treasurer and the National Treasurer of the Canadian Union of Public Employees, with a copy to the assigned Servicing Representative. At the next General Membership meeting report their findings to the Local Union membership

## **SECTION 10 - OUT OF POCKET RATES**

As Executive Board and Stewards are out of pocket for their activities and participation in their roles with the Union, the following out of pocket rates shall be paid:

President	\$ 350.00 per month
Vice-President	\$ 350.00 per month
Secretary-Treasurer	\$ 300.00 per month
Recording Secretary	\$ 200.00 per month
Corresponding Secretary	\$ 300.00 per month
Shop Stewards	\$ 60.00 per month
Sergeant-At-Arms	\$ 100.00 per month

Examples include but are not limited to:

- Fuel, vehicle maintenance, insurance, cell phones, and expenses associated with meeting with members, supplies, and incidentals etc

- As a result, all Executive Board and Stewards are encouraged to keep all receipts associated with their Union activities

## **SECTION 11 - FEES, DUES, AND ASSESSMENTS**

### (a) Initiation Fee

Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee of \$10.00 dollars which shall be in addition to monthly dues. The Secretary-Treasurer shall ensure a receipt is issued. If the application is rejected the fee shall be returned.

### (b) Readmittance Fee

If a member leaves the Union, a re-admittance fee must be paid upon return. The re-admittance fee shall be \$10.00.

### (c) Monthly Dues

The monthly dues shall be two point three nine (2.39%) percent which includes the National per capita of gross monthly earnings.

Changes in the levels of the Initiation Fee, the Readmittance Fee, or the Monthly Dues can be affected only by following the procedure for amendment of these By-laws (see Section 17-Amendment), with the additional provision that the vote must be by secret ballot.

Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established, these By-laws will be deemed to have been automatically amended to conform to the new CUPE minimum. Special assessments may be levied in accordance with the CUPE Constitution.

## **SECTION 12 – NON-PAYMENT OF DUES**

A member who has not paid dues for three (3) months will be suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The member may return to good standing by paying the re-admission fee.

Member(s) who have been unemployed or unable to work because of sickness shall not pay the re-admission fee, nor will they be required to pay arrears.

## **SECTION 13 - ELECTIONS AND INSTALLATION OF OFFICERS**

### (a) Election of President

Statement of intent for the position of President must be made in writing to the Union's email, which will be provided to the membership. Intentions will begin on May 1<sup>st</sup> and be accepted no later than May 31<sup>st</sup>.

Candidates for the role of President will be announced via a memo at the beginning of June. In the event that no candidates show intent for the position of President the process will repeat until the position is filled.

Members must be in attendance at the general membership meeting or have allowed their name to stand, given their consent in writing, and duly witnessed by another member.

No member shall be eligible for office if they are in arrears of dues and/or assessments.

(b) Elections

- (1) At the June annual general membership meeting the President/designate, shall appoint two (2) members from the floor and one (1) Executive Officer who are neither elected Officers nor are up for election. These two (2) members will be responsible for issuing, collecting, and counting ballots. They will be fair and impartial and see that all arrangements are unquestionably democratic.
- (2) Conducting the election, (unless otherwise specified) and the balloting process.
- (3) Candidates will be given the option prior to the vote being conducted to speak to the membership.
- (4) All votes will be by secret ballot.
- (5) Where no candidates have been declared for a position, elections will be held at subsequent meeting(s) until filled.
- (6) Members seeking election to a position may request a scrutineer of their choice to oversee the balloting and count.
- (7) Any member may request a recount of votes for any election and a recount will be conducted if the request is supported in a vote by at least the number of members that constitutes a quorum.
- (8) Any election complaints will be submitted in writing within five (5) days of the election(s), to the Executive Board, who through consultation with the National Servicing Representative assigned to Local 727 will respond as soon as practical, reporting no later than the very next membership meeting.
- (9) A nomination shall not be accepted unless the member is in attendance at the meeting or has provided their consent in writing. This consent will be sent to the Union Executive via email to the Union email address and will be presented by the Executive at the General Membership meeting.
- (10) No member shall be eligible for office if they are in arrears of dues and/or assessments.
- (11) Elections for Executive Board positions shall be held at the Annual General membership meeting in June.

- (12) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- (13) A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken, if necessary, to obtain a majority. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In case of a final tie vote, the presiding officer may cast the deciding vote.
- (14) The National Servicing Representative, assigned to Local 727, will serve as an advisor and ensure an appropriate form of balloting is utilized.

(c) Installation

- (1) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for their term, or until a successor has been elected and installed, provided; however, that no term of office shall be longer than three years.
- (2) The terms of office for Trustees shall be as laid down in the CUPE National Constitution.
- (3) The Oath of Office to be read by newly elected Officers is:

*"I, \_\_\_\_\_, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term."*

(d) By-Election

Should an office fall vacant pursuant to Section 8 (g) Executive Board, of these By-laws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section. The term of office for any position filled through a by-election will be for the remainder of the term.

## **SECTION 14 - MEAL ALLOWANCE, MILEAGE AND DELEGATES TO CONVENTIONS, CONFERENCES, SEMINARS/MEETINGS**

- (a) All delegates to conventions shall hold office as an Officer of Local 727.
- (b) The meal allowance rates paid by Local 727 will be as follows for conventions, conferences, or seminars:
- i. In Port Alberni – meal allowances shall be as per Section 14 (f) Meals as per CUPE BC or CUPE National (whichever is greater).
  - ii. Outside of Port Alberni, other than major cities – at parity with CUPE BC or CUPE National (whichever is greater) per day or portion thereof, for the number of days of the convention, conference, or seminar, plus the days of travel, travel costs and the cost of hotel accommodations where necessary.
  - iii. Major Cities or Out of Province - at parity with CUPE BC or CUPE National (whichever is greater) per day, or portion thereof, for the number of days of the convention, conference, or seminar, plus the days of travel, travel costs and the cost of hotel accommodations.

- (c) Representation at educational institutes and seminars shall be on the recommendation of the Executive Board, subject to final approval by the membership.

(d) Mileage

Mileage rates shall be at parity with CUPE BC or CUPE National (whichever is greater). Mileage shall be paid for the following:

- Union representatives shall be paid mileage for out of town travel when on Union business
- Member who attends authorized course, seminars, or conventions
- The Executive has the authority to authorize payment for mileage to other members as deemed necessary in carrying out duties for the benefit of the Local

(e) Parking

Parking shall be paid upon presentation of receipts for Union business.

(f) Meals

Reimbursement for meals during authorized meetings, when a meal allowance is not received, will be based on the CUPE BC or CUPE National per diem rates (whichever is greater).

(g) Loss of Salary

When a member attends a course, seminar, meeting, or convention authorized by the Local on a regular working day, no loss of pay will result.

(h) Child Care Expenses

Family care costs shall be covered by CUPE Local 727 to enable members to attend the Local's General, Special, or Executive Board meetings.

## **SECTION 15 – COMMITTEES**

(a) Negotiating Committee

This shall be a six (6) person committee (including the President) elected from the general membership at the Annual General Meeting in the year prior to the expiry of the Collective Agreement. It is preferable that as many departments are represented where possible. The function of the Committee is to prepare collective bargaining proposals and to negotiate a Collective Agreement. The CUPE National Servicing Representative assigned to the Local shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

(b) Special Committees

A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive. Two (2) members of the Executive may sit on any special committee as ex-officio members.

(c) Sunshine Committee

This Committee will consist of up to three (3) members and shall ensure the following is done:

- i. If a member is sick or injured and is absent from work in excess of two (2) weeks, a gift basket, or flowers, to a maximum value of sixty-five (\$65.00) dollars shall be sent. The number of sunshine sent will be reported without the disclosure of names and will be kept confidential.
- ii. In the event of the death of a member or their immediate family, a gift basket, flowers, or a donation to a charity of the family's choice, to a maximum value of one hundred (\$100) dollars shall be sent. The number of sunshine sent will be reported without the disclosure of names and will be kept confidential.

(d) Job Evaluation

The Committee shall consist of two (2) members; one of which will be the President and/or their designate.



To provide a standard procedure for the description and classification of jobs and the evaluation of work performed by CUPE 727 members. It is a process that measures the value of jobs in relation to other jobs within the organization.

e) Bursary Committee

i. The Committee shall consist of four (4) members who will select suitable graduating high school recipients to receive bursaries which will in total, not amount to over three thousand (\$3,000) dollars in June of each year. To qualify for this bursary the student must be the child of a current member in good standing of CUPE Local 727. The recipient will supply proof of registration to the CUPE 727 Secretary-Treasurer before they receive their cheque.

ii. Post Secondary Bursary

Required Criteria:

To be eligible, recipients must have graduated within the past five (5) years.

- Recipients must have successfully completed a minimum of one (1) year of Post-Secondary Education.
- Recipients must be a child or grandchild of a Local 727 member who is employed in the School District.
- Application deadline is October 31<sup>st</sup>.
- Bursary recipients must supply “Proof of Registration” to an accredited post-secondary institution before they receive their cheque.

Eighth Avenue Learning Centre staff will also select a recipient for one (1) seven hundred and fifty dollar (\$750.00) dollar CUPE Memorial EALC Bursary. To qualify for this bursary, the student must be an EALC student. The recipient will supply proof of registration to the CUPE 727 Secretary-Treasurer before they receive their cheque.

## **LIST OF OTHER STANDING COMMITTEES**

Committee members for all committees will be elected at the General Membership Meeting in January.

It shall be the function of the Committees to:

- Health and Safety (as per Collective Agreement Article 28.02)

Advocate and educate members in order to provide information that ensures a healthy, safe workplace for all members. To support and advise members of health and safety practices and to consult with members on issues related to Health and Safety at worksites.

- Employee Family Assistance Program (EFAP)

Assist members to connect with this off site, confidential, voluntary, short-term counselling service.

- Social/Christmas

Plan and organize social events throughout the year.

- Special Circumstances Committee (as per Collective Agreement LOU # 3)

Three (3) CUPE members appointed by the Union with an alternate to participate in the Special Circumstances Committee.

The above committees are not limited. From time-to-time Ad Hoc Committees may be established to respond to specific needs of the Local.

## **SECTION 16 - RULES OF ORDER**

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these By-laws as Appendix "A". These rules shall be considered as an integral part of the By-laws and may be amended only by the same procedure used to amend the By-laws.

In situations not covered by Appendix "A", the CUPE Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

## **SECTION 17 - AMENDMENT**

- (a) These By-laws are always subordinate to the CUPE Constitution (including Appendix "B") as it now exists or may be amended from time to time, and in the event of any conflict between these By-laws and the CUPE Constitution the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.
- (b) These By-laws shall not be amended, added to, or suspended, except upon a two-third (2/3) majority vote of those present and voting at a regular or special membership meeting following seven (7) days notice at a previous meeting or at least sixty (60) days written notice.
- (c) Notice for special meetings called constitutes 24-hours notice as per CUPE 727's By-laws.
- (d) No change in these By-laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

## **APPENDIX "A"**

### **RULES OF ORDER**

1. The President or, in his or her absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and Vice-President, any other Executive Board member may act as President, and in his or her absence a President pro-tem shall be chosen by the Local.
2. No member, except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than five minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.
3. The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
5. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.
6. On motion, the regular order of business may be suspended by a two-thirds vote of those present, to deal with any urgent business.
7. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
8. When a member wishes to speak on a question or to make a motion he/she shall be recognized by the presiding officer before proceeding.
9. Any member having made a motion can withdraw it with the consent of the seconder.
10. When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
11. Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Local or member thereof.
12. If a member, while speaking, is called to order, he/she shall cease speaking until the point is determined; if it is decided he is in order, he may again proceed.

13. No religious discussion shall be permitted.
14. The President shall take no part in debate while presiding but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
15. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he/she may in addition give a casting vote, or, if he/she chooses, refrain from breaking the tie, in which case the motion is lost.
16. A motion to adjourn is in order except (1) when a member has the floor, and (2) when members are voting.
17. After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.
18. If any member wishes to challenge (appeal) a decision of the chair, he must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for his challenge. The Chairperson may then state briefly the basis for his decision, following which the Chairperson shall immediately and without debate put the question: "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie the chair is sustained.
19. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
20. The Local's business, and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

## **EQUALITY STATEMENT**

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile or offensive environment.

Discriminatory speech or conduct which is racist, sexist or homophobic hurts and thereby divides us. So too, does discrimination on the basis of ability, age, class, and religion.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue, or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all sisters and brothers deserve dignity, equality and respect.

## CODE OF CONDUCT

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally. CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff and elected officers to carry out our work. CUPE's expectation is that mutual respect, understanding and co-operation will be the basis of all our interaction. The Code of Conduct sets out standards of behaviour for participants at national convention, national conferences, schools, meetings, and all other events organized by CUPE National. It is also applicable to structures of CUPE – locals, Provincial and Service Divisions, District Councils, Provincial Unions, Councils of Unions, Provincial Councils of Unions, and Provincial Sectoral Groups. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution. This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National and at events, meetings and activities by other parts of CUPE referenced above. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy. As CUPE members, staff, and elected officers, we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement
- Respect the views of others, even when we disagree
- Recognize and value individual differences
- Communicate openly
- Support and encourage each other
- Make sure that we do not harass or discriminate against each other
- Commit to not engaging in offensive comment or conduct
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating

Take responsibility for not engaging in inappropriate behaviour due to use of alcohol or other drugs while participating in union activities, including social events. Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being. A complaint regarding the Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. At national convention, national conferences, schools, meetings, and all other events organized by CUPE National, a complaint shall be brought to the attention of an ombudsperson.

3. At a meeting, event, or activity held by a structure of CUPE, should an ombudsperson be available, the same process would be used. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
4. If the complaint involves a national staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another part of CUPE, the person responsible for their employment will be the one to whom a complaint is referred and the relevant collective agreement, should it exist, would be applicable.
5. Once a complaint is received where an ombudsperson is being used, the ombudsperson will work to seek a resolution.
6. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.
7. At CUPE National events where an ombudsperson is not available, a person properly appointed and designated to be in charge shall receive the complaint. Depending on the nature of the problem, the person in charge may attempt to resolve it through conflict resolution. If this fails to resolve the matter, the person in charge shall determine whether there is a need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses. The same process is to be used for other parts of CUPE where an ombudsperson is not available.
8. For National events, if the person in charge is a party to the complaint, the director or designate shall assume that role. For all other parts of CUPE, an alternate will be designated to assume the role.
9. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For all other structures of CUPE, the presiding officer shall receive a report on the matter.
10. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. A similar process may be applicable to the other parts of CUPE, done in consultation with the National President. This Code of Conduct is designed to create a safe, respectful, and supportive environment within all parts of CUPE. It is meant to enhance the rights and obligations outlined in the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them. All chartered organizations are subject to this Code of Conduct, to apply to conventions, conferences, schools, and meetings which they organize.