



**LOCAL 1368**

**University of Alberta  
Students' Union**

**BYLAWS**

**Adopted by membership September 25, 2019  
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## **INTRODUCTION**

Local 1368 of the Canadian Union of Public Employees (CUPE) has been formed to:

- Improve the social and economic well-being of all its members;
- Promote equality for all members and to oppose all types of harassment and discrimination; and
- Express its belief in the unity of organized labour; and
- Promote the efficiency of public services.

The following bylaws are adopted by Local 1368 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

The CUPE National Equality Statement forms part of these bylaws and can be found in Appendix “A”.

The Local Union Code of Conduct forms part of these bylaws and can be found in Appendix “B”.

## **SECTION 1 - NAME**

The name of this Local shall be: Canadian Union of Public Employees, Local No. 1368 (University of Alberta Students’ Union).

## **SECTION 2 - OBJECTIVES**

The objectives of the Local 1368 are to:

- (a) secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- (b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (c) Encourage the settlement by negotiations and mediation of all the disputes between the members and their employers;
- (d) Eliminate any kind of harassment and discrimination; to promote equal treatment of everyone regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious belief, mental or physical disability and to actively oppose discrimination on any of these grounds;
- (e) Establish strong working relationships with the public we serve and the communities in which we work and live; and
- (f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

## SECTION 3 - REFERENCES

Numbers of articles at the end of sections or sub-sections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

## SECTION 4 - MEMBERSHIP

### (a) **Membership**

An individual employed within the jurisdiction of Local 1368 can apply for membership in Local 1368 by signing an application and paying the initiation fee set out in Section 11(a) of these bylaws.

(Article B.8.1)

### (b) **Approval of Membership**

At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting object, the applicant(s) will be accepted into membership.

(Article B.8.2)

### (c) **Oath of Membership**

New members will take this oath:

*"I promise to support and obey 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."*

(Article B.8.4)

### (d) **Continuation of Membership**

Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local Union unless the member loses good standing under the provisions of the CUPE National Constitution.

(Article B.8.3)

### (e) **Member Obligations**

Members are obligated to abide by the CUPE National Constitution and these bylaws as amended from time to time.

Members will provide the Recording Secretary with their current address, telephone contact number and where available, an e-mail address. The member will advise the Recording Secretary of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of mail, e-mail blasts or telephone town halls.

In the case of a telephone town hall, the telephone number may be shared with a service provider under contract to the Local Union to provide the technical equipment to support such a virtual meeting.

Upon request, the Local Union will share the telephone contact information with CUPE National or CUPE Alberta Division. The purpose of sharing this telephone contact information with CUPE National or CUPE Alberta Division is so that the National Union or Provincial Division can conduct a telephone town hall with members on important matters.

## **SECTION 5 - AFFILIATIONS**

In order to strengthen the labour movement and work toward common goals and objectives, Local 1368 shall be affiliated to and pay per capita tax to the following organizations:

- The CUPE Alberta Division

The Local may also choose, by majority vote of the membership, to affiliate with other bodies.

## **SECTION 6 –MEMBERSHIP MEETINGS (Regular and Special)**

### **(a) Regular Membership Meetings**

Regular membership meetings shall be held in the months of January, March, May, September and November. The days of the meetings shall be set by the President and communicated to members through departmentally placed posters and by direct email, no less than fourteen (14) days prior to the date of the meeting.

When a situation beyond the control of the Local Union arises, which causes the cancellation of a regular membership meeting, the Executive Board shall reschedule the regular membership meeting, and will give members seven (7) days' notice of the date of the rescheduled regular membership meeting.

### **(b) Special Membership Meetings**

Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than ten (10) 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.

(c) **Quorum**

A quorum for the transaction of business at any regular or special meeting shall be ten (10) members, including at least three (3) members of the Executive Board.

(d) **Membership Meeting Agenda**

The order of business at regular membership meetings is as follows:

- (1) Roll call of Officers
- (2) Reading of the Equality Statement
- (3) Voting on new members and initiation
- (4) Recognition of Treaty 6 Territory**
- (5) Reading of Minutes
- (6) Matters arising
- (7) Treasurer's Report
- (8) Communications and bills
- (9) Executive Board report
- (10) Reports of committees and delegates
- (11) Nominations, elections or installations
- (12) Unfinished business
- (13) New Business
- (14) Good of the Union
- (15) Adjournment

(Article B.6.1)

## **SECTION 7 - OFFICERS**

The officers of Local 1368 shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, three (3) Trustees and **two (2)** Stewards. All officers shall be elected by the membership.

## **SECTION 8 - EXECUTIVE BOARD**

- (a) The Executive Board shall be comprised of all officers, except Trustees and Stewards.
- (b) The Board shall meet a minimum of nine (9) times per year.
- (c) A majority of the Board constitutes a quorum.
- (d) The Officers on the Executive Board 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 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. The Board shall be stewards as required.
- (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 Board member fail to answer the roll call for three (3) consecutive regular membership meetings, or three (3) consecutive regular Board meetings without having submitted good reasons for those failures, their office shall be declared vacant and shall be filled by an election at the following membership meeting.

## **SECTION 9 - DUTIES OF OFFICERS**

Each Officer of Local 1368 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

All Officers must give 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 1368 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.

- (a) The President shall:
  - enforce the CUPE National Constitution, these Local Union Bylaws and the Equality Statement;
  - interpret these bylaws as required;
  - preside at all membership and Executive Board 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);
  - ensure that all officers perform their assigned duties;
  - fill committee vacancies where elections are not provided for;
  - introduce new members and conduct them through the initiation ceremony;
  - be a signing officer and ensure that the Local's funds are used only as authorized or directed by the Constitution, Bylaws, or vote of the membership;



- be allowed necessary funds, not to exceed seventy-five dollars (\$75.00) monthly, to reimburse themselves or any officers for expenses, supported by vouchers incurred on behalf of the Local;
- have first preference as a delegate to the CUPE National Convention and the CUPE Alberta Division Convention.

(Article B.3.1)

(b) The Vice-President shall:

- if the President is absent or unable to perform their duties, perform all duties of the President;
- preside over membership and Executive Board meetings in the absence of the President;
- if the office of President falls vacant, be Acting President until a new President is elected through a by-election;
- render assistance to any member of the Board as directed by the Board;
- coordinate educational opportunities for the membership.

(Article B.3.2)

(c) The Recording Secretary shall:

- keep a full, accurate and impartial account of the proceedings of all regular or special membership and Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports;
- record all amendments and/or additions to the Bylaws, and make certain that these are sent to the National President for approval prior to implementing;
- answer correspondence and fulfil other administrative duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- have all records ready on reasonable notice for auditors and Trustees;
- preside over membership and Board meetings in the absence of both the President and the Vice-President;
- be empowered with the approval of the membership to employ administrative assistance to be paid for out of the Local's funds;
- perform other duties required by the Local Union, its bylaws or the National Constitution.
- on termination of office, surrender all books, seals and other properties of the Local to their successor.

(Article B.3.3)

(d) The Secretary-Treasurer shall:

- 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;
- sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union Bylaws, or vote of the membership;
- in consultation with the Executive Board, designate a signing officer during prolonged absences;
- ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National Per Capita tax forms and remit payment, including one dollar (\$1.00) of each initiation fee on all members admitted, no later than the fifteenth (15<sup>th</sup>) day of **the following** month;
- be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, as well as records and supporting documents for all income received by the Local Union;
- record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- make a full financial report to meetings of the Executive Board, as well as a written report to the regular membership meetings of the Local Union detailing all income and expenditures for the period;
- be bonded through the master bond held by the National Office;
- pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by two signing officers 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;
- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited semi-annually;
- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- respond in writing to any recommendations and concerns raised by the Trustees;
- be empowered, with the approval of the Membership, to employ necessary administrative assistance to be paid out of the Local's funds.

(Article B.3.4)

(e) The Trustees shall:

- act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary and the Standing Committees semi-annually;

- report their findings in writing to the first membership meeting following the completion of each audit;
- submit in writing to the President and Secretary-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;
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- ensure that proper financial reports are made to the membership;
- audit the record of attendance;
- inspect at least twice a year any stock, 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 to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
  - (i) Completed Trustee Audit Program;
  - (ii) Completed Trustee's Report;
  - (iii) Secretary-Treasurer Report to the Trustees;
  - (iv) Recommendations made to the President and Secretary-Treasurer of the Local Union;
  - (v) Secretary-Treasurer's response to recommendations; and
  - (vi) Concerns that have not been addressed by the Local Union Executive Board.

(Articles B.3.10 to B.3.12)

f) The Stewards shall:

- Act as a liaison between the Executive and the membership;
- Attend membership and other meetings as requested;
- Communicate regularly with the President and grievance committee to keep apprised of situations as they develop;
- Investigate and attempt to resolve problems that may arise in accordance with the grievance procedure in the Collective Agreement;
- Prepare and document the initial stage of the grievance procedure;
- Communicate to the Executive any educational and/or training needs of the membership.

## SECTION 10 – NOMINATION, ELECTION and INSTALLATION OF OFFICERS

### (a) Nominations

- (1) Nominations will be received at the regular membership meetings held in the month of November.
  - (i) Nominations will be accepted from members in attendance at the nomination meeting or from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member.
  - (ii) To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.

(Articles B.8.1, B.8.2 and B.8.3)
- (2) A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.
- (3) No member will be eligible for nomination if they are in arrears of dues and/or assessments.

### (b) Elections

- (1) The President, Recording Secretary **and one (1) steward** are elected in odd years. The Vice-President, Secretary-Treasurer **and one (1) steward** are elected in even years.
- (2) At a membership meeting at least one (1) month prior to election-day the President shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee will include members of the Local who are neither officers nor candidates for office. It shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the Committee when requested by the Local Union.
- (3) The Elections Committee shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- (4) The Returning Officer will be responsible for issuing, collecting, and counting ballots. The Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
- (5) The voting will take place at the regular membership meeting in October. The vote shall be by secret ballot.
- (6) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.

- (7) 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.
- (8) In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
- (9) When two (2) or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.  
(Article 11.4)
- (10) Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting laid down in Section 6(c).
- (11) All election complaints by members will be submitted in writing to the Returning Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven (7) days after the election. The Returning Officer in conjunction with the Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.

(c) Installation of Officers

- (1) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three (3) years.  
(Article B.2.4)
- (2) The terms of office for Trustees shall be so that one serves for a period of three (3) years, one for two (2) years, and one for one (1) year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three (3) year period. No member who has been a signing Officer for the Local Union is eligible to run for Trustee, until at least one (1) full term of office has elapsed.
- (3) The Oath of Office to be read by the 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."*

(Article 11.6(b))

(d) By-Elections

Should an office fall vacant for any 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 the term that the vacated position was initially elected to fulfill.

## **SECTION 11 –FEES, DUES and ASSESSMENTS**

(a) Initiation Fee

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee of two dollars (\$2.00) which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected the fee shall be returned.

(Article B.4.1 and B.8.2)

(b) Monthly Dues

The monthly dues shall be levied against gross wages at a rate one and one half percent (1.5%) as set by members. Changes in the levels of the Initiation Fee, the Readmittance Fee, or the Monthly Dues can be effected only by following the procedure for amendment of these Bylaws (see Section 19) with the additional provision that the vote must be by secret ballot.

Special assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.

## **SECTION 12 - NON-PAYMENT OF DUES and ASSESSMENTS**

A member who fails to pay dues and assessments for three (3) months is automatically suspended from membership. The suspension will be reported to the Board by the Secretary-Treasurer. The Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee is two dollars (\$2.00).

A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but may not be required to pay arrears.

(Article B.8.6)

## **SECTION 13 –EXPENDITURES**

(a) Payment of Local Union Funds

Funds can only be spent for valid purposes of the Local Union under the following circumstances:

- When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting;
- when these bylaws approve the expenditure; or
- through a vote of the majority of members present and voting at a regular or special membership meeting.

(Article B.4.4)

(b) Payment of Per Capita Tax and Affiliation Fees

Authorization to pay per capita tax to CUPE National, to CUPE Alberta Division, or any labour organization the Local Union is affiliated with, is not required.

(c) Payment of Local Union Funds to Members or Causes Outside of CUPE

In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than one hundred dollars (\$100.00), a notice of motion must be made at a regular membership meeting and be approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven (7) days after the meeting where notice of motion has been given.

- (d) No Officer or member of Local 1368 will be allowed to spend any Local Union funds without first having received authorization under Section 13(a) of these bylaws.

## SECTION 14 - HONORARIUMS

Local Union Officers and Trustees shall be provided honorarium as follows:

President:	\$125 per month paid quarterly
Vice-President:	\$85 per month paid quarterly
Recording Secretary:	\$85 per month paid quarterly
Secretary-Treasurer:	\$85 per month paid quarterly
<b>Stewards</b>	<b>\$25 per month paid quarterly</b>
Trustee:	\$125 paid upon completion of the annual audit.

## SECTION 15 – DELEGATES TO CONVENTIONS and AFFILIATED LABOUR BODIES

- (a) Except for the President's option [Section 9 (a)], all delegates to conventions, conferences, and educationals shall be chosen by election at membership meetings.
- (b) Delegates to conventions, conferences, and educationals held locally shall have no travel allowance. There shall be a per diem allowance of fifty dollars (\$50.00)

(breakfast ten dollars (\$10.00), lunch fifteen dollars (\$15.00), dinner twenty five dollars ( \$25.00)) for meals incurred by attendance at the convention, conference or educational. The Local will reimburse the member's employer for any loss of wages.

- (c) All delegates attending conventions, conferences, or educationals held outside the City of Edmonton shall be paid transportation expenses at the Canada Revenue Rate (carpooling will be employed wherever possible), accommodation if required and a per diem allowance of fifty dollars (\$50.00) for meals (breakfast ten dollars (\$10.00), lunch fifteen dollars (\$15.00), dinner twenty five dollars (\$25.00)). The Local will reimburse the member's employer for any loss of wages.
- (d) Delegates attending conventions, conferences or educationals held outside Alberta shall be paid transportation expenses (at economy coach rates), accommodations, and a per diem allowance of eighty six dollars (\$86.00) per day (breakfast - twenty two dollars (\$22.00), lunch - twenty four dollars (\$24.00), dinner - forty dollars (\$40.00) The Local will reimburse the delegate's employer for any loss of wages.
- (e) Representation at educational institutes and seminars shall be subject to approval by the membership.
- (f) If requested the Local will provide members with their per diem allowance prior to their attending the convention, conference, or educational.
- (g) Local 1368 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.

## **SECTION 16 – COMMITTEES**

### (a) 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 Board. Two (2) members of the Board may sit on any special committee as ex-officio members.

#### (1) Negotiating Committee

This committee shall be established at least three (3) months prior to the expiry of the Local's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the Committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The Committee shall consist of the President and up to three (3) members, to be elected at a membership meeting. The CUPE 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.

(2) Bylaw Committee

This committee will:

- Review the bylaws annually as required and make recommendations to the Executive Board on proposed amendments;
- Review any proposed amendments received from the Executive Board or membership of the Local to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution; and,
- Ensure that the Local Union's bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.

The Committee members will be one (1) Executive member and one (1) member. The Committee shall appoint its secretary from among its members. The National Representative assigned to the Local shall be a non-voting member of the Committee and shall be consulted during the review process.

(b) Permanent Committees

The Chairperson of each permanent committee shall be elected by the members at a membership meeting. The Chairperson and the Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a committee. The Vice-President shall be a member, ex-officio, of each committee. There shall be three (3) permanent committees as follows:

(1) Grievance Committee

This Committee will:

- Oversee the handling of all local grievances;
- Receive a copy of all grievances;
- Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the Membership meeting;
- When a grievance is not settled in the initial steps provided for in the collective agreement, this Committee shall decide whether or not the grievance should proceed to arbitration;
- If the decision is not to proceed, the grievor(s) shall be notified and have an opportunity to appeal the decision to the Executive Board.

The Committee members will be the elected Vice-President and two Stewards. The Committee shall appoint a secretary from among its

members. The National Representative assigned to the Local shall be a non-voting member of the Committee and shall be consulted at all stages.

(2) Health & Safety Committee

This committee will:

- Work to educate members on the importance of workplace health and safety;
- Prepare and present reports to the regular membership meetings;
- Participate on the Joint Worksite Health and Safety Committees (JWH&SC) at their workplace;
- Ensure that the worker representatives on the JWH&SC meet separately from the employer to prepare for meetings with the employer;
- Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors;
- Immediately bring to the attention of the employer any workplace hazard that has the potential to cause members' illness or injury;
- Work to eliminate all workplace hazards, be they environmental, physical or social.

The committee members will be the President, Vice-President and two (2) members elected by the membership. The President, or their designate, shall serve as chair of the committee. The committee shall appoint its secretary from among its members.

(3) Good and Welfare Committee

This Committee may:

- visit members who are ill.
- if a member is ill for more than a week, have sent some token of the Local's concern and desire to help, whether the member is at home or in hospital at a cost of no more than forty dollars (\$40.00). Receipts must be provided for reimbursement.
- arrange for blood donors to replace blood or plasma required by a member or one of their immediate family.
- extend the Local's condolences in the event of the death of a member or one of their immediate family and make other appropriate gesture in accordance with custom or the wishes of the family concerned at a cost of no more than one hundred dollars (\$100.00). Receipts must be provided for reimbursement.

the Committee shall comprise between two (2) and four (4) members and may appoint a secretary-treasurer from among its members. It shall be reimbursed by the Executive Board for expenses incurred as above.

## SECTION 17 – COMPLAINTS and TRIALS

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions on the CUPE National Constitution.

(Articles B.11.1 to B.11.5)

## SECTION 18 – 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 bylaws as Appendix C. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

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

## SECTION 19 – AMENDMENTS

### (a) CUPE Constitution

These bylaws 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 bylaws and the CUPE Constitution, the CUPE Constitution shall govern. The National President has the sole authority to interpret the CUPE Constitution.

(Articles 9.2(c), 13.3 and B.5.1)

### (b) Additional Bylaws

A Local Union can amend or add to its bylaws only if:

- (1) the amended or additional bylaws do not conflict with the CUPE Constitution;
- (2) the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and
- (3) notice of the intention to propose the amended or additional bylaws was given at least seven (7) days before at a previous membership meeting or sixty (60) days before in writing.

(Articles 13.3 and B.5.1)

### (c) Effective Date of Amended or Additional Bylaws

The amended or additional bylaws do not come into effect until they have been approved in writing by the National President. The National President will decide

whether to approve the amended or additional bylaws within ninety (90) days of receiving them and will withhold approval only where they conflict with the CUPE Constitution.

(Article 13.3. and B.5.1)

## **SECTION 20 – PRINTING and DISTRIBUTION of BYLAWS**

Members will have access to an electronic copy of Local 1368 bylaws. Upon request, members can receive a paper version of Local 1368 bylaws in English or French. Members with special needs may request a copy in larger font.

## APPENDIX A

### CUPE NATIONAL 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, transphobic or homophobic hurts and thereby divides us. So too, does discrimination on the basis of ability, age, class, religion, language and ethnic origin.

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 persons deserve dignity, equality and respect.

## APPENDIX B

### CODE OF CONDUCT

Local 1368 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

Local 1368 strives to promote 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.

Local 1368 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 1368 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 1368 expects that mutual respect, understanding and co-operation will be the basis of all our interactions.

This Code of Conduct for Local 1368 sets out standards of behavior for members at meetings, and all other events organized by Local 1368. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. 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 members of Local 1368 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 comments or conduct;
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating; and
- Take responsibility for not engaging in inappropriate behavior due to use of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behavior 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 behavior which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding this 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 behavior contrary to the Code, by asking the person to stop such behavior. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. Once a complaint is received, a designated Officer of the Local will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Local 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.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of Local 1368, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member's right to access the trial provisions of the CUPE National Constitution.

(Article B.X1)

## APPENDIX C

### RULES OF ORDER

- (1) The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President will be the Chairperson at the membership meeting. In the absence of the President and Vice-President, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
- (2) Members are not allowed to speak about an issue for more than five minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
- (3) The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
- (4) The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: "Is the Local ready for the motion?" If no member rises to speak, the motion will be voted upon.
- (5) A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
- (6) A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
- (7) An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
- (8) On motion, the regular order of business at a membership meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
- (9) Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
- (10) At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.
- (11) The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.



- (12) A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
- (13) The Chairperson will keep a speakers list and, in all cases, will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
- (14) A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
- (15) A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
- (16) Religious discussion of any kind is not permitted.
- (17) The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
- (18) The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote, or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
- (19) When a motion is before the members, no other motion is in order except a motion to (1) adjourn; (2) put the previous question; (3) lay on the table; (4) postpone for a definite time; (5) refer; or (6) divide or amend. These six (6) motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.
- (20) The Chairperson will ask "Will the main question be now put?" where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
- (21) A motion to adjourn is in order except when a member is speaking or when members are voting.
- (22) A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen minutes have elapsed.
- (23) After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.

- (24) If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, "Will the decision of the chair be upheld?" A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
- (25) At a membership meeting where a question has been decided any two (2) members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of two-thirds majority of members who vote. If two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.
- (26) Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
- (27) The Local Union's business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.