



# BY-LAWS

***Representing Calgary and Cochrane Public Library Workers***

Email: [president@cupe1169.ca](mailto:president@cupe1169.ca)

Website: [www.cupe1169.ca](http://www.cupe1169.ca)

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## **Mission Statement**

CUPE Local 1169 bargains on behalf of library workers ensuring their right to fair wages, benefits, a healthy safe worksite, and is the voice of the membership in discussions with management.

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## **CUPE 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, co-operation 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, religion 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.

## **PREAMBLE**

The guiding principle of the CUPE 1169 By-Laws is to ensure that the Executive Board (herein after referred to as the Board) is fiscally responsible with the membership's money.

In order to improve the social and economic welfare of its members, 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 (herein after 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 Number 1169.

## **SECTION 2 – OBJECTIVES**

The objectives of the Local are to:

- (a) secure adequate remuneration for work performed and general advance the economic, physical and social welfare of its members and of all workers;
- (b) support CUPE in reaching the objectives set out in Article II of 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/or mediation of disputes between the members and their employer;
- (e) promote the education of Local 1169 members;
- (f) promote the harmony and preserve the dignity of the Union.

## **SECTION 3 – INTERPRETATIONS AND DEFINITIONS**

- (a) Numbers of Articles at the end of sections or sub-sections refer to relevant Articles of the CUPE Constitution, which should be read in conjunction with these By-Laws.
- (b) Fiscal year shall be defined as the period between January 1<sup>st</sup> and December 31<sup>st</sup>.
- (c) Member in Good Standing shall be defined as a member who having paid their initiation fee has received their membership card giving them full voice and vote.

## SECTION 4 – MEMBERSHIP MEETINGS – Regular and Special

- (a) Regular membership meetings shall be held at least four (4) times per year on the *in* February, May, September, and November ***either virtually or in person***. November being designated as the Annual General Membership Meeting. A minimum of two (2) weeks' notice of the date of the regular membership meeting will be given.
- (b) The Board shall schedule regular membership meetings at least two (2) months in advance. ***The Board shall provide as much notice as possible of special meetings and the purpose of those meetings.***
- (c) Special membership meetings may be ordered by the Board or requested in writing by no fewer than ten percent (10%) of the 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 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 membership or special meeting shall be fifteen (15) members, including at least three (3) members of the Board. In the event a quorum is not attained, the Board shall pay all bills and shall carry out the regular business of the Union until the next meeting. All decisions of the Board which have been acted upon shall be reported to the membership at the next regular membership meeting.
- (e) The order of business at regular membership meetings is as follows:

1. ***Acknowledgement of Indigenous territory***
2. Roll Call of Officers
3. Reading of the Equality Statement
4. Voting on new members and initiation
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 5 – VOTING OF FUNDS

- (a) Expenditures of the Local shall be only for the purposes of the Local, as authorized in these By-Laws. Expenditures outside of the Local shall be authorized by majority vote of the membership at a regular membership meeting of the Local. Payment of ordinary expenses and bills including the purchase of office supplies, equipment & recommendation of delegates to conferences, forums and conventions of CUPE National and other organizations to which CUPE Local 1169 is affiliated, as approved by the Board shall be approved at regular membership meetings through acceptance of the Treasurer's report.
- (b) While requests for emergency assistance from organizations may be considered by the Board, priority will be given to strike assistance for CUPE Locals.

## SECTION 6 – OFFICERS

The Officers of the Local shall be the President, Vice-President, Treasurer, Secretary, Chief Steward, Executive Member, Trustees three (3), Sergeant-At-Arms. All Officers shall be elected by the membership.

*(Articles B.2.1 & B.2.2)*

## SECTION 7 – EXECUTIVE BOARD

- (a) The Board shall be comprised of the President, Vice President, Treasurer, Secretary, Chief Steward and Executive Member.  
*(Article B.2.2)*
- (b) The Board shall meet ***no less than ten (10) times a year either virtually or in person.***  
*(Article B.3.14)*
- (c) Three (3) members of the Board shall constitute a quorum.
- (d) The Board shall hold title to any real estate, property or equipment of the Local as Trustees for the Local. They shall have no right to sell, convey or encumber any real estate, property, or equipment without first giving notice and then submitting the proposition to a regular 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.
- (f) Board recommendations shall be enacted if no quorum has been reached at the next regular membership meeting. Any decision made by the Board will be reported back at the next regular membership meeting.
- (g) All charges against members or Officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.  
*(Article B.11.1)*



- (h) 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 good and sufficient cause, their office shall be declared vacant and the position filled by an election at the following regular membership meeting.

*(Article B.2.5)*

## **SECTION 8 – DUTIES OF OFFICERS**

“All signing Officers of Local 1169 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:

- 1) be a full time paid officer;
- 2) have their interrelated human resources documentation administered by the Human Resources Department. Human Resources will be responsible for the maintenance of all vacation and sick leave records. Pension and Benefits will also be administered by Human Resources;
- 3) enforce the CUPE Constitution and these By-Laws;
- 4) preside at all Board and regular membership meetings and preserve order;
- 5) decide all points of order and procedure (subject to appeal);
- 6) ensure that all Officers perform their assigned duties;
- 7) be the primary signatory for all cheques and ensure that the Local’s funds are used only as authorized or directed by the Constitution, By-Laws, or vote of the membership;
- 8) have first preference as a delegate to the CUPE National Convention and conferences, forums and conventions of CUPE National and other organizations to which CUPE Local 1169 is affiliated;
- 9) assign grievances to the Chief Steward;
- 10) ***assign the duties of the Privacy Coordinator to a member of the Board***
- 11) act as a resource including orientation for new members, in matters pertaining to the Collective Agreement;
- 12) be a channel of communication with management regarding grievances and disciplinary matters;
- 13) report to the Board and the regular membership meetings on the status of grievances;
- 14) provide a written activity report on a monthly basis;

- 15) sit on the negotiations committee for any sub-units for whom CUPE Local 1169 is the parent local;
- 16) on termination of office have a transition period of up to but not more than fifteen (15) working days. This will allow the outgoing President to be returned to their same classification held prior to election to office, and to facilitate with the orientation of the incoming President;
- 17) on termination of office, surrender all books, records and other properties of the Local, including an itemized list of such properties, to their duly elected successor. A copy of the itemized list shall be filed with the Treasurer.

*(Article B.3.1)*

(b) The Vice-President shall:

- 1) attend all Board and regular membership meetings;
- 2) serve as ex-officio member of committees as directed by the Board;
- 3) if the President is absent or incapacitated, perform all duties of the President;
- 4) in the absence of the President, act as signatory for all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, By-Laws, or vote of the membership;
- 5) if the office of President falls vacant, be Acting President until a new President is elected;
- 6) if the office of President is vacant for more than thirty (30) working days be compensated as a full time President until a new President is elected;
- 7) render assistance to any member of the Board as directed by the Board;
- 8) take educational courses which will support their position on the Board and as directed by the President and approved by the membership;
- 9) maintain a current list of all members including professional and personal contact information;
- 10) on termination of office, surrender all books, records and other properties of the Local, including an itemized list of such properties, to their duly elected successor. A copy of the itemized list shall be filed with the Treasurer.

*(Article B.3.2)*

(c) The Treasurer shall:

- 1) attend all Board and regular membership meetings;
- 2) serve as ex-officio member of committees as directed by the Board;
- 3) sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, By-Laws, or vote of the membership;

- 4) 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;
- 5) prepare all CUPE National per capita forms and remit payment according to CUPE National directives;
- 6) record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- 7) regularly make a full financial report to meetings of the Board, as well as a written financial report to each regular membership meeting, detailing all income and expenditures for the period;
- 8) be properly bonded with a faithful performance of duty bond. Bonding amounts shall conform to the minimum guidelines as established by the National Secretary-Treasurer;
- 9) any Treasurer who cannot qualify for a bond shall be disqualified from office;
- 10) pay no money unless supported by a voucher, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- 11) throughout their term, and on behalf of the local union membership, be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE headquarters, as well as records and supporting documents for all income received by the Local union:
- 12) make all books available for inspection by the auditors and/or Trustees on reasonable notice;
- 13) arrange a meeting of the Trustees ***within the first quarter*** of each year to audit the books of the Treasurer, the Secretary and the committees of the previous fiscal year;
- 14) ensure that the Trustees are able to present their report of the audit of the books of the Treasurer, the Secretary and the committees of the previous fiscal year to the membership at the first regular membership meeting following the completion of each audit;
- 15) respond in writing to any recommendations and concerns raised by the Trustees;
- 16) provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE National;
- 17) preside over Board and regular membership meetings in the absence of both the President and Vice-President;
- 18) take the Secretary-Treasurers' course offered by CUPE Education;

- 19) take educational courses which will support their position on the Board and as directed by the President and approved by the membership;
- 20) have a transition period of up to but not more than ten (10) working days for both the outgoing Treasurer and the incoming Treasurer.
- 21) on termination of office, surrender all books, records and other properties of the Local, including an itemized list of such properties, to their duly elected successor. A copy of the itemized list shall be filed with the Treasurer.

*(Articles B.3.4 to B.3.8)*

(d) The Secretary shall:

- 1) attend all Board and regular membership meetings;
- 2) serve as ex-officio member of committees as directed by the Board;
- 3) keep full, accurate and impartial account of the proceedings of all Board and regular membership meetings; ensuring that these records include a copy of the full financial report presented by the Treasurer and will also include a copy of reports presented by the Trustees;
- 4) arrange for the preparation and distribution of all circulars and notices to members;
- 5) take educational courses which will support their position on the Board and as directed by the President and approved by the membership;
- 6) have all records ready on reasonable notice for auditors and/or Trustees;
- 7) on termination of office, surrender all books, records and other properties of the Local, including an itemized list of such properties, to their duly elected successor. A copy of the itemized list shall be filed with the Treasurer.

*(Article B.3.3)*

(e) The Chief Steward shall:

- 1) attend all Board and regular membership meetings;
- 2) be familiar with the Collective Agreement and grievance procedures;
- 3) act as a resource for the membership in matters pertaining to the Collective Agreement;
- 4) closely communicate with the President and when required act as a channel of communication with management regarding grievances and disciplinary matters;
- 5) report to the Board and the regular membership meetings on the status of grievances and investigations;
- 6) maintain a list of **Information** Stewards approved by the Board;
- 7) bring forward the list of Board recommended **Information** Stewards to the November Annual General Membership Meeting for approval;

- 8) assist **Information** Stewards;
- 9) keep full and accurate records;
- 10) perform all duties as assigned by the Board;
- 11) take the Stewarding courses offered by CUPE Education;
- 12) take educational courses which will support their position on the Board and as directed by the President and approved by the membership;
- 13) on termination of office, surrender all books, records and other properties of the Local, including an itemized list of such properties, to their duly elected successor. A copy of the itemized list shall be filed with the Treasurer.

(f) The Executive Member shall:

- 1) attend all Board and regular membership meetings;
- 2) perform all duties as assigned by the Board, including communication on membership related issues;
- 3) serve as ex-officio member of committees as directed by the Board;
- 4) take educational courses which will support their position on the Board and as directed by the President and approved by the membership;
- 5) on termination of office, surrender all books, records and other properties of the Local, including an itemized list of such properties, to their duly elected successor. A copy of the itemized list shall be filed with the Treasurer.

(g) The Trustees shall:

- 1) act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, the Secretary and the committees in **the first quarter** of each year. Make a written report of their findings and recommendations at the at the first regular membership meeting following the completion of each audit;
- 2) 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 Treasurer in an organized, correct and proper manner;
- 3) ensure that proper financial reports are made to the membership by the Treasurer;
- 4) inspect 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;
- 5) Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
  - i. Completed Trustee Audit Program
  - ii. Completed Trustees' 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
  - vi. Concerns that have not been addressed by the Local Union Executive Board
- 6) take the Secretary-Treasurer's courses offered by CUPE Education;
  - 7) attend all regular membership meetings of the Local. Failure to answer the roll-call for three (3) consecutive regular membership meetings without having good and sufficient cause, their office shall be declared vacant and the position filled by an election at the following regular membership meeting.

*(Articles B.3.10 to B.3.12)*

(h) The Sergeant-at-Arms shall:

- 1) guard the inner door at regular 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;
- 2) assist in maintaining the record of membership attendance at regular membership meetings and send a copy of attendance to the Secretary before the next regular membership meeting;
- 3) perform all duties as assigned by the Board;
- 4) take educational courses which will support their position on the Board and as directed by the President and approved by the membership;
- 5) attend all regular membership meetings of the Local. Failure to answer the roll-call for three (3) consecutive regular membership meetings without having good and sufficient cause, their office shall be declared vacant and the position filled by an election at the following regular membership meeting;
- 6) on termination of office, surrender all books, records and other properties of the Local, including an itemized list of such properties, to their duly elected successor. A copy of the itemized list shall be filed with the Treasurer.

## **SECTION 9 – OUT OF POCKET EXPENSES**

(a) Out of Pocket Expenses

Receipts for out of pocket expenses must be presented within thirty (30) days of the date the expenses occurred.

- 1) The Board and Committee members shall be reimbursed for expenses, upon presentation of receipts to the Treasurer. These expenses shall include mileage rates as established by Canada Revenue Agency when these meetings occur outside the city of Calgary. These expenses shall include meals while on Union business, to a maximum of thirty-five dollars (\$35.00) per meal per person (but not including taxes or gratuities) cab fare, parking fees and supplies.

- 2) When the Board meets for a full day or half day to conduct the business of the Union, for example; Executive meetings, negotiations, mediations, arbitrations or other such business, meals will be provided to a maximum of thirty-five dollars (\$35.00) per meal per person (but not including taxes or gratuities).
- 3) All delegates to conventions, conferences, educational **workshops** and seminars held outside **the** city of Calgary, shall be paid a per diem allowance for the day of travel and for each day following an overnight stay as approved by the membership but not less than eighty-seven dollars (\$87.00) per day (but not including taxes or gratuities). **Expenses such as lodging and travel will be reimbursed by the local.**
- 4) Delegates **attending** educational **workshops** and seminars **within the city of Calgary** shall be given **thirty-five dollars (\$35.00)** per day.
- 5) Where events are held within the city of Calgary, the Board shall have the discretion to approve lodgings where deemed appropriate. Preference will be given to a unionized facility at all times.
- 6) Additional time for members of the Board and all other officers to perform their duties as outlined in these By-Laws shall be granted at the discretion of the President.

(b) Miscellaneous Expense Recovery

- 1) Members of the Board shall receive miscellaneous out of pocket expenses as the following:

<u>Position</u>	<u>Per Month</u>
Vice President	<b>\$200.00</b>
Chief Steward	<b>\$200.00</b>
Treasurer	<b>\$200.00</b>
Secretary	<b>\$200.00</b>
Executive Member	<b>\$200.00</b>

- 2) Automotive expenses for the position of President shall include mileage rates as established by Canada Revenue Agency, including AMA membership.

(c) Time Off on Union Business

- 1) All members shall be given time off to attend meetings or other business approved by the Board and/or the membership and shall be compensated for the amount equal to their present salaries and benefits lost.
- 2) No member may collect monies directly from the Local and the Employer for the same period of time. If a duplicate payment is made the member will refund the Local an amount fully equal to the duplicate payment.

(d) Child Care Provision

- 1) All members shall be reimbursed for out of pocket expenses for child care provisions when they attend union meetings or other business approved by the membership, upon presentation of receipts to the Treasurer.

## **SECTION 10 – FEES, DUES AND ASSESSMENTS**

### **(a) Initiation and Readmission Fee**

Each application for membership in the Local shall be directed to the Vice- President and shall be accompanied by an initiation fee or readmission fee of two dollars (\$2) which shall be in addition to monthly dues.

*(Articles B.4.1 & B.8.2)*

### **(b) Monthly Dues**

1) The monthly dues shall be an amount equal to the CUPE National percentage Per Capita plus one point one five percent (1.15 %).

*(Article B.4.3)*

2) Changes in the levels of the initiation fee or the dues can be affected only by following the procedure for amendment of these By-Laws (see Section 16), with the additional provision that the vote must be by secret ballot.

*(Article B.4.3)*

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

## **SECTION 11 – NON-PAYMENT OF DUES AND ASSESSMENTS**

Any member in arrears for a period of three (3) months or more shall be automatically suspended and the Treasurer shall report their suspension to the Board. The Board shall report to the next regular membership meeting with a recommendation. Any member under suspension wishing to be reinstated shall upon application, pay any dues and assessment in arrears. This money will be returned if the application is rejected. If a member has been unemployed or unable to work because of sickness, they may not be required to pay their arrears.

*(Article B.8.6)*

## **SECTION 12 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

### **(a) Nominations**

Nominations shall be received at the regular membership meeting held at the November Annual General Membership Meeting.

To be eligible for nomination, a member shall be a member in good standing. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting their consent in writing duly witnessed by another member.

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



(b) Elections

Prior to the election the CUPE representative shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and two (2) assistants. The Committee shall consist of members of the Local who are not 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.

- 1) The Board shall determine in advance the form of the ballot and ensure that sufficient quantities are made available to the Returning Officer.
- 2) The Returning Officer shall be responsible for issuing, collecting and counting ballots. They must be fair and impartial and see that all arrangements are unquestionably democratic.
- 3) The voting shall take place at the November Annual General Membership Meeting. The vote shall be by secret ballot.
- 4) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- 5) A majority of votes cast shall be required before any candidate can be declared elected, and second 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 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 regular membership meeting.
- 6) 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.
- 7) Immediately following any election, any member may request a recount of the votes for that election. 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 as laid down in Section 4(d).

(c) Installation

- 1) All duly elected Officers shall be installed at the meeting at which elections are held.
- 2) Upon completion of the election, the newly elected Officers and Board members shall come forward to the front of the room and clearly and audibly speak the following lines to the assembled members:

- 3) *“I, ....., do most sincerely promise, that I will truly and faithfully, to the best of my ability, perform the duties of my office, for the ensuing term, as prescribed in the Constitution and laws of the Canadian Union of Public Employees, and as an officer of this Union will at all times endeavour, both by counsel and example, to promote the harmony and preserve the dignity of its sessions. I further promise, that at the close of my official term, I will promptly deliver all monies, books, papers, or other property of this union to my duly elected successor in office.”*

(Article 11.7)

- 4) The term of office of all elected officers shall commence immediately following the adjournment of the meeting.

(d) Term

- 1) The term of office for all Officers, except Trustees, shall be two (2) years. The Officers elected shall be:

Odd Years:	President Treasurer Executive Member Sergeant-at-Arms 3 – Year Trustee
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Even Years:	Vice-President Secretary Chief Steward 3 – Year Trustee
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- 2) The terms of office for Trustees shall be as laid down in Article B.2.4 of the CUPE Constitution.
- 3) No member may hold more than one elected position on the Board.

(e) By-Elections

Should an office fall vacant for any reason, the resulting by-election shall be conducted in accordance with this Section (12) at the following regular membership meeting.

### **SECTION 13 – REPRESENTATIVES TO UNION FUNCTIONS**

- (a) To be eligible to attend Union conventions, conferences and educational seminars, a member shall have attended at least fifty percent (50%) of the membership meetings held in the previous twelve (12) months or in the period they were a member. The Board will have the authority to override the fifty percent (50%) attendance requirement to support participation as necessary.
- (b) Eligible members shall be given the opportunity at a regular membership meeting to represent the Union at such functions.

- (c) Except for the President's option (Section 8 [a]), all delegates to conventions and conferences shall be elected at a regular membership meeting.
- (d) Delegates will be reimbursed for the receipted costs for public transportation to and from the airport (or train/bus station) to an amount that does not exceed the lowest cost service available.
- (e) All delegates to conventions, conferences, educational institutes and seminars shall be required to give a verbal report at the next regular membership meeting. A written report will be submitted to the Board for possible publication within one (1) month of the conclusion of the convention, conference, educational institution or seminar.

## **SECTION 14 – COMMITTEES**

### Negotiating Committee:

The Committee shall:

- 1) be a special ad hoc committee established at least six (6) months prior to the expiry of the Local's Collective Agreement and automatically disbanded when a new Collective Agreement has been signed;
- 2) prepare collective bargaining proposals and negotiate a Collective Agreement;
- 3) consist of up to five (5) members, made up but not limited to the Board. 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;
- 4) have as its' chair the President of the Local **or designate** who will be empowered to sign-off clauses and conclude the Collective Agreement;
- 5) take Bargaining courses as directed by the Board.

### Grievance Committee:

The Committee shall:

- 1) Oversee the handling of all local grievances.
- 2) Receive copies of all grievances.
- 3) Prepare a report on the status of all grievances to be submitted to the Board, the National Representative, and to the membership meeting.
- 4) When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether or not the grievance should proceed to arbitration.
- 5) If the decision is to not proceed, the grievor(s) may appeal the decision to the Board.

The committee members will be the elected chairperson and two (2) officers. 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 at all stages.

#### Special Committees:

A special ad hoc committee may be established for a specified purpose and period by the Board, subject to the approval of the general membership.

### **SECTION 15 – 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 and particularly Appendix A may provide guidance. If the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

### **SECTION 16 – 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.

*(Articles 9.2(c), 13.3 & B.5.1)*

(b) These By-Laws shall not be amended, added to, or suspended except upon a two-thirds (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.

*(Articles 13.3 & B.5.1)*

(c) 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.

*(Articles 13.3 & B.5.1)*

## APPENDIX A – Parliamentary Procedures

- 1) The President or, in their absence, the Vice President shall take the Chair at all regular membership meetings. In the absence of both the President and Vice-President, the Treasurer shall act as President, and in their absence the Local shall choose a President pro-tem.
- 2) No member, except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than five (5) 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 (15) 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 resolution shall be in order.
- 6) On motion, the regular order of business may be suspended, by a two-thirds (2/3) vote of those present, to deal with any urgent business.
- 7) All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding Officer, be presented in writing before being put to the Local.
- 8) 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.
- 9) Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
- 10) When a member wishes to speak on a question or to make a motion, they shall rise in their place and respectfully address the presiding Officer, but, except to state that they rise to a point of order or on a question of privilege, they shall not proceed further until recognized by the Chair.
- 11) When two or more members rise to speak at the same time, the presiding Officer shall decide which one is entitled to the floor.
- 12) 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.

- 13) If a member, while speaking, is called to order, they shall cease speaking until the point is determined; if it is decided they are in order, they may again proceed.
- 14) No religious discussion shall be permitted.
- 15) 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.
- 16) The presiding Officer shall have the same rights as other members to vote on any question. In case of a tie, they may in addition give a casting vote, or, if they choose, refrain from breaking the tie, in which case the motion is lost.
- 17) When a motion is before the Local, no other motion shall be in order except
  - i. to adjourn,
  - ii. to put the previous question,
  - iii. to lay on the table,
  - iv. to postpone for a definite time,
  - v. to refer,
  - vi. to divide or amend, which motions shall have precedence in the order named. The first three (3) of these shall be decided without debate.
- 18) A motion for the previous question, when regularly moved and seconded shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
- 19) A motion to adjourn is in order except
  - i. when a member has the floorAnd
  - ii. when members are voting.
- 20) A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen (15) minutes has elapsed.
- 21) After the presiding Officer declares the vote on a question, and before the Local proceeds to another order to business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count it.
- 22) If any member wishes to challenge (appeal) a decision of the Chair they 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 their 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.
- 23) After a question has been decided, any two (2) members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.

- 24) No member shall be allowed to enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of Offices, or the taking of a vote.
- 25) 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.

## **APPENDIX B – Good of the Union**

Members in Good Standing will be eligible for the following acknowledgements from CUPE Local 1169.

- 1) A flower arrangement will be sent to a member who has been ill for more than one (1) week or to celebrate the birth or adoption of a child, but not to exceed one hundred dollars (\$100.00).
- 2) A flower arrangement will be sent in the event of the death of a member or within a member's family (refer to **the Bereavement** clause of the Collective Agreement), but not to exceed one hundred dollars (\$100.00).
- 3) Upon vacating their position as a member of the Board an appropriate acknowledgement in recognition of past service shall be decided by the Board.



## **APPENDIX C – Rh’ena Oake Scholarship**

The Rh’ena Oake Scholarship of one thousand dollars (\$1,000) will be awarded annually to a member of CUPE Local 1169 who is a member in good standing or the spouse or dependent of a member in good standing.

The Rh’ena Oake Scholarship is available for education or training from a recognized educational institution. (Public postsecondary institutions given authority to grant degrees, diplomas, and certificates through specific legislation are “recognized” institutions. A small number of private postsecondary institutions also have been given degree-granting authority, and these too are “recognized”.)

A scholarship application form with an essay (minimum of one thousand (1000) words) on “What Unions mean to me” must be submitted to the President, CUPE Local 1169 by June 1<sup>st</sup> of each year.

The successful Scholarship recipient will be notified by September 1<sup>st</sup> of the year in which the application is submitted. In the event that there are no recipients then two (2) scholarships will be offered the next year.

Upon providing official documentation indicating the course(s) that have been registered, the Local will remit monies directly to the successful recipient.

For purposes of awarding the Rh’ena Oake Scholarship a dependent will be defined as being a person of less than twenty-six (26) years of age and still residing in the family home.

Where both a member of the Local and a spouse or dependent of a member of the Local have applied for the Scholarship, preference will be given to a member of CUPE Local 1169.

\*Decisions of the Rh’ena Oake Scholarship committee will be final. The Rh’ena Oake Scholarship committee is comprised of the CUPE Local 1169 Board.

## **APPENDIX D – Political Action**

- 1) The Board is authorized to acknowledge non-CUPE members when deemed appropriate.
- 2) The Board is expected to promote the interests of the membership throughout the Labour movement.

## ***APPENDIX E – Personal Information Policy***

***Located on the Local's website [www.cupe1169.ca](http://www.cupe1169.ca)***

## ***APPENDIX F – Code of Conduct***

***Located on the Local's website [www.cupe1169.ca](http://www.cupe1169.ca)***