

CUPE 403 BYLAWS



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INTRODUCTION

Local 403 of the Canadian Union of Public Employees 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.
- Promote the efficiency of public services.
- Express its belief in the unity of organized labour.

The following bylaws are adopted by Local 403 in accordance with the CUPE National Constitution. 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.

Local 403 as a chartered organization will respect and apply the CUPE National Equality Statement to all its activities. The CUPE National Equality Statement can be found in Appendix A to these bylaws.

Local 403 as a chartered organization will respect and apply the Code of Conduct that applies to all its activities including membership meetings and other functions organized by the Local. The Code of Conduct can be found in Appendix B to these bylaws.

BYLAWS

SECTION 1: NAME

The name of this Local will be Canadian Union of Public Employees, Local No. 403 (Township of Langley Municipal Workers).

SECTION 2: OBJECTIVES

The objectives of the Local 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 negotiation and mediation of all the disputes between the members and their employers.
- d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears.
- e) Establish strong working relationships with the public we serve and the communities in which we work and live.
- f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.
- g) Support and organize workers in the Municipal Sector and public services.

SECTION 3: INTERPRETATIONS & DEFINITIONS

Local bylaws must be read in conjunction with the CUPE National Constitution.

SECTION 4: MEMBERSHIP

a) **Membership**

An individual employed within the jurisdiction of Local 403 will apply for membership in Local 403 by signing an application and paying the initiation fee set out in the National Constitution and Section 16 (a) of these bylaws.

b) **Oath of Membership**

New members will take the oath of membership in accordance with the CUPE National Constitution and appendix D of these bylaws:

c) **Continuation of Membership**

A member continues as a member in good standing while employed within the jurisdiction of Local 403 unless the member loses good standing under the provisions of the CUPE National Constitution.

d) **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, primary telephone number and email 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.

Upon request, Local 403 may share the telephone contact information with CUPE National or CUPE BC. The purpose of sharing this telephone contact information is so that the National Union or Provincial Division can communicate with members on important matters.

SECTION 5: MEMBERSHIP MEETINGS – REGULAR & SPECIAL

- a) Regular membership meetings will be held a minimum of ten (10) times in a calendar year and will normally be held each month on the second Tuesday at 5:00 p.m. If a statutory holiday intervenes, the Executive Board will give at least seven (7) days' notice of any change in the date of the regular meeting. Notice of each regular membership meeting outlining the date, time and location will be provided to members at least (7) seven days in advance of the meeting.

- b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than fifteen (15) members. The President or designate will immediately call a special meeting when so ordered or requested and will see that all members receive at least twenty-four (24) hours' notice of the special meeting, the date, time, location and the subject(s) to be discussed. No business will be transacted at the special meeting other than that for which the meeting is called, and notice given.

- c) A quorum for the transaction of business at any regular or special meeting will be fifteen (15) members, including at least four (4) members of the Executive Board.

- d) The order of business at regular membership meetings is as follows:
 - 1. Territorial Acknowledgement
 - 2. Roll Call of Officers
 - 3. Reading of the Equality Statement
 - 4. New Members and Initiations
 - 5. Review and approval of Minutes of Previous Meeting(s)
 - 6. Matters Arising from the Minutes
 - 7. Communications and Correspondence
 - 8. President and Executive Board Report
 - 9. Reports of Committees and Delegates
 - 10. Nominations, Elections, or Installations
 - 11. Unfinished Business
 - 12. New Business
 - 13. Secretary-Treasurer's Report
 - 14. Good of the Union
 - 15. Adjournment

SECTION 6: AFFILIATIONS

In order to strengthen the labour movement and work toward common goals and objectives, Local 403 will be affiliated to and pay per capita tax to the following organizations:

CUPE BC Provincial Division
Fraser Valley District Council
BC Federation of Labour
Fraser Valley Labour Council
New Westminster & District Labour Council

SECTION 7: OFFICERS

The Officers of the Local will be:

President
1st Vice-President
2nd Vice-President
Secretary-Treasurer
Recording-Secretary
Lead Steward
Membership Officer
six (6) Members @ Large
three (3) Trustees.

All Officers will be elected by the membership in accordance with these bylaws.

SECTION 8: SIGNATORIES

- A) The authorized signing officers will be the President, 1st Vice-President and Recording-Secretary; and these officers will affix their signatures to all documents on behalf of the Union.
- B) For the purposes of the treasury, the authorized signing officers will be the President, Secretary-Treasurer and Recording-Secretary.

SECTION 9: EXECUTIVE BOARD

- a) The Executive Board will be comprised of all Officers, except Trustees.
- b) The Executive Board will meet at least once (1) every month.
- c) A majority of the Executive Board constitutes a quorum.
- d) The Executive Officers will hold title to any real estate of the Local as trustees for the Local. They will 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 will do the work delegated to it by the Local and will 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 National Constitution.
- g) Should any Executive Board member fail to answer the roll call for three (3) consecutive regular membership meetings or three (3) consecutive Executive board meetings, the member will have their office declared vacant, unless a valid reason acceptable to the Local has been given for non-attendance. The vacant position will be filled by an elected member in accordance with these bylaws at the following membership meeting.

SECTION 10: DUTIES OF OFFICERS

a) **The President shall:**

- enforce the CUPE Constitution and these Bylaws;
- preside at all membership and Executive Board meetings and preserve order;
- decide all points of order and procedure (subject always to the appeal of the membership);
- have a vote on all matters (except appeals against his rulings), and in case of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie;
- 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;
- ensure that the Local's funds are used only as authorized or directed by the Constitution, Bylaws or vote of the membership;
- authorize the reimbursement of Officers for expenses supported by vouchers, on behalf of the Local;
- have first preference as a delegate to the CUPE National Convention, CUPE B.C. Convention, B.C. Federation of Labour Convention and the CLC Convention;
- and shall transact such other business as may be necessary for the proper functioning of the Union;
- President and/or Recording Secretary shall be privacy officer;
President or designate will retain a delegate spot for all Labour and District Council's which CUPE 403 is affiliated.

b) **The 1st Vice-President shall:**

- if the President is absent or incapacitated, perform all duties of the President;
- if the office of the President falls vacant, be Acting President until a new President is elected;
- render assistance to any member of the Executive Board as directed by the Board.

c) **The 2nd Vice-President shall:**

- be responsible for communications (ie. website) and/or public relations;
- if the President and 1st Vice-President is absent or incapacitated, perform all duties of the President;
- will perform the duties of the Recording Secretary in his absence
- perform such other duties as may be assigned by the Executive Board from time to time.

d) **The Secretary-Treasurer shall:**

- receive all revenue, initiation fees, dues, 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 as set out by the National Constitution;
- record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices;
- be bonded for the amount set by the National Union through the master bond held by the National Office;
- pay no money unless supported by a voucher duly signed by the President or two members of the Executive 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 annually;
- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds.

e) **The Recording Secretary shall:**

- keep full, accurate and impartial account of the proceedings of all regular or special membership and Board meetings;
- record all alterations in the Bylaws;
- answer correspondence and fulfill other secretarial duties as directed by the Executive Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to members;
- have all records ready on reasonable notice for auditors and Trustees;
- preside over membership and Executive Board meetings in the absence of both the President and the 1st and 2nd Vice-Presidents;
- ensure the President, Secretary-Treasurer and Recording-Secretary sign the minutes of the regular membership meeting;
- Recording Secretary and/or President shall be privacy officer.

f) **The Chief Shop Steward shall:**

- protect the rights and interests of all Local members;
- report all transactions and communications with Management to the Executive Board;
- hold meetings from time to time or as necessary with all shop stewards;
- report status of grievances at Regular Monthly meetings.

g) **The Sergeant at Arms shall:**

- 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;
- perform such other duties as may be assigned by the Executive Board from time to time.

h) **Members at Large**

- provide representation for their respective work site and/or work group
- know and police the Collective Agreement for the benefit of the members of the Local
- encourage the participation of all members of the Local in union activity
- maintain daily contact with the members from their respective work site and/or work group
- provide ongoing Local awareness and education
- define, detect, prepare and present grievances at the initial level
- perform such other duties as may be assigned by the Executive Board from time to time.

i) **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 annually;
- report their findings to the first membership meeting following the completion of each audit;
- 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 once a year; any stocks, bonds, securities, office furniture and equipment, titles or deeds to property that may at any time be owned by the Local and report their findings to the membership;
- use audit forms supplied by the National Office and send a copy of each half-yearly audit to the Nation Secretary-Treasurer in accordance with the provisions of the CUPE Constitution.

SECTION 11: STEWARDS

Stewards will be appointed by the Executive Board from those members interested, and such appointments will be reported at the next membership meeting.

The duties of the Steward will include:

- knowing and policing the Collective Agreement for the benefit of members.
- providing communications and information from members to the Executive Board, and from the Executive Board to members.
- distribution of union literature.
- encouraging the participation of all members in union activity.
- maintaining daily contact with members to provide ongoing union awareness and education.
- perform such other duties as may be assigned by the Executive Board from time to time.

SECTION 11: OUT OF POCKET EXPENSES

Any changes to out of pocket expenses to be paid to any Officer of the Local shall be left up to the trustees and members and the annual budget process.

SECTION 12: FULL-TIME REPRESENTATIVE

The Local will maintain a position of Full-Time Representative with the pay grade to be that of the individual undertaking said role plus ten (10%) percent. This person shall be on a leave of absence as per the Collective Agreement.

The Full-Time Representative shall be reimbursed the cost of business car insurance for his personal vehicle while serving in the position.

The Full-Time Representative will perform duties and carry out projects as assigned by the Executive Board.

It shall be within the competence of the Executive Board to recommend for appointment the position of the Full-Time Representative.

SECTION 13: TERM OF OFFICE

Except for the Trustees, the term of office for the Officers will be for two (2) years.

Trustees will be elected for a three (3) year term.

The:

President
2nd Vice President
Recording-Secretary
Lead Steward
Member @ Large - Protective Services
Member @ Large - Recreation and Culture

will be elected on the **even year**

The:

1st Vice-President
Secretary-Treasurer
Membership Officer
Member @ Large - Civic Facility
Member @ Large - Operations
Member @ Large - Indigenous Worker
Member @ Large - Auxiliary Worker

will be elected on the **odd year**.

The following positions are open to members working in the identified facility/work group.

Member @ Large - Protective Services
Member @ Large - Recreation and Culture
Member @ Large - Civic Facility
Member @ Large – Operations

The following position is open to members whom self-identify as Indigenous.

Member @ Large - Indigenous Worker

The following position is open to members who exclusively work as an Auxiliary.

Member @ Large - Auxiliary Worker

SECTION 14: NOMINATIONS, ELECTION & INSTALLATION OF OFFICERS

a) Nominations:

Nominations for the positions of:

President,
1st Vice-President
2nd Vice-President
Secretary-Treasurer
Recording-Secretary
Lead Steward
Membership Officer

Will be received at the regular membership meeting held in the month of April.
Elections will be held in May.

Nominations for the positions of:

Member @ Large	Protective Services
Member @ Large	Recreation and Culture
Member @ Large	Civic Facility
Member @ Large	Operations
Member @ Large	Indigenous Worker
Member @ Large	Auxiliary Worker

will be received at the regular membership meeting held in the month of May.
Elections will be held in June.

Nominations for trustee will be received at the regular membership meeting held in the month of April. Thereafter, at each succeeding May General Membership Meeting there will be elected one Trustee to fill the place of the Trustee whose term of office expires. The Trustee so elected will hold office for three (3) years from such election. Election will be held in May.

b) Eligibility for Office:

- (1) To be eligible for nomination for any office in this Local Union, it is necessary that the nominee be a member in good standing of the local.
- (2) No nomination will be accepted unless the member attends the nomination meeting or has allowed to be filed at the meeting their consent in writing, duly witnessed by another member.
- (3) A member may hold only one (1) office in the Local Union at any one time.
- (4) To be eligible for nomination, the nominee must have been accepted into the membership and continue to be a member in good standing.
- (5) 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.

c) Elections:

- (1) At an election meeting the President will, subject to the approval of the members present, appoint a Returning Officer and assistant(s). The Committee will include members of the Local who are neither Officers nor candidates for office. It will have full responsibility for voting arrangements and will treat information submitted to the Committee in connection with its responsibilities as confidential.
- (2) The Executive Board will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- (3) 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.
- (4) The vote will be by secret ballot.
- (5) Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
- (6) A majority of votes cast will be required before any candidate can be declared elected, and a second and subsequent ballot(s) will be taken, if necessary, to obtain a majority. On the second and subsequent ballot(s), the candidate receiving the lowest number of votes in the previous ballot will be dropped. In case of a final 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.

(7) When two (2) or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

(8) Any member may request a recount of the votes for any election. A recount will 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 5 (c).

9) Installation:

All duly elected officers will be installed at the meeting at which elections are held and will continue in office for two (2) years or until a successor has been elected and installed, providing however, that no term of office, except for Trustees, will be longer than two (2) years.

10) By-Elections:

Should any 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. The by-election will be held as soon as is practical after the vacancy occurs.

SECTION 15: HONORARIUMS

SECTION 16: FEES, DUES & ASSESSMENTS

- **Initiation Fee:** Each application for membership in the Local will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of ten (\$10) dollars which will be in addition to monthly dues. The Secretary-Treasurer will issue a receipt. If the application is rejected, the fee will be returned.
- **Re-admittance Fee:** The re-admittance fee will be ten (\$10) dollars.
- **Monthly Dues:** The monthly dues will be 2.18% of regular wages.

Changes in the levels of the initiation fee, the re-admittance fee, or the monthly dues can be effected only by following the procedure for amendment of these Bylaws, with the additional provision that the vote must be by secret ballot.

Notwithstanding the above provisions, if the CUPE National Convention raises minimum fees and/or dues above the level herein established, these Bylaws will be deemed to be automatically amended to conform to the new CUPE minima.

Special assessments may be levied in accordance with the CUPE National Constitutio

Non-payment of dues and assessments

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a Re-admittance fee and all arrears.

SECTION 17: EXPENDITURES

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.

Through a vote of a majority of members present and voting at a regular or special membership meeting.

SECTION 18: REIMBURSEMENTS: OUT OF POCKET EXPENSES & DISBURSEMENTS

- 1) Any Member absent from work on authorized Local business shall be fully compensated by the Local for loss of wages and for any other expenses properly incurred.
- 2) Members in good standing, upon proof of retirement only, will be eligible for the amount of two-hundred and fifty (\$250) dollars. To qualify, they must have been a member of the Local for a minimum of five (5) years.

SECTION 19: DELEGATES TO CONVENTIONS

- a) The President will have first option to attend conventions followed by the remaining Executive Board and Stewards. Should the delegate entitlement not be fulfilled, then the Executive Board will make a recommendation with priority going to active members. Such recommendation will be subject to the membership's approval.
- b) All delegates selected to attend conventions will be compensated for accommodations, loss of wages and transportation expenses (at economy, tourist or coach rates).
- c) All delegates selected will receive a per diem in accordance with the CUPE B.C. Expense Policy and compensation for mileage if applicable, in accordance with the CUPE BC Expense Policy

SECTION 20: DELEGATES TO DISTRICT AND LABOUR COUNCILS

- a) The President or designate will retain one delegate spot at:
 - Fraser Valley District Council (FVDC)
 - New Westminster & District Labour Council (NWDLC)
 - Fraser Valley Labour Council (FVLC)
- b) It will be within the competence of the Executive Board to appoint the remaining delegates to District and Labour Councils.
- c) Delegates attending District and Labour Council meetings will be entitled to a per diem in accordance with the CUPE BC Expense Policy and compensation for mileage in accordance with the CUPE BC Expense Policy.

SECTION 21: REPRESENTATIVES TO EDUCATIONAL OPPORTUNITIES

- a) Representation at educational institutes and seminars will be on the recommendation of the Executive Board.
- b) Representatives selected to attend educational opportunities are required to meet the criteria of the Education Policy in Appendix "E" of these bylaws.
- €) Representatives selected to attend educational opportunities held outside the Township of Langley will be compensated for accommodations, loss of wages and transportation expenses (at economy, tourist or coach rates).
- ⊘) Representatives attending educational opportunities will receive a per diem in accordance with the CUPE B.C. Expense Policy and will be compensated for loss of wages and mileage if applicable.
- e) Direct expenses incurred (i.e. dependant care) by a representative attending educational or other seminars shall be reimbursed in accordance with the CUPE B.C. Expense Policy.

SECTION 22: COMMITTEES

a) **Negotiation Committee**

This shall be a committee established at least seven (7) months prior to the expiry of the Local's collective agreement and is 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 be comprised of the President, 1st Vice-President, and three (3) members to be recommended by the Executive Board (one of whom will be designated as minute-taker), plus one (1) alternate member elected at a membership meeting. To be eligible for nomination for the Negotiation Committee, it is necessary that such nominee shall have attended at least sixty percent (60%) of the membership meetings held in the previous twelve (12) months.

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.

b) **Special Committee(s)**

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

c) **Standing Committees**

The Chairman of each standing committee shall be elected by the members at a membership meeting. The Chairman and the Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a committee. The 1st Vice-President shall be a member, ex-officio, of the Grievance and Safety committees. The 2nd Vice-President shall be a member, ex-officio, of the Education and Social committees. The four (4) Standing Committees will be as follows:

(1) **Grievance Committee**

This Committee shall process all grievances not settled at the initial stage and its reports shall be submitted first to the Executive Board, with a copy to the CUPE Representative, and then to a membership meeting. Grievances must be in writing and signed by the grievor(s) or officer of the local. The Committee shall be comprised of the Chief Shop Steward and two (2) other members of the Executive Board. The Committee shall appoint its secretary from among its members.

(2) Education Committee

It shall be the duty of this Committee to:

- arrange for representation of the Local at any appropriate and available educational seminars or conferences and submit recommendations accordingly to the Executive Board;
- Instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain reference files of these reports;
- Co-operate with the Executive Board in preparing press releases and other publicity material;
- Co-operate with the Education and Public Relations Departments of CUPE, and with the Regional Education Representative, in implementing both the Local and CUPE's policies in these fields. The Committee shall comprise between two (2) and four (4) members and shall appoint its secretary from among its members.

(3) Safety Committee

It shall be the duty of this committee to:

- assist management in creating a safe place to work, and to recommend to management, actions, which will assist in improving the effectiveness of the accident-prevention program.
- To record recommendations from the Local members in respect to accident prevention matters that have not been dealt with satisfactorily through regular channels;
- To hold regular monthly meetings with management. The Committee shall consist of two (2) full-time members. Two (2) alternates to be elected to attend meetings when a full-time member is unable to.

(4) Social Committee

It is the function of the Committee to arrange and conduct all social and recreational activities of the Local either on the Committees own initiative or as a result of decisions taken at membership meetings. The Committee shall submit reports and proposals to the Executive Board or to the membership as required. A ceiling for the Committee's net expenditures shall be fixed annually by the membership but, other than, all social and recreational events and activities shall be self-supporting. The Executive Board shall be held responsible for the proper and effective functioning of this Committee. The Committee shall comprise between four (4) and six (6) members and may appoint a Secretary-Treasurer from among its members.

SECTION 23: RULES OF ORDER

All meetings of the Local will 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 the Bylaws as Appendix "C". These rules will 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 will be consulted and applied.

SECTION 24: LETTERS OF UNDERSTANDING

Any member, Officer or Representative of the Local shall not sign a Letter of Understanding (LOU) with the Employer unless approved by a majority vote of those present and voting at a regular or special membership meeting.

SECTION 25: HONOURARY LIFE MEMBERSHIP

Honorary Life Memberships

The Membership may confer an “Honorary Life Membership” upon a Member who has rendered valued service to this Union. Such Honorary Life Membership shall, after the Member has ceased to become an Active Member, entitle the holder to attend all Meetings, Functions, etc., but shall not entitle the holder to vote or hold office.

SECTION 26: STAFF (MOVEUP)

SECTION 27: AMENDMENT

- a) These bylaws are subordinate to the CUPE National Constitution (including Appendix “B”), as it now exists or may be amended from time to time. In the event of any conflict between these bylaws and the CUPE National Constitution, the latter will govern. The National President has the sole authority to interpret the CUPE Constitution.
- b) These bylaws will not be amended or added to except upon a majority vote of those present and voting at a regular membership meeting or a special membership meeting.
- c) Notice of the intention to propose amendments or add to the bylaws will be given at least seven (7) days before at a membership meeting or sixty (60) days before in writing.
- d) No change in these bylaws will be valid and take effect until approved by the National President of CUPE. The validity will date from the letter of approval of the National President.

SECTION 28: PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 403 bylaws, either in paper format or via the Local 403 website at www.cupe403.ca. Members may request a copy of the bylaws in larger font.

APPENDIX "A"

EQUALITY STATEMENT

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

CUPE 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 any other union events organized by CUPE National, Local 403, or any other CUPE chartered body. 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 CUPE bodies. 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. A complaint shall be brought to the attention of an ombudsperson when there is one available. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
3. The ombudsperson or the person in charge will work to seek a resolution. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge. The person in charge has the authority to expel members from the event for serious or persistent offenses.
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 CUPE chartered organization, the complaint shall be referred to the person responsible for their employment.
5. If the person in charge is a party to the complaint, an alternate will be designated to assume the role.
6. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For other events, the presiding officer shall receive a report on the matter.
7. 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. For other events, the presiding officer shall consult the National President.

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 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 under Appendix F of the CUPE National Constitution.

APPENDIX "C"

RULES OF ORDER

1. The President will be the chairperson at all membership meetings. In the absence of the President, the 1st Vice-President will be the chairperson. In the absence of the President and the 1st Vice-President, the 2nd Vice-President will be the chairperson. In the absence of the President, the 1st Vice-President, and the 2nd Vice-President, the Recording Secretary will be the chairperson. In the absence of the President, the 1st Vice-President, the 2nd Vice-President, and the Recording Secretary, the Secretary Treasurer will be the chairperson. Quorum rules must be met.
2. Members may speak about an issue for up to three (3) minutes. Members can only speak again to an issue once all those wishing to speak for the first time 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 five (5) minutes. With the agreement of the members present, the time may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before voting the Chairperson will ask:

Ifs 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 be recognized by the chairperson.
6. A motion to amend a motion, or a motion to amend an amendment is 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 not allowed.
8. On motion, the regular order of business at a membership meeting may be suspended by a two-thirds (2/3) vote of those present. 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 before 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 with the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn by a unanimous vote of the members present.

12. A member who wishes to speak on a motion, or to move a motion, will rise and respectfully address the Chairperson. The member will not proceed until recognized by the Chairperson except where the member rises on a point of order or on a point of privilege.
13. The Chairperson will maintain a speakers list and will determine the order of speakers including circumstances where two (2) or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members will not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will not speak in a manner that reflects poorly on the 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 will not be allowed
17. The Chairperson will not take part in debate. Where the Chairperson wishes to speak on a motion, or where the Chairperson wishes to move a motion, the Chairperson must hand the chair over as outlined in Rule #1.
18. The Chairperson will have the same rights to vote as other members. In the case of a tie vote, the Chairperson may cast an additional 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, (6) divide or amend. These six (6) motions will have precedence in the order indicated.-Motions one (1) through three (3) will be decided without debate.
20. When A motion to put the previous question, is moved and seconded, the Chairperson will ask "Will the main question now be put?" If it is approved, the Chairperson will 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 union, until fifteen (15) minutes have elapsed.
23. After the Chairperson declares the vote results on a motion, and before the union proceeds to another order of business, any member may ask for a standing vote. A standing vote 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 basis for the decision. Following

immediately and without debate, the Chairperson will ask, “Will the decision of the chair be upheld?” A majority vote will decide. In the event of a tie vote, the decision of the chair is upheld.

25. At a membership meeting where a motion has been decided any two (2) members who voted with the majority may give notice of a motion to reconsider at the next membership meeting. The motion to reconsider requires a two-thirds majority of members who vote.
26. No member will enter or leave a meeting while the doors are tiled.
27. The Union’s business and the proceedings of meetings are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

APPENDIX “D”

OATHS

NEW MEMBERS INITIATION OATH

“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.”

NEWLY-ELECTED OFFICERS OATH

“I, (name) , 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.”

APPENDIX “E”

EDUCATION POLICY

This policy addresses the extensive weeklong educational courses that are offered to the various locals and/or unions. These would include:

Canadian Labour Congress Harrison Winter School
CUPE Spring and Fall Schools.

As CUPE 403 members are paying the wages, accommodation, registration fees and all other related costs for a member to attend the week-long courses, the following criteria must be met:

- Attendance and courses approved by the Executive Board and Membership.
- Courses taken must benefit the membership as a whole.
- Newly involved members restricted to Level I and II courses.
- Restrict Level IV courses to proven interested members.
- Must be active within the local (i.e. executive; shop steward; regular attendance at meetings).
- Use the knowledge gained actively within the local.
- Submit a report to the membership on course attended.

APPENDIX “F”

SPONSORSHIP POLICY

Purpose of Policy

The purpose of the Sponsorship Policy is to guide the membership of CUPE Local 403 in their decisions regarding sponsorship of activities involving CUPE Local 403 and its members.

The intent of sponsorship is to strengthen the cause of CUPE Local 403 both internally and externally within the community. In this regard, events and activities where CUPE Local 403’s reputation is enhanced in the community will be given priority.

The policy defines and outlines different categories.

CUPE Local 403 will be referred to as the Local throughout this policy.

Who is Eligible to Apply?

Local members.

What Activities are Eligible?

Eligible activities include, but are not limited to:

- Registration fees for sporting activities where the Local is to be represented
- Prizes and food for activities where members and their families are participating
- Parade registration for parade floats promoting the Local
- “giveaways” at community events which promotes the Local
- table rentals and registrations at fairs and demonstrations where the Local can be promoted
- registration fees at competitions where the Local can be promoted as a supporter of the competing member
- support of CUPE members campaigning for municipal and provincial office or school trustee.

When to Apply for Sponsorship

- Application for sponsorship must be done prior to the event. Timelines outlined in Sponsorship Categories further below.
- It is recommended that the Executive Board be informed of the sponsorship proposal so as to inform members through the website and other communications.
- Sponsorships will be granted on a first come first served basis.
- No retroactive sponsorship will be supported.

Benefits to CUPE Local 403

Each application for financial support will demonstrate the benefits the membership at large can expect to receive.

Explanation about the benefits to the Local will include but will not be limited to the following:

- how the Local will be promoted (i.e. banners, logos, display of credit line)?
- how many members of the general public will the sponsorship impact (i.e. how many people will have greater awareness of the Local)?
- how does the proposal enhance the unity and/or solidarity of the Local?
- does the event and the sponsorship reflect goodwill to the general public?
- how will the credit line: "Sponsored by CUPE Local 403" be displayed?
- how many union members are involved?

The following points should be included with any request so that the membership can fully consider its sponsorship options:

- history or potential history of the event
- does lack of financial support jeopardize participation in the event?

Sponsorship Category #1: \$100.00 or less

A sum of \$100.00 or less does not require notification prior to a membership meeting. A motion can be brought forward from the floor.

Sponsorship Category #2: \$100.00 to \$350.00

For an amount of \$100 to \$350, a verbal presentation must be provided at the membership meeting prior to the event occurring. Further, notification of the sponsorship request must be posted on the website and meeting notice at least one (1) week prior to presentation to the membership.

Sponsorship Category #3: Over \$350.00

If the amount requested exceeds \$350.00, a verbal presentation of the benefits to the membership at large must be submitted to the Executive Board at least two (2) meetings prior to the event.

The Executive Board will bring the request to the membership's attention at least two (2) meetings prior to the event. This will allow time for the membership to consider the application without jeopardizing the activity.

Financial Restrictions for Sponsorship

- Up to 2% of the annual budget of the Local may be spent on sponsorship of activities outlined in this policy.
- Financial tracking of sponsorships will be a line item in the budget so that the membership can refer to it for guidance in its decisions.

Assets Resulting from Sponsorship

Assets, which do not directly relate to the business of the Local, are to be avoided if at all possible, unless specified otherwise in original sponsorship proposal.

All resulting assets or revenue created by sponsorship will become the property of the Local, unless specified otherwise in original sponsorship proposal.

If accumulation of assets such as, but not limited to, sporting equipment, uniforms, banners or parade floats cannot be avoided the Executive Board will determine the best way to maintain control and accountability, unless specified otherwise in original sponsorship proposal.

A request for a deposit from the member(s) using the asset may be requested by the Executive Board.

The onus will be on the members using the asset to return it in good working order at its determined due date. Failure to comply will forfeit any deposit.