



**CANADIAN UNION
OF
PUBLIC EMPLOYEES**

BYLAWS

May 10, 2013

(Approved by National _____)

***TIMMINS AND DISTRICT
CUPE COUNCIL
2013***

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TIMMINS AND DISTRICT CUPE COUNCIL BYLAWS
2013**

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ARTICLE 1 ---NAME

1.01 a) This Council, chartered by the Canadian Union of Public Employees, shall be known as the Timmins and District CUPE Council and shall be subject to the constitution of the Canadian Union of Public Employees.

b) District shall be defined as those locals serviced by the Timmins area office.

ARTICLE 2 ---AIMS AND OBJECTIVES

2.01 The aims and objectives of this Council shall be:

1. To support the principles and policies of the Canadian Union of Public employees.
2. To communicate and network with Locals, divisions and CUPE National.
3. To use its influence to unite its affiliates in co-ordinating a collective bargaining program.
4. To assist in the organization of the unorganized public employees in the locality into unions for their mutual aid, protection and advancement.
5. To aid and encourage the sale and use of union made goods and services.
6. To secure legislation which will safeguard and improve the rights of public employees through maximum participation of its affiliates in the overall program of the Canadian Union of Public Employees and through the maximum participation of the Council in municipal affairs.
7. To develop a good public image of CUPE members providing services in the community.
8. To provide the best possible educational programs for the Locals.

ARTICLE 3 ---MEMBERSHIP

3.01 Membership in this Council shall be open to all local unions in Timmins and the District chartered by the Canadian Union of Public Employees. To remain an affiliate, a local must abide by the Constitution and By-laws of this Council.

3.02 This Council will not be dissolved while there are five (5) local unions remaining in affiliation.

ARTICLE 4 ---REPRESENTATION

- 4.01 Each affiliated local union shall be entitled to have two (2) voting delegates present at any regular or special meeting of the council. Alternate delegates may be appointed or elected by each affiliate, but each affiliate will be allowed only two (2) voting delegates at any meeting.
- 4.02 Each affiliated local union shall notify the Council in writing, of the names of the delegates/alternates who will be representing their local on the Council.
- 4.03 Any affiliate, which is three (3) months or more in arrears in per capita payment to the council, may be liable to suspension of affiliation.
- 4.04 If after disaffiliation voluntary or because of arrears in per capita tax all delinquent tax owing must be paid before affiliation may again occur. Arrears may be waived on a case by case basis by the Council.
- 4.05 National Executive Board members, CUPE Ontario Executive Board members and Staff Representatives may attend Council meetings with voice, but without vote.
- 4.06 Unaffiliated locals of CUPE in our jurisdiction may attend meetings of the council with voice but no vote after asking and receiving permission from the executive as guests for the purpose of observing for future affiliations.

ARTICLE 5 ---AFFILIATION FEES

- 5.01 Each affiliated local shall pay a per capita payment of twenty (20) cents per member per month.
- Per capita to the Council shall be paid yearly in advance and shall be paid on the same basis as per capita payments to the Canadian Union of Public Employees.
- 5.02 Each application for membership in the Council shall be directed to the Secretary Treasurer. The Secretary Treasurer shall issue a receipt. If the application is rejected the fee shall be returned.
- 5.03 All monies collected by the Treasurer for per capita payment or from any other source, shall remain in the property of the Council until properly expended. Any affiliate ceasing to be an active member shall forfeit all rights, title and interest, in and to, the property of this council, or any part thereof.

ARTICLE 6 ---OFFICERS AND ELECTIONS

- 6.01 the Officers of the Council shall consist of: President, Vice President, Recording Secretary, Secretary-Treasurer, three (3) trustees and three (3) Members-at-Large. As new locals affiliate to the Council the number of Executive Members-at-Large shall increase, one new Member-at-Large per new Affiliate to a maximum of five (5). These officers, with the exception of the Trustees, shall constitute the Executive Committee.

- 6.02 All officers shall be elected from the delegates at large.
- 6.03 there shall not be more than two (2) members of the Executive Committee from the same local union affiliate.
- 6.04 All candidates for office shall be fully accredited delegates to the Council.
- 6.05 Nominations and elections shall take place every two (2) years at the April meeting. The installation of Officers shall take place at the meeting in which they were elected.

Trustees

At the first election of officers in the council the trustees shall be elected so that; one shall serve for a period of three (3) years, one for two (2) years and one for (1) year. Each year one thereafter the council shall elect one trustee for a three (3) year period or, in the case of vacancies occurring, elect trustees to fill only the unexpired term in order to preserve overlapping terms of office.

- 6.06 No delegate may be nominated for office in the Council unless present at the nomination and election meeting, or unless the proposer has official consent in writing. Only accredited delegates may be nominated to any office in the Council or as a delegate to a convention.
- 6.07 Election of Officers shall be by secret ballot and the Presiding Officer will appoint a Returning Officer and Scrutineers from among the delegates to count them.
- 6.08 In the event of a vacancy in any office, the President shall select a member to fill the vacancy until an election can be held. In the case of a vacancy in the position of President, the Vice-president shall perform the duties of President until a successor is elected. An election shall be called as soon as possible after the vacancy occurs.
- 6.09 Any candidate may appeal for a recount of votes at the election meeting.
- 6.10 Any Executive member missing three (3) meetings without having submitted a good reason for such absence shall be declared vacant and will be re-elected at the next regular meeting.

No delegate may be nominated to an office in the Council or as a delegate to a convention unless he/she has attended three (3) regular meetings of the Council in the previous year. If he/she has not attended three (3) meetings this nomination shall be accepted only with unanimous approval of the delegates at the meeting.

ARTICLE 7 ---DUTIES OF OFFICERS

7.01 President

It shall be the duty of the President at all meetings of the council, to preserve order and decorum, and to enforce the Constitution and By-laws. The President shall be spokesperson for all delegations representing the Council unless another member has been appointed to do so, or unless as provided for in Article 8. The President shall carry out such other duties as are required by the delegates. The President shall sign all official documents and shall be one of the

signing officers for the disbursement of funds. The President shall be an ex-officio member of all committees.

7.02 Vice-President

It shall be the duty of the Vice-President to assist the President and in the absence of the President to discharge the duties of the President. The Vice-President shall keep a record of all members present at all meetings of the Council. The Vice-President shall be one of the signing officers for the disbursement of funds. On request of the President, the Vice-President shall act in the absence of either the Recording Secretary or the Secretary-Treasurer.

7.03 Recording Secretary

It shall be the duty of the Recording Secretary to keep full and impartial records of the proceedings at all meetings of this Council. The Recording Secretary shall read same at all general meetings and submit them for the signature of the presiding officer. The Recording Secretary shall refer all correspondence/communications to the Executive Committee or the Presiding Officer and read such as requested. The Recording Secretary shall record all officers present at every meeting, shall notify all members when there is to be a meeting. The Recording Secretary shall handle all incoming and outgoing correspondence. The Recording Secretary along with the President shall prepare an Agenda to be sent to all Local Unions in Timmins and district. All correspondence will be handled by the Recording Secretary.

7.04 Secretary-Treasurer

The Secretary-Treasurer shall maintain a proper system of bookkeeping, purchase the necessary books and stationary for this purpose, carry out the instructions of the Council, be prepared at any meeting to inform the President of the bank balance, pay all bills authorized by the council, but only when presented with an expense voucher signed by the proper signing officers.

When attending the regular meetings the Secretary-Treasurer shall read out item by item all disbursements since the last report. The Secretary-Treasurer shall be guided by the recommendations of the Trustees. The Secretary-Treasurer shall be allowed a petty cash of \$200.00 and shall be accountable for such funds. The Secretary –Treasurer shall, subject to the approval of the Council, invest surplus funds of the council in securities or deposit them in a bank or banks. The Secretary-Treasurer will be one of the officers having signing authority.

7.05 Executive Committee

The Executive Committee shall consist of the President, Vice-President, Recording Secretary, Secretary-Treasurer and Executive Members-at-Large. They shall have general supervision of the affairs of the Council between regular meetings and shall consider and make recommendations on all matters arising out of the Council. Four (4) members of this committee shall constitute a quorum. The Executive Committee is authorized to reimburse members of the Council for necessary expense occurring in performing duties as authorized by the Council.

7.06 Trustees Committee

The Trustees shall audit the books of the Secretary-Treasurer and shall exercise general supervision over the property of the Council. They shall present the Auditors report annually (April) to the Council. They shall at the end of each year make a detailed audit of the books, receipts, accounts and expenditures of the Council, and shall have the power to demand and receive all books or information in the possession of any officer or member of the Council at any

time. They shall make a annual report to the National secretary-Treasurer on the forms supplied by the National Office.

ARTICLE 8 ---DELEGATES TO CONVENTIONS

8.01 The President shall be the delegate to all conventions if he/she chooses unless the President is already an elected delegate from their own local union to the same convention. In the latter case and/or if the President does not choose to be a delegate to the convention, the delegate shall be elected from the Executive Committee.

ARTICLE 9 ---MEETINGS

9.01 Time and date for regular meetings shall be set for the year by the Executive Committee after elections in April. Special meeting shall be held when deemed advisable by the Executive Committee or on written petition from five (5) or more affiliated locals.

9.02 A quorum shall consist of a minimum of four (4) executive and two (2) members in good standing.

ARTICLE 10 ---COMMITTEES

10.01 Standing Committees

a) Standing Committees shall be established on the recommendation of the Executive Committee. Members of the committees shall be elected from the delegates at large.

b) All standing committees shall present regular reports to meetings of this Council, along with any recommendations.

10.02 Special Committees

The Executive committee may establish special committees and the positions on the committees filled by election or appointment by the President.

10.03 No expenditure by any committee shall be incurred unless the Council has approved same. Between Council meetings, the President may approve and be held accountable for such expenditures.

ARTICLE 11 ---AMENDMENTS TO THE BYLAWS

11.01 The constitution and By-laws of this Council may be changed by two-thirds (2/3) majority vote of the delegates present at a regularly convened meeting if notice of the amendment has been presented in writing at the meeting immediately preceding and providing it does not conflict with the Constitution of the Canadian Union of Public Employees. Any amendments shall become effective after the approval by the National President of the Canadian Union of Public Employees.

ARTICLE 12 ---OBLIGATION OF DELEGATES

I, _____ sincerely promise and declare I will be faithful to the duties devolving upon me as a delegate to the Council, that I will attend all meetings of the Council, if possible, and work at all times for, and in the interest of this Council and the Canadian Union of Public Employees.

ARTICLE 13---POLICY

- 13.01 In all matters not regulated, Bourinot's Rules of Order shall govern.
- 13.02 The Recording Secretary of the council shall inform the affiliated local unions once a year of the attendance report of their delegate.
- 13.03 Any delegate appointed or elected on any business of the Council within the Timmins and District shall receive \$50.00 per day expenses. A delegate appointed or elected on council business outside the Timmins and District shall receive \$75.00 per day expenses, plus transportation and lodging at economy fare. If the delegate incurs any loss in wages, the delegate shall be reimbursed by the Council for such loss in wages plus benefits and kilometres shall be reimbursed at the same rate as National per km.
- 13.04 Appeals from Timmins and District Locals shall receive priority over appeals from outside the District. An annual budget shall be fixed for this purpose. A maximum donation per meeting of \$ 200.00 shall be allocated for appeals.
- 13.05 Affiliated locals wishing to submit any matter that it deems in the interest of the affiliate or in the interest of the public, may submit such matter in writing to the Recording Secretary of the council. The Council affiliates should make such submissions to the Recording Secretary three (3) weeks prior to the meeting at which the affiliate wishes to matter presented for debate.
- 13.06 Order of Business
1. Call Meeting to Order
 2. Reading of CUPE Equality Statement
 3. Roll Call of Officers
 4. Read and Approve Minutes
 5. Matters Arising from Minutes
 6. Treasurer's Report
 7. Communications and Bills
 8. Executive committee Report
 9. Committee Reports
 10. Reports of the Locals
 11. Reports of the National Representatives
 12. Nominations and Elections
 13. Unfinished Business
 14. New business
 15. Good-of-the-Union
 16. Adjournment

- 13.07 Any affiliate with the Council wishing to place a resolution before the Council shall present the said resolution to the Recording Secretary, who shall submit it to the next meeting of the Executive Committee.
- 13.08 The Timmins and District Council shall support Educational Workshops by providing support to member facilitators as well as the registrants.