

CUPE Toronto District Council



Stronger Together

By-laws

Approved by the CUPE Toronto Council membership, November 18 2013
Submitted to CUPE National President's office, November 19, 2013

SECTION 1 - NAME, PRINCIPLES AND OBJECTIVES

Name

The name of this Council is the Canadian Union of Public Employees – Toronto District Council.

Principles

The Council abides by the constitutions of the Canadian Union of Public Employees and the Canadian Labour Congress (CLC).

Objectives

The objectives of this Council are to:

1. Coordinate and support the activities of CUPE Locals in Toronto (National Constitution)
2. Assist the National Executive Board, National Officers and National staff in implementing national and provincial policies and programs (National Constitution)
3. Promote equity
4. Celebrate the richness and vitality of our culture as CUPE workers
5. Promote social justice through democratic political action
6. Support and assist any CUPE locals that are on strike in Toronto
7. Organize education programs
8. To assist in organizing the unorganized

SECTION 2 – ELIGIBILITY, AFFILIATION, REPRESENTATION AND FEES

Eligibility:

1. All chartered CUPE Local Unions are entitled to affiliate to the Canadian Union of Public Employees –Toronto District Council within the geographical area set by the National Executive Committee.
2. Retirees who hold honorary retiree cards from locals in Toronto are eligible for honorary affiliation in the Council. They have voice, but no vote.

Affiliation:

1. All eligible CUPE Local Unions who have signed an affiliation card declaring that they will abide by the by-laws of the Council and are not in arrears in their affiliation fees by more than 6 months.
2. All eligible retirees.

Representation

Each affiliated Local Union is entitled to have the following number of voting members at any regular or special meeting of the Council:

Under 200 members	2 delegates
201 to 500 members	3 delegates
501 to 1000 members	4 delegates
1001 to 2000 members	5 delegates
2001 to 3000 members	6 delegates
3001 to 4000 members	7 delegates
4001 to 5000 members	8 delegates
5001 to 6000 members	9 delegates
6001 and over	10 delegates

Locals must complete and submit the Council Credential form for each delegate.

Affiliation Fees

Each affiliated Local Union will pay an affiliation fee of ten (10) cents for each full-time member per month and five (5) cents for each part-time member. Affiliation fees are due quarterly (January, April, July and October). If a Local Union cannot afford full affiliations fees, the Council Executive may reduce or waive the fees. Retiree members do not pay an affiliation fee.

SECTION 3 - MEETINGS

The District Council has three (3) types of regular meetings:

Annual General Meeting
Membership Meetings
Executive Committee Meetings

Annual General Meeting

An Annual General Meeting (AGM) will be held once per year on the third Monday in January. Notice of the AGM including a written agenda for the AGM will be sent to the members at least sixty (60) days in advance of the meeting.

The agenda at the AGM includes:

Roll Call of Officers
Reading of Equality Statement
Minutes of the Previous AGM
Matters Arising
Treasurer's Report

1. year end statement
2. next year's budget
3. trustees' report

Executive Committee Reports

New Business

Elections

1. Executive Committee – held every 2 years in even years
2. Trustees - one elected for a three-year term every year

Adjournment

All terms of office are two (2) years, except Trustees who are elected for three (3) years. Bourinot's Rules of Order will govern. A quorum for the AGM is ten (10) delegates representing five (5) or more affiliated local unions.

Council Meetings

The Council meets on the third Monday of each month except for the months of February, May, July, August and December. In February, May and December the Council will meet on the second Monday of the month. No meetings are held in July and August. The Executive may move dates of Council meetings only if they conflict with CUPE Conventions or Conferences and will post the yearly meeting dates on the Council web-site by the February Council meeting each year.

A written agenda for each Council meeting will be sent to the delegates at least ten (10) days in advance of the meeting.

The agenda at Membership Meetings includes:

- Roll Call of Officers
- Reading of Equality Statement
- Reports of Unions
- Reading of the Previous Meeting's Minutes
- Matters Arising
- Treasurer's Report
- Executive Committee Reports
- New Business
- Elections
- Adjournment

Any agenda items not dealt with at the Council Meeting will be referred to the Executive Committee Meeting. The Executive Committee will report the decisions made at the next Council Meeting

The Executive Committee may schedule a special Council Meeting for any reason. Delegates may request a special Council Meeting for any reason. Requests must be sent in writing to the President and include the reasons for the request along with the signatures of at least ten (10) delegates representing five (5) or more affiliated local unions. Once this request is received, the meeting will be held within ten (10) working days. Members will be notified of the meeting and the agenda with as much notice as possible. Only the items set in the agenda will be dealt with at the special Council meeting

Bourinot's Rules of Order will govern.

A quorum for Council Meetings is ten (10) delegates representing five (5) or more affiliated local unions.

Executive Committee Meetings

The Executive Committee will meet two (2) weeks prior to Council meetings. At each Executive Committee meeting, Executive Committee members will provide reports on their activities.

If an Executive Committee member fails to attend two (2) consecutive Council Meetings or three (3) Executive Committee meetings without providing good and sufficient cause, that office shall be declared vacant and filled by election at the next Council Meeting.

Bourinot's Rules of Order will govern.

A quorum for Executive Committee Meetings is a majority of filled Executive Committee positions

SECTION 4 - EXECUTIVE COMMITTEE MEMBERS AND OTHER ELECTED POSITIONS

Executive Committee

The Executive Committee members are elected by the delegates at the Annual General Meeting. The Executive Committee is responsible for the general supervision of the affairs of the Council

between Council meetings. The Executive Committee will consider all matters arising out of the business of the Council and will make recommendations back to the Council. They will set the agenda for the regular Council meetings.

The Members of the Executive Committee are:

President

Equity Vice-President

Political Action Vice-President

Recording Secretary

Treasurer

Chair of the Young Worker's Committee

Chair of the Cultural Committee

Chair of the Educational Committee

Chair of the Women's Committee

Retiree Representative

Other Elected Positions are:

Trustees

The authorized Signing Officers for the Council are the President, the two (2) Vice-Presidents, and the Treasurer. Signing authorization will cease once the individual has left their elected position with the Council. Each cheque issued by the Council must be signed by the Treasurer and any one (1) other signing Officer. In the event that the Treasurer is absent for a week or more two (2) other signing officers may sign cheques. Executive Committee members must return all books, records and other property to the Council when they cease being an Executive Committee member.

Duties of Officers

President

Chair all meetings of this Council, preserve order and decorum and enforce the by-laws.

Be the spokesperson for Council.

Sign all official documents.

Be ex-officio member of all committees.

Is properly bonded in accordance with the National Constitution.

Equity Vice-President

Chair the Equity Committee of the Council.

Promote equity within the Council and the broader labour movement.

Mobilize and organize CUPE Toronto's participation in the following events: Black History Month, Asian History Month, Aboriginal People's Day, Pride Day, and International Day for the Elimination of Racism.

Assist the President.

Assume the duties of the President in the absence of the President.

Perform the duties of the President in the event of a vacancy in the position of President until a successor is elected.

Is properly bonded in accordance with the National Constitution.

Political Action Vice-President

Chair the Political Action Committee.

Facilitate the setting of priorities for political action.

Engage in the political actions/social justice activities agreed to by the Executive Committee.

Develop and maintain a local flying squad to provide strike support to striking locals. Recommend international solidarity support actions to the Council.

Is properly bonded in accordance with the National Constitution.

Recording Secretary

Send notice to all delegates of upcoming meetings.

Take minutes of all meetings.

Provide copies of Council meeting minutes to delegates at all general meetings.

Review and log all incoming mail and present a summary to Executive Committee.

Ensure that a record of all Council, Executive and Annual General Meetings including the financial reports presented at those meetings are kept in the District Council Office.

Inform affiliated local unions annually of the attendance of their delegates.

Treasurer

Ensure that proper accounts are maintained and that bills are paid in a timely manner.

Present written financial reports for each Executive Committee and Council meeting detailing income and expenditures to date.

Present a written year-end financial statement and written budget for the coming year at the AGM.

Ensure that vouchers are completed for all expenditures.

Maintain a petty cash fund of twenty-five dollars (\$25).

Ensure that all financial records are available to the Trustees every six (6) months for audit and provide any information required to complete the audit.

Cheques issued to the Treasurer must be authorized by the President and one of the two (2) other signing officers.

Cheques issued to the President must be authorized by the Treasurer and one of the two (2) other signing officers.

Is properly bonded in accordance with the National Constitution.

Chair of the Cultural Committee

Chair the Cultural Committee

Mobilize and organize CUPE Toronto's participation in the following events: Mayworks Festival, Labour Day.

Organize cultural component of Council's AGM.

Chair of the Educational Committee

Chair the Education Committee

Mobilize and organize two Council Schools per year, including designating courses and member facilitators.

Liaise with CUPE Ontario Education Committee to ensure that Toronto members have access to a wide range of courses available through Union Development.

Make recommendations to the Executive on education needs of members.

Chair of the Women's Committee

Chair the Women's Committee, which will make recommendations to the Executive on campaigns needed that relate to strengthening women's participation in the union.

Mobilize and organize CUPE Toronto's participation in the following events: International Women's Day, Dyke March, Dec 6 Subway Campaign.

Chair of the Young Worker's Committee

Chair the Young Worker's Committee, which will make recommendations to the Executive on campaigns that relate to young workers participation in the union.

Trustees

Audit the books and accounts of the Council at least twice (2) every calendar year.

These audits will be conducted every six (6) months where possible.

Submit a report of their findings and recommendations to the Executive Committee which then are presented to the Membership at the AGM.

Ensure that proper financial reports are made to the delegates.

Inspect any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property owned by the Council and report their findings to the membership at least once a year.

Ensure that following the AGM a copy of the completed audit report on the prescribed form provided by the National Secretary-Treasurer as well as a copy of their report to the delegates, including their recommendations and concerns and the Executive's response, is sent to the National Secretary-Treasurer of CUPE.

There are three trustees who are elected for a three (3) year term each; each year at the AGM one trustee is elected for a three (3) year term.

SECTION 5 – NOMINATIONS, ELECTIONS AND VACANCIES

Nominations

To be nominated for election a delegate must be in attendance at the meeting, or provide a letter indicating they will stand if nominated. All candidates must be duly elected delegates from their locals. Delegates must have submitted completed credential forms that have been signed by their local president.

Standing nominees for Executive Committee positions must have attended at least fifty percent (50%) of the Council meetings that they were eligible to attend in the prior twelve (12) month period or submitted in writing their regrets for that meeting.

Elections

Elections are by secret ballot. There is no proxy voting.

Voting for each elected position must be completed including any recounts before nominations for the next position can begin. Any delegate may move a motion for a recount of the votes for any election.

A majority of votes cast is required before any candidate can be declared elected, and second and subsequent ballots will be done, if necessary, to obtain a majority. On the second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot will be dropped. In case of a final tie vote, the presiding officer may cast the deciding vote.

When two or more nominees are to be elected to any position at the same time, members must vote for the full number of candidates or the ballot will be considered spoiled.

One Executive Officer will be elected to represent CUPE retirees. The Officer will be elected by retirees who hold honorary CUPE retiree cards from an affiliated local.

Vacancies

The Executive Committee may appoint delegate(s) to fill any vacancies on the Executive Committee, pending an election at the next Council meeting.

When there is less than two (2) months remaining in the term of office, the Executive Committee may appoint a member to fill the vacancy for the balance of the term.

SECTION 6 – COMMITTEES

Standing Committees

There are **six (6)** Standing Committees: Equity, Political Action, **Young Workers**, Cultural, Education and Women's

Committee members will be reimbursed for out-of-pocket expenses for all meetings attended on behalf of this Council. Receipts must be submitted. Committees must have all expenditures approved by the Council. Where there is an urgent matter that cannot wait until the next Council meeting, the Executive Committee can approve expenditures. The Executive will inform the delegates of the expenditure at the next Council meeting.

Equity Committee

The committee will encourage the full participation of members of equity-seeking groups in the trade union movement and in the Council. The committee will expose and work to eliminate systemic discrimination. The Equity Committee makes recommendations to the Executive on campaigns needed that relate to strengthening the participation of all equity-seeking groups in the union.

Political Action Committee

The committee will organize the Council's involvement in electoral campaigns, boycotts, demonstrations, coalition building and other political actions approved by Council. The committee will coordinate support for locals involved in strike action or other labour disputes.

Young Workers Committee

The Young Worker's Committee will make recommendations to the Executive on campaigns that relate to young workers participation in the union.

Cultural Committee

The committee will organize events that celebrate and increase delegates' awareness of the richness and vitality of our culture as CUPE workers in Toronto. It will build links between the Council and cultural workers inside and outside of our union. The committee will prepare the Council's contribution to the Mayworks Festival of Working People and the Arts. The Committee will organize CUPE's contingent in the annual Labour Day Parade.

Education Committee

The Education Committee will keep the Council informed on all matters pertaining to union education. Mobilize and organize two Council Schools per year, including designating courses and member facilitators.

Women's Committee

The Women's Committee will make recommendations to the Executive on campaigns needed that relate to strengthening women's participation in the union.

Mobilize and organize CUPE Toronto's participation in the following events: International Women's Day, Dyke March, Dec 6 Subway Campaign.

Ad Hoc Committees

From time to time the Executive Committee may establish ad hoc committees for specific short-term purposes. The Executive will notify the delegates to allow for their participation.

SECTION 7 - DELEGATES TO CONVENTIONS AND CONFERENCES

The President is automatically a delegate to all conventions and conferences.

Delegates to conventions and conferences are elected at Council meetings.

In the event of a lack of quorum at a Council Meeting where delegates were to be elected, the Executive Committee will appoint delegates taking into consideration any eligible delegate who expressed an interest.

Standing nominees for conventions must have attended at least fifty percent (50%) of the Council meetings that they were eligible to attend in the prior twelve (12) month period.

SECTION 8 - EXPENDITURE OF FUNDS

DONATIONS

Policy

The donation policy of the Council upholds basic labour principles of solidarity, equality and equity. The Council donates only to Labour and Community organizations and groups that support these principles. The Council does not make donations to individuals. The amount available for donations will be set in the annual budget.

All requests for donations to Council are to be submitted to the President at least one week prior to the next District Council Membership meeting. The Executive Committee will then consider the request at a meeting of the Executive and then, with a recommendation, present the request at the next scheduled District Council Membership Meeting.

Requests for donations that have not followed this protocol will not be considered, except in cases of an Emergency Motion.

The following shall serve as guidelines for donations:

Labour Support

Donations may be made for the purposes of strike support and labour solidarity. As a general guideline, priority will be given to CUPE locals who are affiliated to the Council, followed by other CUPE locals followed by other union locals. Requests from other labour organizations will also be considered.

The Council will consider factors such as duration of strike and size of local when deciding the amount of the donation.

Community Donations

Community donations may be made to organizations that provide services or engage in political action and advocacy of benefit to working people and their families in Toronto.

The Council will consider only one request from any organization in each fiscal year. Requests for donations must be made in writing.

There is a limit of two hundred dollars (\$200) for all donations except donations to support a strike in which case the limit is five hundred dollars (\$500).

Out of Pocket Expenses

Each Executive Committee member will receive two hundred dollars (\$200) per quarter for Out of Pocket expenses as recognition for their contribution to the good of the union. Should an Executive Committee member not hold their position for their full term, this will be pro-rated accordingly. Receipts are not required.

Honoraria

Each Trustee will be paid an honorarium of one hundred (\$100) upon completion each audit.

Child and Elder Care Expenses

Child and elder care expenses for delegates attending Council meetings and attending to Council business are reimbursed up to a maximum of thirty-five dollars (\$35.00) per day. Receipts must be provided.

Reimbursements

The Council pays for salary and benefits, accommodation and transportation expenses for delegates and alternates to conferences, conventions, educational seminars and workshops. Eligible expenses include transportation to and from the airport, train or bus station. Delegates will receive a per diem allowance in the amount of sixty (\$60) for events that occur outside of Toronto. The per diem within Toronto is thirty dollars (\$30) unless the event goes over more than one meal period, in which case the Council will pay the out of town per diem. If required to stay overnight outside of Toronto delegates are entitled to single room accommodations.

Transportation will be paid on the following basis:

- a. economy class return fare via the shortest route,
- b. economy rail or bus return fare via the shortest route, or
- c. by a delegate's car in which case the travel allowance will be that paid by the Ontario Division;
- d. due consideration will be given to the most economical and efficient mode of transportation.

The Council will pay all registrations fees for convention, conferences, seminars etc.

When delegates incur any loss of wages in conducting business for the Council, they will be reimbursed by the Council upon presentation of an invoice from the employer or the local union.

Any Executive Board member, who is scheduled to work when a meeting is called, will be allowed to obtain a replacement and the Council will pay the rate of pay as provided in the Executive Member's Collective Agreement.

All requests for payment of money owed are to be itemized on approved vouchers with receipts attached.

No payments will be made without proper receipts with the exception for the following:

The Treasurer will issue a cheque prior to the event when a delegate to Council is representing the Council at a convention, conference, seminar, etc., to cover the per diem, hotel and traveling

expenses. Delegates will sign an approved voucher to receive the cheque and will submit receipts for the expenditures within 30 days of the event.

SECTION 9 – OBLIGATION OF DELEGATE

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

SECTION 10 - AMENDMENTS

The by-laws of the Council may be changed by a two-thirds majority vote of the delegates present at a regularly convened meeting of the Council, following written notice given at least sixty (60) days in advance. Amendments become effective after approval by the National President of the Canadian Union of Public Employees.