

CONSTITUTION and BYLAWS

NORTH BAY AND DISTRICT
CUPE COUNCIL 9126

03 JUNE 2006

(Approved by National 27 July, 2006)



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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 North Bay 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 North Bay 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 use its influence to unite its affiliates in co-ordinating a collective bargaining program.
3. To assist in the organization of the unorganized public employees in the locality into unions for their mutual aid, protection and advancement.
4. To aid and encourage the sale and use of union made goods and services.
5. 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 on of the Council in municipal affairs.
6. To promote public relation programs both at the Local and Council levels.
7. To safeguard the democratic character of the labour movement, and to observe and respect the autonomy of each affiliated local.
8. While preserving the independence of the labour movement from political control, to encourage workers to vote, to exercise their full rights and responsibilities of citizenship, and to perform their rightful

part of the political life of the Municipal, Provincial and Federal Governments.

9. To provide the best possible educational programs for the Locals.
10. To promote full and active participation of retired CUPE Members in CUPE Council.

ARTICLE 3 - MEMBERSHIP

- 3.01 Membership in this Council shall be open to all local unions and the area Retirees' Association chartered by the Canadian Union of Public Employees serviced by the North Bay area office. To remain an affiliate, a local must abide by the Constitution and Bylaws of this Council.
- 3.02 This Council shall 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 four (4) 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 four (4) 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 Any delegate representing a local union affiliated with this Council may be suspended or expelled, for conduct unbecoming a delegate, from membership in the Council by a majority roll call vote at a meeting. In such cases the local union, which the delegate represents, will be notified and requested to replace the delegate. Any decision to expel may be appealed to the National Executive Board of the Canadian Union of Public Employees. The decision will be in force and effect during the appeal.
- 4.05 National Executive Board members, CUPE Ontario Executive Board members and Staff Representatives may attend Council meetings with

voice, but without vote.

ARTICLE 5 - MEMBERSHIP 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 quarterly, in advance and shall be paid on the same basis as per capita payment to the Canadian Union of Public Employees.

5.02 Each application for membership in the Council shall be directed to the Secretary Treasurer and shall be accompanied by an initiation fee of fifty (50) dollars, which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected the fee shall be returned.

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 two (2) 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 May meeting. The installation of Officers shall take place at the meeting in which

they were elected. Three Trustees shall be elected to the Charter Board, one for a term of two (2) years, one for a term of four (4) and one for a term of six (6) years. Subsequent to this initial election, at each further election, one trustee will be elected.

- 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 an 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 filled by election at the next regular meeting.

ARTICLE 7 - DUTIES OF OFFICERS

7.01 PRESIDENT

It shall be the duty of the President to preside 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. The Vice-President shall be the chairperson of the Executive Committee.

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.

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.

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 Audit Committee. The Secretary-Treasurer shall be allowed a petty cash of \$50.00 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 semi-annually (November & 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 semi-annual report to the National Secretary-Treasurer on the forms supplied by the National Office.

ARTICLE 8 - DELEGATES TO CONVENTION

8.01 The President shall be the delegate to all conventions. If the President does not choose to be a delegate to a convention then a delegate shall be elected from the members at large.

ARTICLE 9 - MEETINGS

9.01 Time and date for regular meetings shall be set for the year by the Executive Committee after elections in May. 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 eight (8) eligible delegates for all regular and special meetings of the Council, with representation from at least three (3) affiliated locals and three (3) Executive Committee members.

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 CONSTITUTION

- 11.01** The Constitution and By-Laws of this Council may be changed by a 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

- 12.01** I, _____ sincerely promise and declare I will be faithful to the duties devolving upon me as a delegate to this Council, that I will attend all meetings of this 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, Robert's Rules of Order shall govern.
- 13.02** Council shall inform the affiliated local unions once a year of the attendance of their delegates.
- 13.03** Out-of-pocket expenses may be established on the recommendation of the Executive Committee to the delegates at large and in accordance with the

National Constitution. The establishment of out-of-pocket expenses shall be on a two-thirds (2/3) majority of the delegates.

13.04 Affiliated local unions 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 one day prior to the meeting at which the affiliate wishes that matter presented for debate.

13.05 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