

**SUDBURY AND  
DISTRICT CUPE  
COUNCIL BYLAWS**

**2014**

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## **SECTION-0 - STRUCTURE OF COUNCIL**

President; Vice-President; Recording Secretary; Secretary-Treasurer; Trustees (3); Jurisdictional Representatives; Affiliated Locals.

## **SECTION-1 - NAME AND HEADQUARTERS**

- 1.1 The name of this Council shall be the Sudbury and District CUPE Council.
- 1.2 The Sudbury and District CUPE. Council headquarters shall be located in the City of Greater Sudbury, Ontario.

## **SECTION-2 - BOUNDARIES**

- 2.1 The geographic area is defined as follows: north to and excluding the District of Timmins. South to and excluding the district of Muskoka west to and excluding the District of Algoma. East to and excluding the District of Nipissing. All chartered local unions within the herein mentioned geographic area shall form part of the jurisdiction of the Council and shall be entitled to membership therein.

## **SECTION-3 - OBJECTIVES**

THE OBJECTIVES OF THE COUNCIL ARE TO:

- 3.1 Use its influence to unite its affiliates in co-coordinating collective bargaining programs.
- 3.2 To assist in organizing the unorganized public employees within the jurisdiction of the Council.
- 3.3 To secure legislation which will safeguard and improve the rights of public employees, through maximum participation of its affiliates in the Sudbury and District Labour Council, Ontario

Federation of Labour, CUPE Ontario Division and support the overall program of the Canadian Union.

- 3.4 To aid and encourage the use of union made goods and services.
- 3.5 To obtain maximum participation by locals in the programs of the Canadian Union of Public Employees.
- 3.6 Promoting education, social and other activities as may assist the affiliated locals
- 3.7 To co-ordinate activities of locals and to assist the Canadian Union in implementing national and provincial policies and programs.
- 3.8 This Council shall be affiliated to the Canadian Union of Public Employees, Ontario Division.
- 3.9 This Council shall endeavour to promote involvement in political action within its boundaries in order to meet objectives of its affiliates.
- 3.10 The Council shall include the objectives as described in Article ii 2.1 and 2.2 of the CUPE National Constitution.

#### **SECTION-4 - INTERPRETATIONS AND DEFINITIONS**

- 4.1 Wherever the term Canadian union is used, it shall be deemed to mean the Canadian Union of Public Employees.
- 4.2 Wherever the term Council is used it shall be deemed to mean the Sudbury and District CUPE Council.
- 4.3 Wherever the term local is used it shall be deemed to be a local in good standing with the Canadian Union.
- 4.4 Wherever the term affiliate(s) is used it shall be deemed to mean a Local affiliated to the Council. The local shall be in good standing with the Canadian Union and shall remain as

such to maintain affiliation to the Council. Notwithstanding section 5.5.

- 4.5 Wherever the term delegate is used it shall be deemed to mean a member in good standing within their respective local elected or selected by their local as a voting representative to the Council.
- 4.6 Wherever the term alternate is used, it shall be deemed to mean a Member in good standing within their respective local, elected or selected to replace a delegate whenever the delegate is unable to attend to their duties of the Council. An alternate may attend any meeting of the Council, having voice but not vote, unless they are replacing a regular delegate.
- 4.7 The term convention shall be deemed to mean the meetings or special meetings of the Council.
- 4.8 Wherever the term jurisdictional group(s) is used, it shall be deemed to have the same interpretation as stated by the Ontario Division Constitution.

## **SECTION-5 - REPRESENTATION AND MEMBERSHIP**

- 5.1 Membership to the Council shall be open to all local unions in the geographical boundaries outlined in Section 2 chartered by the Canadian Union of Public Employees.
- 5.2.1 The Council shall not be dissolved as long as there are five (5) locals remaining in affiliation.
- 5.3 Each affiliated local shall be entitled to have:

75	members or less		2 delegates
76	to 200	members	2 delegates
201	to 500	members	3 delegates
501	to 1000	members	4 delegates
1001	to 1500	members	5 delegates
1501	to 2000	members	6 delegates
2001	to 2500	members	7 delegates

2501 to	3000	members	8 delegates
3001 to	3500	members	9 delegates
3501 to	4000	members	10 delegates

present at any meeting of the Council . Alternates may be elected or appointed by each affiliate, however, there shall be only their entitled number of voting representatives at any meeting.

- 5.4 Any affiliate three (3) months in arrears in per capita tax payments to the Council shall be sent written notice of their arrears and that after six (6) months they would be disaffiliated and sent notice of same. However, if a local is found to have been or is in serious financial difficulty, per capita tax arrears and or payments may be waived upon reviewing the local's financial records by the President and Secretary-Treasurer of the Council.
- 5.5 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 Convention.
- 5.6 National Executive Board members, Staff Representatives and National Officers may attend conventions with voice, but without vote.
- 5.7 Unaffiliated locals of CUPE in our jurisdiction may attend conventions 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.
- 5.8 Members in good standing in provincial locals may become affiliated to the Council upon payment by the provincial executive per capita tax for those members in the Council's jurisdiction. That group of members would receive all benefits as if they were a local within our area.

## **SECTION-6 - AFFILIATION FEES**

- 6.1 Each affiliate shall pay per capita tax of thirty-one (\$0. 31) cents per member per month. Per capita tax is to be paid monthly and in advance.
- 6.2 All monies received by the Secretary-Treasurer from per capita tax income or from any other source shall remain the property of the Council until properly expended and any affiliate ceasing to be an active affiliate of the council shall forfeit all rights, title, and interest in and to the property of this Council, or part thereof.
- 6.3 The Council may request special assessments for special projects or purposes but not until notice of said assessment has passed at a regular or special convention with a two thirds (2/3) vote of all affiliated locals in attendance in accordance with the provisions of appendix B.4.2 (a)(b) of the National Constitution.
- 6.4 The Council shall pay the annual Ontario Division affiliation fee.

## **SECTION-7 - ELECTIONS**

### **7.1 OFFICERS**

- A. The Officers of the Council shall consist of a President, Vice- President, Recording Secretary, and Secretary-Treasurer. These officers shall constitute the Executive Board. All candidates for office shall be fully accredited delegates to the Council.
- B. The office of the President, Vice President, Recording Secretary and Secretary Treasurer and Jurisdictional Representatives shall be elected by the delegates at large.

### **7.2 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 one (1) year. Each year 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 terms in order to preserve overlapping terms of office. The trustees shall be elected by the delegates at large.

### 7.3 COMMITTEES

Each committee with the exception of the budget committee shall consist of at least one member from each jurisdictional group whenever possible and shall be elected by the delegates at large.

### 7.4 NOMINATIONS AND ELECTIONS

- A. Delegates representing their Locals are eligible to stand for election. Nominations and elections shall take place every two (2) years at the first convention of the year. The term of office of all elected positions shall commence immediately following the adjournment of the convention. No delegate may be nominated for a position in the council unless they are present at the nomination and election convention, or unless the nominator has the nominee's official consent in writing.
- B. Election of officers will be by secret ballot with a simple majority, and the presiding officer will appoint a returning officer and Scrutineers from among the delegates who are not candidates to count the votes.

### 7.5 VACANCIES

- A. In the event of a vacancy in the office of the Jurisdictional Representatives the President or Vice-President shall assume the vacancy and call an election in that jurisdictional group at a convention or a special convention called for that purpose and notwithstanding section 7.3. The newly elected sectional chairperson shall take office immediately following the election.
- B. In the event of a vacancy in the offices of President, Recording Secretary or Secretary-Treasurer, the Vice President shall perform those duties until a successor can be elected, either at a convention or a special convention called for that purpose.



- C. In the event of a vacancy in the office of vice-president, the president shall perform those duties until a successor can be elected, either at a convention or a special convention called for that purpose.
- D. All vacancies filled shall be for the remainder of the term of office only.
- E. Officers of the Council failing to meet the roll for three (3) Executive Board meetings or two (2) quarterly conventions in a calendar year without cause shall have their position deemed vacant and filled as per these By-Laws section 7.5 A.B.C.D.

## 7.6 CREDENTIALS

Members of the executive board shall be delegates to the Council with all rights and privileges with credentials from the Council itself and not from their locals.

## **SECTION-8 - DUTIES OF OFFICERS**

### 8.1 PRESIDENT

It shall be the responsibility of the President to:

- A. Preside at conventions of this Council, preserves order and decorum, and enforces the constitution and by-laws.
- B. The President shall be the spokesperson for all delegates representing the Council unless some other delegate is appointed by the President to take their place.
- C. The President shall sign all official documents and shall be one of the signing officers for the disbursements of funds.
- D. The President shall be ex-officio member of all committees and jurisdictional groups.

- E. The President in office at the time of the National Union Convention or the CUPE Ontario Division Convention or District Council Meetings shall have priority as delegate to those functions. When such attendance is approved by the Council. The President shall represent the wishes of the Council. Should the President be unable to attend then the Vice-President or subsequently a member of the Executive board shall attend.
- F. The President shall be a member of the annual budget committee.
- G. The President shall have the power to appoint in where elections are not provided for or where elections fail to fill the vacancy on committees and for jurisdictional representatives.
- H. The President shall turn over all properties, assets and books to the duly elected successor. In the first year of the succession of a new President, the past President may at times assist the officers and members by making available to them the benefits of experience in office and shall have full voice but no vote at board meetings.
- I. In the case of a tie vote in any matters, including elections the President also has the right to cast an additional vote.

## 8.2 VICE – PRESIDENT

It shall be the responsibility of the Vice-President to:

- A. Assist the President in the discharge of the President's official duties.
- B. In the absence of the President the Vice-President shall perform all duties pertaining to the office of President.
- C. The Vice-President in conjunction with the president shall call all Executive board meetings giving proper notice and an agenda of the items to be discussed. The Vice-President shall preside at all Executive Board meetings of

the Council, preserve order and decorum and enforce the constitution and by-laws.

- D. The Vice-President shall be responsible for overseeing all purchases made by officers of the Council which shall be approved by either the Executive Board and/or delegates at a convention, and shall supply a complete and proper inventory of Council assets to the Secretary- Treasurer.
- E. The Vice-President shall sign on approved forms, leaves of absence requests as granted by the executive board. In the event that leave is granted to the Vice-President, then the President shall sign the approved form. All approved form (s) shall be forwarded to the respective local (s) and the Council shall be billed for any lost wages and benefits incurred.
- F. The Vice-President shall be a member of the annual budget committee and the chairperson of the by-laws committee.
- G. The Vice-President shall turn over all properties, assets and books to their duly elected successor.
- H. The Vice-President shall be one of the signing officers for disbursements of funds.

### 8.3 RECORDING SECRETARY

It shall be the responsibility of the Recording Secretary to:

- A. Keep full, accurate and impartial account of the proceedings of all Executive Board meetings and conventions, ensuring that these records include a copy of the full financial report presented by the Secretary-Treasurer and forward same to all officers prior to the next executive meeting.

- B. Submit and distribute copies of minutes of conventions Recording-Secretaries of all affiliates, Executive Board members, and area office.
- C. Refer all communications to the executive board and/or the presiding officer.
- D. Keep records of all officers present at executive board meetings.
- E. Keep records of all officers and delegates present at conventions.
- F. Handle any and all incoming and outgoing communications.
- G. Give notice of conventions in writing to all affiliates at least 30 days in advance.
- H. Report to either the President or the Vice-President on work completed, work allotted and incoming correspondence.
- I. Be prepared to assist and turn over books and records to the Trustees.
- J. Not destroy any files unless seven (7) years have elapsed and convention delegates have given approval for such destruction.
- K. Turn over all properties, assets and books to their duly elected successor.

## 8.4 SECRETARY-TREASURER

It shall be the responsibility of the Secretary Treasurer to:

- A. Maintain the Sudbury and District CUPE Council's system of bookkeeping duly approved by the affiliates and purchasing the necessary books and stationary for this purpose.
- B. Assure that all signing officers be bonded in such an amount as may be determined by the National Office and the Executive Board of the Council
- C. Pay no monies unless supported by a voucher duly signed by one of the Officers.
- D. Prepare and present at Executive Board meetings, a list, item by item of all disbursements made during the previous month(s).
- E. Prepare and submit a financial statement, including an affiliation report at each Executive Board meeting and convention.
- F. Maintain records of the total number of affiliates including forwarding these affiliates notice of per capita tax forms on a regular basis as well as affiliation notice to non-affiliates and reporting same to the council Executive Board or convention.
- G. Receive all monies payable to the Council and deposit such funds as may be approved (or directed) by the Executive Board or convention.
- H. Maintain all Council bank accounts, presenting a statement at each Executive Board meeting and convention.
- I. Arrange for the Trustees to do a complete audit annually and be prepared to assist and turn over records and books to the Trustees.

- J. Supply delegates at convention with a current list of Council assets, as verified by the Trustees annually.
- K. Prepare certificates of affiliation for all newly affiliated locals.
- L. Upon approval complete correspondence as pertains to financial matters.
- M. Not pay for any expenditure unless the expenditure is covered by a suitable receipt submitted to the Secretary-Treasurer and has received Board approval.
- N. Be the chairperson of the annual budget committee.
- O. Ensure any Officer required to be bonded who cannot qualify shall be disqualified from office and report same at the next Council convention.
- P. Laurentian University Scholarship  
The Sudbury & District CUPE Council shall contribute to their bursary annually in the amount of five hundred (\$500.00) dollars to the Labour Studies Program.
- Q. Pay the Ontario Division affiliation fee annually.
- R. One day off quarterly shall be granted to perform their duties at the expense of the Council.
- S. The Treasurer shall pay for the following operating expenses: rent, gas, heat, internet, waste removal, cleaning, beverages and cleaning supplies and repairs as needed.
- T. Turn over all properties, assets and books to their duly elected successor upon completion of an audit by the trustees.

## 8.5 TRUSTEES

It shall be the responsibility of the Trustees to:

- A. In accordance with section B 3.10 of the National Constitution there shall be three (3) delegates elected to act as Trustees.
- B. They shall at their first meeting elect a chairperson who shall present the Trustee's report annually.
- C. They shall once per year make a detailed audit of all properties, assets, books, receipts, accounts and expenditures of the Council and convention. They shall have the power to demand and receive all books or information in the possession of any officer or delegate of the Council at any time.
- D. They shall be the Trustees of all Council property and assets, and none shall be disposed of unless proper approval has been given at a Council convention.
- E. They shall make reports to the National Secretary-Treasurer as may be required.
- F. Audits shall be done on proper CUPE forms and shall be submitted to the National Secretary-Treasurer following delegate approval at a Council convention.
- G. The Trustees report shall be unbiased.
- H. If the Council ceases to function the last elected trustees shall notify, in writing the National Secretary-Treasurer of the completion of their term and that there is no successor to their office.
- I. The Trustees shall do a complete audit prior to a new Secretary-Treasurer taking office.

- J. Trustees shall report in order to; the Treasurer, President, Executive Board, council delegates and finally the National Secretary-Treasurer.
- K. If any irregularity is found those Trustees in office shall remain in office along with any new Trustees until such time as the irregularity is resolved.
- L. Turn over all properties, assets and books to their duly elected successor.

## **SECTION-9 - EXECUTIVE BOARD**

- 9.1 The Executive Board shall be the governing body of the Council between meetings. It shall take such action as may be necessary to carry out the instructions of the delegates at conventions and enforces the provisions of its by-laws.
- 9.2 It shall prepare plans for carrying out the objectives and policies of the Council, managing it's affairs in the interest of its affiliates.
- 9.3 Executive board meetings will be held quarterly unless otherwise specifically called or cancelled.
- 9.4 All decisions of board meetings shall be by a majority vote of officers present. A majority of the Executive Board constitutes a quorum, one of whom must be the President or the Vice-President.
- 9.5 The President and Executive Board members shall be allowed necessary expenses incurred on behalf of the Council upon submission of signed vouchers between conventions. The board may approve and shall be held accountable for such expenses.
- 9.6 The Executive Board shall approve all leaves of absence for Council related business and shall submit forms to the Vice-President for signing.



- 9.7 The Executive Board shall determine the most economical method of costs as outlined in section 13.2 for delegates to conventions, conferences and other functions.

## **SECTION-10 - MEETINGS**

### **10.1 CONVENTIONS**

- A. The Council shall hold conventions not less than three (3) times a year.
- B. Special conventions shall be held when deemed advisable by the Executive board or by written petition from a majority of the affiliated locals. Such convention shall be held within forty-five (45) days of receiving the petition with call being given in writing at least thirty (30) days in advance to all affiliated locals.

A quorum shall consist of at least the majority of the Executive Board and the majority of affiliated locals.

- C. When a quorum cannot be convened within thirty (30) minutes of the Convention, the executive board may dispose of any routine matters that would have been decided by the Council but may not dispose of matters relating to the by-laws or to any new expenditures.

### **10.2 JURISDICTIONAL MEETINGS**

- A. Jurisdictional meetings can be held whenever deemed necessary by the executive board or the jurisdictional representative or by written petition from a majority of the affiliated locals. Advance notice shall be given as far enough in advance as can be possible or necessary.
- B. Jurisdictional groups shall not expend Council monies but may request funds from the Executive Board who shall give such request proper consideration.

- C. Reports of all jurisdictional meetings shall be forwarded to the Recording Secretary for proper adoption at the next Executive Board meeting.

## **SECTION-11 - COMMITTEES**

### **11.1**

- A. The council shall endeavour to maintain not less than five(5) committees consisting of:
  - 1. Budget committee
  - 2. By-laws committee
  - 3. Education committee
  - 4. WSIB / health and safety committee
  - 5. Social Committee
  - 6. Political Action Committee
- B. All committees shall be governed by these by-laws and the policies of the Council.
- C. All committees unless otherwise stated in these by-laws shall be made up of at least three (3) delegates elected at convention with one from each jurisdictional group where possible. The chairperson and secretary of each committee shall be elected from within the committee.
- D. All committees shall meet at least once between Council conventions when possible.
- E. All committee chairpersons shall ensure that minutes of each meeting are kept and forwarded to the Council Secretary for proper filing.
- F. All committees shall present regular reports to the Council along with any appropriate recommendations.

### **11.2 AD HOC COMMITTEES**

- A. The Council Executive or delegates at convention may elect or appoint such other committees as deemed necessary.
- B. Ad hoc committees may be established for a specific purpose and period of time as required.
- C. Ad hoc committees shall be structured as outlined in these by-laws Section 11.1 B.C.F.G.

## **SECTION-12 - AMENDMENTS TO BY-LAWS AND POLICIES**

- 12.1 The Council may by a majority vote at a regular meeting, or at a special meeting called for that purpose, make such additional by-laws and amend or delete as it may deem advisable, provided that at least seven (7) days' notice at a previous meeting or at least sixty (60) days written notice has been given and further provided that such by-laws do not conflict with the national constitution. The same shall not become effective until approved by the National President of the Canadian Union of Public Employees. Such approval shall not be withheld unless there is a conflict with the constitution and further that a decision on this matter shall be rendered within ninety (90) days.
- 12.2 The Council may by a majority vote at a regular meeting, or at a special meeting called for that purpose, make such additional policies and amend or delete as it may deem advisable, provided that at least seven (7) days' notice at a previous meeting or at least sixty (60) days written notice has been given and further provided that such policies do not conflict with the National Constitution.
- 12.3 Those eligible delegates or locals wishing to amend or delete Council By-laws or policies shall submit their proposals in writing to the by-laws committee for proper wording and presentation as per Section 12.1 and 12.2 which shall take

place at the next Council convention that proper time for notices are met.

### **SECTION-13 - DELEGATES TO CONVENTIONS, CONFERENCES AND AUTHORIZED FUNCTIONS**

13.1 Notwithstanding section 8.1 (e) all delegates to conventions, conferences and authorized functions shall be approved at Council Convention.

13.2 All delegates to conventions, conferences and authorized functions shall be eligible for travel, registration, single accommodation, per diem, lost wages and benefits subject to Section 9.7 and as per Council Convention.

### **SECTION-14 - GENERAL PROVISIONS**

14.1 In all matters not regulated, as regards to parliamentary procedures Bourinot's rules of order shall govern and on constitutional problems the CUPE National Constitution shall govern.

14.2 The Council shall provide copies of by-laws and any amendments to affiliated locals and their delegates.

14.3 Appendix "A" forming part of these by-laws shall consist of the Rules of Order.

## **SECTION-15 - ORDER OF BUSINESS**

### **15.1 CONVENTIONS**

- A. ROLL CALL OF OFFICERS
  - B. EQUALITY STATEMENT
  - C. MOMENT OF SILENCE
  - D. CREDENTIALS REPORT
  - E. ADOPTION OF PREVIOUS CONVENTION MINUTES
  - F. TREASURER'S REPORT AND MATTERS ARISING
  - G. EXECUTIVE BOARD AND RECOMMENDATIONS
  - H. OTHER REPORTS
  - I. NOMINATIONS AND ELECTIONS
  - J. UNFINISHED BUSINESS
  - K. NEW BUSINESS
  - L. ADJOURNMENT
- GUESTS TO BE SCHEDULED THROUGHOUT

### **15.2 EXECUTIVE BOARD MEETINGS**

- A. ROLL CALL OF OFFICERS
- B. EQUALITY STATEMENT
- C. GUESTS (IF ANY)
- D. ADOPTION OF PREVIOUS EXECUTIVE BOARD MEETING MINUTES
- E. REVIEW OF LAST CONVENTION MINUTES
- F. TREASURER'S REPORT AND MATTERS ARISING
- G. CORRESPONDENCE
- H. REPORTS
- I. RECOMMENDATIONS

- J. UNFINISHED BUSINESS
- K. NEW BUSINESS
- L. ADJOURNMENT

## **APPENDIX “A”**

### **RULES OF ORDER**

1. The president or in the President's absence the Vice President shall take the chair at all meetings. In the absence of both the President and Vice President the Secretary shall act as the President in their absence.
2. No member, except the chairperson of a committee making a report or the mover of a resolution shall speak more than five (5) minutes or more than once on the same question without consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution shall be limited to fifteen (15) minutes except with the consent of the meeting.
3. The President shall state every question coming before the Council and before allowing debate thereon and again immediately before putting it to a vote shall ask, “is the Council ready for the question?” Should no member rise to speak the question shall then be put forward.
4. A motion to be entertained by the presiding officer must be moved and seconded. Both mover and seconder must rise and be recognized by the chair.
5. A motion to amend or to amend an amendment shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment or amendment to an amendment which amendment which is a direct negative of the resolution shall be in order.
6. On motion, the regular order of business may be suspended by a two thirds (2/3) vote of those present to deal with any urgent business.
7. All resolutions and motions other than those named in rule 17, or those to accept or adopt the report of a committee shall if

- requested by a presiding officer be presented in writing before being put to the council.
8. At the request of any member and upon majority vote of those present a question may be divided when the sense will admit of it.
  9. Any member having made a motion can withdraw it with the consent of the seconder except that any motion once debated cannot be withdrawn except by a majority vote of those present.
  10. When a member wishes to speak on a question or make a motion they shall rise in their place and respectfully address the presiding officer but except to state that they rise to a point of order or on a question of privilege. They shall not proceed further until recognized by the chair.
  11. When two or more members rise to speak at the same time the presiding Officer shall decide which one is entitled to the floor.
  12. Every member while speaking shall adhere to the question under debate and avoid all personal, indecorous or offensive language as well as any poor reflection on the council, local or member thereof
  13. If a member while speaking is called to order, they shall cease speaking until the point of order is determined, if it is decided that the member is in order the speaker may again proceed.
  14. No religious discussions shall be permitted.
  15. The President shall take no part in debate while presiding, but may yield the chair to speak on any question before the Council or to introduce a new question.
  16. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, the chair may in addition give a casting vote, or if the chair chooses refrain from breaking the tie in which case the motion is lost.



17. When a motion is before the council no other motion shall be in order except
  - (1) to adjourn
  - (2) to put the previous question
  - (3) to lay on the table
  - (4) to postpone for a definite time
  - (5) to refer
  - (6) to divide or amend which motions shall have precedence in the order amended.

The first three of these shall be decided without debate.

18. A motion for the previous question when regularly moved and seconded shall be put in this form "shall the main question be now put?" If it is adopted the President shall proceed to take the vote on the resolution or amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted the original resolution as amended shall be put to the council.
19. A motion to adjourn is in order except when (1) a member has the floor and (2) when members are voting.
20. A motion to adjourn having been put and lost shall not be in order again if there is further business before the Council until fifteen (15) minutes have elapsed.
21. After the presiding officer declares the vote on a question and before the council proceeds to another order of business any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.
22. If any member wishes to challenge (appeal) a decision of the chair they must do so at the time the decision is made. If the challenge is seconded the member shall be asked to state briefly the basis of their challenge. The chairperson may then state briefly the basis for the decision following which the chairperson shall immediately without debate put the question: "shall the decision of the chair be sustained?" A majority vote

shall decide except that in the event of a tie the chair is sustained.

23. After a question has been decided any two members who have voted in the majority may at the same meeting move reconsideration thereof. Motions to reconsider shall be put to the members after lunch or coffee breaks except if the meeting is to continue into a further day then the motion to reconsider shall be the first item on the agenda the following day.
24. No member shall enter or leave a meeting during the reading of the Minutes, the initiation of new members, the installation of officers or the taking of a vote and no member shall be allowed to leave without the permission of the presiding officer.
25. The Council's business and proceedings of meetings are not to be divulged to any persons outside the council or the Canadian Union of Public Employees.
26. Any point of order that may arise not governed as per these Rules of Order, Bourinot's rules of order shall govern.

## **CUPE COUNCIL POLICY BOOK**

### **1. ANNUAL BUDGET**

For the purpose of formulating an annual budget on a regular basis it shall be the policy of this Council that the financial books be closed annually on December 31<sup>st</sup> and that a budget be prepared based on income and expenses of the previous twelve months to this date projecting the upcoming twelve months income and expenses.

### **2. EQUIPMENT USE**

The Council's inventory is intended for the use of Council sponsored activities and it shall be the responsibility of the Council to administer the use of equipment. Should the use of equipment be requested by others it must be approved by the Executive Board of the Council.

### **3. CHILDCARE**

The Council shall reimburse the amount of twenty-five (\$25.00) per day to a representative of the Council who incurs child care expenses while out of town on behalf of the Council.

### **4. COMMITTEE EDUCATION**

All Committee members requesting to attend educational courses would require an Executive Board recommendation. The recommendation would then be brought before the Council delegates to seek approval.

### **5. CONVENTIONS, CONFERENCES AND AUTHORIZED FUNCTION EXPENSES**

Where article 13.2 of the council by-laws authorizes payment of expenses the executive shall determine the most economical form of travel to be utilized and at economy rate for public transportation and at a kilometer / mileage rate equal to that of CUPE Ontario as amended from time to time for the use of personal vehicles and that where air travel is approved a ground travel allowance equal to that of CUPE Ontario as amended from time to time shall apply. Delegates tending to Council business from outside the City of Greater Sudbury shall

receive mileage as per this section. For travel outside the City of Greater Sudbury a per diem equal to that of CUPE Ontario as amended from time to time shall be granted and an in town per diem for a full day of authorized business will be paid at twenty –five (\$25.00).

This section is not intended for payment for regular quarterly conventions.

This section may be utilized for the annual Trustees, By-Laws and Budget Committee meeting or any other meeting with prior approval of the Council.

Unapproved expenses may be granted after the fact by approval of the Council executive board upon remittance of valid receipts and reasonable explanation.

## **6. CONVENTION MEETING DATES**

It shall be policy that there shall be four (4) conventions every twelve (12) months and that these conventions shall be held in January; March; June; and September. In the year opposite to the National Convention there will be a Leadership meeting in place of the Council convention in June.

## **7. EDUCATION ASSISTANCE**

Where it is the goal of the council to make education available to all locals regardless of size or financial position and where larger membership locals should be able to handle their own education costs, the policy of this Council shall be that it will cover the cost for:

- A. Registrations
- B. Twenty-five (25%) percent of lost wages if any, for locals of the following membership numbers:

0-75 members	2 delegates
76-150 members	1 delegate

The Council will only recognize locals affiliated to the Council and for schools that are held in the Sudbury region put on by

the National Education Department through the Sudbury Council. The following must be presented to the Council in a written request 30 days prior to the school:

1. dues structure
2. number of full and part time members
3. last approved treasurer's report
4. who is attending
5. All requests must have the president and secretary of the local's signatures.

This policy is to be reviewed annually at the budget meeting and all requests shall require the President and Secretary-Treasurer of the Council approval which they may withhold for financial reasons.

#### **8. SCHOOL REGISTRATION FEES**

As we are endeavoring to build an education program which will continue to benefit all CUPE members in Sudbury and as we incur costs for these functions which must be offset through registration, a registration fee of twenty (\$20.00) dollars per person shall be charged and that any additional costs that may be incurred shall be added to the registration fee. It is understood that \$5.00 from each registration will be forwarded to the CUPE Council Scholarship Fund.

#### **9. REFUNDS: SCHOOLS AND CONFERENCES**

No refunds will be forthcoming for those registered who do not show or for those who exercise their right not to attend the complete time afforded but a refund will be applied should the school or conference be cancelled.

#### **10. NATIONAL DAY OF MOURNING**

It shall be the policy of this Council to participate through the President or designate the activities that take place on April 28<sup>th</sup> of each year to honour the CUPE members who have lost their lives at the workplace.

**11. PARTICIPATION FEES**

For affiliated locals requiring financial assistance to participate at Council conventions, the Council upon application and approval shall pay a Seventy-Five (\$75.00) dollar allowance per local to offset expenses.

**12. LAURENTIAN UNIVERSITY SCHOLARSHIP**

The Sudbury & District CUPE Council shall contribute to their bursary annually in the amount of five hundred (\$500.00) dollars to the Labour Studies Program.

**13. Appeals**

## a) Strike Appeals

- Up to \$500 for affiliated Locals to the Council
- Up to \$200 for non-affiliates in the Council's geographical area
- Up to \$100 for non-CUPE Locals

## b) Financial/Personal Appeals

- Up to \$100 for affiliated Locals to the Council
- Up to \$50 for non-affiliates in the Council's geographical area
- Up to \$25 for non-CUPE Locals

The regular quarterly convention may, at their discretion, disburse additional funds based upon the recommendation of the Secretary Treasurer.

## **CUPE COUNCIL POLICIES ON COMMITTEES**

### **1. ANNUAL BUDGET COMMITTEE**

This committee shall meet in January and prepare an annual budget as per policy which is to be presented at the March convention. It may be required to prepare budget updates and projections throughout the year as per executive or convention direction for the proper financial running of the Council. This committee shall be made up of the Council President, Vice-President and Secretary-Treasurer.

### **2. BY-LAWS COMMITTEE**

This committee shall be responsible to see that the Council, its affiliates, the delegates and members' constitutional rights are protected in by-law and policy changes. This committee shall meet when requested by the executive, affiliates or delegates at convention and continue to meet until requested work is completed which shall be when final approval of new or changed by-laws or policies are printed.

### **3. EDUCATION COMMITTEE**

The committee shall with the assistance of the education representative prepare and organize educational functions for the Council affiliates and others when so requested. The committee shall be responsible to see that all needs are met to put on educational functions. The committee may work directly with the Council's affiliates' education committees and assist them with their efforts. The committee shall also meet when requested by the Education Representative for our area.

### **4. WSIB / HEALTH AND SAFETY**

The committee shall be responsible to promote health and safety and return to work policies, to assist in education in legislative changes, to act as a network with affiliated locals for information to be distributed to delegates, the needs of our injured workers through direct contact or referral to knowledgeable persons or agencies.

**5. SOCIAL COMMITTEE**

This Committee shall be responsible for the scheduling of social activities and events. The activities and events will be on a cost neutral basis. These gatherings shall be open to all CUPE Locals regardless of affiliation.

**6. POLITICAL ACTION COMMITTEE**

This committee shall provide members with information about political choices and encourage them to participate in the political process at all levels of government. The committee shall identify political issues of concern to the membership and ensure that CUPE's voice is heard.