

BY-LAWS

for

**CANADIAN UNION OF PUBLIC EMPLOYEES
LOCAL 1880**



June 2012

cope-491

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PREAMBLE

These By-Laws are designed to give proper balance to the Administration of this Local Union. Duties and responsibilities of Elected Officers and Members of Committees should be widely dispersed in order that as many members as possible are involved in the administration of the Local.

In order to improve the social and economic welfare of its members without regard to sex, colour, race or creed, to promote efficiency in public employment and to manifest its belief in the value of the unit of organized labour, this Local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

The following By-Laws are adopted by the Local 1880 pursuant to, and to supplement, Appendix "B" of the CUPE Constitution, to safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organization's activities. The CUPE National Equality Statement can be found in Appendix "A" of the CUPE Constitution.

SECTION 1 - NAME

The name of this Local shall be:

CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 1880

Local 1880 consists of the following units:

Children's Aid Society
Community Living Algoma
Huron Lodge
Ontario March of Dimes
Victorian Order of Nurses--Algoma Site

SECTION 2 - OBJECTIVES

The objectives of Local 1880 are to:

- (a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- (b) support CUPE in reaching the goals set out in Article II of the CUPE Constitution;

- (c) provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (d) encourage the settlement by negotiation and mediation of all disputes between the members and their employers;
- (e) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place or origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears; and
- (f) Establish strong working relationships with the public we serve and the communities in which we work and live.

SECTION 3 - INTERPRETATION AND DEFINITIONS

- (a) Masculine pronouns shall be understood to include the feminine gender.
- (b) Numbers of Articles at the end of sections or sub-sections in this document refer to relevant articles of the CUPE Constitution which should be read in conjunction with these By-Laws.

SECTION 4 – AFFILIATIONS

In order to strengthen the labour movement and work toward common goals and objectives, Local 1880 shall be affiliated to and pay per capita to the following organization(s):

- The CUPE Ontario Division
- The Sault Ste. Marie and District CUPE Council

SECTION 5 - MEMBERSHIP MEETINGS (Regular and Special)

- (a) General membership meetings shall be held in September, October, November, February, March, April and June on the third Thursday at 6:30 p.m.

If a statutory holiday intervenes, the executive board shall give a week's notice of any change in the date of the meeting.

Meetings will normally be held in Sault Ste. Marie except in the months of October where the meeting shall be held in Elliot Lake and June where the meeting shall be held in Wawa

and extended to any teleconference sites as required. One per geographical area is preferred. A request for conference call shall be made to the Executive Board two weeks in advance. The location of such meeting will be announced at the general membership meeting immediately preceding it.

- (b) Special membership meetings of Local 1880 may be ordered by the Executive Board or requested in writing by no fewer than fifteen (15) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- (c) A quorum for the transaction of business at any regular or special meeting shall be five (5) members, including at least two (2) members of the Executive Board.
- (d) The order of business at regular membership meetings is as follows:
 - 1. Call the Meeting to Order
 - 2. Roll Call of Officers
 - 3. Reading of the Equality Statement
 - 4. Adoption of Agenda
 - 5.. Voting on new members and initiation
 - 6.. Reading and Approval of Minutes of Previous Meeting
 - 7.. Matters arising
 - 8.. Treasurer's Report
 - 9. Correspondence
 - 10. Executive Committee Report and Unit Vice-President Reports
 - 11. Reports of Committees and Delegates
 - 12. Nominations, Elections or Oath of Office
 - 13. Unfinished Business
 - 14. New Business
 - 15. Good of the Union
 - 16. Adjournment
- (e) Local 1880 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

SECTION 6 – UNIT MEETINGS

- (a) Special unit meetings of Local 1880 may be ordered by the Unit Executive or requested in writing by no fewer than ten (10) members. The Unit Vice-President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the Unit meeting other than that for which

the meeting is called and notice given.

- (b) A quorum for the transaction of business at a special unit meeting shall be five (5) members, including at least two (2) members of the Executive Board.

SECTION 7 - VOTING OF FUNDS

- (a) Local 1880 will pay out funds under the following circumstances:
- When the expenditure has received prior authorization through a membership approved budget.
 - When these bylaws approve the expenditure; or
 - Through a vote of the majority of members at a membership meeting.

Authorization to pay per capita tax to CUPE National, CUPE Ontario Division, or any labour organization the Local Union is affiliated with, is not required.

- (b) Except for ordinary expenses and bills as approved at membership meetings, no sum over \$50.00 fifty dollars shall be voted for the purpose of a grant or contribution to a member or any cause outside CUPE, except by a notice of motion given in writing and dealt with at the following membership meeting.

- (c) Local Union Expenses

Expenses will be budgeted and approved by the Executive Committee when necessary.

- (d) Strike Appeals

Strike appeals approved by the Local Union membership shall be in the amount of seventy-five (\$75.00) dollars minimum to one hundred and fifty (\$150.00) dollars maximum except in the case of a Local Union appeal (Sault Ste. Marie and Area) or a sister Local of CUPE; said appeal to be left to the discretion of the Executive Board subject to the approval of the membership of the Local Union.

SECTION 8 - OUT-OF-POCKET EXPENSES

The following expense allowance shall be provided:

\$200/month President, Secretary, Treasurer

\$100/month General Vice President and Unit Vice-Presidents

\$100/each Trustees per six (6) months audit.

\$50/month Chief Shop Steward

Executive Board Meetings

Out of Pocket Expenses are to be paid in April at the end of each year (12 months) of service, subject to the officers attendance at a minimum of eight (8) regular Board meetings. Executive Board members who fail to attend the required minimum of eight (8) regular Board meetings without reasonable explanation for their absence shall be prorated for the period of non-attendance.

Executive Board members required to use their cell phone for Union Business shall be reimbursed upon receipt and completion of an Expense Voucher.

Executive Board members shall be granted up to one day per month with pay to perform the duties of their office.

Transportation

Transportation expenses for attendance to Board, General and Committee meetings shall be granted to those travelling in excess of 25 km and shall be paid at the highest rate allowed to any of the contract groups. Such expenses will not be paid until the records of these meetings are provided to the Executive Board. Executive Board members living in the District shall be granted sufficient time off work with pay to attend meetings held in Sault Ste. Marie. Accommodations shall also be granted as approved by the Executive Board.

Union Officers

All union officers including stewards required to travel to perform their duties shall be paid the following:

Mileage is paid at the highest rate in any of the contract groups.

Breakfast: \$15.00

Lunch: \$15.00 and/or

Dinner: \$30.00 where applicable.

SECTION 9 – CHILD CARE EXPENSES

Caring for children, dependents or the elderly are barriers to actively participating in the

union or to attending membership meetings. Local 1880 is committed to removing barriers within its control so that all members have equal access to participation.

- (a) Any member who is on authorized Local 1880 business shall be eligible for child care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum fifty (\$50.00) dollars per day.
- (b) Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

SECTION 10 - OFFICERS

The Table Officers of the Local shall be the President, General Vice-President, Recording Secretary, Secretary-Treasurer and three (3) Trustees. There shall be seven (7) Unit Vice-Presidents including two (2) Unit Vice-Presidents from CAS and (2) Unit Vice-Presidents from CLA and Chief Shop Stewards.

The Table Officers shall be elected by a majority of unspoiled ballots cast at a General Membership meeting of the Local.

The Unit Vice-Presidents and the Chief Shop Stewards shall be elected by a majority of unspoiled ballots cast by their constituency membership.

SECTION 11 - EXECUTIVE BOARD

- (a) The Executive Board shall comprise all officers, except Trustees.
- (b) Regular executive board meetings shall be held each month on the first Tuesday commencing at 12:00 p.m.
- (c) A majority of the Board constitutes a quorum. Meetings are to be authorized by the President, or in his/her absence, by the General Vice President and must be confirmed and recorded at the next Board meeting. Unit Vice-Presidents are authorized to hold one (1) meeting per month with their group.
- (d) The Executive Officers shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- (e) The Board shall do the work delegated to it by the Local and shall be held responsible for

the proper and effective functioning of all committees.

- (f) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
- (g) Should any Board member fail to answer the roll-call for three consecutive regular Board meetings without having submitted in writing good reasons for those failures, his office shall be declared vacant and shall be filled by an election at the following membership meeting.
- (h) Should any Officer, Steward, or Committee member take a job outside the scope of the bargaining unit for any period of time where the Officer, Steward, or committee member will be required to supervise members of a bargaining unit within the jurisdiction of the local union for any period of time, the Officer, Steward, or Committee Member shall be relieved of their Union responsibilities and the Secretary Treasurer shall be notified immediately. The position shall be filled in accordance with the provisions of these By-Laws.
- (i) The Executive Board shall have the power to pay bills during the months when no General Meeting is held and shall carry on all necessary Union business for these periods. Notwithstanding the above, all business so carried out will be ratified by the membership at the next General Meeting.
- (j) The Executive Board shall make a recommendation whether or not any grievance shall proceed to arbitration based on the grievance committee recommendation and the opinion of the Area Staff Representative. A decision not to proceed to Arbitration may be appealed by the affected member(s) at the next General Membership meeting immediately following the decision not to proceed to arbitration with the grievance. The member will be allowed sufficient time off work (should it be required to plead their case before the Executive and present any facts relating to the case which the member feels haven't been taken into consideration. The member if they so wish may have someone from CUPE local 1880 present or assist with their appeal. The General Membership will render a decision which will be final and binding.

SECTION 12 - DUTIES OF OFFICERS

Each Officer of Local 1880 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

- (a) The President shall:
 - enforce the CUPE Constitution and these By-Laws;
 - preside at all membership and executive board meetings and preserve order;

- provide a written report on their activities for the Executive Board on a monthly basis;
- decide all points of order and procedure (subject always to appeal to the membership);
- while presiding over the conduct of any meeting of the Local, be permitted to state a position on any matter prior to the commencement of debate. Should the President wish to take part in the debate, the Chair shall be vacated and the Vice-President shall take the Chair until such time as the President can resume the Chair;
- have a vote on all matters (except appeals against his ruling) and in case of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie;
- ensure that all officers perform their assigned duties;
- be a member ex-officio of all committees of the local, whether standing or special;
- fill committee vacancies where elections are not provided for;
- introduce new members and conduct them through the initiation ceremony;
- sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, By-Laws, or vote of the membership;
- be allowed necessary funds, not to exceed \$25.00 monthly to reimburse himself or any officers for expenses, supported by vouchers, incurred on behalf of the Local;
- have first preference as a delegate to all conventions;
- on termination of office, shall surrender all books and other properties of the local to the officer's successor.

(b) The General Vice President shall:

- if the President is absent or incapacitated, perform all duties of the President;
- if the office of President falls vacant, be Acting President until a new President is elected;
- render assistance to any member of the Board as directed by the Board
- have signing authority in the absence of the President or Secretary-Treasurer.
- on termination of office, shall surrender all books and other properties of the local to the officer's successor.

(c) The Recording Secretary shall:

- keep full and accurate account of the proceedings of all Membership and Board meetings;
- record all alterations in the By-Laws;
- answer all correspondence and fulfil other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to members;
- have all records ready on reasonable notice for auditors and/or Trustees;
- preside over Membership and Board meetings in the absence of the President, and

- the Vice President;
- be allowed necessary funds, not to exceed \$25.00 monthly, to reimburse himself or any officers for expenses, supported by vouchers, incurred on behalf of the Local;
 - on termination of office, surrender all books, seals and other properties of the Local to his successor;
 - make available to all Group Vice Presidents all minutes of meetings.
 - prepare and distribute for posting Notice of Motion and meeting agendas; be empowered, with the approval of the president, to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
 - be willing to undertake any necessary training for the operation of the local unions computer systems;
 - Include a copy of the full financial report presented by the treasurer as part of the minutes at general membership meetings;
 - enrol members in schools/conferences/conventions;
 - maintain office equipment and direct end users of union owned or leased equipment to the proper outlet for repairs or service;
 - prepare copies of motions and attach appropriate back up for such motions which the secretary treasurer is required to pay.

(d) The Secretary-Treasurer shall:

- receive all revenue, initiation fees, dues, and assessments and deposit promptly all money with a bank or credit union;
- record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- regularly make a full financial report to meetings of the locals executive board as well as a written report to each regular general membership meeting detailing all income and expenditures for the period and investments. In addition to the written financial report, the secretary treasurer shall provide a verbal summary of the financial report. A printed copy of the monthly secretary treasurer's report shall be provided to the members of the Executive board for their records;
- make a financial report to the membership at each monthly meeting;
- be bonded for not less than \$500.00 (or any greater sum as may be decided at a membership meeting, taking into account the assets of the Local and the amount of cash and cheques handled by the Secretary-Treasurer) through the master bond held by the CUPE National Office;
- be bonded through the master bond held by the National Office and any secretary treasurer who cannot qualify for the bond shall be disqualified from office;
- pay no money unless supported by a voucher duly signed by the President or two other members of the Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- arrange for transportation/overnight accommodation when required and cover such costs;
- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited semi-annually;

- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds;
- notify all Employers who are one (1) month in arrears and report to the Board all Employers two (2) or more months in arrears;
- throughout his/her term, and on behalf of the local union membership, be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE headquarters, as well as records and supporting documents for all income received by the local union;
- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees, in accordance with Article B.3.12.
- on termination of office, surrender all books, records and other properties of the Local to his successor.

(e) The Trustees shall:

- act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary and the Standing Committees semi-annually;
- report their findings to the first membership meeting following the completion of each audit;
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- ensure that proper financial reports are made to the membership;
- audit the record of attendance;
- inspect at least twice a year any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership;
- use audit forms supplied by the National Office and send a copy of each half-yearly audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE constitution;
- At the completion of their audit, the Trustees shall submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner. [Section B.3.12 (b)]
- The Trustees shall make a written report to the next regular meeting of the Local Union following the audit on the condition of the funds and accounts, the number of members in good standing, the number initiated, expelled or suspended, admitted or withdrawn, together with such other information they may deem necessary to the efficient and honest administration of the Local Union, along with a copy of the

written recommendations and/or concerns submitted to the Secretary-Treasurer, and the Secretary-Treasurer's written response.

- The trustees shall send a copy of the completed audit report (on the prescribed form provided by the National Secretary Treasurer) as well as a copy of their recommendations and/or concerns to the President and Secretary Treasurer and the Secretary Treasurers response, to the National Secretary Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative. [Section B.3.12 (d)]
- complete the CUPE Trustee training course;
- submit in writing to the executive any recommendations or concerns they feel should be reviewed;
- submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the local union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct and proper manner
- any trustee having to travel out of town to attend a meeting shall be paid mileage and per diem as per as per section 15 General Expenses.
- on termination of office, surrender all books, records and other properties of the Local to his successor.

(f) The Unit Vice Presidents shall:

- preside over meetings of his group;
- provide the Executive Board with the minutes of all general group and committee meetings;
- keep the Executive Board apprised of any issues of interest to his group or the Local;
- ensure that notices of meetings, etc. be posted;
- perform such other duties as may be assigned by the Board from time to time;
- ensure that the Recording Secretary has an up-to-date list of the members of his contract group;
- be allowed necessary funds, not to exceed \$25.00 monthly, to reimburse himself or any officers for expenses, supported by vouchers, incurred on behalf of the Local;
- make available to all members all minutes of meetings;
- notify the CUPE Representative of Group Meetings in advance, if they wish their attendance at the meeting;
- submit a written report each month to the Executive Board on their Group activities;
- recommend interested members for the upcoming education courses and or vacant positions on committees;
- shall be in attendance at all the collective bargaining meetings within the group he represents;
- shall be in attendance in all legal proceedings involving their group;
- perform chief shop steward duties where otherwise not provided for;
- be ex-officio on all bargaining meetings with the group they represent;
- shall take the necessary paid leaves of absence to attend to the affairs of his

- group;
- shall approve the necessary paid leaves of absence to attend to the affairs of the group on the Request for Paid Union Leave form, provided by local 1880.
- on termination of office, surrender all books, records and other properties of the Local to his successor.

(g) The Chief Shop Steward shall:

- Introduce themselves to new members, provide them with a copy of the Collective Agreement, Bylaws and explain the role of the union;
- ensure accurate records of all grievances are completed with the use of grievance fact sheets and be responsible for ensuring that the grievance procedures are properly administered;
- report on all grievances at regular general membership meetings either in person or through the Unit Vice-President;
- render assistance to any member as needed or assign a designate to attend to said matter;
- be required to attend all levels of steward's courses as provided for by CUPE;
- attend grievance hearings and act as an advocate when requested;
- initiate action when the Collective Agreement has been violated even when there is no complaint;
- shall be chair of the Grievance committee;
- on termination of office, surrender all books and other properties of the local union to the officer's successor;

(h) The Shop Stewards shall:

The shop stewards will be elected by and from the group he or she is to represent.

The duties of the Shop Stewards shall be:

- (a) Defining, detecting, preparing and presenting grievances at the initial level;
- (b) Generally knowing and policing the collective agreement and provincial or federal legislation affecting labour and a particular job;
- (c) Providing communications and information from the members in the unit to the Executive and from the Executive to the members, including distribution of union literature and newspapers;
- (d) Greet and sign new employees and encourage participation of all members of the unit in union activity;
- (e) Maintain daily contact with the members to provide ongoing union awareness and

education.

- (f) Shall be authorized to attend a maximum of two (2) meetings per fiscal year, for which loss of wages, if applicable, will be paid by the Local. All steward meetings will be at the call of the Chief Steward or Unit Vice-President. These meetings will be chaired by the Chief Steward and a written report will be submitted to the next Executive Board and General Membership meetings.
- (g) on termination of office, surrender all books and other properties of the local union to the officer's successor;

SECTION 13 - FEES, DUES AND ASSESSMENTS

(a) **Initiation Fee**

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee of one dollar (\$1.00) 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.

(b) **Readmittance Fee**

The readmittance fee shall be two dollars (\$2.00).

(c) **Monthly Dues**

The monthly dues shall be 1.50% of regular wages.

Changes in the levels of the Initiation Fee, the Readmittance Fee or the Monthly Dues can be effected only by following the procedure for amendment of these By-Laws (see Section 18) with the additional provision that the vote must be by secret ballot.

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

Special assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.

SECTION 14 - NON-PAYMENT OF DUES AND ASSESSMENTS

Any member in arrears for a period of three (3) months or more shall be automatically suspended and his suspension shall be reported to the Executive Board by the Secretary-Treasurer. The Executive Board shall report to the next membership meeting with a recommendation. Any member under suspension wishing to be reinstated shall, upon application, pay the readmittance fee, plus any dues and assessments in arrears. This money will be returned if the application is rejected. If a member has been unemployed or unable to work because of sickness, the member shall pay the readmittance fee but may not be required to pay arrears.

SECTION 15 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) Nominations

1. Nominations will be received at the regular membership meeting held in the month of February.
2. Nominations will be accepted from members in attendance at the nomination meeting or from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member.
3. To be eligible for nomination, a member shall have attended at least fifty (50%) percent of the membership meetings held in the previous twelve months, or in the period he was a member if less than a year, unless a valid reason acceptable to the Local Union is given for non-attendance by the next membership meeting.
4. A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.
5. To be eligible for nomination, a member must be a member in good standing as set out in Article B.8.3 of the National Constitution.
6. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

(b) Elections

1. The President and Recording Secretary will be elected in odd years. The General Vice-President and Secretary-Treasurer shall be elected in even years.
2. At a membership meeting, at least one month prior to Election Day, the President will, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee will

include members of the Local Union who are neither Officers nor candidates for office. The Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.

3. The Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
4. The Returning Officer will be responsible for issuing, collecting, and counting ballots. The Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
5. The voting will take place at the regular membership meeting in March. The vote will be by secret ballot.
6. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
7. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will be taken 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.
8. When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
9. Any member may request a recount of the votes for any election and a recount will be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as set out in Section 5(c).

(c) Unit Elections

Nominations and elections for unit positions will take place in odd years after the elections outlined in Section 10(b). Unit nominations and elections will be conducted for the following positions:

Unit Vice-President (s)

Chief Shop Steward

The voting will take place at the regular unit membership meeting by secret ballot.

(d) Installation

- (i) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three (3) years.
- (ii) The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the CUPE Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three year period. No member who has been a signing officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed.
- (iii) The Oath of Office to be read by the newly-elected Officers is:

“I, _____, do most sincerely promise that I will truly and faithfully, to the best of my ability, perform the duties of my office for the ensuing term, as prescribed in the Constitution and laws of the Canadian Union of Public Employees, and as an Officer of this Local Union will at all times endeavour, both by counsel and example, to promote the harmony and preserve the dignity of its sessions.

I further promise that at the close of my official term, I will promptly deliver all monies, books, papers, or other property of this Local Union in my possession to my elected successor.”

(e) By-Elections

Should an office fall vacant pursuant to Section 9(g) of these By-Laws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section.

SECTION 16 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

- (a) Except for the President’s option [Section 10 (a)], all delegates to conventions shall be chosen by election at membership meetings.
- (b) All delegates to conferences shall be determined by the membership upon a recommendation of the Executive Board. The Executive Board shall consider the following:
 - i) Funds available;

- ii) Executive Board Members who have representation right for that unit (wherever applicable);
- iii) Those other individuals who represent members in that unit;
- iv) The number from each group;
 - Children’s Aid Society – 2;
 - Community Living Algoma - 2;
 - March of Dimes - 1;
 - Huron Lodge - 1;
 - Victorian Order of Nurses - 1.

(c) Delegates attending educational training sessions are encouraged to attend whenever possible training sessions in their local area. In the event that there is a vacancy it will be opened up to the members at large. Members who have been elected and or appointed to a committee shall have first priority to attend the educational. The numbers from each group are as follows for in town training:

- Children’s Aid Society - 4
- Community Living Algoma - 4
- March of Dimes - 2
- Huron Lodge - 1
- Victorian Order of Nurses - 1

(d) Delegates requesting to go out of town for training the breakdown is as follows:

- Children’s Aid Society - 2
- Community Living Algoma - 2
- March of Dimes - 1
- Huron Lodge - 1
- Victorian Order of Nurses - 1

(e) Delegates to the Sault Ste. Marie and District CUPE Council shall be elected annually. A member responsible for reporting back to the Local Union membership shall be appointed by the President from among these delegates, and the member appointed shall make a written report at each Local Union membership meeting on proceedings at recent meetings of the Council.

(f) All delegates attending conventions and conferences held outside the City of Sault Ste. Marie shall be paid transportation expenses (at economy, tourist or coach rates), hotel

accommodation(at a Unionized hotel wherever possible) as determined by the Secretary-Treasurer, and a per diem allowance of one hundred (\$100.00) dollars for meals and expenses. The Local Union will reimburse the member's employer for any loss of wages.

- (g) All delegates attending educationals held outside the City of Sault Ste. Marie shall be paid transportation expenses (at economy, tourist or coach rates) hotel accommodation (at a Unionized hotel wherever possible) as determined by the Secretary-Treasurer, and a per diem allowance of sixty (\$60.00) dollars for meals and expenses. The Local Union will reimburse the member's employer for any loss of wages
- (h) Delegates to conventions, conferences, and educationals held locally shall have no travel allowance. There shall be a per diem allowance of fifteen (\$15.00) dollars for meals and expenses incurred by attendance at the convention, conference or educational. The Local Union will reimburse the member's employer for any loss of wages.

Delegates to Conventions/Conferences or Educational Workshops where long distance is applicable shall be entitled to one phone call home per day at the Union's expense up to a maximum of 10 minutes.

- (i) Delegates elected to attend conventions, conferences, and educationals shall be required to participate for the duration of the event (except in exceptional circumstances). Delegates who do not attend shall be required to reimburse the Local for all expenses for the pro-rated portion of non-attendance.
- (j) Delegates who wish to use their vehicle instead of airline travel, shall be paid either mileage or the equivalent of airfare, whichever is the lesser.
- (k) Delegates are encouraged to share accommodations (or book suites--only if sharing accommodations) whenever possible.
- (l) Local 1880 will provide members with their per diem allowance prior to their attending the convention, conference, or educational.
- (m) Local 1880 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.

General Information

- (i) All Leave of Absences for any Union function must be submitted on the forms provided by the Union. All leaves requested must be signed by the Unit Vice-President or members of the Executive Board.
- (ii) All Expense Vouchers must be filled in and signed by the member submitting for expenses. The voucher must then be signed by the Unit Vice-President

authorizing the expense and submitted at the Executive or General Membership meeting preceding the function. Except for unusual circumstances, no expenses will be approved other than at the Executive or General Membership meetings.

- (iii) Expense vouchers are available from your Unit Vice-President, Education Committee or the Secretary Treasurer.

SECTION 17 - COMMITTEES

(a) Negotiating Committees

The function of the Committee is to prepare collective bargaining proposals and to negotiate collective agreements, and any other duties as specified in their collective agreement. The Unit Vice-President(s) shall be ex-officio of this committee. The CUPE Representative assigned to the Local shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the members.

Members of the Negotiation Committee who are in negotiations over eight (8) hours per day will be covered by the sixty dollars (\$60.00) per diem. Members who attend for a period of less than eight (8) hours shall receive per diem as per the following:

| | |
|------------|---------|
| Breakfast: | \$15.00 |
| Lunch: | \$15.00 |
| Dinner: | \$30.00 |

(b) Special Committees

A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two (2) members of the Board may sit on any special committee as ex-officio members.

(c) Standing Committees

The Chairperson of each standing committee shall be selected by the Executive Board, subject to final approval by the membership. The Chairperson and the Executive Board may jointly appoint other members to serve on a committee. The Unit Vice-President may be a member, ex-officio, of each Committee. The standing committees shall be as follows:

1. Unit Grievance Committees

These Committees shall process all grievances according to each collective agreement, and their defined role therein. Reports shall be submitted to the Executive Board, with a copy to the CUPE Representative, and to a group membership meeting. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement. The Committee shall appoint its secretary from among its members.

2. Labour/Management Committees

The Labour/Management Committees for each group are to be set up according to each group's collective agreement.

This committee is not empowered to agree to any issues which impact on the collective agreement or which would affect the membership as a whole or individually unless brought to the membership for ratification.

SECTION 18 - RULES OF ORDER

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian Parliamentary Procedure. Some of the more important rules to ensure free and fair debate are appended to these By-Laws as Appendix A. These rules shall be considered as an integral part of the By-Laws and may be amended only by the same procedure used to amend the By-Laws.

In situations not covered by Appendix A, the CUPE Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be considered and applied.

SECTION 19 - AMENDMENT

- (a) These By-Laws are always subordinate to the CUPE Constitution (including Appendix "B")

as it now exists or may be amended from time to time, and in the event of any conflict between these By-Laws and the CUPE Constitution the latter shall govern. Constitutional interpretation, including determining of conflict, is the prerogative of the National President.

- (b) These By-Laws shall not be amended, added to or suspended except upon a majority vote of those present and voting at a special membership meeting following written notice given at least seven (7) days notice at a previous meeting or at least sixty (60) days written days notice has been given..
- (c) No change in these By-Laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

APPENDIX "A" - RULES OF ORDER

- (1) The President, or in his absence, the General Vice President, shall take the chair at all membership meetings. In the absence of both the President and General Vice President, the Recording Secretary shall act as President, and in his/her absence, a President pro-tem shall be chosen by the Local.
- (2) No member, except the Chairman of a committee making a report or the mover of a resolution, shall speak more than five minutes, or more than once on the same question without the consent of the meeting, or until all who wish to speak have had an opportunity. Chairmen and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.
- (3) The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.
- (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 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 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 the presiding officer, be presented in writing before being put to the Local.

- (8) At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit 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 to make a motion, he shall rise in his place and respectfully address the presiding officer, but, except to state that he rises to a point of order or on a question of privilege, he 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, offensive language, as well as any poor reflections on the Local or member thereof.
- (13) If a member, while speaking, is called to order, he shall cease speaking until the point is determined; if it is decided he is in order, he may again proceed.
- (14) No religious discussion shall be permitted.
- (15) The President shall take no part in debate while presiding, but may yield the chair to the General Vice President in order to speak on any question before the Local, 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, he may in addition give a casting vote, or if he chooses, refrain from breaking the tie, in which case the motion is lost.
- (17) When a motion is before the Local, 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 named. 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 and 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 Local.
- (19) A motion to adjourn is in order except (1) when 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 Local, until fifteen minutes have elapsed.
- (21) After the presiding officer declares a vote on a question, and before the Local 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, he 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 his challenge. The chairman may then state briefly the basis for his decision, following which the chairman shall immediately and 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 or next meeting, move reconsideration thereof.
- (24) No members 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 Vice President.
- (25) The Local's business, and proceedings of meetings, are not be divulged to any person outside the Local or the Canadian Union of Public Employees.

APPENDIX "B"

RETIREMENT

In recognition to a member of CUPE Local 1880, retiring after twenty (20) years, they will receive a gift in the amount of one hundred dollars (\$100.00).

APPENDIX "C"

EDUCATIONAL BURSARY AND SCHOLARSHIP

Two (2) educational bursaries of \$250.00 (two hundred and fifty) dollars each will be provided to self identified dependent(s) of a CUPE Local 1880 member. The eligibility criteria is that the

graduating student is a self identified dependent of a CUPE Local 1880 member and is able to provide confirmation of enrolment in a post secondary diploma/degree program or apprenticeship. Applications shall be submitted no later than the 15th of September to an Executive Board member and selection shall be by random draw at the September General Membership Meeting.

YOU ARE THE UNION

A few "DO'S" and "DON'TS" calculated to test the sincerity of WE who are the UNION:

- DO study the Constitution
- DO study the By-Laws
- DO study the Agreement
- DO attend as many meetings as possible
- DO get acquainted with the Steward in your Department
- DO learn the difference between a legitimate grievance and a complaint, whether such be frivolous or well-founded
- DO memorize the Order of Business and follow it when attending meetings (when in doubt, ask the guidance of the Chair)
- DO think before WE vote

- DON'T say "Why doesn't the Union....." instead of "Why don't WE.....?"
- DON'T stay away from meetings and gripe about "unwise" decisions afterwards
- DON'T go "over the head" of OUR Steward
- DON'T think that if things are not to OUR liking that there just isn't anything WE as an individual can do about it
- DON'T believe the Union is not virtually important to US. Next to OUR home and family, the UNION IS OUR MOST IMPORTANT INTEREST
- DON'T hesitate to bring to the attention of the meeting YOUR problems, they are the Union's problems too
- DON'T leave this booklet at home, carry it all the time

BUY UNION LABEL

EVERY TIME YOU SPEND A DOLLAR, you can make it work for you or against you.

WHEN YOU SPEND IT FOR UNION LABEL MERCHANDISE, you underwrite fair wages and decent working conditions for the workers who produce it. You thereby protect your own Union wages and working conditions.

WHEN YOU SPEND YOUR DOLLAR FOR NON-UNION PRODUCTS, you make it work against your own best interest. You encourage wage chiselling and unfair competition. Eventually this unfair competition jeopardizes your own wages and conditions.

TO GET FULL VALUE FOR EVERY DOLLAR you spend, insist on the Union Label and the Union House Card every time. **IN THE LONG RUN** it will pay you just as much as it pays the people who produce the goods or services you buy.

LOCAL 1880 CREDIT CARD POLICY

The Local 1880 Credit Card was introduced as an alternative purchasing and payment mechanism to improve payment performance, simplify clerical processes, provide more effective cash management and better service delivery for your members. The card system is specifically intended for, but not restricted to, use in conducting all out-of town union business.

Benefits to the local and its members will be:

- Faster receipt of goods and services
- Increased flexibility
- Less reliance on cash and/or cheques
- Prompt and reliable recording of financial transactions

Credit Limit

The credit limit on the Local 1880 credit card has been set at \$20,000 and determined based on the largest monthly expense for travel and accommodations anticipated in the year it was implemented.

Amending the Existing Credit Limits

Proposed amendments to the existing credit limit shall be identified by the cardholders and brought to the Executive and the membership for approval.

Retention and Use of the Credit Card

The Local shall retain 3 copies of the credit card.

The President, Vice-President and Secretary-Treasurer shall be the only authorized persons to use the credit card and sign on behalf of the Local and its members.

Each of the 3 credit cards shall be issued in the name of the Local, as well as indicate the name of the executive member holding the card, for increased accountability.

When the executive positions within the Local change person, the signing authority and responsibility of the credit card shall immediately change. The card issued in the exiting executive member's name shall be immediately submitted to the Local and immediately destroyed. A new card shall be issued in the newly elected executive member's name.

The use of the credit card shall be limited to the following transactions:

- hotel/accommodations;
- airline reservations and payment;
- ground transportation including bus service, car rental, shuttles, taxi, etc.;
- fuel;
- booking facilities for union functions.

An expense voucher shall be submitted for all charges on the credit card and a receipt shall be included. Where a member does not submit a receipt, the amount charged on the credit card shall be deducted from any future expense claims of that member until that amount is repaid.

Misuse

The Local 1880 credit card shall not be used for any personal purchases or financial transactions whatsoever.

The Local's Executive members shall have the authority to cancel/terminate usage of the credit card where misuse is suspected/determined.

Accountability

The Secretary-Treasurer shall make available all transaction records and monthly statements of the credit card available to the trustees for the bi-annual audits.

E.&O.E.
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