



## **BY-LAWS OF C.U.P.E. LOCAL 1813**

*Including amendments made up to and including August, 2013  
Approved September 25, 2014*

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**August 2013**

## **PREAMBLE**

The following Bylaws are adopted by the Local 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.

## **SECTION 1 – NAME**

The name of this Local shall be: CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 1813 (The District Municipality of Muskoka Inside Workers; District Municipality of Muskoka Outside Workers; Community Living South Muskoka—Vocational; Family, Youth and Child Services of Muskoka; Muskoka Family Focus; Community Living South Muskoka—Paraprofessionals; Town of Kearney; Bracebridge Generation and Lakeland Power and the Municipality of Magnetewan.

## **SECTION 2 - OBJECTIVES**

The objectives of the Local are to:

- (a) secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- (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.

### **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 refer to relevant articles of the CUPE Constitution which should be read in conjunction with these bylaws.
- (c) REGULAR GENERAL MEMBERSHIP MEETING wherever used in these By-Laws refers to and means meetings held and attended by members on a regular monthly basis not withstanding Bargaining Units jurisdiction.
- (d) SPECIAL GENERAL MEMBERSHIP MEETING wherever used in these By-Laws refers to and means meetings as may be ordered by the Executive Board or as provided elsewhere in these By-Laws and such meetings shall entertain topics of general interest to all Members.
- (e) UNIT MEETINGS wherever used in these By-Laws refers to and means meetings as may be ordered by the Officers of the Unit or as provided elsewhere in these By-Laws and such meetings shall only entertain topics of specific interest to Members within the Bargaining Unit for which the Unit Meeting has been called.
- (f) BARGAINING UNIT RATIFICATION VOTE wherever used in these By-Laws refers to and means a vote by dues-paying Members in good standing within the Bargaining Unit, as called for by the Bargaining Committee Chairperson, for the purpose of contract ratification.

### **SECTION 4 - MEMBERSHIP MEETINGS - Regular and Special**

- (a) Regular General Membership meetings shall be held at least four (4) times per year, in January, April, June and October at 7:00 p.m. on the third Tuesday of the month. The Executive Board will give one week's notice of any change of time or place.
- (b) Regular Unit Membership meetings shall be held at least two (2) times per year in May and September; the time and place of such meetings shall be determined by the individual Unit Vice President.

- (c) Special General Membership meetings may be ordered by the Executive Board or requested in writing by no fewer than 10 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.
- (d) Special Unit Membership meetings may be ordered by the Executive Officers of the Unit or requested in writing by not less than 20% of the signed members of the Unit. The Vice-President shall immediately call a special Unit Membership 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.
- (e) A quorum for the transaction of business at any regular or special General meeting shall be 10 members including at least two (2) members of the Executive Board.
- (f) A quorum at a regular or special Unit Membership meeting shall be 10% of signed Unit members including the Unit Vice-President.
- (g) The Order of Business at regular General membership meetings is as follows:
  1. Roll call of officers
  2. Reading of the Equality Statement
  3. Voting on New Members and Initiation
  4. Minutes of the last meeting
  5. Business arising
  6. President's Report
  7. Treasurer's Report
  8. Pay the bills
  9. Correspondence
  10. Unit Reports
  11. Reports of Committees and Delegates
  12. Nominations, Elections or Installations
  13. New Business
  14. Next meeting
  15. Adjournment

(Article B.6.1)

- (h) The order of business at regular Unit Membership meetings shall follow as closely as possible that of regular General Membership meetings; however, there shall be no voting of funds (bills), and no President's report. There may be a report, but no discussion of the financial statement.

## **SECTION 5 - VOTING OF FUNDS**

Except for ordinary expenses and bills as approved at general membership meetings, no sum over *five* hundred 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.

(Appendix BIV Article B.4.4.)

## **SECTION 6 – OFFICERS**

The officers of the Local shall be the President, General Vice-President, Secretary-Treasurer, Recording Secretary, three (3) Trustees, Unit Vice-Presidents and Unit Chief Stewards of the Community Living South Muskoka—Vocational, the District Municipality of Muskoka Inside and Outside Workers; Family Youth and Child Services of Muskoka; Muskoka Family Focus; Community Living South Muskoka—Paraprofessionals; Town of Kearney; and Bracebridge Generation and Lakeland Power; Municipality of Magnetewan. Treasurer and Trustees shall be elected by the General Membership. The positions of Unit Vice-Presidents, Unit Chief Stewards, and Stewards shall be elected by the respective Unit Membership.

(Articles B.2.1. & B.2.2.)

(See Section 12 for procedures for the selection of officers.)

## **SECTION 7 - EXECUTIVE BOARD**

- (a) The Executive Board shall comprise all Officers, except Unit Chief Stewards, Stewards and Trustees.  
(Appendix BII Article B.2.2.)
- (b) The Board shall meet at least once every month.  
(Appendix BIII Article B.3.14.)
- (c) A majority of the Board constitutes a quorum.
- (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.  
(Articles B.11.1. to B.11.5.)
- (g) Should any Board member fail to answer the roll-call for three consecutive regular general membership meetings or three consecutive regular Board Meetings without having submitted good reasons for those failures, his office shall be declared vacant and shall be filled by an election at the following general membership meeting.  
(Appendix BII Article B.2.5.)

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

All Officers must give all properties, assets, funds and all records of the Local Union to their successors at the end of their term of office.

All signing Officers of Local 1813 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

(a) The **President** shall:

- be a member of the Executive Board;
- enforce the CUPE Constitution and these bylaws;
- preside at all general membership and Executive Board meetings and preserve order;
- decide all points of order and procedure (subject always to appeal to the general membership);
- have a vote on all matters (except appeals against his rulings) and in case of a tie



- vote in any matter including elections, have the right to turn back to the membership for a revote;
- ensure that all officers perform their assigned duties;
  - fill committee vacancies where elections are not provided for;
  - introduce new members and conduct them through the initiation ceremony;
  - sign cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, bylaws, or vote of the general membership;
  - have first preference as a delegate to the CUPE National Convention and the CUPE Ontario Division Convention.

(Appendix BIII Article B.3.1)

(b) The **General Vice-President** shall:

- be a member of the Executive Board;
- if the President is absent or incapacitated, perform all duties of the President;
- when required to do so, assist the President in the discharge of his duties as per Section 8 (a);
- if the office of President falls vacant, be Acting President until a new President is elected;
- render assistance to any member of the Executive Board as directed by the Executive Board.

(Appendix BIII Article B.3.2)

(c) The **Unit Vice-President** shall:

- be a member of the Executive Board;
- preside at all Membership meetings of his Unit;
- decide all questions of order and procedure (subject always to appeal to the Unit Membership) during Membership meetings of his Unit;
- have a vote on all matters at Membership meetings of his Unit (except appeals against his rulings when he is presiding);
- in case of a tie vote in any matters when he is presiding, have the right to turn back to the membership for a revote;
- fill Unit Committee vacancies within his Unit where elections are not provided for;
- serve as a member ex-officio of all Unit Committees within his Unit;
- responsible to keep Executive Board informed of any grievances at Executive meetings;
- to submit verbal or written report to the monthly Executive Board meetings.

(d) The **Recording Secretary** shall:

- be a member of the Executive Board;
- keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.
- record all alterations in the bylaws;
- answer correspondence and fulfill 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 Trustees;
- preside over membership and Board meetings in the absence of both the President and Vice-President;
- be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
- on termination of office, surrender all books, seals and other properties of the Local to his successor. (Appendix BIII Article B.3.3)

(e) The **Secretary-Treasurer** shall:

- be a member of the Executive Board;
- receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union;
- prepare all CUPE National per capita tax forms and remit payment no later than the end of the following month;
- record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences.
- make a financial report to the Local Union monthly and make a written financial

- report to each regular membership meeting, detailing all income and expenditures for the period;
- be bonded for not less than \$1,000.00 through the master bond held by 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 and one other member of the Board or any 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;
  - make all books available for inspection by the auditors and/or Trustees, on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
  - 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 general membership, to employ necessary clerical assistance to be paid for out of the Local's Funds;
  - on termination of office, surrender all books, records and other properties of the Local to his successor.

(Articles B.3.4 to B.3.8)

(f) 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 annually;
- make a written report of their findings to the first general membership meeting following the completion of each audit;
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;

- 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.
- ensure that proper financial reports are made to the membership;
- audit the record of attendance;
- inspect annually 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 Local;
- use audit forms supplied by the National Office and send a copy of each audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution.

(Appendix BIII Articles B.3.10 to B.3.12)

(g) **Chief Stewards** shall:

- (1) As called upon in assisting with the affairs of his Unit, he shall:
  - if the Unit Vice-President is absent or incapacitated, perform all duties of the Unit Vice-President;
  - when required to do so, assist the Unit Vice-President in the discharge of his duties);
  - record all motions at all regular or special Unit Membership meetings;
  - assist in maintaining the record of Unit Membership in attendance at all regular or special Unit Membership meetings;

(2) Otherwise, he shall:

- handle written grievances under the Grievance procedure;
- act as Chairman of the Grievance Committee of his Unit;
- submit grievances to their Unit Vice-President within 24 hours of receipt;
- act as chairperson of the Stewards' meetings of his Unit;

(h) **Stewards** shall:

- if the Chief Steward is absent or incapacitated, perform all duties of the Chief Steward;
- assist the Chief Steward in handling written grievances under the Grievance procedure;
- in the absence of the Chief Steward he shall submit grievances to the Unit Vice-President.

(i) **Immediate Past President** shall:

- In the first year of the succession of a new President, the immediate past President shall at all 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 Executive Board meetings.

## **SECTION 9 - OUT OF POCKET EXPENSES AND OTHER EXPENSES**

The following Expense Allowances shall be provided:

(a) ***Out Of Pocket Expenses:***

President	\$100.00 Monthly
Secretary-Treasurer	\$100.00 Monthly
Recording Secretary	\$100.00 Monthly
General Vice-President	\$50.00 Monthly
Unit Vice-Presidents	\$50.00 Monthly
Unit Chief Stewards	\$100.00 Semi-annually
Stewards	\$50.00 Semi-annually
Health and Safety	
Committee Members	\$50.00 Semi-annually
Trustees	\$50.00 Semi-annually

(b) ***Meal Allowances:***

The maximum meal allowance is:

Breakfast	\$10
Lunch	\$20
Supper	\$30

If a meal is provided, a meal allowance shall not be claimed.

No receipts are required. (These amounts include all taxes and gratuities.)

(c) ***Travel allowance:***

\$0.45 per kilometre

Mileage will be paid for travel to and from Executive Board Meetings, conventions, conferences and educationals.

## **SECTION 10 - FEES, DUES AND ASSESSMENTS**

(a) ***Initiation Fee:***

Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee of two (\$2.00) dollars which shall be in addition to the monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected the fee shall be returned.

(Articles B.4.1 & B.8.2)

(b) ***Re-admittance Fee:***

The re-admittance fee shall be two (\$2.00) dollars.

(Article B.4.1)

(c) ***Regular Dues:***

Effective January 1, 2001 the regular monthly dues shall be 1.5% of basic rate of pay per member, based on annual salary.

(Appendix BIV Article B.4.3)

Changes in the levels of the Initiation Fee, the Re-admittance Fee, or the Monthly Dues can be affected only by following the procedure for amendment of these bylaws (See Section 16) with a majority vote of those present.

(Article B.4.3)

Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established, these bylaws 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.

The local shall maintain an income-related dues structure sufficient to cover per capita tax, affiliation fees and funds necessary to operate the Local.



## **SECTION 11 - NON PAYMENT OF DUES AND ASSESSMENTS**

Any member in arrears for a period of three 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 general 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, he shall pay the re-admittance fee but may not be required to pay his arrears.

(Article B.8.6)

## **SECTION 12 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

### **(a) *Nomination of General Officers:***

Nominations shall be received at the regular general membership meeting held in the month of August. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting, his consent in writing, duly witnessed by another member. No member shall be eligible for nomination if he is in arrears of dues and/or assessments.

### **(b) *Election of General Officers:***

- (1) At a general membership meeting at least one month prior to election day, the President shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee shall include members of the Local who are neither officers nor candidates for office, it shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
- (2) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.

- (3) The Returning Officer shall be responsible for issuing, collecting, and counting ballots. He must be fair and impartial and see that all arrangements are unquestionably democratic.
- (4) The elections, except for trustees, shall take place every two years, at the regular general membership meeting in October, beginning in 2014. The vote shall be by secret ballot.
- (5) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- (6) A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall 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 shall be dropped. In case of a final tie vote, turn back to the membership for a revote;
- (7) When two or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
- (8) Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a general membership meeting as laid down in Section 4 (e).

**(c) *Nomination and Election of Unit Officers:***

- (1) The elections shall take place biennially at a Regular Unit membership meeting in September, beginning in 2014. The vote shall be by secret ballot. At least two weeks prior to elections, the Unit Vice-President shall, post notice of the meeting time and location, and shall receive any nominations for Candidates.
- (2) The procedure for the election of Unit Officers shall follow as closely as possible those for the election of Executive Officers of the Local, as outlined above.

(d) **Installation:**

- (1) 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 years.

(Appendix BII Article B.2.4)

- (2) The terms of office for Trustees shall be as laid down in Article B.2.4 of the CUPE Constitution.

(e) **By-election:**

Should an office fall vacant pursuant to Section 7 (g) of these bylaws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section.

**SECTION 13 - DELEGATES TO CONVENTIONS AND CONFERENCES:**

- (a) Except for the President's option (Section 8(a)) all delegates to conventions/conferences shall be chosen by election at general membership meetings. In the event that selection of delegates must be decided, due to time restrictions or lack of quorum, prior to the next general meeting the Executive Board shall be empowered to choose the delegate(s).
- (b) Delegates to the District Council shall be elected annually. An official reporter for these delegates shall be appointed annually by the President from among these delegates, and he shall be required to report at each general membership meeting of the Local on proceedings at recent meetings of Council.
- (c) All delegates elected to the conventions/conferences held outside the Districts of Muskoka and Parry Sound shall be paid transportation and accommodation expenses and a per diem allowance for meals, as set out in Section 9 (b & c), and an amount equal to any loss of salary incurred by attendance at the convention.

- (d) Representation at educational institutes and seminars shall be on the recommendation of the Executive Board, subject to final approval by the general membership. Attendees shall be paid transportation expenses and a per diem allowance for meals, as set out in Section 9 (b & c), accommodation expenses and an amount equal to any loss of salary incurred by attending, if the location is outside the Districts of Muskoka and Parry Sound. In the event that selection of attendees must be decided, due to time restrictions or lack of quorum, prior to the next General Meeting, the Executive Board shall be empowered to choose the attendee(s).
- (e) Delegates to conventions, conferences and seminars held locally shall have their meal and travel expenses paid and an amount equal to any loss of salary incurred by their attendance. Every effort should be made to car pool.

## **SECTION 14 - COMMITTEES**

### **(a) *Negotiating Committee (Unit Level)***

This shall be a special ad hoc committee established at least 6 months prior to the expiry of the Unit's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The Committee shall consist of three members, all elected at a Unit membership meeting. 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 membership.

### **(b) *Special Committees (General & Unit)***

A special ad hoc committee may be established for a specified purpose and period by the Local/Unit 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, or by the Unit Vice-President at the Unit level. Two members of the Board may sit on any special committee as ex- officio members.

**(c) Standing Committees (General & Unit)**

The Chairperson of each standing committee shall be elected by the Local/Unit members at a General/Unit membership meeting. The Chairperson and the Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a committee. The General Vice-President shall be a member, ex-officio, of each Local committee. The Unit Vice-President shall be a member, ex-officio, of each Unit committee. There shall be one standing committees as follows:

**(1) Grievance Committee (Unit level)**

This Committee shall process all grievances not settled at the initial stage and its reports shall be submitted first to the Executive Board, with a copy to the CUPE Representative, and then to a Unit 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 comprise the elected chairperson and 2 other members to be selected from among the shop stewards. The Committee shall appoint its secretary from among its members.

**SECTION 15 - RULES OF ORDER**

- (a) 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 bylaws as Appendix "A". These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.
- (b) 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 consulted and applied.

**SECTION 16 - AMENDMENT**

- (a) These bylaws 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 bylaws and the CUPE Constitution, the latter shall govern. Constitutional interpretation, including determination of conflict is the prerogative of

the National President.

(Articles 9.2(c), Articles 13.3 & B.5.1)

- (b) These bylaws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting following seven days notice at a previous meeting or at least sixty days written notice.

(Articles 13.3 & B.5.1)

- (c) No change in these bylaws shall be valid and take effective until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

(Articles 13.3 & B.5.1)

## **SECTION 17 - MEALS**

- (a) All delegates elected to attend conventions or conferences, also all approved attendees at educational institutes and seminars shall be paid an allowance for meals, as set out in Section 9(b).

- (b) Meal allowance shall be paid to Local and Unit Officers and Committee Members, as determined by the Executive Board, at the rate set out in Section 9(b).

## **SECTION 18 - TRAVEL ALLOWANCE**

- (a) Travel allowance shall be paid to all delegates elected to attend conventions or conferences and to all approved attendees at educational institutes and seminars at the rate set out in Section 9(c).

- (b) Travel allowance shall be paid to Local and Unit Officers and Committee Members, as determined by the Executive Board, at the rate set out in Section 9(c).

- (c) Only members of the Executive Board shall receive travel allowance for attendance at Regular General Meetings, Special General Meetings or Executive Board Meetings of the Local. This shall be retro-active to January 2000.

- (d) No Officer or Member shall receive travel allowance for regular Unit Membership

Meetings or Special Unit Membership meetings.

## **SECTION 19 – UNIT STRIKES**

- (a) Upon notification by the National Representative to the Local President of an impasse in negotiations the Local President will take a motion to the next Executive Meeting to create a strike account in that Units name in the amount of \$10,000.
- (b) The purpose of this Unit account is for spending on strike avoidance or actual strike costs incurred. At the recommendation of the National Representative or the Strike Committee with the approval of at least two members of the Local Executive, amounts up to five hundred dollars (\$500.00) may be withdrawn by cheque from this account with the signature of any two (2) Executive members with signing authority for the purpose of new purchases or as reimbursements to members already out of pocket.
- (c) The Local will pay any member that meets C.U.P.E. National's strike pay requirements one hundred dollars (\$100.00) for the first 2 weeks starting at the third week of being on strike. If the strike continues longer than 4 weeks the Local top-up will increase to two hundred dollars (\$200.00) in the 5<sup>th</sup> week and will continue as such for the duration of the strike or till the Local is forced to discontinue such top-up as per article (g) below.
- (d) Upon the commencement of a strike the Local Treasurer, with the approval of the Executive, will transfer the equivalent of three week's worth of strike top-up into the Unit's account.
- (e) The Unit strike account will be allowed to fall to an amount no less than (one weeks strike pay) before further Local funds are transferred into it in the amounts of (the equivalent of two weeks strike pay) needing the approval of two (2) executive members.
- (f) When the Local's and Unit Strike accounts combined total fall to below \$100,000.00, upon agreement of the Local or at the request of the Local President, and once the requirements of the National Strike Appeal CUPE Policy have been met, an appeal for Strike Assistance will be sent out to all other Locals.
- (g) The Local has the right, after receiving all appeals, to consider the changing or discontinuing of strike pay top-ups once the Unit's strike account and the Local's general account falls to below (\$30,000.00). Strike pay top-ups will only be maintained

as long as the Local has the ability to continue meeting all of its financial obligations, i.e. payment of per capita tax.



## **APPENDIX "A" TO THE BY-LAWS OF LOCAL 1813, CUPE**

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### **(R U L E S O F O R D E R)**

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 the Vice-President, the Recording Secretary shall act as President, and in his absence a President pro-tem shall be chosen by the Local.
2. No member, except the Chairperson of a committee making a report or the mover or 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. Chairpersons 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 as: "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 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 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 or 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, or offensive language, as well as any poor reflection on the Local 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 that 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 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 now be 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 the vote on the 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 for his challenge. The Chairperson may then state briefly the basis for his decision, following which the Chairperson 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 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 Vice-President.
25. The Local's business and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.