
Bylaws

Local Union 1974

CUPE / *Canadian Union
of Public Employees*

Table of Contents

INTRODUCTION

<u>SECTION 1</u>	<u>NAME</u>	<u>3</u>
<u>SECTION 2</u>	<u>OBJECTIVES</u>	<u>3</u>
<u>SECTION 3</u>	<u>REFERENCES</u>	<u>4</u>
<u>SECTION 4</u>	<u>MEMBERSHIP</u>	<u>4</u>
<u>SECTION 5</u>	<u>AFFILIATIONS</u>	<u>6</u>
<u>SECTION 6</u>	<u>MEMBERSHIP MEETINGS</u>	<u>6</u>
<u>SECTION 7</u>	<u>OFFICERS</u>	<u>8</u>
<u>SECTION 8</u>	<u>EXECUTIVE BOARD</u>	<u>8</u>
<u>SECTION 9</u>	<u>DUTIES OF OFFICERS</u>	<u>9</u>
<u>SECTION 10</u>	<u>NOMINATION, ELECTION AND INSTALLATION OF OFFICERS</u>	<u>18</u>
<u>SECTION 11</u>	<u>FEES, DUES AND ASSESSMENTS</u>	<u>22</u>
<u>SECTION 12</u>	<u>NON PAYMENT OF DUES AND ASSESSMENTS</u>	<u>23</u>
<u>SECTION 13</u>	<u>EXPENDITURES</u>	<u>23</u>
<u>SECTION 14</u>	<u>OUT-OF-POCKET EXPENSES</u>	<u>25</u>
<u>SECTION 15</u>	<u>CHILD CARE, DEPENDENT CARE AND ELDER CARE</u>	<u>27</u>
<u>SECTION 16</u>	<u>DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS</u>	<u>28</u>
<u>SECTION 17</u>	<u>COMMITTEES</u>	<u>29</u>
<u>SECTION 18</u>	<u>COMPLAINTS AND TRIALS</u>	<u>35</u>
<u>SECTION 19</u>	<u>RULES OF ORDER</u>	<u>35</u>
<u>SECTION 20</u>	<u>AMENDMENTS</u>	<u>36</u>
<u>SECTION 21</u>	<u>PRINTING AND DISTRIBUTION OF BYLAWS</u>	<u>36</u>
<u>Appendix A</u>	<u>CUPE NATIONAL EQUALITY STATEMENT</u>	<u>37</u>
<u>Appendix B</u>	<u>CODE OF CONDUCT</u>	<u>38</u>
<u>Appendix C</u>	<u>RULES OF ORDER</u>	<u>40</u>

INTRODUCTION

Local 1974 of the Canadian Union of Public Employees has been formed to:

- Improve the social and economic well-being of all of its members;
- Promote equality for all members and to oppose all types of harassment and discrimination;
- Promote the efficiency of public services; and
- Express its belief in the unity of organized labour.

The following bylaws are adopted by Local 1974 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union 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 organizations' activities. The CUPE National Equality Statement can be found in Appendix A to these bylaws.

CUPE chartered organizations may also wish to adopt a Local Union Code of Conduct that would apply to membership meetings and other functions organized by the chartered organization. The Local Union Code of Conduct can be found in Appendix B to these bylaws.

SECTION 1 – NAME

The name of this Local Union shall be Canadian Union of Public Employees, Local 1974, Kingston Health Science Center.

SECTION 2 – OBJECTIVES

The objectives of Local 1974 are to:

- (a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;

- (b) Provide an opportunity to the interests of its members to influence and shape their future through free democratic trade unionism;
- (c) Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers;
- (d) 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 of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
- (e) Establish strong working relationships with the public we serve and the communities in which we work and live; and
- (f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.
- g) involving as many members as possible in Local 1974 through the sharing of duties and responsibilities;

SECTION 3 – REFERENCES

Numbers of articles at the end of sections or subsections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

SECTION 4 – MEMBERSHIP

Membership

An individual employed within the jurisdiction of Local can apply for membership in Local by signing an application and paying the initiation fee set out in Section 11(a) of these bylaws. (Article B.8.1)

Approval of Membership

At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting object, the applicant(s) will be accepted into membership.

(Article B.8.2)

Oath of Membership

New members will take this oath:

"I promise to support and obey the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union."

(Article B.8.4)

Continuation of Membership

Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local Union unless the member loses good standing under the provisions of the CUPE National Constitution.

(Article B.8.3)

Member Obligations

Members are obligated to abide by the CUPE National Constitution and these bylaws are amended from time to time.

Members will provide the Recording Secretary with their current address, home telephone contact number and where available, a email address. The member will advise the Recording Secretary of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of mail, email blasts or telephone town halls.

In the case of a telephone town hall, the telephone number may be shared with a service provider under contract to the Local Union to provide the technical equipment to support such a virtual meeting.

Upon request, the Local Union will share the telephone contact information with CUPE National or **(provincial division)**. The purpose of sharing this telephone

contact information with CUPE National or **_(provincial division)** is so that the National Union or Provincial Division can conduct a telephone town hall with members on important matters.

SECTION 5 – AFFILIATIONS

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

- The CUPE Provincial Division
- Ontario Council of Hospital Union (OCHU)
- The Ontario Federation of Labour
- The t CUPE Council
- The CLC Labour Council

SECTION 6 – MEMBERSHIP MEETINGS

Regular Membership Meetings

Regular membership meetings of Local shall be held on the **(for example, the second Wednesday of each month)** at _____ **(advise of time)**, at _____ **(advise of location when possible)**. Notice of each regular membership meeting outlining the date, time and location shall be given to members at least seven days in advance of the meeting.

When a statutory holiday or a situation beyond the control of the Local Union arises which causes the cancellation of a regular membership meeting, the Executive Board shall reschedule the regular membership meeting, and will give members seven days' notice of the date of the rescheduled regular membership meeting.

Special Membership Meetings

Special membership meetings of Local may be required, and shall be called by the Executive Board or may be requested in writing by no fewer than members. The President shall immediately advise members when a special meeting is called, and ensure that all members receive at least twenty-four (24) hours' notice of the special meeting, the subject(s) to be discussed, the date, time and location. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

Quorum

The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be members, plus **(at least two)** members of the Executive Board.

Voting

The transaction of business at any regular meetings shall be decided by simple majority voting, unless otherwise specified in the By-Laws.

Membership Meeting Agenda

The order of business at regular membership meetings is as follows:

1. Roll call of officers
2. Reading of the Equality Statement
3. Voting on new members and initiation
4. Reading of the minutes
5. Matters arising from the minutes
6. Secretary-Treasurer's Report
7. Communications and bills
8. Executive Committee **(or Board)** Report
9. Reports of committees and delegates
10. Nominations, elections, or installations
11. Unfinished business
12. New business
13. Good of the Union
14. Adjournment

(Article B.6.1)

SECTION 7 – OFFICERS

The Officers of Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary Membership Officer, three (3) Trustees,

(Articles B.2.1 and B.2.2)

SECTION 8 – EXECUTIVE BOARD

(a) The Executive Board shall be composed of all seven (7) Table Officers. **The Stewards, Communication Officer, Membership Officer and Health and Safety Chair shall be considered members at large to the Executive board with voice but no vote.**

(b) The Executive Board shall meet at least eight (8) times per year.

(A)
(Article B.3.14)

(c) A majority of the Executive Board constitutes a quorum.

(d) The Executive Board shall hold title to any real estate of the Local Union as trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.

(e) The Executive Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.

(f) Should any Executive Board member fail to answer the roll call for three **consecutive** regular meetings or three **consecutive** regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting as per section B.2.5 of the national constitution.

(Article B.2.5)

SECTION 9 – DUTIES OF OFFICERS

Each Officer of Local is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise. **All newly elected Officers of the Union, and Stewards must attend the first available school or training sessions applicable to their position within their first year of office.**

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.

(Article B.3.9)

All signing Officers of Local 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.

President

- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
- Interpret these bylaws as required.
- Preside at all membership and Executive Board meetings and preserve order.
- Decide all points of order and procedure (subject always to appeal to the membership).
- Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.
- 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 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.
- Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.
- Have first preference as a delegate to the CUPE National Convention.

(Article B.3.1)

Vice-President

- If the President is absent or not eligible, perform all duties of the President.
- Preside over membership and Executive Board meetings in the absence of the President..
- If the office of the President falls vacant, be Acting President until a new President is elected through a by-election.

- Oversee all operational and maintenance needs of real estate owned by the local 1974 with the approval of the table officers.

2nd Vice-President

- If the President and the 1st Vice-President are absent or not eligible, they shall perform all duties of the President.
- Preside over membership and Executive Board meetings in the absence of the President and 1st Vice-President
- In absence of the 1st VP, shall be responsible for New Member Orientation
- If requested, attend any committee meeting.
- If the office of the President and 1st Vice-President falls vacant, be Acting President until the new President is elected through a by-election.
- Shall be responsible for all workload complaint issues for the membership.
- Render assistance to any member of the Executive as directed by the Table Officer.
(Article B.3.2)

Recording Secretary

- Keep a 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 amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval prior to implementing.
- Answer correspondence and fulfil other administrative duties as directed by the Executive Board. When not in attendance a designate will be appointed by the president.
- Keep a record of all correspondence received and sent out, including Cupe job postings. Prepare and distribute all notices to members.
- Have all records ready on reasonable notice for the Trustees or auditors.
- Preside over membership and Executive Board meetings in the absence of both the President and Vice-President.

- Be empowered, with the approval of the **Table Officers**, to employ administrative assistance to be paid for out of the Local Union's funds.
- Performs other duties required by the Local Union, its bylaws or the National Constitution.

(Article B.3.3)

Secretary-Treasurer

- 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.
- 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.
- Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
- 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.
- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No request shall be

required for payment of per capita fees to any organization to which the Local Union is affiliated.

- Make all books available for inspection by the Trustees and/or auditors 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 the Trustees require to complete the audit, including forms provided by CUPE National.
- Where required, not later than February 28th each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid by Local during the preceding calendar year.
- Be empowered, with the approval of the **Table Officers**, to employ necessary administrative assistance to be paid for out of the Local Union's funds.
- When necessary and with approval from the President be granted union leave to complete duties as assigned.
- Notify all members who are one month in arrears and report to the Executive Board all members two or more months in arrears in the payment of union dues.
- The Treasurer shall chair the hall committee and maintain all financial aspects, with approval of the Table officers, of property and assets held by the local.

(Articles B.3.4 to B.3.8)

Trustees

- Act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, the Recording Secretary, and the committees at least once every calendar year.
- Make a written report of their findings to the first membership meeting following the completion of each audit.
- Submit in writing to the President and 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 ... Treasurer in an organized, correct, and proper manner.
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.

- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- Inspect at least once 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 Union, and report their findings to the membership.
 - ~~i. Completed Trustee Audit Program~~
 - ~~ii. Completed Trustees' Report~~
 - ~~iii. Treasurer Report to the Trustees~~
 - ~~iv. Recommendations made to the President and Treasurer of the Local Union~~
 - ~~v. Treasurer's response to recommendations~~
 - ~~vi. Concerns that have not been addressed by the Local Union Executive Board.~~

(Articles B.3.10 to B.3.12)

Membership Officer

- Maintain membership database, responsible for collecting new blue cards
- Assemble new hire packages
- Guard the inner door at membership meetings and admit no one but members in good standing or Officers and officials of CUPE, except on the order of the President and with consent of the members present.
- Maintain the record of membership attendance at meetings. Provide a copy to the Recording Secretary for the minutes.
- Perform such other duties as may be assigned by the Executive Board from time to time.

Communications Officer

- Receive all communication from the Table Officers.
- Review and revise all communications before submission to the Table Officers
- All material must be approved by the Table Officers before presentation to the membership

- Post appropriate communication as directed by the Executive Board on social media platforms.
- Create a quarterly newsletter
- Create/moderate all social media accounts as defined by the Executive Board.
- Attend all monthly Executive and General membership meetings in accordance with Sec 8 (f), if absent collaborate with Recording Secretary or delegate
- Performs other duties required by the Local Union.

Health & Safety Chair

- be elected by general membership
- be a member of the Executive Board with voice but no vote.
- represent the Local on any joint Health and Safety Committees,
- ensure that worker representatives of the Joint Health & Safety Committee meet separately from the employer to prepare for meetings with the employer.
- attend Joint Health & Safety meetings at both sites alongside the site committee member and perform other duties as set out by statute, the collective agreements, and Union policies.
- report at every Executive Board Meeting and the General membership meeting on the activities of the Committee, including all reports received by the Committee, i.e., Hospital and Ministry reports. A copy of these reports shall be kept on file in the Local Union Office.
- In addition to the President, the Chair will act as a first point of contact for all Health & Safety related issues in regards to a state of emergency
- Receive all WSIB related inquiries, documentation and information to assist and support all CUPE 1974 members.

- At first opportunity, attend WSIB training to facilitate and support CUPE Local 1974 membership.

Stewards

- Completing mandatory basic and advanced steward training programs provided by the CUPE Education Department or other Union education programs.
- **Good knowledge of the collective agreement, classification within the bargaining unit and general knowledge of Provincial or Federal legislation affecting Labour.**
- Maintaining daily contact with the members to provide on-going union awareness and education.
- Defining, detecting, preparing, and presenting grievances at the initial and secondary level.
- Assisting ~~constituent~~ members with grievances or complaints, and keeping accurate records of all matters arising from the course of their duties. **Prepare a hard copy of all grievances, grievance fact sheets and notes for the office file.**
- Communicate to the Grievance Officer in a timely manner that a grievance is pending.
- Prepare grievances in consultation with the Grievance Officer.
- Submitting a monthly written report to the Grievance Officers and/or designate **at each Executive Board meeting.**
- Providing communications and information from the members to the Executive Board and from the Executive Board to the members, including distribution of union literature.
- Attending all monthly Membership, **Executive** and Stewards Committee meetings.
- Encourage participation of all members in union activities.

- Exercising authority in accordance with the direction of the Executive Office, the Stewards' Committee, and subject always to the right of a member to appeal any decision to the membership.

Duties of a Tier 1 Steward

- Attend all forms of meetings; discipline, termination, WSIB Grievances, Return to work and article 9.05.
- Shall file grievances accordingly
- Shall attend all meetings - Executive, Steward & Membership

Duties of a Tier 2 Steward

- Shall attend Attendance meetings
- Shall work in conjunction with the Executive board on matters determined by the board
- Shall deal with minor grievances - ie; missed shifts

The purpose of the above is to distinguish the different levels of stewardship and recognize the different levels of commitment. Tier 2 must complete education course before proceeding to Tier 1. These stewards must be able to prepare grievances - ie; create fact sheets and understand the intent of the collective agreement language and case law.

NOTE: A Steward may be recalled in the event of member dissatisfaction. The Steward will be notified in writing of the dissatisfaction by the Executive Board and those the steward represents. A vote of the membership will be held to determine recall.

Custodian

A custodian shall be elected alongside of committees. The position will fulfil cleaning and other duties at the request of Executive Board. The custodian is not on the executive board.

The position will be paid at the hourly rate of pay used for Environmental Services Department.

SECTION 10 – 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, the nominee must have been accepted into membership and continue to be a member in good standing.
(Articles B.8.1, B.8.2 and B.8.3)
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. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

(b) Elections

1. The President, Recording Secretary, Communications Officer and all Stewards are elected in EVEN years. The 1st & 2nd Vice-Presidents, Treasurer, Grievance Officers, Membership Officer and Health & Safety Chair are elected in ODD years, to provide stability to the local. Effective March 2021.
- 1a. Stewards shall be elected at the next General Membership meeting, following the election of Table Offices that are 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 Chief Returning Officer and assistant(s). The committee will include members of the Local Union who are neither Officers nor candidates for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union.

ELECTRONIC VOTING

The Election Committee shall be responsible to confirm that an electronic vote platform (Simply Voting or like platform) has been secured for elections.

*****Note: Personal email addresses for the purpose of electronic voting are required.**

The Elections Committee shall ensure that all eligible voters are registered in the system. The Recording-Secretary shall provide such information needed to the Elections Committee and/or Service provider.

The Committee shall ensure that all eligible voters have a voting ID & password for voting purposes.

The committee shall keep records of all eligible candidates and positions open for elections as per Local bylaws.

The Committee with the assistance of the communication officer will ensure access is in place for any member who has identified they cannot vote from a secure location.

The Electronic voting period shall be 24 hours.

The Elections committee shall ensure that a list of all candidates with total number of electronic votes, invalidated votes, or spoiled votes and those indicated as elected is prepared at the end of the voting period.

The Elections committee shall inform the President of the results of the vote. The president shall inform the membership of the result of the vote within 24hrs of receiving the results from the elections committee.

Electronic votes and/or electronic reports are to be sealed in an envelope for recount or destruction as necessary and held by the Local's Recording

Secretary until the motion to destroy has been made and passed at the next GMM.

The Election Committee shall treat all information submitted to them in connection with the election as confidential.

3. ~~The Elections Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Chief Returning Officer.~~
 3. The Chief Returning Officer will be responsible for issuing, collecting, and counting ballots. The Chief Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
 4. The voting will take place at the regular membership meeting in March. The vote will be by secret ballot.
 5. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
 6. A simple 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.~~
 7. ~~In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.~~
 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.~~
- (Article 11.4)
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 6(c).
 10. All election complaints by members will be submitted in writing to the Chief Returning Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven days after the election. The Chief

Returning Officer in conjunction with the Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.

(d) Installation of Officers

1. All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office for 2 year(s) or until a successor has been elected and installed. ~~provided, however, that no term of office shall be less than one year and no longer than three years.~~

(Article B.2.4)

2. 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 National 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.

3. The Oath of Office to be read by the newly-elected Officers is:
"I, _____, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term."

(Article 11.6(b))

(e) By-elections

Should an office fall vacant for any reason, the resulting by-election shall be conducted as closely as possible in conformity with this section. ~~The term of office for any position filled through a by-election will be the term that the vacated position was initially elected to fulfill.~~ Nominations and elections for the vacant office may be conducted at the next regular membership meeting as long as notice is posted fourteen (14) calendar days in advance.

Note: Stewards elected in the 2019 election will fulfill their term ending March 2022 as per the previous bylaws. This subsection will be deleted in April 2022.)

SECTION 11 – 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 Union will be directed to the Treasurer and will be accompanied by an initiation fee of \$1.00 dollars which shall be in addition to monthly dues. The Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

(Articles B.4.1 and B.8.2)

(b) Readmission Fee

The readmission fee shall be \$1.00.

(Article B.4.1)

(c) Monthly Dues

The monthly dues shall be 1.65% of gross pay. In the event the Local's net worth (excluding property, equipment and other assets owned by the Local) falls below \$180,000, the monthly dues will be increased to two percent (2%)..

(Article B.4.3)

(d) Amending Monthly Dues

The regular monthly dues may be amended at a regular or special membership meeting ~~or by referendum vote~~. The vote must be by secret ballot. Notice of at least seven days at a previous meeting or 60 days in writing must be given.

(Article B.4.3)

(e) Assessments

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. Membership approval is required and the assessment will only be applied after the National President approves the assessment.

(Article B.4.2)

SECTION 12 – NON PAYMENT OF DUES AND ASSESSMENTS

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive

Board by the ~~Secretary~~-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union.

A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but may not be required to pay arrears. No member shall be eligible for nomination if they are in arrears of dues and or assessments, or is otherwise not in good standing.

(Article B.8.6)

SECTION 13 – EXPENDITURES

Payment of Local Union Funds

Funds can only be spent for valid purposes of the Local Union under the following circumstances:

- When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting;
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members present and voting at a regular or special membership meeting.

(Article B.4.4)

Payment of Per Capita Tax and Affiliation Fees

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

Payment of Local Union Funds to Members or Causes Outside of CUPE

In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than \$500, a notice of motion must be made at a regular membership meeting and then approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven days after the meeting where notice of motion has been given.

Extraordinary Circumstance

Where in extraordinary circumstances such an emergency situation or pandemic occurs the Executive Officers will have the ability to conduct and pay regular expenses until such time a general membership meeting can be held. All expenditures will be at the next general membership meeting.

~~No Officer or member of Local 1974 will be allowed to spend any Local Union funds without first having received authorization under Section 13(a) of these bylaws.~~

SECTION 14 – OUT-OF-POCKET EXPENSES

An expense allowance shall be paid, without need of supportive vouchers, to elected officials of the Local as compensation for normal and miscellaneous out-of-pocket expenses. This annual allowance is paid in November of each year. Individual requests for full or partial payment at a different time of year must be approved by the President. If persons do not complete their term of office, the out of pocket expenses will be prorated to reflect the time served. Anyone who has been paid their out of pocket expense but cannot complete their year of service will be asked to repay the prorated portion of the out of pocket expense.

President:	\$ 2500.00
1 st Vice-President:	\$ 2100.00
2 nd Vice-President	\$ 2100.00
Treasurer:	\$ 2100.00
Recording Secretary:	\$1850.00
Grievance Officer (s)	\$1850.00
Stewards: Tier 1	\$ 1000.00
Tier 2	\$ 500.00
Membership Officer	\$ 400.00
Trustees	\$ 400.00
Health & Safety/W.S.I.B Committee Chair	\$ 1000.00
Health & Safety Committee Members	\$ 400.00
Communication Officer:	\$ 800.00

In addition, the following expenses shall be paid to any member who is elected or appointed as a delegate by the Executive or Membership accordingly, to a convention, conference, educational program, or other approved Union function:

In-town: \$35.00 per full day, (If meal is provided then no per diem is to be paid).

Out-of-town: On Par with CUPE National per full day plus the costs of a hotel room and transportation.

In a situation where a member uses his own vehicle for Union business, as pre-approved by the local, the reimbursement rate shall be on par with CUPE rate, all parking fees will be paid for by the local. (The union will endeavor to use the most economical/efficient form of transportation).

Lost time expenses which arise from leaves of absence for Union activities during regularly scheduled work shifts, will be reimbursed.

Any member who has been elected or appointed to a Union position shall be paid an amount equal to one (1) day's pay if he is involved for a minimum of four (4) hours of his regularly scheduled rest day.

Other expenses may be approved by the Executive Officers subject to expense vouchers being submitted and approval being received from the membership at a regular meeting.

The office of President, including when filled in an acting capacity, shall be provided with a full-time leave as follows:

The office of President shall be a full-time position comprised of thirty-seven and one-half (37.5) hours per week;

The President shall be paid by the Hospital/Paymaster at the rate of ~~\$30.79 (2018)~~ \$31.28 (2019) per hour plus benefits and vacation as per the local's Collective Agreement; Presidents wage rate will not be lower than their current pay band.

Wage increases shall be the same as all negotiated increases for the local. The new starting rate shall be amended to reflect negotiated wage increases.

The local will reimburse the Hospital or paymaster for the costs of the release time, subject to any fees, increases or reduction as a result of collective bargaining.

When any member is elected to a position with OCHU, CUPE National, CUPE Ontario, or HOOPP and union leave related to the duties of said position is required, said leave will be governed as follows:

- i) The Local will cover the regular wages, benefits and vacation as per the local's collective agreement subject to recovery of such amounts from OCHU, CUPE National, CUPE Ontario or HOOPP.
- ii) Where the member on leave is the President, the amount of compensation shall be as per e) ii) above.

A qualified accountant or accounting firm will be hired by the local every 4 (four) years to audit its financial records and must report as set out in Article B.3.12 of the CUPE Constitution. If a ~~Secretary~~-Treasurer is elected who is new to this office, an audit will be performed after elections. The Trustees of the Local union must still fulfill their duties to exercise general supervision over all property and assets of the Local Union and to make a written report to the membership. The ~~Secretary~~-Treasurer must still respond to any concerns or recommendations made in the audit.

SECTION 15 – CHILD CARE, DEPENDENT CARE AND ELDER CARE

Caring for children, dependents or the elderly are barriers to actively participating in the union or to attending membership meetings. Local 1974 is committed to removing barriers within its control so that all members have equal access to participation.

- (a) When it is practical and demand warrants, Local 1974 will provide on-site child care at all Local Union membership meetings. Where on-site child care is not provided, and in the case of dependent care or elder care, members will be reimbursed to a maximum of the living wage for the area for each hour of required care. Reimbursement will be provided upon proof of payment.
- (b) Any member who is on authorized Local 1974 business shall be eligible for child care, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of for the area for each hour of care required.
- (c) 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 16 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

- (a) Except for the President's option [Section 9(a)], all delegates to conventions, conferences, and educationals shall be chosen by drawn lots at membership meetings.
- (b) Delegates to the **Eastern Great Lakes 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. The Local Union will reimburse the member's employer for any loss of wages.
- (c) Delegates to the **Kingston District** CLC District Labour 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 report at each Local Union membership on proceedings at recent meetings of the Council. The Local Union will reimburse the member's employer for any loss of wages.
- (d) All delegates attending conventions, conferences, or educationals held outside the **City of Kingston** shall be paid transportation expenses **efficient / economical** as determined **by the Table Officers**, and a per diem allowance **of as per cupe national rates** for meals and expenses. The Local Union will reimburse the member's employer for any loss of wages.
- (e) Delegates to conventions, conferences, and educationals held locally shall have no travel allowance. There shall be a per diem allowance of \$35.00 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.
- (f) Local 1974 will provide members with their per diem allowance prior to their attending the convention, conference, or educational.
- (g) Local 1974 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.

SECTION 17 – COMMITTEES

(a) Special Committees

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

Negotiating / Bargaining Committee

This shall be a special ad hoc committee established at least **twelve (12)** months prior to the expiry of the Local's collective agreements and automatically disbanded when new collective agreements have been signed. The function of the Committee is to prepare collective bargaining proposals and to negotiate the collective agreements.

The CUPE National Representative assigned to the Local ~~shall~~ **may** be a non-voting member of the Committee and ~~shall~~ **may** be consulted at all stages from ratification by the membership where possible.

The composition of the Committee shall be the President, 1st Vice-President, 2nd Vice-President, 2 Grievance Officers, Treasurer, Recording Secretary, and two (2) elected members (one [1] from each site, with at least (1) one member being a non-full-time (i.e. part time, casual) member **of a part-time bargaining unit**, totaling nine (9).

All members of Local **1974**'s negotiating committee shall attend ~~Level 1 and Level 2 of CUPE's~~ collective bargaining educationals.

(b) Permanent Committees

The Chairperson of each permanent committee will be elected by the members at a membership meeting. Permanent committees will have a term of two years. The Chairperson and the Executive Board may, with the approval of the membership, jointly appoint other members to serve on a committee. Committees will provide written reports to each regular membership meeting. ~~The Vice-President shall be a member, ex-officio, of each committee.~~

There shall be _____ permanent committees as follows:

~~1. Grievance Committee~~

~~This committee will:~~

- ~~● Oversee the handling of all local grievances.~~
- ~~● Receive copies of all grievances.~~
- ~~● Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting.~~
- ~~● When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether or not the grievance should proceed to arbitration.~~
- ~~● If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board.~~

~~The committee members will be the elected chairperson and _____ stewards. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all s.~~

Grievance Committee

The grievance committee shall consist of the President, 1st Vice-President, 2nd Vice-President, two (2) Grievance Officers and the Steward handling the grievance. The grievance committee, in consultation with the National Representative and/or legal counsel, will determine whether or not a grievance shall proceed to arbitration. When the committee determines that a grievance shall not proceed to arbitration, the grievor will be notified in writing and will be allowed the opportunity to appeal the decision at the next membership meeting. All votes regarding arbitration will be conducted by secret ballot.

~~1. Education Committee~~

~~This committee will:~~

- Gather information about appropriate courses, the availability of courses, and make recommendations to the Local Union on whether or not members should be attending.
- Assist delegates in the preparation of reports to the membership of seminars and conferences and maintain a reference file of these reports.
- Cooperate with the National Union Development Department and Communications Branch of CUPE, and with the regional Education Representative, in implementing both the Local Union's and CUPE's policies in these fields.

The committee members will be the elected chairperson and _____ members. The committee shall appoint its secretary from among its members.

Education Committee

The Education Committee will consist of three (3) members elected by the membership to review educationals and training available. The Education Committee will make recommendations to the Table Officers and to the membership respectively. The Education Committee will also look at in-house training for members of the local.

Women's Committee

This committee will:

- Advise and give guidance to Officers, committee members and the general membership on all issues that affect women in the workplace and the union movement.
- Promote leadership of women at the Local Union level and in the broader labour movement.
- Increase and support the active participation of women in the Local Union and the broader labour movement.
- Strive to eliminate gender discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in human rights activities both in and outside of the labour movement.

~~The committee members will be the elected chairperson and _____ members.
The committee shall appoint its secretary from among its members.~~

Committee Against Racism and Discrimination (CARD)

Equity Committee;

Advise and give guidance to Officers, committee members, and the general membership on all issues that affect all equity-seeking groups, including people of colour, Aboriginals, lesbian, gay, bi-sexual and transgendered workers in the workplace and the union movement.

Promote leadership of equity-seeking workers at the Local Union level and in the broader labour movement.

Increase and support the active participation of equity-seeking workers in the Local Union and the broader labour movement.

Strive to eliminate racism and discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in human rights and anti-racism activities both in and outside of the labour movement.

The committee members will be the elected chairperson and 4 members.
The committee shall appoint its secretary from among its members.

Health and Safety Committee

This committee will:

- ~~• Work to educate members on the importance of workplace health and safety.~~
- ~~• Prepare and present reports to the regular membership meetings.~~
- ~~• Organize an April 28th Day of Mourning ceremony each year.~~
- ~~• Participate on the Joint Worksite Health and Safety Committees (JWH&SC) at their workplace.~~
- ~~• Ensure that the worker representatives on the JWH&SC meet separately from the employer to prepare for meetings with the employer.~~

- ~~Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.~~
- ~~Immediately bring to the attention of the employer any workplace hazard that has the potential to cause members' illness or injury.~~
- ~~Work to eliminate all workplace hazards, be they physical, environmental, or social.~~

~~The committee members will be the elected chairperson and _____ members. The committee shall appoint its secretary from among its members. The Health and Safety Committee shall be composed of up to three (3) members (one (1) member from each site plus chairperson).~~

The Committee shall represent the Local on any joint Health and Safety Committee, the Chairperson shall attend meetings at both sites alongside the site committee member and perform other duties as set out by statute, the collective agreements, and Union policies. A report shall be given at every general meeting on the activities of the Committee, including all reports received by the Committee, i.e., Hospital and Ministry reports. A copy of these reports shall be kept on file in the Local Union Office.

Will undergo yearly inspection of any and all buildings owned by Local 1974.

~~Bylaw Committee~~

~~This committee will:~~

- ~~Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.~~
- ~~Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.~~
- ~~Ensure that the Local Union's bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.~~

~~The committee members will elect a chairperson and 5 members. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.~~

By-Laws Committee

The By-Laws Committee shall be composed of no less than four (4) and no more than six (6) members and shall appoint a Chairperson from its members. At least one member must be elected from KGH and one from HDH site. The duties of the Committee are to review current By-Laws within six (6) months of the General Election. Recommendations for change are to be presented at a General Membership meeting with fourteen (14) days' notice

Membership Support Committee

- ~~• Visit members who are ill.~~

If a member is hospitalized, ~~ill for more than a week,~~ arrange some token of the Local Union's concern and **well wishes**. ~~desire to help, whether the member is at home or in hospital.~~

Extend the Local condolences in the event of the death of a member or one of their immediate family members. A flower arrangement will be sent, or at the members request in lieu of flowers a donation will be made to charity of their choice. ~~and make other appropriate gestures in accordance with custom or the wishes of the family concerned.~~

~~The committee members will be the elected chairperson and 2 members. The committee shall appoint its secretary from among its members.~~

Social Committee

Arrange and conduct all social, cultural, and recreational activities of the Local Union, either on the committee's own initiative or as a result of decisions taken at membership meetings. The committee shall submit reports and proposals to the Executive Board or to the membership as required.

A budget for the committee will be fixed annually by the membership but, other than that, all social, cultural, and recreational events and activities shall be

self-supporting. (ie; Shopping trip, Baseball games, Bowling night the cost will be covered by participants)

The committee members will be the chairperson and 5 to 8 members, and may appoint a treasurer from among its members.

Retirees Committee

Members reaching retirement age or becoming incapacitated, whether in receipt of a pension or not, and providing they are in good standing and free from delinquency in the Local Union, can, on leaving employment, make application to the Treasurer of the Local Union for an Honorary Retiring Card. The application for an Honorary Retiring Card shall be voted on at a regular meeting of the Union, and, if passed as favorable, the Treasurer shall forward the name and address of the retiring member, and necessary particulars to the National Secretary-Treasurer of the Canadian Union of Public Employees who will issue the Retiring Card.

Should a member in possession of an Honorary Retiring Card resume his/her employment for any reason, the Retiring Card should be immediately deposited with or forwarded to the Treasurer of his/her Union. A member while holding such a Retiring Card shall be exempt from all dues to the Local Union and per capita tax to the National Office of the Canadian Union of Public Employees.

A member possessing an Honorary Retiring Card shall be entitled to attend general membership meetings of the Local Union with voice but no vote. Retired members shall not be entitled to either voice or vote at conventions of the Canadian Union of Public Employees.

Ad Hoc Committee

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

SECTION 18 – COMPLAINTS AND TRIALS

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

(Articles B.11.1 to B.11.5)

SECTION 19 – RULES OF ORDER

All meetings of the Local Union will 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 C. 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.

In situations not covered by Appendix C to these bylaws, the CUPE National Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

SECTION 20 – AMENDMENTS

CUPE Constitution

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. The National President has the sole authority to interpret the CUPE Constitution.

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

Additional Bylaws

A Local Union can amend or add to its bylaws only if:

- (i) the amended or additional bylaws do not conflict with the CUPE Constitution;
- (ii) the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose;
and
- (iii) notice of the intention to propose the amended or additional bylaws was given at least seven days before at a previous membership meeting or 60 days before in writing.

(Articles 13.3 and B.5.1)

Effective Date of Amended or Additional Bylaws

The amended or additional bylaws do not come into effect until they have been approved in writing by the National President. The National President will decide whether to approve the amended or additional bylaws within 90 days of receiving them and will withhold approval only where they conflict with the CUPE Constitution.

(Articles 13.3 and B.5.1)

SECTION 21 – PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 1974 bylaws, either in paper format or via the Local Union website at www.cupe1974.ca. Members requesting a copy of these bylaws will be provided a copy. ~~in either French or English as requested.~~ Members with special needs may request a copy of the bylaws in larger font.

Appendix A

CUPE NATIONAL EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation, and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile, or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic, or homophobic hurts and thereby divides us. So too does discrimination on the basis of ability, age, class, religion and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue, or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society, and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all sisters and brothers deserve dignity, equality, and respect.

Appendix B

CODE OF CONDUCT

Local 1974 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.

Local 1974 strives to promote core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

Local 1974 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 1974 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 1974 expects that mutual respect, understanding and cooperation will be the basis of all our interaction.

This Code of Conduct for Local 1974 sets out standards of behaviour for members at meetings, and all other events organized by Local 1974. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As members of Local 1974 we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement;
- Respect the views of others, even when we disagree;
- Recognize and value individual differences;
- Communicate openly;
- Support and encourage each other;
- Make sure that we do not harass or discriminate against each other;
- Commit to not engaging in offensive comment or conduct;
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating;
and
- Take responsibility for not engaging in inappropriate behaviour due to abuse of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is

abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding this Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking the person to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Local Union shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of Local 1974, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member's right to access the trial provisions of the CUPE National Constitution.

Appendix C

RULES OF ORDER

1. The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President will be the Chairperson at the membership meeting. In the absence of the President and Vice-President, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: "Is the Local ready for the motion?" If no member rises to speak, the motion will be voted upon.
5. A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
6. A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
7. An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
8. On motion, the regular order of business at a membership meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
9. Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.

10. At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.
11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
13. The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
15. A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
16. Religious discussion of any kind is not permitted.
17. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
18. The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
19. When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.

20. The Chairperson will ask “Will the main question be now put?” where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
21. A motion to adjourn is in order except when a member is speaking or when members are voting.
22. A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
24. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, “Will the decision of the chair be upheld?” A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
25. At a membership meeting where a question has been decided any two members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds majority of members who vote. If two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.
26. Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
27. The Local Union’s business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.