

CUPE / *Canadian Union
of Public Employees*

LOCAL 2843

BYLAWS

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Canadian Office & Professional Employees
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SECTION 1 – NAME

The name of this Local shall be: Canadian Union of Public Employees, Local 2843, Province of Alberta.

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 11 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 & 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 or amendments thereto which should be read in conjunction with these Bylaws.

SECTION 4 – MEMBERSHIP MEETINGS (Regular & Special)

- (a) General Membership Meetings shall be held each month on the fourth Wednesday at 4:15 p.m. excluding July, August and December, or at such times as the membership elects to hold a supper meeting. If a statutory holiday intervenes, the Executive shall give a week's notice of any change in the date of the General Membership Meeting.
- (b) Special membership meetings may be ordered by the Executive or requested in writing by no fewer than ten (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.

- (c) A quorum for the transaction of business at any General or special meeting shall be ten (10) members, including at least three (3) members of the Executive.
- (d) Verification of attendance shall be through the Local's Attendance Journal.
- (e) 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 Minutes
 - 5. Matters Arising
 - 6. Treasurer's Report
 - 7. Communications & Bills
 - 8. Executive Committee Report
 - 9. Reports of Committees & Delegates
 - 10. Nominations, Elections or Installations
 - 11. Unfinished Business
 - 12. New Business
 - 13. Good of the Union
 - 14. Adjournment

(Article B. VI)

SECTION 5 – VOTING OF FUNDS

- (a) The Table Officers shall have the power to make decisions on emergency matters where expenditures are involved, when time does not permit approval by the General Membership Meeting. These expenditures shall not exceed five hundred dollars (\$500.00).
- (b) The Executive shall be informed of any emergency expenditures at the next Executive Meeting.
- (c) The membership shall be informed of any emergency expenditures at the next General Membership Meeting.
- (d) Expenditures of the Local Union shall be only for the purposes of the Local Union. In all cases, payment shall be made by cheque, with appropriate receipts, signed by the Treasurer and counter-signed by the President. *(Article B.4.4.)*

SECTION 6 – OFFICERS

- (a) The Officers of the Local shall be the President, Vice-President, Treasurer, Recording-Secretary, and three (3) Executive Table Officers. All Officers shall be elected by the membership at the February General Membership Meeting.
(Article B.2.1 & B.2.3)

SECTION 7 – ELECTION OF OFFICERS

- (a) Elections shall be by secret ballot. The President shall appoint three (3) Scrutineers. Nominations shall be called for in the following order:
- President Two (2) year term to be elected in an even numbered year.
 - Vice-President Two (2) year term to be elected in an odd numbered year.
 - Treasurer Two (2) year term to be elected in an odd numbered year.
 - Recording-Secretary Two (2) year term to be elected in an even numbered year.
 - Three (3) Executive Officers One (1) year term to be elected annually.
 - One (1) Sergeant-at-Arms One (1) year term to be elected annually.

No member shall be eligible for nomination for any office, or committee, unless he/she is a paid member of the Union in good standing, has attended at least fifty percent (50%) of regular meetings held in the last twelve (12) months and also complies with the constitution of the Canadian Union of Public Employees.

At the time of the vote if no one, that has attended fifty percent (50%) of the meetings, is interested in a position, then a member that is interested that has not attended fifty percent (50%) of the meetings shall be eligible.

(b) **TRUSTEES**

Trustees do not sit on the Executive. Their function is to audit the financial affairs of the Local. Three (3) trustees are elected: one for a three-year term, one for a two-year term, and one for an one-year term.

A new three-year term Trustee shall be elected annually.

SECTION 8 – EXECUTIVE

- (a) The Executive shall be comprised of all Officers, except Trustees and Sergeant-at-Arms. *(Article B.2.2)*
- (b) The Executive shall meet on the fourth Wednesday of every month. *(Article B.3.14)*
- (c) The Executive will hold two (2) Executive Dinner Meetings during the school year (December and June) that will be paid for by the Union.
- (d) A majority of the Executive constitutes a quorum.
- (e) 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.
- (f) The Executive shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- (g) 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 & B.11.5)*
- (h) Should any Executive member fail to answer the Roll Call for three (3) consecutive regular membership meetings or four (4) regular Executive 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 membership meeting. *(Article B.2.5)*

SECTION 9 – DUTIES OF OFFICERS

- (a) The PRESIDENT shall:
 - Be an ex-officio member on all committees;
 - Enforce the CUPE Constitution and these Bylaws;
 - Preside at all Membership and Executive meetings and preserve order;
 - Decide all points of order and procedure (subject always to appeal of the 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 cast an additional vote to break the tie;
 - 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's funds are used only as authorized or directed by the Constitution, Bylaws, or vote of the membership;
- Be allowed necessary funds, not to exceed fifty dollars (\$50.00) monthly to reimburse herself or any Officers for expenses, supported by vouchers, incurred on behalf of the Local.
- Have first preference as a delegate to any CUPE conference, seminars or schools etc.

(Article B.3.1)

(b) The VICE-PRESIDENT shall:

- If the President is absent or incapacitated, perform all duties of the President;
- If the Office of the President falls vacant, be Acting President until a new President is elected;
- Render assistance to any member of the Executive, as directed by the Executive;
- Assist with any other assigned duties as requested by the President.

(Article B.3.2)

(c) The RECORDING-SECRETARY shall:

- Keep full, accurate and impartial account of the proceedings of all General or special membership and Executive meetings;
- Record all alterations in the Bylaws;
- Answer correspondence and fulfil other secretarial duties as directed by the Executive;
- 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 meetings in the absence of both the President and the 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;
- Send out Agenda, once approved by the President/Vice-President, ten (10) days before the General Membership Meeting.

(Article B.3.3)

(d) The TREASURER shall:

- 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;

- Ensure that all CUPE National per capita tax forms are remitted for payment no later than the end of each month;
- Record all financial transactions in a manner acceptable to the Executive and in accordance with good accounting practices;
- Make a financial report to the Local monthly;
- Be bonded for not less than five hundred dollars (\$500.00) (or greater sum as may be decided at a membership meeting, taking into account the assets of the Local and the amount of cash and cheques handled by the Treasurer) through the master bond held by the National Office and any 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 (1) other member of the Executive or any two (2) other members of the Executive, 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, and have the books audited annually;
- Provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- Be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid out of the Local's funds;
- Notify all members who are one month in arrears and report to the Executive all members two or more months in arrears in the payment of union dues;
- On termination of office, surrender all books, records and other properties of the Local to his successor.

(Articles B.3.4 to B.3.9)

(e) The TRUSTEES shall:

- Act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, the Recording-Secretary and the Standing Committees annually;
- Report their findings to the first membership meeting following the completion of the audit;
- Be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- Ensure that proper financial reports are made to the membership;
- 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, and report their findings to the membership;
- Use audit forms supplied by the National Office and send a copy of each yearly audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution.

(Articles B.3.2 to B.3.12)

- (f) The EXECUTIVE OFFICERS shall:
- Support the President and render advice concerning matters pertaining to the Local;
 - Attend regular membership meetings, Executive meetings and all special meetings;
 - Be in charge of preparations before and after General Membership Meetings.
 - Assist with any other assigned duties as requested by the President.
- (g) The SERGEANT-AT-ARMS shall:
- 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 by consent of the members present;
 - Assist in maintaining the record of membership attendance at meetings;
 - Perform such other duties as may be assigned by the Executive from time to time.

SECTION 10 – QUORUM

- (a) No Union business shall be transacted at a Union meeting or Executive Meeting without a quorum. Ten (10) members shall constitute a quorum for the General Membership Meeting and a majority of the members shall constitute a quorum for the Executive Meetings.

SECTION 11 – DELEGATES TO CONVENTIONS

- (a) Except for the President's option [Section 8 (a)], all delegates to conventions shall be chosen by election at membership meetings.
- (b) Members on Union business shall be paid an amount equal to any loss in salary. Each delegate shall be paid for all fixed expenses such as registration fees. Any extra money received by the delegates will be returned to the Local.

SECTION 12 – EXPENSES

- (a) The following expenses allowance shall be provided:
- The President shall be paid one hundred dollars (\$100.00) per month out-of-pocket expenses;
 - The Treasurer shall be paid one hundred dollars (\$100.00) per month out-of-pocket expenses;
 - The Vice-President shall be paid seventy-five dollars (\$75.00) per month out-of-pocket expenses;

- The Recording-Secretary shall be paid seventy-five dollars (\$75.00) per month out-of-pocket expenses;
 - The Good-Will representative shall be paid fifteen dollars (\$15.00) month.
 - The members of the Executive shall be paid twenty dollars (\$20.00) per meeting they attend for out-of-pocket expenses; for all meetings that take place after their regular working hours.
 - Trustees shall be paid ten dollars (\$10.00) per hour for each audit; to a maximum of fifty dollars (\$50.00).
 - All Negotiating Committee members shall be paid ten dollars (\$10.00) per hour per meeting attended (not to exceed fifty dollars (\$50.00) per meeting).
- (b) Mileage and per diem costs paid shall be as follows:
- Mileage shall be paid at current government rates.
 - Out of town per diem is sixty-five dollars (\$65.00) per day.
 - In town per diem is twenty-five dollars (\$25.00) per day, plus mileage allowance (if incurred).
 - Out-of-Province per diem is eighty dollars (\$80.00) per day.
- (c) “Good of the Union” expenses include:
- (i) Upon the death of a member, a contribution shall be made to the members’ individual school in the amount of one hundred and fifty dollars (\$150.00).
- (ii) Retirement Gifts
- The retiring member shall have five (5) consecutive years of service combined with an age of fifty-five (55) years or more. The Executive shall receive a letter from the retiree indicating their retirement date. The retiree shall then receive a gift from the Local in the amount of ~~ten~~ twenty-five dollars (\$25.00) per year of continuous service with the Employer.

Special cases will be reviewed by the Executive.

SECTION 13 – FEES, DUES & ASSESSMENTS

- (a) Initiation Fees:
 Each application for membership in the Local shall be directed to the Treasurer and shall be accompanied by an initiation fee of two dollars (\$2.00), which shall be in addition to monthly dues. The Treasurer shall issue a receipt. If the application is rejected the fee shall be returned. The re-admittance fee shall be two dollars (\$2.00). *(Articles B.4.1 & B.8.2)*

- (b) Monthly Dues:
The monthly dues shall be .6% of base salary, plus CUPE National per capita (including special levies and assessments) Changes in the levels of the Initiation Fee or Monthly Dues can be effected only by following the procedure for amendment of these Bylaws (see Section 17), with the additional provision that the vote must be by secret ballot.

(Articles B.4.1 & 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.

SECTION 14 – CHANGES IN CONSTITUTION

- (a) Any changes to be made in the foregoing Bylaws (approved by the National President of the Canadian Union of Public Employees) shall be made on notice of motion to be presented to the regular membership meeting for approval by two-thirds (2/3) of the votes of members present.

SECTION 15 – COMMITTEES

- (a) Negotiating Committee:
This shall be a special ad hoc committee established at least four (4) months prior to the expiry of the Local'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 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:
A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive. Two (2) members of the Executive may sit on any special committee as ex-officio members.

- (c) Standing Committees:
The Chairman of each Standing Committee shall be elected by the members at a membership meeting. The Chairperson and the Executive, may with the concurrence of the membership, jointly appoint a member ex-officio, of each committee. There shall be three (3) Standing Committees as follows:
- 1) Labour-Management Committee:
To consist of three (3) Union members. All grievances to be forwarded to the above committee whether personal or otherwise, so long as they pertain to job or Union. Where considered necessary, the Union representative (CUPE) shall be invited to attend such meetings. The Committee shall comprise an elected Chairperson and other members selected. The committee shall appoint its Secretary from among the committee members.
 - 2) Social Committee:
It is the function of this committee to arrange and conduct all social and recreational activities of the Local either on the Committee's own initiative or as a result of decisions taken at membership meetings. A ceiling for the committee's next expenditures shall be fixed annually by the membership, but other than that, all social and recreational events and activities shall be self-supporting, unless otherwise approved by the membership at a General or Special Membership Meeting.

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), 12.3 & B.7.1)
- (b) These Bylaws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a General or special membership meeting following seven (7) days notice at a previous meeting or at least sixty (60) days written notice.
(Article B.7.1)
- (c) No change in these Bylaws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.
(Articles 12.3 & B.7.1)

APPENDIX A – CUPE NATIONAL EQUALITY STATEMENT

To the Bylaws of CUPE Local 2843

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 – RULES OF ORDER

To the Bylaws of CUPE Local 2843

1. The President or, in his absence, the 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-term shall be chosen by the Local.
2. No member, except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than five (5) minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairperson and movers of a resolution shall be limited to fifteen (15) minutes, except with the consent of the meeting.
3. The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and Seconder must rise and be recognized by the chair.
5. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.
6. On motion, the regular order of business may be suspended, by a two-thirds vote of those present, to deal with any urgent business.
7. All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
8. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
9. Any member having made a motion can withdraw it with the consent of a Seconder, except that any motion once debated, cannot be withdrawn except by a majority vote of those present.
10. When a member wishes to speak on a question or to make a motion, he shall rise in his place and respectfully address the presiding officer, but except to state

that he rises to a point of order or on a question of privilege, he shall not proceed further until recognized by the chair.

11. When two (2) 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 or member thereof.
13. If a member, while speaking, is called to order, he shall cease speaking until the point is determined; if it is decided he is in order, he may proceed again.
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 (3) of these shall be decided without debate.
18. A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
19. A motion to adjourn is in order except:
 - (1) when a member has the floor, and
 - (2) when members are voting.
20. A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen (15) minutes have elapsed.

21. After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.
22. If any member wishes to challenge (appeal) a decision of the chair he must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis 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 (2) members who have voted in the majority may, at the same or next meeting, move re-consideration 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.

