

**LOCAL 784**

**Edmonton School District No. 7**

**Maintenance and Construction**

**BY-LAWS**

**Amended: October 2019**

**Approved by National: Feb 12,2020**





jb/Canadian Office & Professional Employees

Local #491

Regular membership meetings of Local 784 shall be held on the **3rd Monday of each month at 5:00 pm** at

10989 – 124 Street, Edmonton, Alberta.

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 to the following Monday (4th Monday).

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**Equality Statement**

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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, language 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 persons deserve dignity, equality and respect.

**INTRODUCTION**

Local 784 of the Canadian Union of Public Employees has been formed to:

* Improve the social and economic well-being of all ~~if~~ **of** its members;
* Promote equality of 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 784 in accordance with the CUPE National Constitution (Articles 13.3 and B.7.1), 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.

**SECTION 1 - NAME**

The name of this Local shall be Canadian Union of Public Employees, Local No. 784. Edmonton School District #7 - Maintenance and Construction.

## SECTION 2 - OBJECTIVES

The objectives of Local 784 are to:

1. secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
2. provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
3. encourage the settlement by negotiation and mediation of all 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.

**SECTION 3 – REFERENCES**

(a) Masculine pronouns shall be understood to include the feminine gender.

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

**SECTION 4 – AFFILIATIONS**

In order to strengthen the labour movement and work toward common goals and objectives, Local 784 shall be affiliated to and pay per capita tax to the following organization(s) at membership approval:

* The CUPE Alberta Provincial Division
* The Edmonton and District Labour Council
* The Alberta Federation of Labour
* The Alberta Education Employee’s Committee

**SECTION 5 – REGULAR AND SPECIAL MEMBERSHIP MEETINGS**

1. Regular membership meetings of Local 784 shall be held on the 3rd Monday of each month at 5:00 pm at 10989 – 124 Street, Edmonton, Alberta.

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 to the following Monday (4th Monday).

1. Special membership meetings of Local 784 may be required, and shall be called by the Executive Board, or requested in writing by no fewer than fifteen (15)members. The President shall immediately call a special meeting when so ordered or requested, and shall see that all members receive at least twenty-four (24) hours' notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
2. The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be ten (10) members, including three (3) members of the Executive Board.
3. The order of business at regular membership meetings is as follows:
4. Preamble: To be read by the Presiding Officer:

(Three raps)

*Brothers and Sisters, we are about to open this Local Union meeting for the purpose of conducting such business that may legally come before it. All those who are not members will please remain standing to be identified for initiation, acceptance, and pay the initiation fee to the Treasurer. I now declare this meeting open.*

(Two raps)

1. Initiating of New Members
2. Reading of Equality Statement
3. Roll call of officers
4. Minutes of previous meeting
5. Business arising from Minutes
6. Treasurer’s Report
7. Business arising from Treasurer’s Report
8. Reading of correspondence
9. Business arising from correspondence
10. Committee Reports:

* Negotiating Committee
* Grievance Committee
* Social Committee
* Labour Management Committee
* Membership Support
* Shop Stewards

1. Nominations, elections or installations
2. New business
3. Adjournment: To be read by the Presiding Officer:

***There being no further business we will now proceed to close. (Three raps)***

***Brothers and Sisters, you will all bear in mind your obligation to help one another, strive to strengthen our organization and be careful not to divulge the private business of this Union. Now by virtue of my office, I declare this meeting of Local Union 784 duly closed until our next session when I hope to see all present who can possibly attend.***

(Article B.6.1)

1. Local 784 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.
2. **SECTION 6 - OFFICERS**

The Officers of the Local 784 shall be the President, 1st Vice-President, 2nd Vice-President,Secretary-Treasurer, Recording Secretary, Social Convenor, Shop Stewards,

Support Officer (Good and Welfare), 3 Trustees, Sergeant-at-Arms.

(Article B.2.1 and B.2.2.)

**SECTION 7 - EXECUTIVE BOARD**

1. The Executive Board shall include President, 1st Vice-President, 2nd Vice-President, Secretary-Treasurer, Recording Secretary and Social Convener.

(Article B.2.2)

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

(Article B.3.14)

1. A majority of the Executive Board constitutes a quorum.
2. The Executive Board shall hold title to any real estate of the Local 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 proposition to a membership meeting and having it approved.
3. 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.
4. Should any Executive Board member fail to answer the roll call for three (3) consecutive regular meetings or three (3) 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.

(Article B.2.5)

1. **The Executive Board shall endeavour to have all Union business mail from third parties delivered to the current Local 784 office.**

**SECTION 8 - DUTIES OF OFFICERS**

Each Officer of Local 784 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

(a) The "President" shall:

* enforce the CUPE Constitution and these Local Union bylaws and the Equality Statement;
* 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 a vote on all matters (except appeals against the President’s rulings) and in case of a second consecutive 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;
* be one of three Executive Board members authorized to sign cheques, sign all cheques when available and ensure that the Local Union’s funds are used only as authorized or directed by the CUPE National 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 re**a**son for the expense and with supporting receipt(s) attached;
* have first preference as a delegate to the CUPE National Convention.
* on termination of office, surrender all books, seals, and other properties of the Local Union to their successor.

(Article B.3.1)

(b) The "1st 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;
* chair the Health and Safety Committee;
* render assistance to any member of the Board as directed by the Board;
* on termination of office, surrender all books, seals and other properties of the Local Union to their successor.

(c) The “2nd Vice-President” shall:

* ~~shall~~ perform all duties assigned to the President and 1st Vice-President should either officer of the Board not be able to attend the monthly or special call meeting;
* chair the Grievance Committee;
* ensure all possible grievance matters are addressed and followed up on through the membership and Executives’ approval;
* record and research any negotiating items that may be brought forward for the next contract negotiations;
* on termination of office, surrender all books, seals and other properties of the Local Union to their successor.

1. The "Recording Secretary" shall:

* keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustee reports;
* record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval;
* answer correspondence and fulfill other administrative duties as directed by the Executive Board;
* keep a record of all correspondence received and sent out;
* 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, 1st Vice-President and 2nd Vice-President;
* be empowered, with the approval of the membership, to employ administrative assistance to be paid out of the Local Union’s funds;
* on termination of office, surrender all books, seals and other properties of the Local Union to their successor;
* operate audio recordings;
* be one of three Executive Board members authorized to sign cheques, and sign all cheques in the absence of either the President or the Secretary-Treasurer;
* ensure that the Local Union’s funds are used only as authorized or directed by the National Constitution, Local Union bylaws, or vote of the membership.

(Article B.3.3)

(e) The “Secretary-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;
* be one of three Executive Board members authorized to sign cheques, when available to ensure that the Local Union’s funds are used only as authorized or directed by the National Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing office 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’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 Secretary-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 during the month of March;
* 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 of 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 the President during the preceding calendar year;
* be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union’s funds;
* notify all members who are one month in arrears in the payment of union dues;
* on termination of office, surrender all books, records, and other properties of the Local Union to their successor.

(Articles B.3.4 and B.3.8)

(f) The "Trustees" shall:

* act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary, and the Committees at least once every calendar year during the month of March;
* 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 Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner;
* be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization;
* ensure that proper financial reports are made to the membership;
* audit the record of attendance;
* inspect at least 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;
* send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:

1. completed Trustee Audit Program
2. competed Trustees’ Report
3. Secretary-Treasurer Report to the Trustees
4. recommendations made to the President and Secretary-Treasurer of the Local Union
5. Secretary-Treasurer’s response to recommendations
6. Concerns that have not been addressed by the Local Union Executive Board

(Articles B.3.10 and B.3.12)

(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;
* perform such other duties as may be assigned by the Board from time to time;
* assist in maintaining the record of membership attendance at meetings.

(h) The “Social Convener” shall:

* 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;
* maintain a list of all active members who served as a member of the Executive for at least six (6) years;
* submit reports and proposals to the Executive Board or to the membership as required;
* be empowered by the Executive Board;
* have net expenditures fixed by the Executive Board;
* ensure all active members who have served as a member of the executive board for a cumulative period of six years can receive free entry to all social events as long as they remain a member of the local.

(i) The “Shop Steward(s)” shall:

* promote harmony and positive working relationships between the members of the bargaining unit and management;
* build a strong, effective and responsible Union in their area where ~~he/she is~~ they are the Shop Steward and shall fully explain Union By-laws and Union Agreements, the aim and objective of our Union, and to promote the Welfare of our Union in and outside the place of employment;
* look after the welfare of the members in their bargaining unit, keeping them informed about Union business and facilitate communication between members and the executive;
* set an example to the members and attend all Union meetings unless unable to do so in cases of illness or other just cause;
* advise members of their rights and procedures under the terms of the Collective Agreement and these By-laws and National Constitution.

(j) The “Support Officer” shall:

* lead the membership support committee.

**SECTION 9 - NOMINATION, ELECTION and INSTALLATION of OFFICERS**

(a) Nominations

1. Nominations will be received at the regular membership meeting held in the month of June.

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 for the Executive Board, a member shall have attended at least fifty percent of the membership meetings held in the previous twelve months, or in the period he was a member if less than a year, unless a valid reason acceptable to the Local Union is given for non-attendance by the next membership meeting.

In order to be nominated to any other position within the union, a member must have attended at least three (3) General Membership meetings over the preceding twelve (12) months.

4. A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.

5. To be eligible for nomination, a member must be a member in good standing as set out in Article B.10.3 of the National Constitution.

6. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

(b) Elections

1. The President, 2nd Vice-President, and Recording Secretary will be elected in odd years. The 1st Vice-President,Secretary Treasurer and Social Convenershall be elected in even years.
2. At a membership meeting, , the President will, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee will include members of the Local Union who are neither Officers nor candidates for office. The Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
3. The Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
4. The Returning Officer will be responsible for issuing, collecting, and counting ballots. The Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
5. The voting will take place at the regular membership meeting in June. The vote will be by secret ballot.
6. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
7. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will be taken if necessary to obtain a majority. On the second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot will be dropped.
8. When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member’s ballot will be declared spoiled.

(Article 11.4)

1. Any member may request a recount of the votes for any election and a recount will be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as set out in Section 5 (c).

(c) Installation

1. All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office for their termor until a successor has been elected and installed, provided, however the term of office shall be longer than three years.

(Article B.2.4)

1. 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.3.10 of the CUPE National Constitutions. Each year thereafter, the Local Union shall elect one Trustee for a three year period. No members 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.
2. 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))

(d) By-Election

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

## SECTION 10 - FEES, DUES, and ASSESSMENTS

1. 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 Secretary-Treasurer and will be accompanied by an initiation fee of five ($5.00) dollars which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

(Articles B.4.1 and B.10.2)

1. Readmittance Fee

The readmittance fee shall be five ($5.00) dollars.

(Articles B.4.1)

(c) Monthly Dues

The monthly dues shall be point seven five (.75%) above CUPE National per capita.

(Article B.4.3)

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

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

**SECTION 11 – NON PAYMENT of DUES and ASSESSMENTS**

Any member in arrears for a period of three months or more will be automatically suspended and 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. Any member under suspension wishing to be reinstated will, upon application, pay the readmittance fee plus any dues and assessments in arrears. This money will be returned if the application is rejected. A member who has been unemployed or unable to work because of sickness shall pay the readmittance fee but may not be required to pay arrears.

**SECTION 12 – VOTING OF FUNDS**

(a) Local 784 will pay out funds under the following circumstances:

* When the expenditure has received prior authorization through a membership approved budget;
* In the case of necessary and reasonable operating expenses greater than $2,000 a notice of motion must be made at a regular membership meeting and then approved at the following regular membership meeting before the expense can be paid out;
* When these bylaws approve the expenditure; or
* Through a vote of the majority of members at a membership meeting.

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

(b) In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than two hundred ($200.00) dollars, a notice of motion must be made at a regular membership meeting and then approved at the following regular membership meeting before the grant or contribution can be paid out.

1. No member of Local 784 will be allowed to spend any Local Union funds without first having received authorization under Section 12(a) of these bylaws.

**SECTION 13 - OUT-OF-POCKET EXPENSES**

Local Union Officers and Committee members shall be provided an out-of-pocket expense allowance according to the CUPE Local 784 Expense Reimbursement Policy.

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# SECTION 14 – 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 784 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 784 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 784 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 the living wage 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 15 - DELEGATES to CONFERENCES, CONVENTIONS and EDUCATIONALS**

1. Except for the President's option, all delegates to conventions, conferences, and educational shall be chosen by election at membership meetings.

(b) Delegates to the Alberta 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.

(c) Delegates to the Alberta 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.

(d) All delegates attending conventions, conferences, or educational held outside the City of Edmonton shall be paid transportation expenses (at economy, tourist or coach rates) as determined by the Secretary-Treasurer and a per diem allowance according to the CUPE Local 784 Expense Reimbursement Policy dollars for meals and expenses. The Local shall also pay all accommodation costs. The Local Union will reimburse the member’s employer for any loss of wages.

(e) Delegates to conventions, conferences, and educational held locally shall have no travel allowance. There shall be a per diem allowance according to the CUPE Local 784 Expense Reimbursement Policy 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) If a conference is held locally or is out of town and all meals are provided for, there shall be a per diem according to the CUPE Local 784 Expense Reimbursement Policy for incidentals.

1. Local 784 will provide members with their per diem allowance prior to their attending the convention, conference, or educational.
2. Local 784 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.
3. Transportation will be paid according to the CUPE Local 784 Expense Reimbursement Policy for use of a personal vehicle. All other transportation, accommodation and per diem will be paid by the Local Union when attendance is out of the City and approved by the Union.

### SECTION 16 - 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.

1. Negotiating Committee

This will be a special committee established at least eight (8) months prior to the expiry of the Local Union’s collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of the Executive Board and one member from the floor elected at a membership meeting.The member elected from the floor must have attended at least fifty (50%) percent of General Membership meetings within the previous twelve (12) months. The CUPE Representative assigned to the Local Union 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.

All members of Local 784’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 concurrence of the membership, jointly appoint other members to serve on a committee. Committees will provide written reports to each regular membership meeting. A Vice-President shall be a member, ex-officio, of each committee. There shall be five (5) 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 CUPE 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 Grievance Committee shall consist of the Executive Board and the chairperson shall be the 2nd Vice-President.

2. 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.
* Support and promote 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 representative 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.

Members of this committee should be designated as a “Certified Worker Representative” in accordance with the legislation in their respective jurisdictions (provincial, federal).

The committee members will be the chairperson and up to three (3) additional members appointed by the Executive Board. The chairperson will be the 1st Vice-President.

3. 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 amendment 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 be the Executive Board with the President serving as chairperson, and two (2) members.

4. Membership Support Committee

This committee will:

* Send a token of concern to a member who is ill for more than seven (7) calendar days, and a maximum of 1 (one) additional token of concern to a member who is away from work for a medical reason for more than six months. These tokens shall cost approximately fifty dollars ($50.00), but not more than sixty dollars ($60.00) to a maximum of two times per calendar year.
* Extend the Local’s condolences in the event of the death of a member or one of a member’s immediate family and make other appropriate gestures in accordance with custom or the wishes of the family concerned.
* In the event of:

1. Death in the immediate family or persons who reside in the home of the member (e.g. wife, husband, life partner, common law partner, children, member’s parents, mother-in-law, father-in-law)

b) Birth or adoption of a member’s child

The local will make a donation of a fruit basket, flowers, ~~and~~ **or** equivalent monetary donation to a charity, the approximate value of fifty dollars ($50.00).

* A bonus will be paid to each retired member based on completion of their years of service in accordance with the CUPE Local 784 Expense Reimbursement Policy.

The committee members will be the elected chairperson and the Executive Board.

5. Social Committee

This committee will:

* 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.

The Children’s Christmas party and the Annual Retirement banquet shall be subsidized by Local funds.

The Social Convener will receive free tickets to all social functions. The Executive Board members will receive two (2) tickets to attend the annual Christmas/Retirement party. All retiring members shall receive two (2) free tickets to the Christmas/Retirement party for the year they officially retire as long as they are members in good standing.

The Social Committee shall consist of the Executive Board and the chairperson shall be the Social Convenor.

## SECTION 17 – 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 18 - RULES OF ORDER

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

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

**SECTION 19 - AMENDMENTS**

(a)These By-laws are always subordinate to the CUPE Constitution (including Appendix "B") as it now exists or may be amended from time to time and, in the event of any conflict between these By-laws and the CUPE Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE National Constitution.

(Articles 9.2(c), 13.3 & B.7.1)

1. These By-laws shall not be amended, added to, or suspended, except upon a majority vote of those present and voting at a regular or special membership meeting following seven (7) days' notice at a previous meeting or at least sixty (60) days' written notice.

(Article B.7.1)

1. No change in these By-laws shall be valid and take effect until approved by the National President of CUPE. The validity will date from the letter of approval of the National President.

(Articles 13.3 & B.7.1)

**SECTION 20 – PRINTING and DISTRIBUTION of BYLAWS**

Members will receive a copy of Local 784 bylaws~~,~~ in paper format. 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"**

**RULES OF ORDER**

1. The President will be the Chairperson at all membership meetings. In the absence of the President, the 1stVice-President will be the Chairperson at the membership meeting. In the absence of the President and 1stVice-President, the 2nd Vice President will be the Chairperson at the membership meeting. In the absence of the President, 1stVice-President and 2nd Vice-President, 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 members 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 not 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**’**s 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 stat**e** 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. After a question has been decided, any two members who have voted with the majority can move reconsideration, provided that a motion for reconsideration is made at either the meeting where the decision proposed for reconsideration was made, or at the very next meeting.
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.