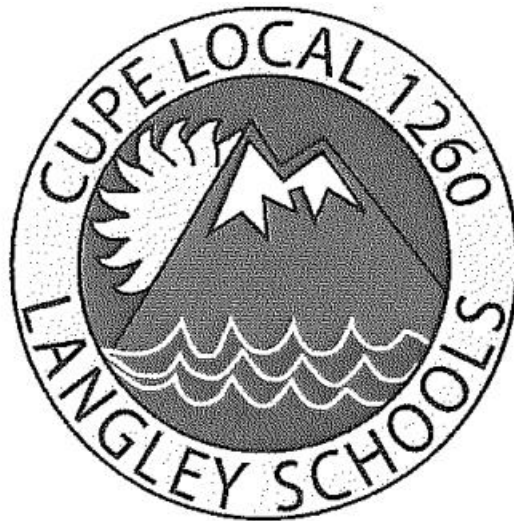


# **C.U.P.E.**

## **Local 1260 BY-LAWS**



**School District #35 (Langley)**

*June 2016*

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# **C.U.P.E. Local 1260**

## **By-Laws**

### **PREAMBLE**

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

The following By-Laws are adopted by the Local pursuant to, and to supplement, Appendix “B” (By-Laws Governing Chartered Organization) of the C.U.P.E. National Constitution, to safeguard rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organizations’ activities. The CUPE National Equality Statement can be found in Appendix A to these bylaws. The Local Union Code of Conduct can be found in Appendix B to these bylaws.

Articles referred to are from the CUPE National Constitution.

### **SECTION 1 – NAME**

The name of this Local shall be: Canadian Union of Public Employees Local Number 1260 (School District No. 35 Langley).

### **SECTION 2 – OBJECTIVES**

The objectives of Local 1260 are to:

1. Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members.
2. Support C.U.P.E. to reaching the goals set out in the C.U.P.E. Constitution, Article II (Goals).
3. Provide the opportunity for its members to influence and shape their future through free democratic trade unionism.
4. Encourage the settlement by negotiation and mediation of all disputes between the members and their employer.

5. 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.
6. Establish strong working relationships with the public we serve and the communities in which we work and live.

### **SECTION 3 – INTERPRETATION AND DEFINITIONS**

1. Numbers in Articles at the end of sections or subsections refer to relevant articles of the current C.U.P.E. Constitution which should be read in conjunction with these by-Laws.

### **SECTION 4 – MEMBERSHIP MEETINGS**

#### **Regular and Special**

1. Regular membership meetings shall be held each month on the second Monday with the exception of July, August and December. In exceptional circumstances or if a statutory holiday intervenes, the meeting will be held on the following Monday.
2. Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than twelve (12) 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 out.
3. A quorum for the transaction of business at any regular or special meeting shall be twelve (12) members including at least three (3) members of the Executive Board.
4. The order of business at regular membership meetings is as follows:
  - a. Call to Order
  - b. Roll Call of Officers
  - c. New members/initiation
  - d. Reading of Equality Statement
  - e. Read and approve minutes
  - f. Matters arising from the minutes
  - g. Secretary-Treasurer's report
  - h. Communications and correspondence

- i. Executive Board (President & Vice-President) reports
- j. Reports of Committees
- k. Nominations, elections, or installations
- l. Unfinished business
- m. New business
- n. Discussion period/Good of the Union
- o. Adjournment

## **SECTION 5 – EXPENDITURE OF FUNDS**

1. Expenditures of Local 1260 shall be only for the purpose of the business of the Local, as authorized by the By-Laws of this Local or as duly authorized by majority vote of the membership at a regular or special meeting of the Local.
2. Any single expenditure *over* two hundred and fifty dollars (\$250.00) shall be presented to the members for approval at a membership meeting.
3. In the case of a grant or a contribution to a member(s) or a cause(s) outside of C.U.P.E. *greater* than \$250.00 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. All expenditures of a Local Union are subject to Article B.4.4 of the CUPE National Constitution which states that funds may only be used for valid Local Union purposes.

## **SECTION 6 – OFFICERS**

1. The Officers of the Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, four (4) Executive-at-Large positions, and three (3) Trustees. All Officers shall be elected by the membership.
2. The election of the President and Recording Secretary shall take place every odd numbered year with the even numbered years being set for the election of the Vice-President and Secretary-Treasurer. These executive positions shall be elected for a two year term.
3. There will be four (4) Executive-at-Large positions. The terms of office for Executive-at-Large members shall be so that two serve for a period of two years and two for one year. Each year thereafter, the Local Union shall elect two Executive-at-Large positions for a two year period.
4. Trustees shall be elected for a three year term with each Trustee's position being filled on a rotating yearly basis.

## **SECTION 7 – EXECUTIVE BOARD**

1. The Executive Board shall be comprised of all Officers, except Trustees. The Table Officers shall be comprised of the President, Vice-President, Secretary-Treasurer and Recording Secretary.
2. The Executive Board shall meet before membership meetings at least once a month.
3. A majority of the Executive Board constitutes a quorum.
4. 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.
5. 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.
6. All charges against a member or Officer must be made in writing and dealt with in accordance with the provisions of the C.U.P.E. Constitution.
7. Should any Executive Board member fail to answer the roll-call for three (3) consecutive regular membership meetings or three (3) consecutive regular Executive Board meetings without having submitted good reasons for those failures, his/her Office shall be declared vacant and shall be filled by an election at the following membership meeting.
8. With the approval of the Executive Board, officers may be granted leave of absence, not to exceed two (2) working days per month, to perform any function on behalf of the Union.

## **SECTION 8 – DUTIES OF OFFICERS**

1. 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.
2. All signing Officers of Local 1260 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.
3. **The President shall:**
  - a. enforce the C.U.P.E. National Constitution, these Local By-Laws and the Equality Statement
  - b. preside at all membership and executive board meetings and preserve order

- c. decide all points of order and procedure (subject to appeal by the membership)
- d. have a vote on all matters (except appeals against his/her rulings) and in the case of a tie vote in any matter, have the right to cast an additional vote to break the tie
- e. ensure that all Officers perform their assigned duties
- f. fill committee vacancies for which elections are not provided for
- g. introduce new members and conduct them through the initiation ceremony
- h. sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union By-Laws, or vote of the membership
- i. supervise all activities of the Local Union
- j. represent the Local Union to the public officials, unorganized employees and the general public
- k. sign all necessary papers in the name of the Local Union
- l. know the Local Union thoroughly, its programs and the wishes of its members
- m. know the positions of the members well enough so that he/she can bargain with the employer on their behalf
- n. have first preference as a delegate to all conventions
- o. be empowered to employ necessary clerical or other assistance to be paid for out of the Local's funds
- p. be granted leave as per the Collective Agreement

**4. The Vice-President shall:**

- a. if the President is absent, not eligible or incapacitated, perform all the duties of the President
- b. if the office of the President falls vacant, assume the duties of the Office until an election can be held
- c. render assistance to any of the Executive Board as directed by the Executive Board
- d. preside over membership and Executive Board meetings in the absence of the President
- e. serve as a member ex-officio of standing committees
- f. ensure that the Site Stewards and Executive-at-Large are performing their duties and present grievances at the final step before arbitration
- f. protect the rights and interests of all the Local members
- g. present grievances at the final step before arbitration

- h. provide communication and information from members in the Local to the Executive and from the Executive to the members
- i. keep full and accurate record of all job postings and job descriptions of Local members
- j. at the request of the Executive-at-Large or Site Stewards, be present at any meeting with members
- k. assign the work of Site Stewards as required.

**5. The Secretary-Treasurer shall:**

- a. 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
- b. 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.
- c. prepare all ~~for~~ C.U.P.E. 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
- d. 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
- e. record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices
- f. be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
- g. 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, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated
- h. make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited at least once each calendar year
- i. provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE National
- j. respond in writing within reasonable time to any recommendations or



- concerns raised by the Trustees during their audit
- k. make a full financial report to the Local Union on a monthly basis at Executive Meeting and General Membership Meeting, detailing all income and expenditures for the period.
  - l. make a written financial report to each regular membership meeting, detailing all income and expenditures for the period
  - m. be empowered, with the approval of the Executive and membership, to employ necessary clerical or other assistance to be paid for out of Local 1260 funds
  - n. complete CUPE's Financial Officer's Training as soon as possible.
  - o. where required, not later than February 28<sup>th</sup> 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 him during the preceding calendar year.
  - p. 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.

**6. The Recording Secretary shall:**

- a. keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports
- b. 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
- c. answer correspondence and fulfill other administrative duties as directed by the Executive Board
- d. act as liaison for the Local's communications committee
- e. file a copy of all letters sent out to members and keep on file all communications
- f. prepare and distribute all notices to members
- g. have all records ready on reasonable notice for auditors and Trustees
- h. preside over membership and Executive Board meetings in the absence of the President and the Vice-President
- i. be empowered, with the approval of the Executive and membership, to employ necessary clerical or other assistance to be paid for out of the Local's Union funds

- j. maintains current membership lists
- k. performs other duties as required by the local union, its by-laws or the National Constitution

**7. The Executive-at-Large shall:**

- l. perform such duties as required by the local union
- m. meet regularly with the Vice-President
- n. be a member of the grievance committee
- o. attend relevant CUPE training
- p. liaise with stewards in their area

**8. The Trustees shall:**

- a. act as an auditing committee on behalf of the members and audit the accounts of the Secretary-Treasurer, Recording Secretary, and the Standing Committees annually unless otherwise directed by the National Office
- b. report in writing to the Executive Board any recommendations and/or concerns they feel should be reviewed
- c. report their findings in writing at the first membership meeting following the completion of each audit
- d. 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.
- e. be responsible to ensure that monies are not paid out without proper constitutional or membership authorization
- f. ensure that proper financial reports are made to the membership
- g. audit the record of attendance
- h. inspect, at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles of deeds to property that may at any time be owned by the Local, and report their findings to the membership
- i. use audit forms supplied by the National Office and send a copy of each audit to the National Secretary-Treasurer in accordance with the provisions of the C.U.P.E. Constitution
- j. Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
  - i. Completed Trustee Audit Program

- ii. Completed Trustees' Report
  - iii. Secretary-Treasurer Report to the Trustees
  - iv. Recommendations made to the President and Secretary-Treasurer of the Local Union
  - v. Secretary-Treasurer's response to recommendations
  - vi. Concerns that have not been addressed by the Local Union Executive Board.
- k. complete CUPE's Financial Officer's Training as soon as possible

## **SECTION 9 – SITE STEWARDS**

1. Site Stewards shall:
  - a. be the first contact between members of Local 1260 and the Vice-President
  - b. meet regularly with the Vice-President
  - c. attend CUPE Steward training
2. Site Stewards shall be appointed by the Executive Board subject to support of a majority of the fellow members of their work unit.

## **SECTION 10 – RELEASE TIME AND HONORARIUMS**

1. The President shall be entitled to book off of work up to two (2) days per week.
2. The Vice-President shall be entitled to book off of work two (2) days per month.
3. The Secretary-Treasurer shall be entitled to book off of work the equivalent of four (4) one-half (½) days per month.
4. The Recording Secretary shall be entitled to book off of work one and one-half (1 ½) days per month.
5. After each calendar year of service, Executive-at-Large members shall receive an honorarium of five hundred (\$500.00) dollars paid in the month of June.

6. If the average annual membership should fall below 600, then this policy would be reviewed.
7. After each calendar year of service, Trustees and the Sunshine Committee Chair shall receive an honorarium of one hundred (\$100.00) dollars per year, paid in the month of June.
8. Each member attending a meeting/workshop on behalf of the Union outside of the regular membership meetings and beyond regular working hours shall receive a \$17 per diem per meeting plus mileage. Any member attending such a meeting/workshop in excess of two and a half (2.5) hours duration shall be paid an additional per diem of \$17.
9. Each member attending a function on behalf of the Union is entitled to be reimbursed for receipted expenses incurred, plus mileage. Mileage shall be set as per CUPE BC policy.

## **SECTION 11 – FEES, DUES AND ASSESSMENTS**

1. Each application for membership in the Local shall be directed to the Secretary-Treasurer and Payroll shall deduct and remit to the Secretary-Treasurer a one time initiation fee of ten (\$10.00) dollars, which shall be in addition to monthly dues. If the application is rejected the fee shall be returned.
2. The monthly dues shall be 2% (percent) of gross regular wages.
3. Changes in the levels of the Initiation Fee or 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.
4. Notwithstanding the above provisions, if the C.U.P.E. Convention raises the 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 C.U.P.E. minima.
5. Special assessments may be levied in accordance with the C.U.P.E. Constitution. Article B.4.2

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

### **1. Nomination**

Nomination shall be received at the regular membership meeting held in the month of April only. To be eligible for nomination a member shall be a member in good standing and must have attended three (3) or more regular membership meetings during the current school year. Exemptions may be granted by the membership for extenuating circumstances. No nomination shall be accepted unless the member is in attendance at the April meeting or has alleged to be filed at the same meeting his/her consent in writing, duly witnessed by another member.

## **2. Elections**

- a. At least one month prior to Election Day, the Executive Board will appoint an Elections Committee consisting of a Chief Returning Officer and two (2) assistants. 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.
- b. The Elections Committee shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- c. The Returning Officer shall be responsible for issuing, collecting, and counting the ballots. He/she must be fair and impartial and see that all arrangements are unquestionably democratic.
- d. The voting shall take place at a regular membership meeting in May. The votes shall be by secret ballot. Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- e. A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken if necessary, to obtain a majority. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped.
- f. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting. Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Section 4 (3).

- g. 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.

### **3. Installation of Officers**

- a. All duly elected officers shall be installed at the June Membership meeting and shall continue in office for two (2) years or until a successor has been elected and installed. No term of office, except for Trustees, shall be longer than two (2) years. The terms of office for Trustees shall be as laid down in the C.U.P.E. Constitution, Article B.2.4.

### **4. Oath of Office**

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 property of the Union to my successor at the end of my term.” Article 11.6 (b)

### **5. By-Elections**

Should an office fall vacant for any reason, the resulting by-election should 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.

## **SECTION 13 – DELEGATES TO CONVENTIONS, CONFERENCES & EDUCATIONALS**

1. C.U.P.E. Conventions, Conferences and Educational Delegates can be approved at the discretion of the Executive with the concurrence of the Secretary-Treasurer. The membership shall be advised at the next regular meeting of such decisions.
2. All delegates attending Conventions, Conferences or Educationals shall be paid transportation expenses (economy, tourist, or coach rates) and a per diem for meals and expenses. The Local Union will reimburse the member's employer for any loss of wages. When overnight accommodation is required, this expense shall be covered by the Local Union. Per Diem will be paid as per current CUPE BC rates as per the CUPE BC Expense Policy.
3. Delegates shall receive the current mileage rate paid by CUPE BC when required to use their own vehicle to attend Conventions, Conferences and Educationals.
4. Delegates to the Fraser Valley District Council (FVDC) shall be appointed annually. A member responsible for reporting back to the Local Union membership shall be appointed by the Executive Board 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.
5. Delegates to the B.C. Federation of Labour (BCFed) shall be appointed annually. A member responsible for reporting back to the local Union membership shall be appointed by the Executive Board 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 BC Fed.
6. Delegates to the Canadian Labour Congress (CLC) shall be appointed annually. A member responsible for reporting back to the Local Union membership shall be appointed by the Executive Board from among these delegates, and the member appointed shall report at each Local Union membership meeting on proceedings at recent meetings of the CLC.

## **SECTION 14 – COMMITTEES**

### **1. Negotiating Committee**

- a. This shall be a special ad hoc committee established at a regular meeting at least one year prior to the expiry of the Collective Agreement. The function of the Committee is to prepare collective bargaining proposals and to negotiate a Collective Agreement.
- b. The Committee shall consist of five (5) members of which two (2) shall be the President, the Vice-President and one (1) other member of the Executive Board plus one (1) alternate. The CUPE National 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. To be eligible for nomination a member shall be a member in good standing and must have attended three (3) or more regular membership meetings during the past 12 months unless a valid reason, acceptable to the local, is given for non-attendance by the *next* regular membership meeting.

- c. All members of the Negotiating Committee will be required to complete CUPE's collective bargaining educationals.

## **2. Special Committees**

A special ad hoc committee may be appointed 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 be appointed by the President or the Executive Board. One member of the Board may sit on any Special Committee as an ex-officio member.

## **3. Standing Committees**

The Vice-President shall be a member, ex-officio, of each committee.

### **A. Grievance Committee**

- i. The Committee shall be comprised of the Vice-President and all Executive-at-Large. The Vice-President shall be the Chairperson of the Committee. The Committee shall appoint its secretary from among its members.
- ii. This Committee shall process all grievances not settled at the initial stage and its report shall be submitted first to the Executive Board, with a copy to the CUPE National Representative, and then to a membership meeting.
- iii. Grievances must be in writing on the forms provided by the National Office and signed by the complainant or complainants, as provided for in the Collective Agreement.

### **B. Sunshine Committee**

- i. The committee shall be comprised of between one (1) and three (3) members. It shall be reimbursed by the Executive Board for expenses incurred in the performance of its duties.
- ii. The committee shall be elected by the membership at the October membership meeting. The committee shall select its chairperson.
- iii. The duties of this committee may include:
  - a. visiting members who are ill
  - b. arranging for an appropriate gesture of condolence to a member who is ill for more than 10 working days.



- c. extenuating circumstances to be approved by the Sunshine Committee in consultation with the Secretary-Treasurer.

**C. Joint Job Evaluation Committee**

- i. The committee shall be comprised of two members and two alternates. The President shall sit ex-officio on this committee.
- ii. The committee shall be elected by the membership at the October membership meeting. The terms of office for Committee members and alternates shall be so that one serves for a period of two years and one for one year. Each year thereafter, the Local Union shall elect one Committee member and an alternate for a two year period.
- iii. Committee members shall be required to take CUPE Job Evaluation training as soon as possible.

**D. District Health & Safety Committee**

- i. The committee shall be comprised of two members and two alternates. The President shall sit ex-officio on this committee.
- ii. The committee shall be elected by the membership at the October membership meeting. The terms of office for Committee members and alternates shall be so that one serves for a period of two years and one for one year. Each year thereafter, the Local Union shall elect one Committee member and an alternate for a two year period.
- iii. Committee members shall be required to take Union Health and Safety training as soon as possible.

**SECTION 15 – RULES OF ORDER**

1. 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.
2. In situations not covered by Appendix A, the CUPE Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot’s Rules of Order shall be consulted and applied.

**SECTION 16 - AMENDMENT**

1. These By-Laws are always subordinate to the C.U.P.E. 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 C.U.P.E. Constitution the latter shall govern. The National President has the sole authority to interpret the CUPE Constitution.
2. 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.
3. Notice of the intention to amend or add additional By-laws shall be given at least twenty-one (21) days before at a membership meeting or sixty (60) days before in writing.
4. No change in these By-Laws shall be valid and take effect until approved by the National President of C.U.P.E. The validity shall date from the letter of approval from the National President.

## **APPENDIX “A” CUPE CONSTITUTION**

### **CUPE NATIONAL EQUALITY STATEMENT**

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behavior 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 behavior 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 persons deserve dignity, equality and respect.

## **APPENDIX “B” CUPE CONSTITUTION - CODE OF CONDUCT**

Local 1260 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 1260 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 1260 is committed to creating a union which is inclusive, welcoming and free from harassment, discrimination and all types of bullying and intimidation. Local 1260 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 1260 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 1260 sets out standards of behavior for members at meetings, and all other events organized by Local 1260. 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 1260 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 behavior due to abuse of alcohol or other drugs while participating in union activities, including social events

Harassment is objectionable behavior 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

behavior 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 behavior contrary to the Code, by asking the person to stop such behavior. 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 1260, 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” CUPE CONSTITUTION**  
**RULES AND ORDER OF BUSINESS**

1. No member, except the Chair of a committee making a report of the mover of a resolution, shall speak for 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. The Chair and members of the resolution shall be limited to ten (10) minutes, except on the consent of the meeting.
2. 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 “Call for the question?” Should no member rise to speak, the question shall be put.
3. 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.
4. On motion the regular order of business may be suspended, by two thirds vote of those present, to deal with any urgent business.
5. All resolutions and motions, other than those named in Point 16 of this Appendix 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.
6. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit it.
7. Any member having made a motion can withdraw it with consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
8. When a member wishes to speak on a question or to make a motion, he/she shall rise in his/her place and respectfully address the presiding officer, but, except to state that he/she rises to a POINT OF ORDER or on a question of Privilege, he/she shall not proceed further until recognized by the Chair.
9. When two or more members rise at the same time, the presiding officer shall decide which one is entitled to the floor.

10. 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.
11. If a member, while speaking, is called to order, he/she shall cease speaking until the point is determined. If it is decided that he/she is in order, he/she may proceed.
12. No religious discussion shall be permitted.
13. The President shall take no part in the 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.
14. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he/she may in addition give a casting vote, or if he/she chooses, refrain from breaking the tie, in which case the motion has lost.
15. 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 to a committee, (6) to divide or amend, which motions shall have precedence in order named. The first three of these shall be decided without debate.
16. A motion to adjourn is in order except (1) when a member has the floor, and (2) when the members are voting.
17. A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.
18. A motion for the previous question, when regularly moved and seconded, shall be put to the membership. If it is adopted, the President shall proceed to take the vote on the resolution and amendment thereto (if any) according to the priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
19. After the presiding officer declares the vote on a question, he/she may ask for a division. A standing vote shall then be taken and the Recording Secretary shall count the same.

20. If any member wishes to challenge (appeal) a decision of the Chair he/she 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/her challenge. The Chair may then state briefly the basis for his/her challenge, following which the Chair 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.
21. No member shall enter or leave the 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.
22. The Local's business and proceedings of meetings are not to be divulged to any persons outside of the Local or the Canadian Union of Public Employees.
23. Members will have access to a copy of Local 1260 Bylaws.



# **POLICIES & PROCEDURES**

## **PREAMBLE**

The following policies and procedures are adopted by the CUPE Local 1260 in accordance with the CUPE National Constitution and the CUPE Local 1260 Bylaws.

## **SECTION 1 – AMENDMENTS**

- a. These Policies & Procedures 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.
- b. Notice of the intention to amend or add additional Policies & Procedures shall be given at least twenty-one (21) days before at a membership meeting or sixty (60) days before in writing.

## **SECTION 2 – LETTERS OF UNDERSTANDING**

- a. The Executive Board shall first review proposed Letters of Understanding that impact significantly on the Local 1260 membership. If the Executive Board endorses the Letter of Understanding by majority vote, it shall then be voted on by members affected and attending a membership meeting before it is signed off.

## **SECTION 3 - EXPENDITURES & EXPENSE VOUCHERS**

- a. Expenditures shall be supported by an expense voucher and duly signed by two of the three signing officers (President, Vice President or Secretary-Treasurer).

## **SECTION 4 – MILEAGE**

- a. Mileage for a member to attend a union function out of the School District will be paid return mileage from their home.
- b. Mileage for a Union Officer to attend a union function or meeting within the School District will be paid return mileage from their regular worksite to the location of the union business.

## **SECTION 5 – DELEGATES TO CONVENTIONS, CONFERENCES & EDUCATIONALS**

- a. The most convenient and economical mode of transportation shall be the first consideration to attend conventions, conferences or educationals. Expense vouchers can be submitted to the Secretary-Treasurer before the Convention, Conference or Educational for the per diem.

## **SECTION 6 – SUNSHINE GIFTS**

- a. Upon being called to the attention of the Local, the Sunshine Committee shall provide as follows:
  - i. **Death of a member:** The Local shall send a gesture of condolence. The costs shall not exceed one hundred (\$100.00) dollars.
  - ii. **Death in the Family:** The Local shall send a gesture of condolence. The costs shall not exceed sixty (\$60.00) dollars.
  - iii. **Seriously ill or injured member:** The Local shall send a gesture of sympathy. The costs shall not exceed sixty (\$60.00) dollars.
  - iv. **Recognition of Service of an Executive Board member:** The Local shall send an appropriate gift acknowledging service to the Local to a member who ceases to be a member of the Executive Board, not to exceed sixty (\$60.00) dollars for up to five years of service and one hundred (\$100.00) for over five more years of service. This gift may be combined with any other Sunshine gift if the events occur at the same time.
  - v. **Retirement of a member:** The Local shall send a gift not to exceed one hundred (\$100.00) dollars in the event of the retirement of a member.

## **SECTION 7 – CELLULAR PHONES**

- a. **President and Vice President:** For the President and Vice President, full costs will be reimbursed for a cell phone plan including data to a maximum of one hundred (\$100.00) per month.
- b. **Executive Board:** For Executive Board members, a cell phone budget of up to twenty (\$20.00) dollars per month will be available upon completion and approval of an Expense Claim for Reimbursement form.