



# By-laws

Approved by National President's Office March 11, 2022

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## **INTRODUCTION**

CUPE Local 1483 of the Canadian Union of Public Employees has been formed to:

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

The following Bylaws are adopted by Local 1483 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of CUPE Local 1483, and to involve as many members of CUPE Local 1483 as possible through the sharing of duties and responsibilities.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all the chartered organizations' activities. The CUPE National Equality Statement can be found in Appendix "A" to these bylaws.

The mailing address for CUPE Local 1483 and its Officers shall be 6790 DAVAND DRIVE, UNIT #9 MISSISSAUGA, ON L5T 2G5.

## **SECTION 1 – Name**

The name of this Local Union shall be Canadian Union of Public Employees (CUPE), Local 1483. (Dufferin – Peel Catholic District School Board)

## **SECTION 2 – Objectives**

The objectives of CUPE Local 1483 are to:

- a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for all its members,
- b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism,

- c) 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, language, sex/gender, 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 all genders.
- 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, CUPE Local 1483 shall be affiliated to and pay per capita to the following organization(s):

- The CUPE Ontario Provincial Division
- Ontario School Board Council of Unions (OSBCU)
- Peel Regional Labour Council
- The Peel District CUPE Council

## **SECTION 5 – Regular and Special Membership Meetings**

- a) Regular membership meetings of CUPE Local 1483 shall be held on the third (3<sup>rd</sup>) weekend of each month (except July, August and December), at 6790 Davand Drive Unit #9, Mississauga, or via joint hybrid online meeting.

When a statutory holiday or a situation beyond the control of the Local Union arises which causes the cancellation of a regular membership meeting, the Executive Board shall reschedule the regular membership meeting, and give members fourteen (14) days' notice of the date of the rescheduled regular membership meeting,

- b) Special membership meetings of CUPE Local 1483 may be required, and shall be called by the Executive Board or may be requested in writing by no fewer than twenty (20) members. The President shall immediately advise members when a special meeting is called and ensures that all members receive at least twenty-four (24) hours' notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called, and notice given.
- c) The minimum number of members required to be in attendance for the transaction of business at any regular meeting shall be eighteen (18) members, including four (4) members of the Executive Board.
- d) The order of business at regular membership meetings is as follows:
1. Roll call of officers
  2. Reading of the Equality Statement
  3. Land Acknowledgement Statement
  4. Voting on new members and initiation
  5. Reading and approval of minutes of previous meeting
  6. Matters arising
  7. Treasurer's report and approving expenditures
  8. Correspondence
  9. Executive Board Report
  10. Reports of committees and delegates
  11. Nominations, Elections, or Oath of Office
  12. Unfinished business
  13. New business
  14. Good of the Union
  15. Adjournment

- e) CUPE Local 1483 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.

## **SECTION 6 – Officers**

The Officers of CUPE Local 1483 shall be the President, Vice-President, Recording Secretary, Secretary-Treasurer, Head Steward, Education Officer, Member at Large, Maintenance Officer, Membership Officer, Injured Worker Representative, Health and Safety Officer, six (6) Stewards, and three (3) Trustees.

## **SECTION 7 – Executive Board**

- a) The Executive Board shall include all Officers, except the Injured Worker Representative, Health and Safety Officer, Stewards, and Trustees.
- b) The Executive Board shall meet at least eight (8) times per year.
- c) A majority of the Executive Board constitutes a quorum.
- d) The Executive Board shall hold title to any real estate of the CUPE Local 1483 as trustees for the CUPE Local 1483. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.
- e) The Executive Board shall do the work delegated to it by the CUPE Local 1483 and shall be held responsible for the proper and effective functioning of all committees.
- f) Should any Executive Board member fail to answer the roll call for three (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 membership meeting.
- g) When an Executive Board member or Officer applies for a Management position with the Dufferin – Peel Catholic District School Board, they must resign from their office immediately once they have accepted the Management position.

## **SECTION 8 – Duties of Officers**

Each Officer of CUPE Local 1483 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

All Executives and Stewards shall have a Union cell phone, with a data plan, for Union business only.

All general correspondences from the Executive shall be shared with all other officers of the Executives and Stewards of the Union.

The President and Recording Secretary and the Secretary-Treasurer shall be signing officers of Local 1483 and shall be bonded. If the President or Recording Secretary cannot be bonded, they can no longer be a signing officer and their signing authority will devolve to another Executive Board member as determined by the Executive Board who shall also be bonded. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.

a) The President shall:

- 1) Enforce the CUPE National Constitution, these CUPE Local 1483 bylaws, Equality Statement and the CUPE Code of Conduct.
- 2) Preside at all membership, Executive Board and Committee meetings and preserve order.
- 3) Decide all points of order and procedure (subject always to appeal to the membership).
- 4) Have a vote on all matters (except appeals against the President's rulings) and in case of a tie vote in any non-election matter have the right to cast an additional vote to break the tie.
- 5) Ensure that all Officers perform their assigned duties.
- 6) Fill committee vacancies where elections are not provided for.
- 7) Introduce new members and conduct them through the initiation ceremony.
- 8) Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE National Constitution, CUPE Local 1483 bylaws, or voted by the membership.
- 9) Be allowed necessary and reasonable funds, to reimburse the President or any Officers for expenses incurred on behalf of the CUPE Local 1483. Expense claims must be listed on a proper form outlining the expense, the reason for the expense and with supporting receipt(s) attached.
- 10) Have first preference as a delegate to the CUPE National Convention.

11) On termination of office, surrender all books, emails, electronic devices, unlocked cell phones, seals, and other properties of the CUPE Local 1483 to their successor.

b) The Vice-President shall:

- 1) If the President is absent or not eligible, perform all duties of the President.
- 2) Preside over the membership, Executive Board and committee meetings in the absence of the President.
- 3) If the office of the President position falls vacant, be Acting President until a new President is elected.
- 4) Render assistance to any member of the Executive as directed by the Executive Board.
- 5) On termination of office, surrender all books, emails, electronic devices, unlocked cell phones, seals, and other properties of the CUPE Local 1483 to their successor.

c) The Recording Secretary shall:

- 1) Take the first available Parliamentary Procedures and Recording Secretary courses.
- 2) Keep a full, accurate, and impartial account of the proceedings of all regular or special membership meetings, 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.
- 3) Record all amendments and/or additions in the bylaws and make certain that these are sent to the CUPE National President for approval.
- 4) Record all minutes during Bargaining.
- 5) Answer correspondence and fulfill other administrative duties as directed by the Executive Board.
- 6) Keep a record of all correspondence received and sent out.
- 7) Prepare and distribute all notices to members, through social media and print.
- 8) Have all records ready on reasonable notice for the Trustees or auditors.
- 9) Preside over the membership and Executive Board meetings in the absence of both the President and Vice-President.
- 10) Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the CUPE Local 1483 funds.



11) On termination of office, surrender all books, emails, electronic devices, unlocked cell phones, seals, and other properties of the CUPE Local 1483 to their successor.

d) The Secretary Treasurer shall:

- 1) Take the first available financial officer course.
- 2) 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.
- 3) Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the National Constitution, CUPE Local 1483 bylaws, or vote by the membership.
- 4) 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.
- 5) 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.
- 6) Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices using the CUPE electronic ledger.
- 7) Be responsible for making /booking all travel and accommodation arrangements when they are required to be made.
- 8) Make a full financial report to meetings with the CUPE Local 1483 Executive Board.
- 9) Make a written financial report to each regular membership meeting detailing all income and expenditures for the period.
- 10) Be bonded through the master bond held by CUPE National. Any Secretary Treasurer who cannot qualify for the bond shall be disqualified from office.
- 11) 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 CUPE Local 1483 is affiliated.
- 12) Make all books available for inspection by the Trustees and /or auditors on reasonable notice. Ensure that the books are audited at least twice each

calendar year and within reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.

- 13) Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- 14) 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.
- 15) Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the CUPE Local 1483 funds.
- 16) 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.
- 17) On termination of office, surrender all books, emails, electronic devices, unlocked cell phones, seals, and other properties of the CUPE Local 1483 to their successor.

e) The Trustees shall:

- 1) 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 twice every calendar year.
- 2) Make a written report of their findings to the first membership meeting following the completion of each audit.
- 3) 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.
- 4) Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- 5) Ensure that proper financial reports have been given to the membership.
- 6) Audit the attendance.
- 7) 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 CUPE Local 1483 and report their findings to the membership.

8) Send to the National Secretary Treasurer, with a copy to the assigned Servicing Representative, the following documents:

- i. Completed Trustees 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 CUPE Local 1483

f) The Head Steward shall:

- 1) Have acted as a steward and completed stewarding courses, prior to being elected to office.
- 2) Assist Stewards in settling complaints and problems of members.
- 3) Process all grievances.
- 4) Present all grievances to management.
- 5) Record and file all grievance correspondences relating to grievances.
- 6) Keep the Executives informed in all cases of current status of grievances.
- 7) Submit a written report at all Executive and General Membership meetings.
- 8) Perform any other duties assigned by the Executive Board.
- 9) On termination of office, surrender all books, emails, electronic devices, unlocked cell phones, records and other properties of the CUPE Local 1483 to their successor.

g) The Steward shall:

- 1) Take the next available courses related to Stewarding.
- 2) Record and submit all correspondence relating to grievances to the Head Steward for filing with the employer.
- 3) Be prepared to make a report and answer all questions if called upon by the Head Steward at a General Membership meeting.
- 4) Any Steward unable to perform their duties, for whatever reason, such as vacation, sickness, etc., shall contact the Head Steward immediately and change their voicemail greeting to reflect the dates they are absent and a contact number
- 5) On termination of office, surrender all books, emails, electronic devices, unlocked cell phones, records and other properties of the CUPE Local 1483 to their successor.

h) The Member at Large shall:

- 1) Be in a position with the Executives in which they may be able to gain knowledge for future officer positions.
- 2) Be able to fill any Executive office temporarily when that position becomes vacant due to illness or retirement of said officer, except that of the President at which time the Vice-President shall take over.
- 3) Shall perform the duties until relieved by a new election for the vacant position or the return of the officer.
- 4) Shall assist in any other duties as requested by the President.
- 5) Shall have voting rights as a member of the Executive.
- 6) On termination of office, surrender all books, emails, electronic devices, unlocked cell phones, records, and other properties of the CUPE Local Union 1483 to their successor.

i) The Education Officer shall:

- 1) Be in a position on the Executive, which will be responsible to coordinate all education functions within the Local.
- 2) Receive and send any information on all education to all the members of the Local.
- 3) Control and receive all reports from all members who attend seminars, conferences, and functions under Local education.
- 4) Establish controls for members who might misuse CUPE Local 1483's educational system.
- 5) Report to the General Membership on all seminars, conferences, and the number of reports received or not received from members who attend education functions.
- 6) If unable to attend a course, and has a valid reason, contact the educational officer as soon as possible or the member will have to reimburse the Local for the course cost and will not be entitled to attend any further education courses until all sums are reimbursed to the Local.
- 7) If all reports are not submitted from members who attended seminars, conferences, educational(s), and any other functions under the educational area, shall not attend any further courses of functions until the reports are received by the Education Officer.
- 8) A member cannot attend the same course twice within a 2 year period unless the course has been entirely renewed.

- 9) The Education Officer shall send out twice a year a newsletter approved by the Executive to all locations.
- 10) Be a voting member of the Executive Board.
- 11) On termination of office, surrender all books, emails, electronic devices, unlocked cell phones, records, and other properties of the CUPE Local Union 1483 to their successor.

j) The Injured Worker Representative shall:

- 1) Take the first available WSIB Level 1 course or be subject to removal by the Executive Board.
- 2) Operate under all applicable legislation.
- 3) Assist Union Members with WSIB matters, forms, and hearings.
- 4) Assist Members in early Return to Work, i.e. Modified Work.
- 5) Keep the Executive Board informed in all cases of current status.
- 6) Be prepared to make reports and answer all related questions at General Membership meetings.
- 7) On termination of office, surrender all books, emails, electronic devices, unlocked cell phones, records, and other properties of the CUPE Local Union 1483 to their successor.

k) The Health and Safety Officer shall:

- 1) Operate under all applicable legislation and clauses in the current collective agreement.
- 2) Shall sit on the Dufferin- Peel Catholic District School Board joint Health and Safety committee, and report to the Executive Board, and membership, on the proceedings of these meetings, and any other health and safety concerns relevant to the membership.
- 3) Be responsible to the Executive Board and membership.
- 4) Have related union experience and upon election shall take the first available Health and Safety Level 1 course
- 5) On termination of office, surrender all books, emails, electronic devices, unlocked cell phones, records, and other properties of the CUPE Local Union 1483 to their successor.

l) The Membership Officer shall:

- 1) Guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE Local 1483, except on the order of the President and with consent of the members present.
- 2) Assist in maintaining the record of membership attendance at meetings.
- 3) Perform such other duties as may be assigned by the Executive Board from time to time.
- 4) Maintain general tidiness of CUPE Local 1483 office.
- 5) On termination of office, surrender all books, emails, electronic devices, unlocked cell phones, records, and other properties of the CUPE Local Union 1483 to their successor.

**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 March.
- 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) 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.
- 4) To be eligible for nomination, a member must be a member in good standing as set out in Article B.8.3 of the National Constitution.
- 5) No member will be eligible for nomination if they are in arrears of dues and/or assessments.
- 6) Maintenance Officer shall be a maintenance member and only maintenance shall nominate for Maintenance Officer.

b) Elections

- 1) At a membership meeting, at least one month prior to Election Day, the President will, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee will include members of CUPE Local 1483 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.

- 2) The Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- 3) The Returning Officer 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. The Returning Officer will be responsible for adjudicating any complaints that arise out of the nominations and subsequent elections. The Returning Officer's decision shall be final and binding.
- 4) All nominees shall submit campaign literature to the Elections committee for approval and distribution. The Election committee will approve all appropriate material within a 24hour period.
- 5) The voting will take place at the regular membership meeting in May. The vote will be by secret ballot.
- 6) A majority of votes cast will be required before any candidate can be declared elected.
- 7) Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
- 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.
- 9) In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
- 10) Any candidate for office may request a recount if there is a five percent (5%) or fewer differentials between the winning candidate and the candidate requesting the recount 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).
- 11) No campaigning may be done on Union time, with Union equipment, and/or communication devices.
- 12) Only Maintenance members shall vote for the Maintenance Officer.

c) Installation

- 1) All duly elected Officers shall be installed at the May meeting and shall continue in office for two (2) year(s) or until a successor has been elected and installed, provided however, that no term of office shall be longer than three years.
- 2) The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, CUPE Local Union 1483 shall elect one Trustee for a three-year period. No member who has been a signing officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed.
- 3) The Oath of Office to be read by the newly elected Officers is:

*“I, \_\_\_\_\_, do most sincerely promise that I will truly and faithfully, to the best of my ability, perform the duties of my office for the ensuing term, as prescribed in the Constitution and laws of the Canadian Union of Public Employees, and as an Officer of this CUPE Local 1483 will at all times endeavor, both by counsel and example, to promote the harmony and preserve the dignity of its sessions.*

*I further promise that at the close of my official term, I will promptly deliver all monies, books, papers, or other property of this CUPE Local 1483 in my possession to my elected successor.”*

d) By-Election

- 1) Should an office fall vacant pursuant to Section 7(f) of these by-laws 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. If the remaining term of office is six (6) months or less, a by-election will not be held.



## **SECTION 10 – Fees, Dues, and Assessments**

### a) Initiation Fee

Payment of initiation fees is a tangible confirmation of the desire to become a member of CUPE Local 1483 and the Canadian Union of Public Employees. Each application for membership in the CUPE Local 1483 will be directed to the Secretary Treasurer and will be accompanied by an initiation fee of one (\$1.00) dollar 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.

### b) Readmittance Fee

The readmittance fee shall be one dollar (\$1.00).

### c) Monthly Dues

The monthly dues shall be 1.33% of regular wages.

If the National increases the per capita, the monthly dues shall automatically be increased by that set amount.

Special assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.

## **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 and 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 not be required to pay arrears.

## SECTION 12 – Voting of Funds

- a) CUPE Local 1483 will pay out funds under the following circumstances:
- When the expenditure has received prior authorization through a membership approved budget.
  - When these bylaws approve expenditure; or
  - Through a vote by the majority of members at a membership meeting.

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

Should a budget be approved of any changes to the budget of expenditures over an approved budget item must be approved through a majority vote of members attending a membership meeting. Despite approving a budget, attendance at any function will require members approval. Such changes shall be put on the agenda for the next General Membership meeting.

- b) In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than \$500, a notice of motion must be made at a regular membership meeting and then approved at the following regular membership meeting before the grant or contribution can be paid out.
- c) No member of CUPE Local 1483 will be allowed to spend any CUPE Local 1483 funds without first having received authorization under Section 12(a) of these bylaws.
- d) Payment of expenses invoices or otherwise cannot be made with cash. CUPE Local 1483 will hold two (2) credit cards, one for the President and one for the Secretary Treasurer, to be used only in circumstances where a cheque cannot be made. At the end of each month, the President and the Secretary Treasurer will submit an itemized report detailing all credit card charges. The itemized report will include original invoices /bills for the items purchased on credit.

### **SECTION 13 – Out-of-Pocket Expenses**

a) CUPE Local 1483 Officers and Committee members shall be provided an annual out of pocket expense allowance as follows:

• President	\$1,300.00
• Vice President	\$1,100.00
• Secretary Treasurer	\$1,250.00
• Recording Secretary	\$1,200.00
• Head Steward	\$1,200.00
• Injured Worker Representative	\$1,200.00
• Health and Safety Officer	\$1,100.00
• Education Officer	\$ 700.00
• Maintenance Officer	\$ 600.00
• Stewards	\$ 450.00
• Member at Large	\$ 400.00
• Membership Officer	\$ 400.00
• Trustees	\$ 200.00

Out of pocket expenses to be paid semi-annually (December and June)

- b) Executive Board members, along with demonstrating performance duties, must attend a minimum of seventy-five percent (75%) of all meetings to receive the out-of-pocket expenses without having submitted good reasons prior to the start of the meetings they are missing.
- c) The Membership Officer must attend seventy-five percent (75%) of all meetings to receive the out-of-pocket expenses without having submitted good reasons prior to the start of the meetings they are missing.
- d) Stewards and Injured Worker Representative, along with demonstrating performance of duties, must attend a minimum of seventy-five percent (75%) percent of regular Membership Meetings to be eligible for out-of-pocket expenses without having submitted good reasons prior to the start of the meetings they are missing.

- e) A kilometer allowance equivalent to that paid by CUPE National will be paid to members who incur such expense using their own personal automobile while on union business. The kilometer allowance is inclusive of gas and CUPE Local 1483 will not pay for gas. Kilometer allowance shall be fifty-eight cents (\$0.58) per kilometer.
- f) Members are responsible for their own expense to get to and from work with the employer on a daily basis and therefore on a workday the kilometer allowance will apply to the distance between their workplace and the place of union business and return to the workplace. On a day off the kilometer allowance will apply to the distance from their place of residence to the place of union business and return.

For those Officers who are on a paid leave of absence for CUPE Local 1483 business the place of work will be the CUPE Local 1483 office located at 6790 DAVAND DRIVE, UNIT 9 MISSISSAUGA, ON L5T 2G5.

The kilometer allowance will only be paid after a member submits a form requesting payment. The form will be provided by the Secretary-Treasurer. To be eligible for payment the form will contain the following

- First and last name of the member
- The date and time
- Location where union business took place
- The purpose of the union business
- The starting point
- The kilometers traveled

The form must be countersigned by an Executive Board member.

## **SECTION 14 – Delegates to Conferences, Conventions and Educationals**

- a) Except for the President's option [Section 8 (a)], all delegates to conventions, conferences, and education shall be chosen by election at membership meetings.
- b) Delegates to the Peel District CUPE Council shall be elected every two (2) years. 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 CUPE Local 1483 membership meeting on proceedings at recent meetings of the Council.
- c) All delegates attending conventions, conferences, or educationals held outside the Region of Peel shall be paid transportation expenses (at economy, tourist or coach rates) as determined by the Secretary Treasurer and a per diem allowance of one hundred dollars (\$100.00) for meals and expenses. CUPE Local 1483 will reimburse the member's employer for any loss of wages.
- d) The kilometer rate to be paid is equal to that paid by CUPE National from time to time. Where the most economical mode of transportation is other than automobiles and the member chooses to use their automobile, the maximum kilometer allowance paid shall be no greater than the price of the most economical mode of transportation as determined by the Secretary Treasurer.
- e) Delegates to conventions, conferences, and educationals held within the Region of Peel shall receive travel allowance. There shall be a per diem allowance of fifty dollars (\$50.00) for meals and expenses incurred by attendance at the convention, conference, or educational. CUPE Local 1483 will reimburse member's employer for any loss wages.
- f) CUPE Local 1483 will provide members with their per diem allowance prior to their attending the convention, conference, or educational.
- g) CUPE Local 1483 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.
- h) Submitted expense vouchers shall be reimbursed at the following general membership meeting. If the member is not able to be in attendance, the cheque shall be mailed out, to the address on the members file.

## SECTION 15 – Committees

### a) Special Committees

A special committee may be established for a specified purpose and a specified period of time by the membership at a meeting. The members shall be elected at a membership meeting, or may, by specific authorization of the membership, be appointed by the 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 six (6) months prior to the expiry of CUPE Local 1483's collective agreement and automatically disband 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 six members (6) plus an alternate; President, Vice-President, Head Steward, Recording Secretary, plus two (2) members elected by the membership. Of these, 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. The Negotiation Committee must have at least one (1) representative from the custodial group and one (1) from the maintenance group.

When voting for two (2) elected members on the Negotiating Committee is to take place and anyone (1) of the above groups are not represented on the Negotiating Committee, nominations will be restricted to members of any group not having representation and the voting procedure must ensure that each group elects one (1) representative. If no maintenance is represented, then the Maintenance Officer will be automatically placed into the Negotiations Committee and one (1) remaining member will be voted in.

## b) Permanent Committees

The members of each permanent committee will be elected by the members at a membership meeting. Permanent committees will have a term of two (2) years. Committees will provide written reports to each regular membership meeting. The Vice-President shall be a member, ex-officio, of each committee. There shall be five (5) permanent committees as follows.

### 1) Grievance Committee

- 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 proceed, the grievor(s) may appeal the decision to the Executive Board.

The committee members will be the elected Head Steward, who will be chairperson, and any two (2) Stewards to be selected by the membership at a regular Membership Meeting.

### 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.
- Organize an April 28<sup>th</sup> Day of Mourning ceremony each year.
- Participate on the Joint Worksite Health and Safety Committees (JWH&SC) at their workplace.
- Ensure that the worker representatives on the JWH&SC meet separately from the employer to prepare for meetings with the employer.

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

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

The committee members will be the elected Health and Safety Officer who will be the chairperson, and two (2) members. The committee shall appoint its secretary from among its members.

### 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 CUPE Local 1483 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 will consist of the President and four (4) elected members. The committee shall appoint its chairperson and secretary from among its members.



#### 4) Membership Support Committee

This committee will:

- Visit members who are ill.
- If a member is ill for more than one week, arrange some token of the Local Union's concern and desire to help, whether the member is at home or in hospital.
- Extend the CUPE Local 1483's condolences in the event of the death of a member or one of their immediate family (spouse, partner, parent, or child), and make other appropriate gestures in accordance with custom or the wishes of the family concerned. Cost will be limited to seventy-five (\$75.00) dollars.

The committee will consist of 3 volunteer members. The committee shall appoint its chairperson and secretary from among its members.

#### 5) Social Committee

This committee will:

- Arrange and conduct all social, cultural, and recreational activities of CUPE Local 1483, either on the committee's own initiative or as a result of decisions taken at membership meetings. The committees shall submit reports and proposals to the Executive Board or to the membership as required.
- Provide support to Retirees.

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

The committee will consist of 5 volunteer members. The committee shall appoint its chairperson and will appoint a secretary treasurer from among its members.

## **SECTION 16 – 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.

## **SECTION 17 – Rules of Order**

All meetings of CUPE Local 1483 will be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of more important rules to ensure free and fair debate are appended to these bylaws as Appendix “B”. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

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

## **SECTION 18 – Amendments**

- a) These bylaws are always subordinate to the CUPE National Constitution (including Appendix “B”) as it now exists or may be amended from time to time, and in the event of any conflict between these bylaws and the CUPE National Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE National Constitution. .
- b) These bylaws will 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.
- c) No change in these bylaws will be valid and take effect until approved by the National President of CUPE. The validity will date from the letter of approval by the National President.

## **SECTION 19 – Printing and Distribution of Bylaws**

Members will receive a copy of the CUPE Local 1483 bylaws, either in paper format or via the CUPE Local 1483 website at [www.cupe1483.org](http://www.cupe1483.org). Members requesting a copy of these bylaws will be provided a copy on either French or English as requested. Members with special needs may request a copy of the bylaws in larger font.

## **SECTION 20 – Building/Union Hall of Local 1483**

\* This section is under review for the clarification on Canadian not-for-profit incorporation laws, amendments to follow

- a) Local 1483 will transfer title of its Condo at 6790 DAVAND DRIVE, UNIT 9, MISSISSAUGA, ON L5T 2G5 to a not-for-profit Corporation. Local 1483 shall be the sole shareholder in the not-for-profit Corporation.
- b) The Board of Directors for the not-for-profit Corporation shall be the President, Recording Secretary, and Secretary Treasurer of CUPE Local 1483 and they will hold the same titles in the not-for-profit Corporation.
- c) The Trustees of CUPE Local 1483 shall audit the books and records of the not-for-profit Corporation at the same time that they audit the finances of Local 1483. They shall provide a copy of their report to CUPE Local 1483 and as well, present their findings to the Annual membership meeting of the not-for-profit Corporation.
- d) Membership in the not-for-profit Corporation shall be limited of those members of Local 1483 who have been accepted into the membership of CUPE Local 1483 and duly sworn in.
- e) Should the not-for-profit Corporation at any time be wound up and the proceeds from the sale of the assets less expenses be remitted to CUPE Local 1483.

## **Appendix “A” – CUPE National Equality Statement**

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

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

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

## Appendix “B” – Rules of Order

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

- 10) At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.
- 11) The mover of a motion can withdraws the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
- 12) A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
- 13) The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
- 14) A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the CUPE Local 1483 or other members.
- 15) A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
- 16) Religious discussion of any kind is not permitted.
- 17) The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
- 18) The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote, or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
- 19) When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have

precedence in the order indicated. Motions 1 through 3 shall be decided without debate.

- 20) The Chairperson will ask “Will the main question be now put?” where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
- 21) A motion to adjourn is in order except when a member is speaking or when members are voting.
- 22) A motion to adjourn, if lost, is not in order if there is further business before CUPE Local 1483, until fifteen minutes have elapsed.
- 23) After the Chairperson declares the vote results on a question, and before CUPE Local 1483 proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
- 24) If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, “Will the decision of the chair be upheld?” A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
- 25) 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.

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.

## **Appendix “C” – CUPE Code of Conduct**

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our 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.

CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff and elected officers to carry out our work. CUPE’s expectation is that mutual respect, understanding and co-operation will be the basis of all our interaction.

The Code of Conduct sets out standards of behaviour for participants at national convention, national conferences, schools, meetings, and all other events organized by CUPE National. It is also applicable to structures of CUPE – locals, Provincial and Service Divisions, District Councils, Provincial Unions, Councils of Unions, Provincial Councils of Unions, and Provincial Sectoral Groups. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National. 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 CUPE members, staff, and elected officers, 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.
- Take responsibility for not engaging in inappropriate behaviour due to use of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

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

- 1) If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
- 2) At national convention, national conferences, schools, meetings, and all other events organized by CUPE National, a complaint shall be brought to the attention of an ombudsperson.
- 3) At a meeting, event, or activity held by a structure of CUPE, should an ombudsperson be available, the same process would be used. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
- 4) If the complaint involves a staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another part of CUPE, the person responsible for their employment will be the one to whom a complaint is referred and the relevant collective agreement, should it exist, would be applicable.
- 5) Once a complaint is received where an ombudsperson is being used, the ombudsperson will work to seek a resolution.
- 6) If this fails to resolve the matter, the ombudsperson 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.

- 7) At CUPE National events where an ombudsperson is not available, a person properly appointed and designated to be in charge shall receive the complaint. Depending on the nature of the problem, the person in charge may attempt to resolve it through conflict resolution. If this fails to resolve the matter, the person in charge shall determine whether there is a need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses. The same process is to be used for other parts of CUPE where an ombudsperson is not available.
- 8) For National events, if the person in charge is a party to the complaint, the director or designate shall assume that role. For all other parts of CUPE, an alternate will be designated to assume the role.
- 9) In a case where a member has been expelled from an event, the National President shall receive a report on the matter. For all other structures of CUPE, the presiding officer shall receive a report on the matter.
- 10) For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. A similar process may be applicable to the other parts of CUPE, done in consultation with the National President.

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

All chartered organizations are subject to this Code of Conduct, to apply to conventions, conferences, schools, and meetings which they organize.