

# **CUPE LOCAL 5512**

## **BY-LAWS**



*General Membership approved and adopted Bylaws at the October 27, 2012 GMM*

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## 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 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 behavior for participants at national convention, national conferences, schools, meetings, and all other events organized by CUPE National. 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 abuse of alcohol or other drugs while participating in union activities, including social events.

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

A complaint regarding 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 him/her 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. 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.
4. Once a complaint is received, the ombudsperson will work to seek a resolution.
5. 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.
6. 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.
7. If the person in charge is a party to the complaint, the director or designate shall assume that role.
8. In a case where a member has been expelled from an event, the National President shall receive a report on the matter.

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 CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

CUPE National encourages all chartered organizations to develop and adopt a Code of Conduct based on this model, to apply to conventions, conferences, schools and meetings which they organize.

## **Equality Statement**

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

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

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

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

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

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

## **PREAMBLE**

In order to improve the social and economic welfare of its members without regard to age, sexual orientation, colour, race, creed, political affiliation or disability, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, this Local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

The following By-Laws are adopted by the Local pursuant to, and to supplement, Appendix “B” of the CUPE Constitution, to safeguard the 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.

## **SECTION 1 – NAME**

The name of this local shall be: Canadian Union of Public Employees, Local #5512 (Support Staff working at Prairie South School Division No. 210).

## **SECTION 2 – OBJECTIVES**

The objectives of the Local are to:

- a) secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- b) support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- c) provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- d) encourage the settlement by negotiation and mediation of all disputes between the members and their employers.

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

- a) Masculine pronouns shall be understood to include the feminine gender.
- b) Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the CUPE Constitution (2011) which should be read in conjunction with these by-laws.

## **SECTION 4 – MEMBERSHIP MEETINGS – Regular and Special**

- a) Regular membership meetings are held in the months of January, May, and September. The September and May Membership meetings will be held in Moose Jaw. The January Membership meeting will be held in Assiniboia. The Executive Board will have the authority to reschedule regular membership meetings (date and/or location) including the May membership meeting at which annual elections are normally held, as well as schedule additional membership meetings, as deemed necessary, but shall provide at least two weeks' notice to the membership.
- b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than 5 (five) % of the members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least seventy-two (72) hours' notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- c) A quorum for the transaction of business at any regular or special meeting shall be ten (10) members, including three (3) members of the Executive Board.
- d)
  - (i) All eligible employees shall complete the necessary forms for membership in the Union.
  - (ii) Every new employee shall, as a condition of employment, apply for and maintain membership in the Union.
  - (iii) Every employee shall maintain membership in the Union as a condition of employment.
- e) The order of business at regular membership meetings is as follows:
  - (i) Roll Call of Officers
  - (ii) Equality Statement
  - (iii) Voting on New Members and Initiation
  - (iv) Reading of Minutes
  - (v) Matters Arising
  - (vi) Secretary-Treasurer's Report
  - (vii) Communications and Bills
  - (viii) Executive Committee Reports
  - (ix) Reports of Committees and Delegates
  - (x) Nominations, Elections, or Installations
  - (xi) Unfinished Business
  - (xii) New Business
  - (xiii) Good of the Union
  - (xiv) Adjournment

(Article B. VIII)

## **SECTION 5 – VOTING OF FUNDS**

Except for ordinary expenses and bills as approved at membership meetings, no sum greater than one hundred dollars (\$100.00) shall be voted for the purpose of a grant or contribution to a member or any cause outside CUPE except by a recommendation of the Executive and presented to the general membership at a regular membership meeting.

(Article B.4.4)

## **SECTION 6 – OFFICERS**

The Officers of the Local shall be the President, four (4) Vice-Presidents, Secretary-Treasurer, Recording Secretary, three (3) Trustees, Membership Officer(s), Workplace Communication Officers, and Shop Stewards.

## **SECTION 7 – EXECUTIVE BOARD**

a) The Executive Board shall be comprised of all Officers, except Trustees, Shop Stewards, Workplace Communication Officers, and Membership Officer(s).

(Article B.2.2)

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

(Article B.3.14)

(i) The Executive Board shall be the governing body of the Union between regular meetings. They shall take such action and render such decisions as may be necessary to carry out fully the decisions and instructions of the Regular and Special meetings and to enforce the provisions of the By-Laws of the Union, the Constitution of the Canadian Union of Public Employees, the provisions of any and all Union/Management Agreements that may be in force and effect between the Union and the Employer(s), and carry on all necessary business between meetings. They shall meet upon the call of the President. It shall also be necessary for the President to call an executive meeting upon the request of three (3) other officers. A majority of the members of the Executive Board shall constitute a quorum for the transaction of business.

(ii) The decision made by a majority vote of an executive are the decisions of the Executive and each member of the executive is committed to that decision even though in disagreement with it. It is improper for a member of the Local Branch executive to speak against the executive recommendation on the floor of a General membership meeting. Opposition to that decision is voiced within the executive at the meeting of the executive. Once a decision is reached, it is an executive decision and is supported by all members of the executive.

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



- d) The Executive Officers shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- e) The Executive Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- f) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.

(Article B.6.1 to B.6.7)

- g) Should any Executive Board member fail to answer the roll call for three consecutive regular membership meetings or three regular Executive Board meetings without having submitted good reasons for those failures, his office shall be declared vacant and shall be filled by an election at the following membership meeting.

(Article B.2.5)

- h) All officers authorized to sign an order on the treasury, on behalf of the local union, shall be properly bonded through the master bond held by National Office.

## **SECTION 8 – DUTIES OF OFFICERS**

- a) The **President** shall:
  - (i) Be bonded through the master bond held by National Office. Any President who cannot qualify for the bond is disqualified from office;
  - (ii) enforce the CUPE Constitution and these by-laws;
  - (iii) preside at all membership and Executive board meetings and preserve order;
  - (iii) decide all points of order and procedure (subject always to appeal to the membership);
  - (iv) have a vote on all matters (except appeals against his rulings) and in case of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie;
  - (v) ensure that all officers perform their assigned duties;
  - (vi) fill committee vacancies where elections are not provided for;
  - (vii) introduce new members and conduct them through the initiation ceremony;
  - (viii) sign all cheques and all approved expense vouchers and ensure that the Local's funds are used only as authorized or directed by the Constitution, by-laws or vote of the membership;

- (ix) have first preference as a delegate to the CUPE National Convention; and all other Conventions, Conferences, Schools, Meetings, etc.

(Article B.3.1)

- (xi) on termination of office, immediately surrenders all books, seals, records and other properties of the Local to the duly elected successor.

b) The **Vice-President(s)** shall:

- (i) If the President is absent or incapacitated, perform all duties of the President; Vice-Presidents shall alternate duties as mutually agreed upon;
- (ii) if the office of the President falls vacant, Vice-Presidents shall elect one to be Acting President until a new President is elected;
- (iii) render assistance to any member of the Board as directed by the Board;

(Article B.3.2)

- (iv) be the liaison between the Executive Board, the Workplace Communication Officers and Shop Stewards in their area;
- (v) call and chair all workplace meetings and bring options, concerns, motions and voting results of the members at the workplace to the Executive Board;
- (vi) on termination of office, immediately surrenders all books, seals, records and other properties of the Local to the duly elected successor.

c) The **Recording Secretary** shall:

- (i) Keep full, accurate and impartial account of the proceedings of all regular or special membership and Board meetings. A copy of the full financial report presented shall be included with the record of all membership meetings;
- (ii) record all alterations in the by-laws;
- (iii) answer correspondence and fulfill other secretarial duties as directed by the Board;
- (iv) file a copy of all letters sent out and keep on file all communications;
- (v) have all records ready on reasonable notice for auditors and Trustees;
- (vi) be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
- (vii) on termination of office, immediately surrenders all books, seals, records and other properties of the Local to the duly elected successor;
- (viii) be the Local's Webmaster.

- d) The **Secretary-Treasurer** shall:
- (i) Receive all revenue, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union;
  - (ii) review all CUPE National per capita tax forms as provided under the direct remittance procedures;
  - (iii) record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
  - (iv) present a written financial report to each executive meeting and general membership meeting, detailing all income and expenditures for the period;
  - (v) be bonded through the master bond held by the National Office, and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
  - (vi) pay no money unless supported by a voucher duly signed by the President and one other member of the Board or any two other members of the Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
  - (vii) make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited annually;
  - (viii) provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
  - (ix) respond in writing within a reasonable time to any recommendations and concerns raised by the Trustees;
  - (x) arrange and prepay registration and accommodations for all conferences, conventions, educationals/schools, and seminars;
  - (xi) on behalf of the local union membership, be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE headquarters as well as records and supporting documents for all income received by the local union;
  - (xii) on termination of office, immediately surrenders all books, seals, records and other properties of the Local to the duly elected successor.
- e) The **Trustees** shall:
- (i) 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 Standing Committees annually;

- (ii) report their findings by way of a written report to the first membership meeting following the completion of each audit;
- (iii) be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- (iv) ensure that proper financial reports are made to the membership;
- (v) audit the record of attendance;
- (vi) inspect at least annually any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership;
- (vii) use audit forms supplied by the National Office and send a copy of each yearly audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution;

(Articles B.3.10 to B.3.12)

- (viii) submit, in writing, to the President and Secretary-Treasurer recommendations and/or concerns they feel should be reviewed in order to ensure that the local's funds, records and accounts are being maintained by the Secretary-Treasurer in an organized, correct and proper manner.

f) The **Shop Stewards** shall be appointed by the Executive Board. Their duties will include:

- (i) Be the liaison between the members at the workplace, the Workplace Communication Officers, Vice- Presidents, and President of the local;
- (ii) greet new employees and encourage the participation of all members of the school in union activities;
- (iii) maintain contact with members and provide on-going Union awareness and education; assist with grievances;
- (iv) assist with other duties assigned by the Executive Board;
- (v) on termination of office, immediately surrenders all books, seals, records and other properties of the Local to the duly elected/appointed successor.

g) The **Workplace Communication Officers** shall be appointed by the Executive Board. Their duties will include:

- (i) Provide new members with a copy of the Collective Agreement;
- (ii) maintain the Union binder in their workplace;

- (iii) post notices for all Union activities and meetings endorsed by the Local;
  - (iv) maintain contact with members and provide on-going Union awareness and information;
  - (v) act as liaison between the Executive Board and the Hallmark Committee;
  - (vi) be the liaison between the members at the workplace, the Shop Stewards, Vice-Presidents, and President of the local;
  - (vii) greet new employees and encourage the participation of all members of the school in union activities;
  - (viii) assist with other duties assigned by the Executive Board;
  - (ix) on termination of office, immediately surrenders all books, seals, records and other properties of the Local to the duly elected/appointed successor.
- h) The **Membership Officer(s)** shall:
- (i) Be appointed as the need may arise to guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE except on the order of the President and with consent of the members present;
  - (ii) assist in maintaining the record of membership attendance at meetings;
  - (iii) assist with other duties as may be assigned by the Executive Board from time to time.

## **SECTION 9 – OUT-OF-POCKET EXPENSES**

The following expense allowances shall be provided:

- a) **Use of Personal Vehicle**
- (i) Kilometrage of \$0.50/km shall be paid and provided for all approved out of town travel to conferences, conventions, educationals/schools, grievance and executive meetings and committee work. Executive members shall receive kilometrage for travel to meetings where their attendance is requested;
  - (ii) All necessary parking, taxi, and shuttle expenses will be reimbursed upon proof of payment, receipts required.
- b) **Daily Per Diem** - to attend conventions, meetings, conferences, educationals/schools, seminars or other, as approved by the Executive Board.
- (i) \$80.00/day shall be paid within the province of Saskatchewan; **OR** \$40.00/half day
  - (ii) \$100.00/day shall be paid outside of the province of Saskatchewan.

- c) **Lodging expenses** - when the Local's VISA coverage is not available, will be reimbursed ONLY with submitted receipts.
- d) **Child Care** - any Executive member who attends an Executive meeting shall be eligible for child care. Upon proof of payment, claims shall be reimbursed at \$5.00/hour up to a maximum of \$25.00/day. Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.
- e) **Reimbursement Eligibility** - in order to be eligible for reimbursement, all expenses must be submitted on the appropriate expense form.

**SECTION 10 – MEMBERSHIP, DUES, AND ASSESSMENTS**

a) **Membership**

Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall include an initiation or re-admittance fee of one dollar (\$1.00).

(Articles B.4.1 & B.10.2)

b) **Monthly Dues**

The monthly dues shall be 2.0% of regular wages.

(Article B.4.3)

Changes in the levels of the Monthly Dues can be effected only by following the procedure for amendment of these by-laws (see Section 15), with the additional provision that the vote must be by secret ballot.

(Articles B.4.1 & B.4.3)

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

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

**SECTION 11 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

- a) The Executive Officers, except for Vice-President, elected in July shall remain in that position until the May 2013 Elections. Any vacant Executive positions shall be elected following the approval of the local bylaws by the National President's office.

The officers of the Union shall be elected for the following terms:

President	even year
Two (2) Area Vice-Presidents (Moose Jaw)	odd/even year
Area Vice-President (South)	odd year
Area Vice-President (North)	even year
Secretary-Treasurer	odd year
Recording Secretary	even year

Note Exception: For the even years executive positions they shall only be elected for a one (1) year term at the May 2013 election until the elections being conducted at the May 2014 membership meeting at which time they will be elected for two (2) year terms as outlined in the local bylaws.

b) Nominations

- (i) No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting his/her consent in writing. Members running for Executive Board positions must be members in good standing of the Local Union.
- (ii) A member may accept nomination for the position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.

Note exception: All members will be considered eligible for any vacant Executive Board position in order to complete the 2012 Elections. OR until CUPE National approves the By-Laws.

c) Elections

- (i) Upon the conclusion of the terms outlined above, the terms will henceforth run for two years.  

(Article B.2.4 Term of Office)
- (ii) At the 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 the Local Union who are neither officers nor candidates for office. The Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
- (iii) The Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- (iv) 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.

- (v) The voting will take place at the regular membership meeting in May of each year. The vote will be by secret ballot.
- (vi) Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
- (vii) Any member may request a recount of the votes for any position 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 4(c).

Members eligible for nomination as the Area Vice-Presidents (Moose Jaw) must work in a Moose Jaw school or school division facility. Election for these positions shall be by caucus choice.

Members eligible for nomination as the Area Vice-President (North) must work in one of the following school attendance areas: Avonlea, Caronport, Central Butte, Chaplin, Craik, Eyebrow, Mortlach, or Rouleau. Election for this position shall be by caucus choice.

Members eligible for nomination as the Area Vice-President (South) must work in one of the following school attendance areas: Assiniboia, Bengough, Coronach, Glentworth, Gravelbourg, Kincaid, Lafleche, Mankota, Mossbank, or Rockglen. Election for this position shall be by caucus choice.

If there is no nomination from the Area, then the Executive Board will appoint a member temporarily from that Area until an eligible Area representative can be nominated and elected.

- (viii) All nominations for all positions that are up for elections at the regular May membership meeting must be received by the Recording Secretary, in writing (email, fax, mail), by April 15th. Caucus choice meeting(s) will be scheduled in the area(s) requiring an election between April 1st and the May election meeting. Nomination forms can be obtained from the local website or the Recording Secretary.
- (ix) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- (x) 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. In case of a final tie vote, the presiding officer may cast the deciding vote.
- (xi) When two or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.



- (vi) 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 c).
- (vii) The Local #5512 Bargaining Committee shall be as follows: the President or designate, two Area Vice-Presidents (Moose Jaw), Area Vice-President (North), Area Vice-President (South), and the Recording Secretary or designate.

d) **Installation**

- (i) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for two years or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three years. No member may hold more than one elected position on the Executive Board.
 

(Article B.2.4)
- (ii) The terms of office for Trustees shall be as laid down in Article B.3.10 of the CUPE Constitution. (3 yr - 2 yr – 1 yr)

e) **By-Election**

Should an office fall vacant pursuant to Section 7 (g) of these by-laws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this section.

**SECTION 12 – DELEGATES TO CONVENTIONS**

- a) Except for the President’s option [Section 8 (a)], all delegates to conventions shall be chosen by election at membership meetings. In order to attend any CUPE Local #5512 funded schools or events, you must attend at least one (1) meeting in the previous twelve (12) month period or for exceptions as voted on by the Executive Board.
- b) Representation at educational institutes and seminars shall be subject to final approval by the membership.
- c) Delegates to any of the above will be elected at the meeting in which the event is addressed. If no delegate(s) are elected at the meeting, the issue is closed and will not be tabled except by the express wish of the membership under the proper procedure.
- d) Registration and accommodations for all conventions, educationals/schools and seminars shall be prepaid by the Local.
- e) Upon return from any conventions, educationals/schools and seminars, the expectation will be that the member will use the knowledge gained for the benefit of the Local and that a verbal or written report will be presented at the next General Membership Meeting.

## SECTION 13 – COMMITTEES

### a) **Bargaining Committee**

There shall be a committee established at the May elections meeting, as per Section 11 c) (vii) unless otherwise determined by the membership when a current bargaining session is still ongoing. The function of the Committee is to prepare collective bargaining proposals and to negotiate a collective agreement. 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, present at the Bargaining Table, to contract ratification by the membership. Voting on all submitted proposals for CUPE Local #5512 members will take place at a regular membership meeting, thus providing an atmosphere of democracy as desired by all Trade Unionists.

### b) **Labour Management Committee**

The C.U.P.E. Local #5512 Labour Management Committee shall be comprised of members selected by the Executive Board.

### c) **Special Committees**

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

### d) **Standing Committees**

The Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a committee. There shall be three standing committees as follows:

#### (i) **Grievance Committee**

This committee is comprised of the, the Area Vice-President, and the Shop Steward involved from the area the grievance is from. Grievance reports are to be presented in writing to the Executive Board and to the membership with a copy to the National Representative. The Grievance Committee shall meet as deemed necessary.

The Grievance Committee shall make recommendations to the Executive Board regarding the submission of grievances to arbitration for their consideration. Should the Executive Board recommend a grievance not proceed to arbitration, the grievor(s) shall be notified by registered mail and provided an opportunity to appeal to the Executive Board prior to the decision being made. After due process and consideration the decision of the Executive Board shall be final and not subject to further appeal; and in all circumstances, the Local, not the grievor, has authority regarding the handling of the grievance.

Any union member who believes he/she has a grievance and submits same in writing and such grievance is not processed by the Grievance Committee.

**OR**

Any grievance which is terminated at any stage of the Grievance procedure without the consent of the grievor:

The grievor shall have the right to appeal such decision within ten (10) calendar days, in writing to the Local Executive Board from the time that he/she was notified of said decision by registered mail.

1. A Special Meeting shall be convened of the Executive of the local, where the grievor or designate may present his/her grievance. The griever or his/her designate must be a member in good standing of the local.
2. To ensure that a grievance is not lost due to time limits the chairperson/designate of the Grievance Committee or the President/delegate shall either initiate a grievance or secure an extension of the time limits until the appeal process has been settled. In either step of the Appeal Procedure, the Grievance Committee or President will clarify its position as to why the grievance was denied or terminated.

All grievances, whether processed or terminated, shall be reported to the General Membership by the Grievance Committee for final disposition.

(ii) **Hallmark Committee**

The Committee shall be comprised of the Vice-Presidents and/or their designates for the current year and will follow the guidelines as per Appendix "C".

(iii) **Social Committee**

It is the function of this Committee to arrange and conduct all social and recreational activities of the Local either on the Committee's own initiative or as a result of decisions taken at membership meetings. The committee shall submit reports and proposals to the Executive Board or to the membership as required. A ceiling for the Committee's net expenditures shall be fixed annually by the membership but, other than that, all social and recreational events and activities, other than the Christmas Banquet and Dance, shall be self-supporting. The Executive Board shall be held responsible for the proper and effective functioning of this Committee. The Social Committee shall be comprised of up to four members.

## **SECTION 14 – INDEMNITY CLAUSE**

- a) Defending an action or proceeding against an Executive officer claiming liability on the part of that Executive officer for acts or omissions done or made by the Executive officer in the course of his/her duties or paying any sum required to settle the action or proceeding;
- b) Damages and costs awarded against an Executive officer as a result of the finding of liability on the part of that Officer for acts or omissions done or made by the Union officer in the course of his/her actions; and

This Bylaw shall cover Executive members and Shop Stewards of Local 5512 only.

## **SECTION 15 – RULES OF ORDER**

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

In situations not covered by Appendix “D”, 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**

- a) These by-laws are always subordinate to the CUPE Constitution (including Appendix “D”) as it now exists or may be amended from time to time, and in the event of any conflict between these by-laws and the CUPE Constitution, the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.  
(Articles 9.2 c), 12.3 & B.7.1)
- b) These by-laws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting following seven days notice at a previous meeting or at least sixty days written notice.  
(Article B.7.1)
- c) No change in these by-laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.  
(Articles 12.3 & B.7.1)

**APPENDIX “A” TO THE BY-LAWS OF C.U.P.E. LOCAL #5512**

**HONORARIA**

President	\$1000.00/year
Vice-Presidents	\$500.00/year
Recording Secretary	\$1000.00/year
Secretary Treasurer	\$1000.00/year
Trustees	\$75.00/year upon completion of annual audit
Social Committee	\$100.00/year upon completion of annual Christmas Banquet and Dance

Honoraria will be paid in January and May of each calendar year, where applicable. Honoraria shall be pro-rated in the event that an office is not held for the entire year.

**Note:** The inaugural Vice-President (1st Vice-President) will be paid an honoraria of \$100.00/month until the first election is completed.

**APPENDIX “B” TO THE BY-LAWS OF C.U.P.E. LOCAL #5512**

**AFFILIATIONS**

C.U.P.E. Local #5512 shall be affiliated to the following organizations:

- Canadian Union of Public Employees Saskatchewan Division

APPENDIX "C" TO THE BY-LAWS OF C.U.P.E. LOCAL #5512

HALLMARK COMMITTEE GUIDELINES

1. **Family Sympathy**

- **Immediate** ~ spouse, parent, brother, sister, child

Member to be sent a card and a gift card in the amount of \$50.00 from the union.

- **Extended** ~ parent in-law, sister in-law, brother in-law, grandchild, grandparent, aunt, uncle

Member to be sent a card from the union.

2. **Illness ~ Members Only**

Member to be sent a card and a gift card in the amount of \$50.00 from the union for a hospital stay or extended absence over 10 days. Please note ~ in case of chronic illness, only ONE "gift" for this member/year.

3. **In Case of Retirees** including Spouse ~ send a card if hospitalized or in the event of a death.

4. **New Baby ~ Members Only**

Member to be sent a card and a gift card in the amount of \$35.00.

## APPENDIX “D” TO THE BY-LAWS OF C.U.P.E. LOCAL #5512

### RULES OF ORDER

1. The President or, in his absence, the Vice-President as designated, shall take the chair at all membership meetings. In the absence of both the President and Vice-President, the Recording Secretary shall act as President, and in his absence, a President pro-tem shall be chosen by the Local.
2. No member, except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than five 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. Chairpersons and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.
3. The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: “Is the Local ready for the question?” Should no member rise to speak, the question shall then be put.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
5. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.
6. On motion, the regular order of business may be suspended by a two-thirds vote of those present, to deal with any urgent business.
7. All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
8. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
9. Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
10. When a member wishes to speak on a question or to make a motion, he shall rise in his place and respectfully address the presiding officer, but, except to state that he rises to a point of order or on a question of privilege, he shall not proceed further until recognized by the chair.
11. When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.



12. Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Local or member thereof.
13. If a member, while speaking, is called to order, he shall cease speaking until the point is determined; if it is decided he is in order, he may again proceed.
14. No religious discussion shall be permitted.
15. The President shall take no part in debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
16. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he may in addition give a casting vote, or, if he chooses, refrain from breaking the tie, in which case the motion is lost.
17. When a motion is before the Local, no other motion shall be in order except (1) to adjourn (2) to put the previous question (3) to lay on the table (4) to postpone for a definite time (5) to refer (6) to divide or amend, which motions shall have precedence in the order named. The first three of these shall be decided without debate.
18. A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
19. A motion to adjourn is in order except (1) when a member has the floor, and (2) when members are voting.
20. A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.
21. After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.
22. If any member wishes to challenge (appeal) a decision of the chair, he must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for his challenge. The Chairperson may then state briefly the basis for his decision, following which the Chairperson shall immediately and without debate put the question: "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie the chair is sustained.
23. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.

24. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Vice-President.
25. The Local's business, and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

DS/em:cope491 (cleaned up the prepared document as submitted by L5512 Nov 14 2012)