

BY-LAWS

Canadian Union of Public Employees, Local 1479

CUPE Members Employed By
The Algonquin and Lakeshore Catholic
District School Board

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Preamble

To improve the social and economic welfare of its members without regard to sex, colour, race, or creeds, 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 the Local) has been formed.

The Local has adopted the following by-laws 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 number 1479 representing employees of the Algonquin and Lakeshore Catholic District School Board in the following bargaining units:

Bargaining Unit #1 is comprised of members employed in Office Clerical, Reception, Technical, Information Technology**,** Educational Assistant, Maintenance, Service, Plant Operations, Custodial, Caretaking, Bus Driver, Adolescent Care, Child & Youth Worker, Learning Resource Assistant, Supply Teacher Coordinator, Assessment Coordinator and Finance and Budget Officer, capacities.

Bargaining Unit #2 is comprised of members employed in Instructor or Assistant Instructor, Designated Early Childhood Educator capacities.

Bargaining Unit #3 is comprised of members employed by Tri-Board Transportation.

Section 2 - Objectives

The objectives of the Local are pursuant to Article 11 of the CUPE Constitution and to promote the welfare and economic conditions of its members.

Section 3 - Membership Meetings

3.1 Regular membership meetings shall be held a minimum of five (5) times during the calendar year. Notice of meetings shall be presented to the membership a minimum of seven (7) days in advance. The incoming Executive Board shall determine the specific dates and locations and they shall give such notice to the entire membership via e-mail and CUPE Local 1479 website. Elections will take place in September. The notice shall clearly state that in an election year elections shall be on the agenda for the September meeting.

3.2 Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than fifteen (15) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours' notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than for which the meeting is called and notice is given.

3.3 A quorum for the transaction of business at any regular or special meeting shall be fifteen (15) members including at least three (3) members of the Executive Board.

3.4 All motions put to a vote at any regular or special membership meeting shall be deemed proper and final by a majority vote of members present (except amendments to these by-laws, which are covered under Section 11 - Amendments).

3.5 The order of business at regular membership meetings is as follows:

1. Call meeting to order
2. Roll call of officers
3. Voting of new members and initiation
4. Reading of the Equality Statement
5. Land Recognition
6. Reading of minutes
7. Matters arising
8 Treasurer's report
9. Communications
10. Executive board report
11. Reports of committees and delegates
12. Nominations, elections, or installations
13. Unfinished business
14. New business
15. Good of the Union
16. Adjournment

Section 4 - Officers

4.1 A. The Executive Officers of the Local shall be the President, two (2) Vice-Presidents, one from the East and one from the West, one (1) Treasurer, Recording Secretary, and one (1) Chief Steward.

Elected Steward Positions:

Unit 1 Stewards: Educational Assistant, Youth Worker, Custodian/Maintenance, Secretary/Clerical

Unit 2 Stewards: one (1) Early Childhood Educator and one (1) Instructor

4.1 A Continued

Unit 3 Steward: one (1) Tri board Transportation

Three (3) Trustees

The Stewards from bargaining unit #1 will be elected from the following areas: one (1) representing youth workers, one (1) from office/clerical/technical/information technology, one (1) from caretaking/maintenance and one (1) from educational assistants .

B. The Stewards from bargaining unit #2 will be elected from the following areas:

one (1) from designated early childhood educators; and one (1) from instructors.

The Steward from Unit #3 will be elected from the Triboard Transportation members.

C. The membership of the local shall elect all executive officers. Only the employee in the specific job classification can nominate and vote for their Steward.

Section 5 - Executive Board

5.1 The Executive Board shall consist of the President, two Vice-Presidents, Treasurer, Recording Secretary, and Chief Stewards.

5.2 The Executive Board shall meet at least eight (8) times a year.

5.3 A majority of the Executive Board constitutes a quorum.

5.4 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.

5.5 All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.

5.6 Should any Executive Board Member fail to answer the role call for three (3) consecutive regular membership meetings or three (3) consecutive regular Executive Board meetings in an academic year without having submitted good reasons for those failures, the office shall be declared vacant and shall be filled by an election at the following membership meeting.

5.7 The Executive Board shall execute these by-laws in conjunction with the CUPE Constitution for the enhancement and betterment of the Local and its members.

Section 6 - Duties of Officers

All Officers must give all properties, assets, funds and all records of the Local Union to their successors at the end of their term of office.

All signing Officers of Local 1479 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

6.1 The President shall:

- The President shall hold a twelve (12) month full-time position during the term of office. The President shall receive a wage of sixty-five thousand dollars ($65,000.00) per year unless their previous wage was higher and shall continue to receive all benefits, vacation credits, sick leave credits, pension contributions and other entitlements available under the collective agreement. The President shall be responsible for grievance administration, collective bargaining, labour relations, health and safety, accommodations, mobilization, communications, correspondence, finances and the day-to-day administration of the Local.
- enforce the CUPE Constitution and these by-laws
- preside at all membership and Executive Board meetings and preserve order
- decide all points of order and procedure (subject always to appeal by the membership)
- have a vote on all matters (except appeals against their rulings) and in case of a tie vote in any matter, including elections, have a revote
- ensure that all officers perform their assigned duties
- fill committee vacancies where elections are not provided for
- introduce new members and conduct them through the initiation ceremony
- have signing authority on chequing account and credit card and ensure that the Local's funds are used only as authorized or directed by the constitution, by-laws, or vote by the membership
- advise and book conferences, conventions, education, and training courses
- Act as the main communication person for the Local
- has first preference as a delegate to the CUPE National Convention**,** all other conferences or conventions, workshops, or special meetings.
- Provide a report at all membership meetings and executive board meetings
- Responsible for all information and communication with membership.

6.2 The Vice-President(s) shall:

- if the President is absent or incapacitated, perform all duties of the President [or share duties with a fellow Vice-President(s)]
- if the office of President falls vacant, be Acting-President until a new President is elected, this election shall take place within two (2) months of vacancy occurring (in the case of two (2) or more Vice-Presidents a special meeting of the Executive Board shall be called for installing and electing an Acting-President from the Vice-Presidents)
- render assistance to any member of the Executive Board as directed by the President
- know and police the Collective Agreement, as well as provincial and federal legislation affecting labour and individual jobs
- Have signing authority on chequing account and credit card and ensure that the Local's funds are used only as authorized or directed by the constitution, by laws or vote by the membership.
- act as a resource.
- act as a lead in all campaigns and mobilization strategies as assigned

6.3 The Recording-Secretary shall:

- keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.
- record all alterations in the by-laws
- answer correspondence and fulfill other secretarial duties as directed by the Executive Board
- file a copy of all letters sent out and keep, on file, all communications
- prepare and distribute all meeting notices to members
- have all records ready on reasonable notice for auditors and trustees
- preside over membership and Executive Board meetings in the absence of both the President and Vice-President(s)
- be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of the Local's funds
- on termination of office, surrender all books, seals and other properties of the Local to the successor
- Responsible for the upkeep of an accurate membership list throughout the year including member contact information and work assignments.
- assist the lead in all campaigns and mobilization strategies as assigned

6.3 Recording Secretary Continued

- Work with the Mobilization Committee Lead to look after members' interest in all social functions organized by the Local. All social functions shall be planned (if possible) and announced, for a complete calendar year, at the November meeting, or through follow-up bulletins, or both. At the November meeting, up to one thousand dollars ($1,000.00) may be allocated to any or all proposed social functions (to a maximum of four (4) functions per year) for planning organizational expenses.

6.4 The Treasurer shall:

- sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences.
- receive all revenue, initiation fees, dues, and assessments, and deposit promptly all money with the bank or credit union
- remit all funds owing to the National Secretary-Treasurer by the last day of the following month
- for the Local 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 and records and supporting documents for all income received by the Local
- shall regularly make a full financial report to meetings of the Executive Board, and a written financial report to each regular membership meeting detailing all income and expenditures for the period
- be bonded for not less than $1,000.00 through the master bond held by the National office, and any person who cannot qualify for the bond shall be disqualified from office
- pay no money unless supported by a voucher, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated
- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised
- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE
- be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds
- on termination of office, surrender all books, records, and other properties of the Local to the successor
- invest surplus revenue as directed by membership, recommend and propose investment strategies in order to maximize interest and carry out upon membership vote
- have signing authority on chequing account and ensure that the Local's funds are used only as authorized or directed by the constitution, by-laws, or vote by the membership

6.5 The Trustee shall:

- act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, the Recording Secretary and the Standing Committees at least once every calendar year
- make a written report of their findings to the first membership meeting following the completion of each audit
- submit in writing to the President and 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 Treasurer in an organized, correct and proper manner
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization
- ensure that proper financial reports are made to the membership
- audit the record of attendance
- inspect, at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report the Trustee's findings to the membership
- send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their report to the Local Union membership along with a copy of their recommendations and/or concerns to the President and Treasurer and the Treasurer's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative. (Articles B.3.10 to B.3.12)

6.6 The Chief Stewards shall:

- chair Stewards committee meetings
- receive reports from Stewards on complaints and grievances
- maintain a file of all job postings and identify discrepancies from known job duties
- maintain a file of all classification changes and positions created or eliminated
- keep precise minutes of all Stewards' meetings, with a copy to the Recording Secretary
- At the request of the President advise Stewards of educationals and ensure that Stewards have educational requirements according to the by-laws
- chair grievance committee
- act as a liaison between the Executive Board and the Stewards
- be a member of the Executive Board
- know and police the Collective Agreement, as well as provincial and federal legislation affecting labour and individual jobs
- act as a resource.

6.7 The Stewards shall:

- define, detect, prepare, and present grievances at the initial level
- know and police the Collective Agreement and provincial or federal legislation affecting labour and individual jobs
- be a liaison between the members and the Chief Steward
- maintain regular contact with the members to provide ongoing union awareness and education
- attend all membership and Steward committee meetings
- assist members with grievances and complaints, and keep accurate records of all matters arising while the Steward's duties
- complete mandatory basic and advance Steward training programmes
- exercise authority according to the direction of the Executive Board, the Stewards committee, and subject always to the right of a member to appeal any decision to the membership
- be aware of working conditions
- follow up, schedule meetings and report on all grievances to the Chief Steward within the time limits established in the Collective Agreement
- handle all correspondence regarding grievances.
- within six (6) months of being elected into a Steward position, the elected member must begin CUPE's Steward Learning Series courses or the position will be made vacant.

Section 7 - Election of Officers

7.1 A. Nominations shall be received and election of officers shall take place at the September meeting.

7.2 A. At a membership meeting prior to election day, the President shall, subject to the approval of the members present, appoint an election committee consisting of a returning officer and assistant(s). The committee shall include members or honorary members of the Local who are neither officers nor candidates for office. It shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.

B. 1. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed their consent, in writing and duly witnessed by another member, to be filed at the meeting. No member shall be eligible for nomination if they are in arrears of dues and/or assessments.

2. The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available, in good time, to the returning officer.

7.2 B. 3. The returning officer shall be responsible for issuing, collecting, and counting ballots, and also must be fair and impartial and see that all arrangements are unquestionably democratic.

4. The vote shall be by secret ballot.

5. Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.

6. 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 the case of a final tie vote the membership shall vote on additional subsequent ballots until the tie is broken.

7. 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.

8. 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.

9. Any elected position that serves only a distinct portion of the membership shall be elected by only those served.

10. The terms of office are three (3) years, September to September, for all officers, excluding Trustees, whose terms shall be laid down as in Article B.2.4 of the CUPE Constitution.

11. Should an office fall vacant, the resulting by-election should be conducted as closely as possible in conformity with these sections of the bylaws.

Section 8 - Fees, Dues and Funds

8.1 Each application for membership in the Local shall be directed to the Treasurer and shall be accompanied by an initiation fee of $1.00, which shall be in addition to monthly fees. The Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

8.2 The re-admittance fee shall be $1.00.

8.3 The monthly dues shall be 1.80**%** of regular wages.

Section 8 Continued

NOTE: Changes in the levels of the above fees and dues can be affected only by following the procedure for amendment of these by-laws, with the additional provision that the vote must be by secret ballot.

Notwithstanding the above provisions, if the CUPE National raises minimum fees and/or dues above the current National per capita level (.85%) the Local dues will be increased by the same amount.

Special assessments may be levied in accordance with Article B4.2 of the CUPE Constitution.

8.4 Annually, the Executive Board shall have access to discretionary funds of up to $500.00 for purposes of executive meetings, special meetings, charitable donation, and funding and re-allotment in event of emergencies, provided that receipts are submitted.

8.5 Upon written request the Executive Board is authorized, without prior membership approval, to distribute, on its behalf, the following funds for strike support:

a) $150.00 for any CUPE Local outside the counties served by Algonquin and Lakeshore Catholic District School Board.

b) $200.00 for any CUPE Local inside the counties served by Algonquin and Lakeshore Catholic District School Board.

c) $100.00 for any non-CUPE Union inside the counties served by Algonquin and Lakeshore Catholic District School Board.

8.6 Effective September 2026, the following honorarium shall be provided for each six month period:

President	$2,000.00
Vice-President(s)	$1,200.00
Recording Secretary	$1,200.00
Treasurer	$1,200.00
Chief Steward	$1,200.00
Stewards	$ 400.00
Trustees (per audit)	$ 100.00
Mobilization Committee Lead	$ 500.00
Health and Safety Committee	$ 400.00
Health and Safety Committee Co-Chair	$ 500.00

Mobilization committee four (4) members at large (two (2) members from the East and two (2) members from the West) (does not include Executive Board or Stewards as there is a proposed increase to honorariums/responsibility allowance). One hundred dollars ($100.00) per campaign or mobilization plan.

8.6 Continued

These honorariums will be paid semi-annually in December and June, or upon resignation. No member of the Executive may collect honoraria for serving on committees if their position requires them to be part of that committee.

The President, Vice-President(s) and Chief Steward shall receive a CAA Plus Membership if they are doing regular driving for their position.

Officers and members serving on committees will be paid out-of-pocket expenses if receipts are provided and mileage will be paid at the current rate paid by the employer.

These amounts will be reviewed by the By-Laws Committee on a yearly basis in the context of the financial status of the Local. The Committee may then submit its recommendations, if any, to amend this section to the membership for approval in accordance with Section 11.2 of these By-Laws.

8.7 Any member in arrears for a period of three (3) months or more shall be automatically suspended and the suspension shall be reported to the Executive Board by the Treasurer. The Executive Board shall report to the next membership meeting with a recommendation. Any member under suspension wishing to be reinstated shall, upon application, pay the re-admittance fee, plus any dues assessments in arrears. This money will be returned if the application is rejected. If a member has been unemployed or unable to work because of sickness, they shall pay the re-admittance fee but may not be required to pay the arrears.

8.8 1. Except for ordinary expenses and bills as approved at membership meetings, no sum over one hundred dollars ($100.00) per item shall be spent for the purpose of a grant or contribution to a member. Any cause outside CUPE not dealt with in Section 8.6 shall be requested, in writing, and dealt with at the following membership meeting.

2. As an expression of condolence a donation or flowers (not to exceed $75.00) will be spent for immediate family (parent, spouse, or child) of our Local members.

3. As an expression of condolence, a donation (not to exceed fifty dollars ($50.00) will be spent for family (brother, sister, mother-in-law, father-in-law or grandparent) of our members.

4. In the case of the death of a member, a remembrance of up to two hundred dollars ($200.00) will be made in the form of flowers and/or a donation.

5. Get well wishes (flowers or a fruit basket) are not to exceed fifty ($50.00) dollars or a gift card in the amount of fifty ($50.00) dollars, and are to be sent when a member has a major illness, surgery**,** or is on a leave from work exceeding one month (30 days).

8.8 6. A retirement gift will be given to a member when they retire and are eligible to collect their OMERS pension on a monthly basis in accordance with their length of service with the Employer as follows:

five (5) years to ten (10) years	$150.00
Over ten (10) years	$250.00

Section 9 - Conventions and Workshops

9.1 Except for the President's option, all delegates to conventions shall be chosen by election at membership meetings. In the event there is no scheduled membership meeting, the Executive Board will select delegates based on 9.1 (i) and (ii).

i) The maximum number of delegates to attend The Ontario School Board Council of Unions (OSBCU) Conference shall include six (6) members of the Executive and/or Stewards. In the year of the expiration of the collective agreement and once the Bargaining Committee has been elected, the Bargaining Committee will have first priority to attend the OSBCU conference. Negotiation Committee (10 members) and one (1) member at large chosen by election at a membership meeting. The number of delegates may be reduced for financial considerations as passed in a motion by the Executive.

ii) The maximum number of delegates to attend the CUPE National Convention and the CUPE Ontario Convention shall be the Executive Board (8 members) and one (1) member at large chosen by election at a membership meeting. The number of delegates may be reduced for financial considerations as passed in a motion by the Executive.

9.2 All delegates elected to conventions shall be paid for expenses as follows:

i) Transportation expenses for public transportation, rental at, or mileage at the current rate paid by the Employer.

ii) (a) Meal allowance while in attendance at the conference will be paid in advance as follows:

$125.00/full day conference, when no meals included
$75.00 on full day conference
$75.00 on day(s) of travel

iii) Registration fee.

iv) Overnight accommodation expenses (if required).

v) An amount equal to any loss of salary incurred by attendance at the convention.

9.3 Members who wish to attend educational seminars or workshops may do so on the recommendation of the President. Costs incurred by the member will be covered in accordance with Section 9.2. The Executive has the authority to limit the number of members attending any one workshop or seminar.

Section 10 - Committees

10.1 1. The Negotiating Committee for bargaining unit #1 shall be a special ad hoc committee established at least one (1) year prior to the expiry of the bargaining unit's Collective Agreement and automatically disbanded when a new Collective Agreement has been signed. The function of the Committee is to prepare collective bargaining proposals and to negotiate a Collective Agreement. The Committee shall consist of seven (7) members, the President, one (1) member from Information Technology, one (1) member from Secretarial/Clerical, one (1) member from Caretaking/Maintenance, one (1) member from Educational Assistants, and one (1) member from Youth Workers. There will be one (1) member at large elected off the floor. Any positions left vacant after two (2) elections, will be open to a member at large off the floor from the bargaining unit at the next General Membership Meeting. If the position is not filled by a member at large after two (2) meetings, the position will not be filled during the round of negotiations.

Committee members will be elected by the members in each group served.

2. The Negotiating Committee for bargaining unit #2 shall be a special ad hoc committee established at least one (1) year prior to the expiry of the bargaining unit's Collective Agreement and automatically disbanded when a new Collective Agreement has been signed. The Committee shall consist of three (3) members and the President. The three (3) members shall consist of at least one (1) Early Childhood Educator (DECE) and one (1) Instructor and one (1) Member at Large.

Any positions left vacant after two (2) elections, will be open to a member at large off the floor from the bargaining unit at the next General Membership Meeting. If the position is not filled by a member at large after two (2) meetings, the position will not be filled during the round of negotiations.

3. The CUPE Representative assigned to the Local shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the Membership.

10.1 4, Mobilization Committee

- The Mobilization Committee will act as leads in organizing high participation mobilization and campaigns
- Communicate with members about the event and answer questions
- Lead will work with Treasurer on matters relating to Cost Share applications
- Lead will chair meeting and prepare report back
- Organize community and member events.

5. Special ad hoc committees may be established through collective bargaining or work of the union for a specified purpose as needed. Two (2) members of the Executive Board may sit on any special committee as ex-officio members.

a) The Supervision of Students Joint Committee shall be formed jointly with four (4) individuals from the Employer and four (4) members from the Local; one(1) from EAs, one (1) from ECEs, one (1) from Youth Workers and one (1) member of executive. The purpose of this committee is to review best practices around student supervision. The committee will review scheduling practices, staff feedback in the process and general student supervision issues for all staff. The committee will provide feedback on best practices to Senior Management.

10.2 The Chairperson of each standing committee shall be elected by members of the committee. The Vice-Presidents shall be a member, ex-officio, of each committee. There shall be four (4) standing committees as follows:

a) The Grievance committee shall process all grievances not settled at the initial stage and its reports shall be submitted first to the Executive Board, with a copy to the CUPE Representative and then to a membership meeting. Grievances must be in writing on the forms provided by the National office and be signed by the complainant(s), as provided for in the Collective Agreement. The committee shall comprise of the Chief Steward and three (3) other members to be selected from among the Stewards. The committee shall appoint its Secretary from among its members.

b) The Joint Job Evaluation Committee shall be formed jointly with three (3) individuals from the Employer and three (3) members from the Local, and two (2) alternates from the local. The purpose of this committee is to evaluate new positions as well as positions requiring reconsideration.

c) Joint Health and Safety Committee shall consist of four (4) members; President, two (2) elected from Unit 1 and one (1) elected from Unit 2, whose function is to look after the health and safety interest in all functions of the employer.

10.2 d) The Bylaw Committee shall consist of the Recording Secretary and an additional four (4) members and shall meet at least once per year to consider amendments to these bylaws. The committee will ensure that any proposed amendments from members conform to the remainder of the bylaws and the CUPE National Constitution and that they are written in clear language. The Bylaw Committee chair will have a CUPE designated email for members to send requests to.

Section 11 - Amendments

11.1 These by-laws are always subordinate to the CUPE Constitution (including Appendix 'B') as it now exists or may be amended from time to time, and in the event of any conflict between these by-laws and the CUPE Constitution, the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.

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

11.3 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.

11.4 A revised copy of the Constitution and by-laws will be distributed to each member.

Section 12 - Rules of Order

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

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

APPENDIX "A" - R U L E S O F O R D E R

1. The President or, in his absence, the Vice-President, shall take the Chair at all membership meetings. In the absence of both the President and 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 (5) minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution shall be limited to fifteen (15) minutes, except with the consent of the meeting.

3. The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.

4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the Chair.

5. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.

6. On motion, the regular order of business may be suspended by a two-thirds vote of those present, to deal with any urgent business.

7. All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.

8. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.

9. Any member having made a motion can withdraw it with the consent of 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, have a revote.

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 (15) minutes have elapsed.

21. After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.

22. If any member wishes to challenge (appeal) a decision of the Chair, he must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for his challenge. The Chairperson may then state briefly the basis for his decision, following which the Chairperson shall immediately and without debate put the question: "Shall the decision of the Chair be sustained?" A majority vote shall decide except that in the event of a tie the Chair is sustained.

23. After a question has been decided, any two 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.

APPENDIX B: 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 and at events, meetings and activities by other parts of CUPE referenced above. 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.