

APPENDIX B

BYLAWS GOVERNING CHARTERED ORGANIZATIONS

B.I LOCAL UNIONS

B.1.1 Local Union Charter

A group of employees in Canada can apply to the National Secretary-Treasurer for a charter as a Local Union. If the application is approved, the National Secretary-Treasurer will issue a charter under the seal of the Union and an authorized representative of the National Union will present the charter.

B.1.2 Dissolving a Local Union

A Local Union cannot be dissolved if 12 members in good standing want it to continue. This article does not apply to transfers of jurisdiction and mergers under Articles 3.5, 3.6, 3.7 or 3.8.

B.1.3 Funds on Dissolution

When a Local Union is dissolved, all its legitimate debts will be paid and any funds set up for pension or other such purposes will be safeguarded. All remaining funds and properties and all books and records are the property of the National Union under Article 12.2.

B.1.4 Conduct of Members and Officers

All members must uphold the oath of membership, and all officers must uphold the oath of office. Conduct that violates the oath of membership or oath of office is an offence against this Constitution and punishable under the Trial Procedure.

B.1.5 National Union not Liable

The National Union is not responsible for acts of Local Unions, their officers or members unless the National Executive Board has authorized the acts in writing.

B.1.6 AFFILIATIONS (section 3)

In order to strengthen the labour movement and work toward common goals and objectives, Local 4900 shall be affiliated to and pay per capita tax to the following organizations:

- The CUPE Ontario Provincial Division

B.II OFFICERS

B.2.1 Local Union Officers

The Local Union shall have these officers: President, Vice-President, Secretary-Treasurer, Recording Secretary, Lead Steward, Injured Worker Representative, Unit Vice Chairs for Public Works, Public Health, Paramedic Services, Courts, Corporate and Finance, Community and Social Services and three Trustees. A Local Union can have more officers if it needs them to conduct its

affairs. Any member in good standing as set out in Article B.8.3 can run for and hold office in the Local Union. The Local Union can also elect or employ a Business Agent.

The President, Vice-President, Secretary Treasurer, Recording Secretary, Lead Steward, Injured and Worker Representative, Unit Vice Chairs for Public Works, Public Health, Paramedic Services, Courts, Corporate and Finance, Community and Social Services shall be elected, in that order, by the Local membership in April of the applicable odd or even numbered years as provided below. The elections shall be conducted by secret ballot and shall be for a two (2) year term.

Elections for the positions of Vice-President, Recording Secretary and Injured Worker Representative, Unit Vice Chairs for Public Works, Public Health, Paramedic Services, Courts, Corporate and Finance, Community and Social Services shall take place in even numbered years and elections for the positions of President, Lead Steward and Treasurer shall take place in odd numbered years.

Any member being elected to a Full-time position will be supported to maintain any mandatory licensing or certification. In the event that a member in anything other than a Full-Time position is elected to a full-time book off position, the lost wages and benefits shall be calculated from the regular hourly rate pro-rated to the normal full time hours of their classification contained in their respective collective agreement.

Signing Officers: President, Vice President, Secretary Treasurer, Recording Secretary, Lead Steward and Injured Worker Representative	
President	Full Time Book-Off
Vice President	Full Time Book-Off
Recording Secretary	Up to 4 days per month book-off
Secretary Treasurer	Up to 8 days per month book-off
Lead Steward	Full Time Book-Off
Injured Worker Representative	Full Time Book-Off

B.2.2 Executive Board

The Local Union shall have an Executive Board made up of its President, Vice-President, Secretary-Treasurer, Recording Secretary, Lead Steward, Injured Worker Representative and other officers or members of the Executive Board needed by the Local Union to conduct its affairs. Trustees cannot be part of the Executive Board. No member can hold more than one position on the Executive Board.

B.2.3 Nominations and Elections

Nominations for Local positions shall be received at the Regular General Membership Meeting in March for elections to be held in April of the same year. No nomination shall be allowed unless the member is in attendance at the meeting or has allowed to be filed at the meeting their consent in writing, duly witnessed by another member in good standing. No member shall be eligible to stand for office unless they have taken the Oath of Membership to this Union as outlined in the CUPE Constitution and these by-laws.

All officers are elected by majority vote of unspoiled ballots at a membership meeting of the Local Union, by electronic vote at a virtual membership meeting, or by referendum vote if voting at a membership meeting is not practical. Adequate notice must be given where the vote is held at a membership meeting. A referendum vote must be held in a way that permits all members to participate. The Local Union can choose whether to elect officers by majority or plurality vote when it holds a referendum vote.

(a) For the purposes of electing the Signing Officers and Injured Worker Representative, at a General Membership meeting at least one month 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 Assistants. The Committee shall include members of the Local who are not candidates for office. It shall treat information submitted to it in connection with its responsibilities as confidential.

(b) The form of the ballot will be electronic.

(c) The Election Committee shall be responsible for overseeing the electronic ballots. They must be fair and impartial and ensure that all arrangements are democratic.

(d) The vote shall be by secret ballot for the officers listed in Section B.II of this By-law.

(e) Voting shall be in the order provided in Articles B.2.1.

(f) Nominations and acceptance shall be taken for all positions that are up for election. Candidates can accept for multiple positions. Each election shall run for 24 hours. At the end of the 24 hours election, the successfully member elected shall have their name removed from all subsequent ballots.

(g) 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 event of a tie vote for the Office of the President, the election shall be held again.

(h) When two (2) 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.

(i) Every nominee who stands for election has the right to appoint one (1) scrutineer. The scrutineer has the right to be provided the electronic voting results, a list of all members who cast ballot and their member in good standing status.

(j) Any member may request to see the electronic voting certificate of the votes for any election

B.2.4 Term of Office

The term of office for all officers shall be two years. At the first election of officers, three Trustees will be elected to serve terms of one, two and three years. In following years one Trustee will be elected for a three-year term to preserve overlapping terms.

B.2.5 Installations

All duly elected Officers shall be installed at the meeting at which elections are held and shall take the Oath of Office as outlined in the CUPE Constitution:

I, , do most sincerely promise, that I will truly and faithfully, to the best of my ability, perform the duties of my Office, for the ensuing term, as prescribed in the Constitution and Laws of the Canadian Union of Public Employees, and as an Officer of this Union will at all times endeavor, both by council and example, to promote the harmony and preserve the dignity of its sessions. I promise to complete anti-racism and allies training within six (6) months. I further promise, that at the close of my official term, I will promptly deliver all monies, books, papers, or other property of this Union in my possession to my duly elected successor in Office

B.2.6 Failure to Attend Meetings

If an officer fails to attend three consecutive membership meetings or three consecutive executive meetings without good and sufficient reason, their office will be declared vacant and filled at the next meeting

B.III DUTIES OF OFFICERS

B.3.1 President

The President chairs all meetings of the Local Union, approves payments that are authorized by the Local Union and appoints committees where there is no other method of appointment. The President also does whatever is necessary for the proper functioning of the Local Union and carrying out the duties of President.

The President Shall:

- (a) Enforce the CUPE Constitution, the By-laws of this Local, and the Equality Statement.
- (b) Preside at all General Membership and Executive Board meetings and preserve order.
- (c) Decide all points of order and procedure (subject to appeal to the membership)
- (d) Be accountable to the Executive Board and members
- (e) At Membership and Executive Board meetings, when presiding, have a vote on all matters (except appeals against their rulings). In the case of a tie vote in any matter, they shall facilitate a re-vote by the membership.
- (f) Introduce new members at Regular General Membership meetings and conduct them through the Initiation Ceremony in accordance with CUPE Constitution. New members shall be required to take the following Oath of Membership: I, , solemnly promise and declare that I will support and obey the Constitution of this Union; that I will strive to improve economic and social conditions for my fellow members and for working people generally; that I will defend and strive to extend the democratic rights and liberties of all working people; that I will not purposely or knowingly wrong, or assist others in wronging a member of the Union.
- (g) Have first preference to attend as a delegate to the CUPE National Convention and to the conventions of affiliates
- (i) Be an ex-officio member on all Local and Unit committees.

- (j) Ensure that all Officers perform their assigned duties.
- (k) Fill committee vacancies in a timely manner for which elections are not provided.
- (l) Provide information on the roles and responsibilities of the Executive Board through an orientation of Executive Board members, the President will act in a role of mentorship in order that Unit Chairs/Vice Chairs have a clear understanding of their roles and responsibilities to their respective Units.
- (m) Encourage and foster solidarity within and throughout the Local.
- (n) If the Vice-President is absent or not eligible, perform all duties of the Vice-President.
- (o) Perform any duties as directed by the Executive Board.
- (p) Be allowed necessary and reasonable funds, to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense and with supporting receipt(s) attached.
- (q) Sign cheques and ensure that the Local Union's funds are used only as authorized or directed by the National Constitution, Local Union Bylaws, or vote of the membership. Be bonded through the master bond held by CUPE National. Any President who cannot qualify for the bond shall be disqualified from office.

B.3.2 Vice-President

The Vice-President carries out the duties of the President if the President is absent, at the request of the President and when the President is unable to perform the duties. If the office of President becomes vacant, the Vice-President will perform the duties until the vacancy is filled as provided in the Local Union's bylaws.

The Vice-President Shall:

- (a) If the President is absent or not eligible, perform all duties of the President.
- (b) Preside over membership and Executive Board meetings when called upon by the President.
- (c) Render assistance to any member of the Executive Board and the President when required to do so by the Executive Board.
- (d) In the event of the Office of President becoming vacant, act as President until the Local elects a new President to fill the vacancy for the balance of the term of office.
- (e) Be accountable to the Executive Board and members.
- (f) Be an ex-officio member on all Local committees.
- (g) Sign cheques and ensure that the Local Union's funds are used only as authorized or directed by the National Constitution, Local Union Bylaws, or vote of the membership. Be bonded through the master bond held by CUPE National. Any Vice President who cannot qualify for the bond shall be disqualified from office.
- (h) Keep a speakers' list at meetings when requested by the President.

B.3.3 Recording Secretary

The Recording Secretary shall:

- (a) Keep full and accurate account of the proceedings of all Regular and Special General Membership Meetings and Executive Board Meetings. These records must also include a copy of the full financial report (Executive Board Meetings) and written financial report (Membership Meetings) presented by the Secretary Treasurer. The record will also include any reports of the other officers as well as Trustee reports. These minutes will be produced for the Executive Board within seven (7) calendar days of the respective meeting.
- (b) Produce Agendas for the Regular and Special General Membership Meetings. These agendas shall be published to the membership no less than seven (7) calendar days prior to the respective meeting.
- (c) Produce Agendas and keep and maintain a record of all motions and financial motions as directed by the Executive Board.
- (d) Present all correspondence, including appeals at the Executive Board Meetings.
- (e) Ensure that the full and accurate account of all Unit General and Special Membership Meetings are filed with the Local.
- (f) Record all amendments and/or additions to the Local's By-laws and make certain that these are sent to the National Staff Representatives to be sent to the National President for approval.
- (g) Answer all correspondence and fulfill other secretarial duties as directed by the Executive Board.
- (h) Be responsible to create and maintain a listing of members, including mailing addresses, Unit, section or department and seniority date.
- (i) Ensure that the Employers of all members authorized to represent the Local, either as Officers or as Stewards or Committee members, are advised within seven (7) calendar days of the election or appointment.
- (j) File a copy of all letters sent out and received and keep on file all communications. This shall apply to correspondence and communications of the Local and/or its subunits, when forwarded by the subunits.
- (k) Prepare and distribute all circulars and notices to members in a manner established by the Executive Board and in accordance with Section 5 of this By-law.
- (l) Have all records ready on reasonable notice for the Auditors/Trustees.
- (m) Maintain attendance records of all meetings, when supplied by the Membership Officer and/or Unit Chairpersons.
- (n) Confirm eligibility of candidates for Office or conventions, in accordance with the Local's By-laws.
- (o) Sign cheques and ensure that the Local Union's funds are used only as authorized or directed by the National Constitution, Local Union Bylaws, or vote of the membership. Be bonded through the

master bond held by CUPE National. Any Recording Secretary who cannot qualify for the bond shall be disqualified from office.

(p) Be accountable to the Executive Board and members.

B.3.4 Secretary-Treasurer

The Secretary-Treasurer keeps all financial records of the Local Union and keeps a correct record of all its members. The Secretary-Treasurer must maintain and organize all financial records including all documents, authorizations, invoices and vouchers for all payments made, records and supporting documents for all income received by the Local Union and receipts for all money sent to the National Union.

The Secretary-Treasurer shall:

(a) Ensure that all revenues are received and recorded and deposited promptly in the Local's bank account.

(b) Invest monies in low risk CIDC type investments as directed by Executive Board vote.

(c) Ensure that all documents necessary for payment of per capita taxes and affiliation fees are prepared.

(d) Remit payment of National per capita tax, to be received no later than the last day of the following month.

(e) Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.

(f) Record all financial transactions in a format acceptable to the Executive Board, in accordance with good accounting practices.

(g) Reimburse the members for expenses incurred in accordance with Section 14 of these By-laws.

(h) Supply monthly and annual financial statements to the Executive Board, make a written financial report to each Regular General Membership Meeting, detailing all income and expenditures for the period.

(i) Make all books, financial records, invoices, original bank statements and/or other documents, available for inspection/audit by the Trustees at least once a calendar year and/or on reasonable notice by the Trustees. The Secretary-Treasurer must respond in writing and within a reasonable time to any concerns or recommendations in the written report made by the Trustees.

(j) Provide the Trustees and/or other Executive Committee Officers with any information required for completion of the audit forms supplied by CUPE.

(k) Sign cheques and ensure that the Local's funds are used solely for legitimate union purposes and only as authorized or directed by the members, in accordance with the CUPE Constitution and Local's By-laws.

(l) Be accountable to the Executive Board and members.

(m) Provide guidance and direction to any Local Officer or Steward who is assigned to act as assistant to the Secretary Treasurer.

(n) Be bonded through the master bond held by CUPE National. Any Secretary- Treasurer who cannot qualify for the bond shall be disqualified from office.

(o) Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.

B.3.5 Lead Steward

The Lead Steward shall coordinate and track all grievances and shall act as the spokesperson for the Local in grievance and mediation meetings. The Lead Steward shall support all stewards.

B.3.6 Injured Worker Representative

The Injured Worker Representative shall:

(a) Be accountable to the Executive Board and members.

(b) Render assistance to any member of the Executive Board, Subunit Vice Chairs and Stewards in any issue related to injured or ill workers.

(c) Encourage all elected Union Officers to support members through their injury or illness, in their return-to-work and accommodation process.

(d) Support members in any appeal to their workplace injury claim or Disability benefit entitlements under their collective agreement.

(e) Be available to attend any meeting where a member requires representation relating to an injury or illness.

(f) Shall be knowledgeable in issues regarding WSIB, Long- and Short-Term Disability, Human Rights Legislation, Return to Work and Accommodation processes.

(g) Advocate and educate around systemic issues faced by injured workers

(h) If approved by the Executive Board, have first preference to attend conferences, conventions and education that are directly relevant to injured or ill worker issues.

B.3.7 Bonding

The Secretary-Treasurer and all other signing officers of a Local Union or other chartered organization must be bonded. The bond must be for an amount that meets the guidelines set by the National Secretary-Treasurer and sent to all chartered organizations every year. The National Secretary-Treasurer will approve the amount of the bond for any position as set out in Article 8.3(k). If the Secretary-Treasurer does not qualify for a bond, the Secretary-Treasurer is immediately removed from office and a replacement is elected.

B.3.8 Financial Reports

The Secretary-Treasurer will regularly make full financial reports to meetings of the Executive Board. The Secretary-Treasurer will make a written report to each regular membership meeting. The written report will contain details of all income and expenditures since the last report.

B.3.9 Information to Trustees

The Secretary-Treasurer will give all financial records, invoices, original bank statements and other supporting documents to the Trustees for an audit at least once in each calendar year. The Secretary-Treasurer will also provide a statement from each bank where the Local Union has an account setting out the monies on deposit. The Secretary-Treasurer must respond in writing and within a reasonable time to any concerns or recommendations in the written report made by the Trustees as set out in Article B.3.12(a).

B.3.10 Payments and Report to National Union

The Secretary-Treasurer will send all monies owed to the National Union for each month to the National Secretary-Treasurer no later than the last day of the next month. The monies owed include the per capita tax on all dues received by the Local Union. The Secretary-Treasurer will also send an official monthly report to the National Secretary /Treasurer on the form provided. The official monthly report will set out the number of members for whom per capita tax is paid.

B.3.11 Return of Property by 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.

B.3.12 Trustees

Trustees audit the financial records of the Local Union and exercise general supervision over all property and assets of the Local Union. They ensure that the Secretary-Treasurer meets the requirements of Articles B.3.6 and B.3.7.

B.3.13 Trustee in Small Local Unions

A Local Union that has an annual average of fewer than 20 members and is unable to elect three Trustees may appoint a member of the Executive Board who is not a signing officer to perform all the duties of Trustees. The appointment must be made by majority vote of the membership. A Local Union that qualifies and uses this provision will be deemed to comply with Articles B.2.1 and B.2.2.

B.3.14 Duties of Trustees

(a) Trustees must audit the financial records of the Local Union and examine or inspect all property and assets of the Local Union at least once a year. After completing the audit, the Trustees must make a written report of any recommendations or concerns about how the Secretary-Treasurer keeps the financial records, funds and accounts of the Local Union. The written report will be sent to the President and Secretary-Treasurer.

(b) After completing the audit, the Trustees will report in writing on the condition of the funds and accounts and the number of members in good standing, admitted, expelled, suspended or withdrawn to the next regular membership meeting of the Local Union. The written report will also contain:

(i) any information that the Trustees find necessary for the honest and efficient administration of the Local Union;

(ii) a copy of the written report made to the President and Secretary-Treasurer under Article B.3.12(a); and

(iii) a copy of the written response of the Secretary-Treasurer.

(c) The Trustees must send to the National Secretary-Treasurer and to the assigned National Representative:

(i) a Trustees' Report on the form approved by the National Secretary-Treasurer;

(ii) a copy of their written report to the membership;

(iii) a copy of the written report made to the President and Secretary-Treasurer under Article B.3.14(a); and

(iv) a copy of the written response of the Secretary-Treasurer.

(d) Trustees shall not be members of the Executive Board but shall perform duties as outlined in this Article.

B.3.15 Audit by Accountant

A qualified accountant or accounting firm hired by a Local Union to audit its financial records must report as set out in Article B.3.14. The Trustees of the Local Union must still fulfill their duties to exercise general supervision over all property and assets of the Local Union as set out in Article B.3.12 and to make a written report to the membership as set out in Article B.3.14. The Secretary-Treasurer must still respond to any concerns or recommendations made in the audit.

B.3.16 Meetings and Duties of Executive Board

The Executive Board will meet at least eight times a year before the regular membership meeting. The Executive Board may meet virtually and/or in person. The only duties of the Executive Board are those set out in the bylaws of the Local Union.

B.3.17 Employment and Duties of a Business Agent

The employment or election of a Business Agent must be done at a regular membership meeting of the Local Union. The duties and terms of employment of the Business Agent must be consistent with this Constitution and the bylaws of the Local Union and must be included in the minutes of the meeting. Despite any other provision of this Constitution, a Business Agent has voice but no vote at meetings of the Local Union and cannot be a delegate to a District Council, Provincial Division or Convention unless the Business Agent is a member of the bargaining unit.

B.3.18 Stewards

Stewards shall: (Section 9.9)

(a) Be accountable to the Signing Officers and members.

(b) Attend all Regular membership meetings and present reports to the members in attendance when required.

(c) Have the right to be recognized by the Employer and the right to take time off from their regular duties to investigate, process and settle grievances, subject to the approval of the applicable Lead Steward.

(d) Be negotiators, using tact, patience and diplomacy when called upon to present a dues-paying employee's grievance.

(e) Be organizers, greet new employees, inform them of the union, promote membership and urge attendance at Membership meetings.

(f) Be educators, informing all dues-paying employees of major events within the union and economic and social events that affect them. Keep bulletin boards current, posting all new bulletins and removing the old. (

g) Communicate information to the Lead Steward regarding all matters and request assistance when required.

(h) Attend all Steward training seminars and conferences, as approved by the Executive Board and/or members.

(i) In order to qualify for all, or any portion, of the honorarium provided in accordance with these By-law, the Steward is expected to perform these duties and be in attendance at General Membership meetings and Steward meetings. The steward is expected to assist with Fact Findings and meetings with members in order to be eligible for any portion of the honorarium. The portion of the honorarium that the steward receives shall be determined by the assistance given throughout the year

B.IV REVENUE AND EXPENDITURES

B.4.1 Initiation and Readmission Fees

A Local Union may charge an initiation and readmission fee of between \$1 and \$10. If a Service Division has the authority to decide the amount of initiation or readmission fees for its Local Unions, it will follow the procedure set out in the bylaws of the Service Division.

B.4.2 Assessments

(a) Any assessment must be approved by a majority of members voting in a referendum or at a regular or special membership meeting. All members must receive adequate notice of the proposed assessment. If the vote is held at a special meeting, the notice must be adequate and at least seven days. A majority of members can require a vote by secret ballot. An assessment must be approved by the National President before it is applied. (b) An assessment must be applied for a specific purpose and for a specific length of time. A continuing assessment must be reviewed at least every six months at a regular membership meeting unless it was approved in a referendum vote. (c) A Service Division will follow its bylaws if it has the authority to apply an assessment for its Local Unions. (d) An assessment does not mean or include regular monthly dues.

B.4.3 Regular Monthly Dues

(a) Each member must pay regular monthly dues of no less than the per capita tax paid to the National Union. (b) All Local or Provincial Unions chartered after January 1, 1982 must institute an income-related dues structure. The dues must cover per capita tax, affiliation fees and funds needed to operate the Local or Provincial Union. (c) A Local Union can set or change the regular monthly dues at a regular or special membership meeting or by referendum vote. Notice of at least seven days at a previous meeting or 60 days in writing must be given. (d) A Service Division will follow its bylaws if it has the authority to set or change the regular monthly dues for its Local Unions.

B.4.4 Expenditures Funds can only be spent for the valid purposes of the Local Union and as permitted in the bylaws or as approved by a majority vote at a regular or special membership meeting. The funds cannot be divided among individual members. A petty cash fund may be set up, if approved by a majority vote at a regular membership meeting. The petty cash fund may be used to pay small expenses. All other expenses must be paid by cheque or recognized electronic payments approved by the Secretary-Treasurer and the President or another signing officer.

B.4.5 Monies Owed to National Union

All monies owed by a Local Union to the National Union are a preferred claim and must be paid promptly every month and before any other obligation is paid.

B.V ADDITIONAL BYLAWS

B.5.1 Additional Bylaws

A Local Union can amend or add to its bylaws only if: (a) the amended or additional bylaws do not conflict with this Constitution; (b) the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and (c) notice of the intention to propose the amended or additional bylaws was given at least seven days before at a previous membership meeting or 60 days before in writing. The amended or additional bylaws do not come into effect until they have been approved in writing by the National President. The National President will decide whether to approve the amended or additional bylaws within 90 days of receiving them and will withhold approval only where they conflict with this Constitution.

B.VI MEMBERSHIP MEETINGS

B.6.1 Meeting Agenda

The President will chair the meeting and follow this order of business:

1. Acknowledgment of Indigenous territory
2. Roll call of officers
3. Reading of the Equality Statement
4. Voting on new members and initiation
5. Reading of the minutes

6. Matters arising from the minutes
7. Secretary-Treasurer's Report
8. Communications and bills
9. Executive Committee Report
10. Reports of committees and delegates
11. Nominations, elections, or installations
12. Unfinished business
13. New business
14. Good of the Union
15. Adjournment

B.6.2 In Person or Virtual Meetings

The Local Union may hold membership meetings in person and/or virtually. Where virtual meetings are held, all voting will be conducted electronically provided secrecy can be maintained, where mandated.

B.6.3

All business transacted at Union Meetings shall be confidential and shall not be disclosed to non-members. Non-members, employed in positions of the Local, shall only be allowed to attend a membership meeting where they will be approved to become a member in good standing; or a Local membership meeting where a Collective Agreement ratification and /or strike vote will be conducted.

B.6.4

Except for collective agreement ratification or strike votes, meetings shall be open exclusively to:

- (a) members in good standing (who have been approved at the same or previous meeting); and
- (b) persons who attend as guests (who may participate in any non-voting capacity that is deemed appropriate by the presiding officer).

B.6.5

Regular General Membership Meetings shall be held at minimum of five (5) times per year, in the months of January, March, May, September and November. The time and location, including the ability to participate virtually, will be designated by the Executive Board, although every effort shall be made to select varied meeting times and locations, that encourage membership engagement by all members. The calendar of Regular General Membership Meetings will be published in September of every year for the following calendar year

B.6.6 Special General Membership Meetings may be called by the President or by a written request of twenty-five (25) members. No business shall be transacted, other than the sole purpose of which

the meetings are called. A Minimum of twenty-four (24) hours' notice must be provided to the membership.

B.6.7 For meetings by written request of members, the President must provide a response within 48 hours and schedule the requested special membership meeting within 10 business days.

B.6.8 Quorum

Regular General Membership Meeting or Special General Membership Meetings: Quorum shall be: -
The President or Vice-President

- A minimum of twenty (20) members

B.6.9 Agendas

(a) Agendas for all Regular General Membership Meetings must be published no less than seven (7) days in advance of the respective meeting. The Agenda shall be published on the website, distributed for posting on bulletin boards and, where applicable, emailed directly to the membership.

(b) Agendas for all Special General Membership Meetings must be provided at the time of meeting notice, a minimum of twenty-four (24) hours in advance.

B.6.10 Executive Board

(a) The Executive Board shall be comprised of the Signing Officers (President, Vice-President, Secretary Treasurer, and Recording Secretary) Injured Worker Representative and the Lead Steward. The Executive Board shall be responsible for the day-to-day administration of the Local and shall meet at least eight (8) times a year.

(b) A quorum shall be four (4) members, one of whom must be the President or Vice-President.

(c) 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 Local committees.

(d) Each Executive Board Officer shall hold Office until the adjournment of the meeting where their successors have been elected, except where the Office is declared vacant in accordance with these By-laws, and except where their predecessor fails to continue in Office for the remainder of the meeting at which the election is held.

(e) The President, Vice-President, Secretary Treasurer and Recording Secretary shall be designated as Signing Officers. All Signing Officers must qualify for bonding. If any Signing Officer cannot be bonded, that person will be immediately removed from Office and the position shall be filled by an election in accordance with these By-laws. All expenditures must be paid by cheque signed by the Secretary Treasurer and the President or another Signing Officer. Two Signing Officers may sign cheques in the case of absence or vacation of the Secretary Treasurer.

(f) 8.9 The Signing Officers shall be properly bonded with a faithful performance of duty bond. Bonding amounts shall conform to at least the minimum guidelines established by the National Secretary-Treasurer and distributed to all chartered organizations annually. The amount of bonding for any position shall be approved by the National Secretary-Treasurer in accordance with the CUPE Constitution.

B.VII RETIRED MEMBERS' ASSOCIATIONS

B.7.1 Retired Members' Association

(a) A Local Union can form a Retired Members' Association. The National Union will charter the Retired Members' Association. All members of the Local Union who hold an Honorary Retiring Card and their spouses can join the Association. The Association will hold regular membership meetings in person and/or virtually. Any voting at virtual meetings will be conducted electronically, provided secrecy can be maintained, where mandated.

(b) Every Retired Members' Association must have an Executive Board made up of its President and Recording Secretary and other officers or members of the Executive Board needed by the Retired Members' Association to conduct its affairs.

(c) The President of the Local Union is a member of the Executive Board of the Association with voice but no vote.

(d) The Association will elect a member to the Executive Board of the Local Union with voice but no vote.

(e) Every Retired Members' Association must have bylaws approved by a majority of its members. These bylaws do not come into effect until approved in writing by the National President.

(f) If a Local Union has too few retired members to form a viable Association, its retired members can join a Retired Members' Association in the area.

(g) The National Union may charter a District Council of Retired Members' Associations for an area. A District Council of Retired Members' Associations must have bylaws approved by a majority of its members. These bylaws do not come into effect until approved in writing by the National President. A Retired Members' Association in the area covered by a District Council of Retired Members' Associations can join it.

(h) Retired Members' Associations and District Councils of Retired Members' Associations must comply with the policies and programs of the National Union. They may submit resolutions to Convention through a Local Union.

B.VIII MEMBERSHIP

B.8.1 Application for Membership

Any employee who works in the jurisdiction of a Local Union or a full-time representative of the National Union can apply for membership by filling out and signing an application for membership and paying an initiation fee set by the Local Union or set by the National Union during organizing. An employee who works in the jurisdiction of a Local Union or a full-time representative of the National Union who becomes a full-time officer or official of a central labour body can also apply for membership in the same way.

B.8.2 Approval of Application

The names of applicants are read out at the first regular membership meeting after the application for membership has been submitted. Unless there is an objection supported by a majority of

members present, the applicants are accepted. If an applicant is rejected, any fee will be returned to the applicant.

B.8.3 Continuation of Membership

Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local Union unless the member loses good standing under the provisions of this Constitution.

B.8.4

Oath of Membership New members will take this oath:

“I promise to support and comply with the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union.”

B.8.5 Membership in a Merger

If an existing organization applies to the National Union for a charter, after a majority vote of its members at a properly constituted meeting, all members of the organization become members of the Union when the National Union issues a charter.

B.8.6 Suspension for Non-Payment of Dues

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union

B.IX WITHDRAWAL AND TRANSFER CARDS

B.9.1 Withdrawal Card

The Local Union will give a withdrawal card to any member in good standing who leaves employment in the jurisdiction of the Local Union to work in the jurisdiction of another union that is chartered by or affiliated to a central labour body and approved by the National Executive Board. The withdrawal card shows that the member was in good standing when leaving employment in the jurisdiction of the Local Union. If the member returns to employment within the jurisdiction of the Local Union, the member will not be required to pay an initiation fee.

B.9.2 Transfer Card

(a) The Local Union will give a transfer card to any member in good standing who leaves employment in the jurisdiction of the Local Union to work in the jurisdiction of another Local Union. The member will give the transfer card to the Secretary-Treasurer of the Local Union in whose jurisdiction the member takes up employment.

(b) All Local Unions will recognize transfer cards issued by other Local Unions if the card is on the form provided by the National Union. A member with a transfer card is not required to pay an initiation fee when they take up employment in the jurisdiction of another Local Union.

(c) A Local Union can accept transfer cards from other unions, if the union has been approved by the National Executive Board. A Local Union can ask the National President to make mutual agreements with other unions for each union to accept the other union's transfer cards.

B.X RETIRED MEMBERS

B.10.1 Honorary Retiring Card

(a) A member who has reached retirement age or is unable to work can apply to the Secretary-Treasurer of the Local Union for an Honorary Retiring Card when they leave employment. If the member is in good standing, members of the Local Union will vote on the application at a regular membership 70 2023 CUPE Constitution meeting. If a majority of members vote in favour of the application, the Secretary-Treasurer will send the name and address of the retiring member to the National Secretary-Treasurer who will issue the Retiring Card.

(b) A member who holds an Honorary Retiring Card is not required to pay dues to the Local Union nor per capita tax to the National Union. A member who resumes employment after receiving an Honorary Retiring Card will give the card to the Secretary-Treasurer of the Local Union and is required to pay dues to the Local Union and per capita tax to the National Union.

(c) A member who holds an Honorary Retiring Card can attend and speak at membership meetings of the Local Union but cannot vote. A member who holds an Honorary Retiring Card cannot speak or vote at Convention.

B.XI By-Law Committee (Section 11 j)

The By-law Committee shall be made up of one (1) Signing Officer, one (1) Executive Board Officer and three (3) members elected from the membership at large. The committee shall appoint its secretary from among its members. The By-Law Committee shall:

- Review the bylaws bi-annually and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Local to ensure that the amendment will conform to the remainder of the by-laws and the CUPE National Constitution.
- Present any amendments to the membership for approval

B.XII Dues (Section 12 and 13)

(a) Membership dues shall be established by a secret ballot vote by the membership in attendance at a General Membership Meeting in which a report from the Executive Board is considered. As of adoption of these By- laws, such dues are set at one and one-half percent (1.5%) of each employee's regular bi-weekly gross earnings, exclusive of premiums, overtime pay and benefits (including employees in Casual and Student positions). The report of the Executive Board shall be based on the year-end financial report of the Treasurer and shall contain a recommendation to establish dues at a specific amount or rate.

(b) Per Capita Tax of the CUPE National Office shall be set by the CUPE National Convention. Notwithstanding the above provisions, if CUPE Convention raises minimum Tax, fees, levies dues or

assessments, a Special General Membership meeting shall be called to determine whether a corresponding dues increase is necessary. Special assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.

B.XIII Expenses and Honoraria

(a) Expenses allocated to the Local are:

- Signing Officer's honorariums.
- Injured Worker Representative honorarium;
- Local Standing Committee's honorariums;
- Grievance and arbitration costs;
- Collective Agreement negotiations costs;
- Mileage costs;
- Convention/Conference/Seminar costs (including travel, per diems, accommodations and lost wages)
- Normal operating expenses

(b) Annual honoraria shall be as follows:

- President \$500.00/annum
- Vice-President \$500.00/annum
- Secretary Treasurer \$500.00/annum
- Recording Secretary \$500.00/annum
- Lead Steward \$500.00/annum
- Injure Worker Representative \$500.00/annum
- Trustees \$500.00/annum
- Steward up to \$500.00/annum
- Standing Committee Member \$200.00/annum

Honorariums shall not be pyramided. Any person holding more than one Office to which an honorarium is payable shall receive only the highest honorarium payable.

(c) When travel, by personal vehicle, is required and/or authorized by the Signing Officers or the General Membership, the rate shall be the non-taxable cap kilometer rate established by Revenue Canada, from the person's normal place(s) of work or from their home (whichever is lessor), payable per vehicle authorized to travel and not per person authorized to travel. When persons are traveling in a common vehicle the calculation shall be based on the vehicle operator/owners' normal place of work.

(d) When travel by other than personal vehicle is authorized by the Signing Officers the most economical means available shall be selected, as determined by the Secretary Treasurer.

(e) When travel by any means is authorized by the Executive Board, the dates for travel, except normal pre- authorized union business travel, shall be determined by the Signing Officers and a per diem of \$40.00/travel day/person shall be paid, except pre-authorized travel for normal union business and except where meals are being provided, in which cases a per diem of \$25.00/person/day is payable.

(f) When authorized by the Signing Officers, any person attending full days at a Convention/Conference/Seminar, wherever located, shall be paid a per diem of \$80.00/day/person, exclusive of whole or part travel days, unless meals are being provided (in which case a per diem of \$25.00/day/person is payable).

(g) Hotel accommodations will be provided for out of town conventions and conferences and at the discretion of the Executive Board for in town conventions and conferences and out of town educationals and/or meetings.

(h) Mileage costs, travel per diems and Convention/Conference/Seminar per diems are not payable to any Office holder for attendance at this Regular or Special General Membership meetings. Travel per diems are not payable to any office-holder for attendance at this Local's Committee meetings or Executive Board meetings however mileage costs will be paid. Meal allowances of \$25.00/person/day will be paid for full session attendance at the Local's regularly scheduled Committee, Executive Board and Stewards meetings except where meals are being provided, in which case no allowance is payable. The meeting Chair or designate shall be responsible to maintain attendance records.

(i) When authorized by the Signing Officers, or the members at a General Membership meeting, any person performing authorized duties on behalf of the Local shall be paid their "normal lost wages", in a manner acceptable to the Signing Officers.

(j) The Executive Board shall be authorized to donate \$100.00 to each CUPE personal appeal sent to the Local through CUPE National or CUPE Ontario Division. Approval by the membership for each appeal donation is not required. In the event that the Local has supported a member of this local in his/her appeal through CUPE National or CUPE Ontario Division, the Executive Board shall recommend a donation of \$300.00 for approval in accordance with these bylaws.

(k) One (1) Signing Officer may approve a contribution of up to \$250.00 per strike appeal received at any convention, conference or seminar or when in attendance at a picket/strike rally

B.XIII Delegates

(a) Except for the President's option to either attend or name a designate, all delegates to conventions, conferences, and educationals held outside of the Local, shall be chosen by election at membership meetings.

(b) All members must be a member in good standing to be eligible to attend conferences/conventions and further must have attended at least three (3) Regular or Special General Membership meetings in the past twelve (12) months.

(c) All elected delegates to conferences, conventions and educationals outside of the Local, must attend the entire event and provide a written and verbal report to the next following Regular General Membership Meeting detailing the highlights of the event.

(d) For all CUPE Conventions and Conferences, there will be a minimum of one (1) alternate elected. In the event that a duly elected delegate is unable to attend the entire convention or conference, the alternate may be requested to take the place of the delegate.

(e) Alternates will be determined by the number of votes cast in the elections of delegates for any CUPE Convention or Conference. Members standing for election as a delegate that do not receive a sufficient number of votes to attend as a delegate will be kept on a list, in order of votes received. If a delegate is unable to attend, the members on the alternate list will be asked, in order of votes received, if their wish is to attend as a delegate.

(f) All delegates attending conventions, conferences, or educationals held outside York Region shall be paid transportation expenses (at economy, tourist or coach rates, or mileage) as determined by the Secretary Treasurer, and a per diem allowance of \$80.00 dollars for meals and incidental expenses. The Local will reimburse the member's employer for any loss of wages and benefits. Accommodation, if deemed appropriate will be paid by the Local.

(g) Delegates to conventions, conferences and educationals held within York Region shall be entitled to travel allowance. There shall be a per diem allowance of \$25.00 dollars for meals (unless meals are provided) and expenses incurred by attendance at the convention, conference or educational. The Local will reimburse the member's employer for any loss of wages and benefits.

(h) The Local will designate a delegate status on anyone who is running for or is a current member of a CUPE committee to the respective conference or convention.

B.XIV General (Section 18)

(a) All motions are to be numbered for easy reference and control and filed in a file called "Motions" along with the date carried or defeated and maintained by the Recording Secretary. When a motion is made and carried for taking a grievance to arbitration, the grievance number is to be specified in conjunction with the motion number.

(b) A "Member in Good Standing" is a person who has taken the Oath of Membership provided in these By-laws and who:

- Is listed on a current employee list from a bargaining unit of CUPE Local 4900;
- Or, is on layoff and subject to recall;
- Or, is on a leave of absence and subject to return to work;
- Or, is terminated and subject to being returned to work as a result of a final grievance/arbitration decision.

(c) Once a motion to amend these By-laws has been made and carried, all previous motions pertaining to the carried motion are repealed and deleted.

(d) These By-laws are deemed to comply with the CUPE Constitution however, in the event of any conflict between these By-laws and the CUPE Constitution, the latter shall govern.

(e) These By-laws shall not be amended, added to, or suspended except upon the consent of two thirds (2/3) majority of the members present and voting at a Regular or Special General Membership meeting. Notice of Motion to amend these By-laws must be given at a Regular Membership meeting at least seven (7) days prior to voting on the amendment or at least sixty (60) days written notice must be provided.

(f) Where Notice of Motion is given or where a proposed By-law change is amended during debate a Notice of Motion, and the amendment is deemed to be a substantial change to the By-laws, the presiding officer is authorized to refer the matter to the Executive Committee for an opportunity to make comments and/or re-word the Notice of Motion or amendment to ensure that it is properly prepared for a vote. Where necessary, the matter may be deferred to the next General Membership meeting.

(g) These By-laws, and any future amendments, shall become valid and take effect on the date approved by the National President of the Canadian Union of Public Employees.

(h) In all matters not regulated by these rules of order, Bourninot's Rules of Order shall govern

B.XV TRIAL PROCEDURE

B.15.1 Application

The Trial Procedure is found at Appendix F of the CUPE Constitution and will apply to Local Unions, Airline Division Components, Provincial Councils of Unions, and Councils of Unions. For purposes of the Trial Procedure, the term Local Union will include Airline Division Components, Provincial Councils of Unions, and Councils of Unions.