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# Bylaws

# Local Union 1182

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REVISED 2022



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## **INTRODUCTION**

Local 1182 of the Canadian Union of Public Employees has been formed to:

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

The following bylaws are adopted by Local 1182 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

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

CUPE chartered organizations may also wish to adopt a Local Union Code of Conduct that would apply to membership meetings and other functions organized by the chartered organization. The Local Union Code of Conduct can be found in Appendix B to these bylaws.

## **SECTION 1 – NAME**

The name of this Local shall be: Canadian Union of Public Employees, Local 1182, York Extendicare Sudbury Long Term Care Facility.

## **SECTION 2 – OBJECTIVES**

The objectives of Local 1182 are to:

- (a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members.
- (b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism.
- (c) Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers.

- (d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears.
- (e) Establish strong working relationships with the public we serve and the communities in which we work and live; and
- (f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

### **SECTION 3 – REFERNCES**

- (a) Gender neutral pronouns are used
- (b) Numbers of articles at the end of sections or sub-sections refer to relevant articles of Appendix “B” of the CUPE National Constitution which should be read in conjunction with these By-Laws.
- (c) National Office refers to CUPE headquarters, Ottawa, and the abbreviation CUPE is always used with a national connotation, unless stated otherwise.
- (d) Local wherever used in these By-Laws refers to the membership of the Canadian Union of Public Employees Local 1182.
- (e) Bargaining unit shall mean the group of employees which the Union is certified to represent.
- (f) Bargaining unit ratification vote shall mean the voting by secret ballot for the purpose of obtaining a new collective agreement.
- (g) A quorum is the number of members who must be present in order that business can be legally transacted. The quorum refers to the number of such present, not to the number actually voting on a particular question.

### **SECTION 4 – MEMBERSHIP**

#### **(a) Membership**

An individual employed within the jurisdiction of Local 1182 can apply for membership in Local 1182 by signing an application and paying the initiation fee set out in Section 12.1 of these bylaws.

(Article B.8.1)

**(b) Approval of Membership**

At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting object, the applicant(s) will be accepted into membership.  
(Article B.8.2)

**(c) 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.”  
(Article B.8.4)

**(d) 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 the CUPE National Constitution.  
(Article B.8.3)

**(e) Member Obligations**

Members are obligated to abide by the CUPE National Constitution, and these bylaws as amended from time to time.

Members will provide the Recording Secretary with their current address, home telephone contact number and where available, an e-mail address. The member will advise the Recording Secretary of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of mail, e-mail blasts or telephone town halls.

In the case of a telephone town hall, the telephone number may be shared with a service provider under contract to the Local Union to provide the technical equipment to support such a virtual meeting.

Upon request, the Local Union will share the telephone contact information with CUPE National or CUPE ONTARIO. The purpose of sharing this telephone contact information with CUPE National or CUPE Ontario is so that the National Union or Provincial Division can conduct a telephone town hall with members on important matters.

## **SECTION 5 – AFFILIATIONS**

In order to strengthen the labour movement and work toward common goals and objectives, Local 1182 shall be affiliated to and pay per capita tax to the following organization(s):

- The CUPE Ontario Provincial Division
- The Sudbury & District CUPE Council
- The Ontario Federation of Labour
- The Sudbury & District ( CLC ) Labour Council

## **SECTION 6 - MEMBERSHIP MEETINGS**

### 1) Regular MEMBERSHIP Meetings

- a) Regular membership meetings shall be held on the fourth (4<sup>th</sup>) Monday of the month at 41 Veterans Rd, Copper Cliff.

Notice of each regular membership meeting outlining the date, time and location shall be given to members at least seven days in advance of the meeting.

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

In the months of December, July, and August there shall be no regular monthly meeting.

### b) Meetings Held Electronically

- (1) Except as otherwise provided in these by-laws, meetings of the membership and executive board may be conducted through the use of Internet meeting services approved by the Executive Board that provide:
- a. Access to all members
  - b. A means of identifying those participating
  - c. A method identifying those seeking recognition to speak
  - d. Visible displays of (or permitting retrieval of) the text of the pending motions

- e. A secret ballot accessible to all members attending the meeting and restricted only to members; and
  - f. Visible displays of the votes
- (2) Electronic meetings are subject to all rules adopted by the local, including any reasonable limitations or requirements
  - (3) Rules of order may be adapted only as necessary to reflect the technical capabilities of the platform, but may not otherwise conflict with any requirements in this article or alter any rule or decision of CUPE National
  - (4) A secret ballot vote conducted through a designated Internet meeting service shall be deemed a valid vote, fulfilling any requirement in these bylaws or rules that a vote conducted by ballot.
- c) A quorum for the transaction of business shall be eight (8), including at least three (3) members of the Executive Board.
- d) MEMBERSHIP MEETING AGENDA
    - a) Reading of the Indigenous Greeting
    - b) Roll call of Officers
    - c) Equality Statement
    - d) Voting of new members and initiations
    - e) Reading of minutes of previous meeting
    - f) Matters arising out of the minutes
    - g) Treasurer's Report and Bills to be Paid
    - h) Communications
    - i) Executive Board Report / Recommendations
    - j) Reports of Committees and Delegates
    - k) Nominations, elections or installations
    - l) Unfinished business
    - m) New business
    - n) Good of the Union
    - o) Adjournment (Article B.6.1)
- e) When a quorum cannot be convened within fifteen (15) minutes, the Executive may dispose of any routine matters that would have been decided by the Local but may not dispose of matters relating to the By-Laws and not commit the local to any new expenditures.
  - f) All Officers shall be required, if working, to book off shift for all membership meetings and shall be reimbursed as per contract for lost time and benefits incurred by the Local if in attendance at said meetings.



2) Special Membership Meetings

Special membership meetings of Local 1182 may be required and shall be called by the Executive Board or may be requested in writing by no fewer than eight (8) members. The President shall immediately advise members when a special meeting is called and ensure that all members receive at least forty-eight (48) hours' notice of the special meeting, the subject(s) to be discussed, the date, time and location. No business shall be transacted at the special meeting other than that for which the meeting is called, and notice given.

A quorum for such meeting shall not be less than eight (8) members.

3) Executive Board Meeting

- a) The Executive Board shall meet once monthly except July on any other day than a regular membership meeting. (Appendix "B" B.3.14)
- b) The Executive Board Meeting shall be decided at the previous Executive Board Meeting.
- c) A majority of the Board constitutes a quorum.
- d) The executive board shall be empowered to deal with all regular business of the Local in the months of July, August and December with a report of the decisions at the next regular monthly membership meeting.
- e) Special Executive Board Meetings may be called by the President if a quorum of the Executive Board directs the President in writing, to call a special Executive Board meeting and all Executive Members shall receive at least twenty-four (24) hours' notice of said meeting and subject(s) to be discussed. No business shall be legally transacted other than that for which the meeting was called.

4) Committee Meetings

The Chairperson of any Committee may order a Committee meeting at any time provided that at least twenty-four (24) hours' notice be given to each member of said Committee, with the understanding that said Committee shall endeavour to meet once every three (3) months.

## **SECTION 7 – VOTING OF FUNDS**

- a) Except when otherwise indicated in these By-Laws, per capita taxes, standing motions and operating costs that appear on the treasurer's report all other expenditures shall be voted on at the regular monthly membership meeting.

- b) The Executive Board shall be empowered to deal with all regular business of the Local in the months of July, August and December as per section 5.1 a) with a report of the decisions at the next regular monthly membership meeting.

## **SECTION 8 - OFFICERS**

The Officers of Local 1182 shall be the President, Vice-President, Secretary- Treasurer, Recording Secretary, Membership Officer and three (3) Trustees. (Articles B.2.1 and B.2.2)

## **SECTION 9 - EXECUTIVE BOARD**

- a) The Executive Board shall comprise of all Officers except the Trustees. (Appendix "B" B.2.2)
- b) The executive board shall meet at least nine (9) times per year
- c) A majority of the executive board constitutes a quorum.
- d) The Executive Officers shall hold title to any real estate of the Local as Trustees for the Local Union. They shall have no right to sell, convey or encumber any real estate or assets without first giving notice and then submitting the proposition to a membership meeting and having such proposition approved
- e) The Board shall do the work delegated to it by the Local. The Board shall be responsible for the proper and effective functioning of the Local and of all Committees.
- f) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution. (Appendix B.XI B.11.1 to B.11.5)
- g) Should any Executive Board member fail to answer the roll call for three consecutive regular meetings or three consecutive regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting. (Article B 2.5)
- h) All charges against members or officers must be made in writing and dealt with in accordance with provisions of the CUPE Constitution (Appendix "B" B.2.5)
- i) All Executive Board members shall be required, if working to book off shift for all Executive Board meetings and shall be reimbursed as per contract for lost time and benefits incurred by the Local if in attendance at said meetings.

## **SECTION 10 - DUTIES OF OFFICERS**

Each Officer of Local 1182 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

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. (Appendix "B" B.III. B.3.9.)

All signing Officers of Local 1182 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. (B.3.5)

Signing Officers of the Local shall be the President, Vice-President, and Treasurer.

### **10.1 The President shall:**

- a) Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
- b) Interpret these bylaws as required
- c) Preside at all Membership and Executive Board Meetings and preserve order.
- d) Decides all questions of order and procedure (subject always to an appeal to the Membership. But the President shall not have vote on such appeal)
- e) Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.
- f) Enforce the Board or Membership decisions on fines and penalties.
- g) Ensure that all Officers perform their assigned duties.
- h) Fill committee vacancies where elections are not provided for.
- i) Introduce new members and conduct them through the initiation ceremony at their first membership meeting they attend.
- j) Introduce new members and conduct them through the initiation ceremony. (Appendix "B" B.10.4)
- k) 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.
- l) Sign request for leave of absence for union functions when necessary.
- m) Have first preference as a delegate to the CUPE National and the CUPE Ontario Division Conventions.
- n) Be ex-officio of all standing and social committees unless otherwise delegated by the President to other Executive Board Members.
- o) Perform such other duties as the Constitution and these By-Laws may require
- p) Promote a harmonious working relationship between all the Executive, Employer, Staff Representatives and Members.
- q) Any irregularities not being acted upon must be reported to the Staff Representative.
- r) The President shall automatically be part of the Negotiating Committee.

## **10.2 The Vice-President shall:**

- a) In the absence of the President perform all duties pertaining to the Office of the President.
- b) If the Office of the President fall vacant, be acting President until a new President is elected through a by-election.
- c) Preside over membership and executive board meetings in the absence of the President.
- d) Render assistance to any member of the Board as directed by the President.
- e) Perform any duties as may be assigned to him by the Board.
- f) Assist the President
- g) Sign requests for leaves of absence for union functions when necessary.
- h) Be responsible for the orientation of all new employees in the home. Upon orientation of new members, they shall fill in the Application for Membership (attached to these By-Laws) and take the oath of membership. Inform the new members of the date and time of the next membership meeting. (the above to be included in the union orientation package)
- i) Be responsible to inform any Board members not in attendance at Executive and/or Membership Meetings of any duties they have to perform in the context of their office.
- j) In the absence of the Secretary-Treasurer perform all duties pertaining to their office.
- k) Keep a separate record book of all educations/seminars with names of members of the local attending, with dates and level of achievement.
- l) Ensure that all requests for leaves of absence(s) for union functions have been submitted on the Local's request for leave of absence forms and approved and notify members of said approval. Keep a record of all requests for leaves of absences.

## **10.3 The Secretary-Treasurer shall:**

- a) Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union.
- b) Be responsible for maintaining. Organizing, safeguarding, and keeping on file all supporting documents, authorizations, invoices and /or expenses 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.
- c) Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- d) Receive all revenue, initiation fees, dues, and assessments.
- e) File all union dues check off lists.
- f) Deposit promptly all money with the credit union.

- g) 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.
- h) Ensure that per capita tax is paid, prepare all CUPE National per capita tax forms and remit payment, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
- i) Prepare necessary per capita tax forms and remit payment. The National Per Capita Tax Form to be forwarded to the National Office by the 15<sup>th</sup> day of each month.
- j) Record all transactions in a manner acceptable to the Board in accordance with good accounting practices.
- k) Make all books available for inspection by 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 by the Trustees.
- l) Have the books audited annually.
- m) Notify the Chairperson of the Auditing Committee and Recording-Secretary in writing two (2) weeks in advance of the date to audit the books.
- n) Provide the Trustees with any information they may need to complete the audit report and forms supplied by CUPE.
- o) Pay no money unless supported by a voucher stating date of event and a cheque duly signed by the signing officers of the Local. No request shall be required for payment of Per Capita Fees to any organization to which the Local Union is affiliated.
- p) Prepare a monthly financial report to the Membership meeting.
- q) Make a full financial report to meetings of the Local Union's Executive Board.
- r) Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
- s) Book all reservations for delegates attending union functions where such bookings are necessary. To guarantee rooms, delegates are to use their own credit card, if they have no credit card a cheque for one (1) night's lodging is to be sent by the Secretary-Treasurer to ensure the room is guaranteed prior to the union function. All hotel information to guarantee their room is to be provided to the delegate(s) by the Secretary-Treasurer.
- t) Prepare in December of each year an annual report of the local's total income and expenditures for the complete year. The annual report to be presented to the January Membership meeting with copies of the members in attendance
- u) Prepare an annual budget for membership approval
- v) When there is a change in the Secretary-Treasurer, the new and past Secretary-Treasurer shall use December and January to prepare the new Secretary-Treasurer for all their duties associated with this position.

- w) One (1) day off per month shall be granted to do the Secretary-Treasurer's work at the local's office on a day selected by the Secretary-Treasurer between Monday to Friday and approved by the Executive Board at the previous Executive Board Meeting.
- x) Render all books to the Vice President when on general leave of absence, illness, vacation, or union function.
- y) Sign Request for Leave of Absence for union functions when necessary.

**10.4 The Membership Officer shall:**

- a) Guard the inner door at Membership Meeting and admit no one but members or officers or officials of CUPE except by consent of the members present. Maintain the record of membership attendance at meetings, and have all members sign an attendance log upon entering the hall.
- b) Not permit any member to retire from the meeting without permission from the chairperson.
- c) Keep accurate and up to date records of individual's attendance at regular membership meetings.
- d) Examine all present at meetings and report to the chairperson any without membership cards.
- e) Sign Request for Leave of Absence for union functions when necessary.
- f) Obtain the names of all those awaiting initiation, reporting these to the chairperson.
- g) Perform such other duties as may be assigned by the Board from time to time.
- h) Shall be responsible for sending of appropriate cards as "Good of the Union" dictates.
- i) Enforce the no smoking / vaping policy.

**10.5 The Recording-Secretary shall:**

- a) Keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The executive board minutes must also include a record of up- and-coming Leaves for Union Functions requests. The record will also include Trustees' reports.
- b) Record all amendments and/or additions in the bylaws and make certain that these are sent to the National President for approval prior to implementing.
- c) Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
- d) Keep a record of all correspondence received and sent out.
- e) Regularly check the Local's email for notices /correspondence and to list same in the correspondence list.
- f) Regularly update Members contact information on the Local's email / database.

- g) Record all motions with the mover and seconder's names in the minute book of the local.
- h) Have all books and papers ready on reasonable notice for auditors and/or trustees.
- i) All leaves of absences for union function to be recorded in the minute books in red for easier identification.
- j) File a copy of all letters sent out and keep on file all communications, hard copy, and email.
- k) Shall ensure that all correspondence is received, and copies forwarded to the appropriate committee and board members and ensure that all correspondence be forwarded to a central location as designated by the Local Union Executive Board.
- l) Prepare and distribute all notices to members.
- m) In absence of the President, Vice-President preside over the Membership and/or Board Meetings.
- n) At the beginning of each calendar year prepare a list of all Committee Members and Executive Board Members with contact information. This list shall be handed out to all in attendance at the January Membership Meeting with one posted on the Union Bulletin Board at the home.
- o) One (1) day off per month shall be granted to do the Secretarial work on a day selected by the Recording-Secretary between Monday and Friday and approved by the Executive Board at the previous Executive Board Meeting.
- p) Sign Request for Leave of Absence for union functions when necessary.
- q) One day off per month shall be granted to do the secretarial work on a day selected by the Recording Secretary between Monday and Friday and approved by the executive board at the previous executive board meeting.
- r) Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union's funds.
- s) Performs other duties required by the Local Union, its bylaws or the National Constitution.

(Article B.3.3)

#### **10.6 The Trustees shall:**

- a) Act as an Auditing Committee and audit the books and accounts of the Treasurer, the Recording-Secretary and standing Committees annually.
- b) Their findings to be reported to the first Executive Board Meeting prior to being presented to the Membership.
- c) Make a written report of their findings to the first Membership Meeting following the completion of the audit and supply a copy to each member in attendance.
- d) Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.
- e) Be responsible to ensure that monies have not been paid out without proper Constitutional, By-Laws or membership authorization.
- f) Ensure that proper financial reports have been made to the Membership.
- g) Audit the record of attendance book.

- h) Inspect annually any stocks, bonds, securities, office furniture, equipment, titles or deeds to property that may be at any time owned by the Local and report their findings to the Membership. At each audit they shall also update the record of property book.
- i) Use audit forms supplied by the National Office and send a copy of each yearly audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution. (Appendix “B” III B.3.12)
- j) Changes in the Treasurer – The Books are to be audited immediately prior to the Local’s books being turned over to the newly elected Treasurer and the Auditing Committee’s findings to be presented to the Board and membership’s first meetings following the completion of the audit.
- k) Shall attend all Membership Meetings.
- l) Leaves of absences for Trustees shall be granted for the purpose of the annual audits. All other leaves of absences for auditing shall be subject to the recommendations of their Executive Board for Membership approval.
- m) Should any Trustee miss the roll call for three (3) consecutive Meetings or miss two (2) audits without having good and sufficient cause, and notice shall be given to the President or Vice-President, his office shall be declared vacant, and the position filled at the following meeting.
- n) All Trustees members shall be required, if working to book off shift for all Membership meetings and shall be reimbursed as per contract for lost time and benefits incurred by the Local if in attendance at said meetings.
- o) Sign Request for Leave of Absence for union functions when necessary.
- p) Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
  - i. Completed Trustee Audit Program
  - ii. Completed Trustees’ Report
  - iii. Secretary-Treasurer Report to the Trustees
  - iv. Recommendations made to the President and Secretary-Treasurer of the Local Union
  - v. Secretary-Treasurer’s response to recommendations
  - vi. Concerns that have not been addressed by the Local Union Executive Board.

## **SECTION 11 - NOMINATIONS, ELECTIONS & INSTALLATION OF OFFICERS**

### **11.1 Nomination:**

- a) Officers of this Local shall be President, Vice-President, Secretary-Treasurer, Recording Secretary, Membership Officer and three (3) Trustees.
- b) No member shall at the same time be a candidate for or hold more than one (1) of the offices named in (a) above.



- c) At a membership meeting, at the June membership meeting, elect an Elections Committee consisting of a Chief Returning Officer and assistant(s). The committee will include members of the Local Union who are neither Officers nor candidates for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union.
- d) Names of Elections Committee members and Positions open for election to be posted by the Chief returning Officer and within forty-eight (48) hours of the close of the June regular membership Meeting.
- e) A member in good standing shall put forward their written notice of intent to stand for a specific position(s) one (1) week prior to the regular membership Meeting in September in the election year. Such written notice shall be on a standard form as attached to these By-Laws provided by a member of the Elections Committee. Such written notice must be returned to an Election Committee Member.
- f) To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.  
(Articles B.8.1, B.8.2 and B.8.3)
- g) A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.
- h) No member will be eligible for nomination if they are in arrears of dues and/or assessments.
- i) The Election Committee shall provide the Recording Secretary with the list of those Nominees as recorded for the minutes of the September regular membership Meeting.
- j) The Election Committee shall check to see that acceptances are obtained in accordance with these By-Laws and within the stated time limits.
- k) A list of candidates shall be posted on the Union Bulletin Board in the first week of October.
- l) The Election Committee shall assist voters only when personally requested by the voter.
- m) The Election Committee shall submit a written report of its activities, decisions, recommendations, and elections results to the Membership meeting at the January Membership Meeting.

## **11.2 Elections:**

- a) The President and Recording Secretary, Vice-President, Secretary-Treasurer and Membership Officer are elected in odd years.
- b) Committees are elected in the even years, except the Negotiations Committee which will be elected upon completion of each set of Negotiations.

- c) The Elections Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Chief Returning Officer.
- d) The Chief Returning Officer will be responsible for issuing, collecting, and counting ballots. The Chief Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
- e) The voting will take place on the third Friday in October. The vote will be by secret ballot.
- f) In the first week of October, notice of date, place and hours of the elections must be posted on the Union Bulletin Board. Notice must be at least two (2) weeks prior to elections being held.
- g) In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
- h) In the instance of a second and/or subsequent ballot, the Election Committee shall post new date, place and hours of the election must be posted on the Union Bulletin Board two (2) weeks prior to new election.
- i) In any case in which only one (1) eligible member has indicated intent to stand for a position(s) and that member has indicated within the time limits prescribed, no election needs to be held for that office, and the member shall be deemed elected.
- j) When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled. (Article 11.4)
- k) Any member may request a recount of the votes for any election and a recount will be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as set out in Section 6(c).
- l) Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported by the majority of the members in attendance at the meeting in which the request is made.
- m) A candidate for Local Union office may appoint a Scrutineer to act on their behalf during the election. Such Scrutineer shall not be entitled to remuneration of any kind from the Local Union. Each candidate shall notify the Election Committee of the name(s) of this Scrutineer.
- n) The Duties of the Scrutineers shall be as follows:
  - 1. The Scrutineer shall be entitled to be present at the poll at all times.
  - 2. The Scrutineer shall not interfere in any way with rights of the voters and shall not engage in electioneering of any kind.
  - 3. The Scrutineer shall be entitled to be present at the counting of the ballots.
  - 4. A Scrutineer who violates these rules or those established by the Election Committee shall immediately be suspended as a Scrutineer. Such violations shall be reported to the Membership Meeting by the Chief Returning Officer

- o) No Candidate for office shall be allowed at the polling place at any time except for the purpose of casting a vote.
- p) The negotiations committee shall hold an advance poll for the voting of ratifying a collective agreement for those who would be out of town or on vacation on the date of the vote as soon as practicable. The advance poll will be held at the local's office. The vote will be by secret ballot.
- q) All election complaints by members will be submitted in writing to the Chief Returning Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven days after the election. The Chief Returning Officer in conjunction with the Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.
- r) Ballots shall be kept for a period of not less than six (6) months.
- s) The names of the elected candidates shall be posted promptly by the Election Committee on the Union Bulletin board.

### **11.3 Installation:**

#### **Installation of Officers**

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

*"I, \_\_, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term.*

### **11.4 By-Elections:**

Should any office fall vacant to Section 9 of these By-Laws or for any other reason, the resulting by-elections should be conducted as closely as possible in conformity with this section.

Where elections fail to fill a vacancy, the President, may in the interim appoint a member to a committee for the balance of the term.

## **SECTION 12 - FEES, DUES & ASSESSMENTS**

### **12.1 Initiation fees:**

Each application for membership in the local shall be directed to the Secretary Treasurer. An initiation fee of two (\$2.00) dollars in addition to monthly dues shall be deducted through payroll. (Articles B.4.1 and B.8.2)

The names of applicants shall be read out to the first regular membership meeting after the applications have been submitted and the applicants will be automatically accepted as members unless there is an objection sustained by majority vote of the members present. In the event of an application being rejected, the fee shall be returned to the applicant. (Article "B" B. VIII. B.8.2)

Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local Union unless a member loses good standing under the provisions of this Constitution. (Article B.8.3)

### **12.2 Readmission Fee:**

The readmission fee shall be \$2.00.

### **12.3 Monthly Dues:**

The monthly dues for full time and part time members shall be two (2%) percent of the total gross earnings.

### **12.4 Amending Monthly Dues**

The regular monthly dues may be amended at a regular or special membership meeting. The vote must be by secret ballot. Notice of at least seven days at a previous meeting or 60 days in writing must be given.  
(Article B.4.3)

### **12.5 Notwithstanding the above provisions if the CUPE Constitution raises the minimum fees and/or dues above the level herein established, these By-Laws will be deemed to have been automatically amended to conform to the new CUPE minimum.**

## **12.6 Assessments**

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. Membership approval is required, and the assessment will only be applied after the National President approves the assessment (Article B.4.2)

## **12.7 Non-Payment of Dues and Assessments**

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary Treasurer. The Executive Board will report all suspensions to the next membership meeting. 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. A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but may not be required to pay arrears. (Article B.8.6)

A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but may not be required to pay arrears

## **SECTION 13 - DELEGATES TO CONVENTIONS, CONFERENCES & SEMINARS**

- a) Except for the President's option [Section 10(a)], all delegates and alternates to conventions, conferences, and educational(s) shall be chosen by election at membership meetings.
- b) All Delegates and Alternates to Conventions, Seminars, Conferences and Educational Institutes shall submit their names in writing to the Executive Board within the time frame as set out in the Membership Meeting.
- c) The Member(s) receiving the highest number of votes shall assume the Delegate status. Where alternate status is indicated it shall be decided by the next highest number of votes. Where the alternate status is not indicated, and a highest number of votes shall assume the Delegate Status. Where alternate status is indicated, and a delegate is unable to attend the alternate with the highest number of votes becomes the Delegate and the member with the next highest number of votes becomes the alternate.
- d) Delegates to the Sudbury District CUPE Council shall be elected biennially in the same year as the Committees. A member responsible for reporting back to the Local Union membership shall be appointed by the President from among these delegates, and the member appointed shall make a written report at each Local Union membership meeting on proceedings at recent meetings of the Council. The Local Union will reimburse the member's employer for any loss of wages.

- e) Delegates to the Sudbury & District Labour Council shall be elected biennially. A member responsible for reporting back to the Local Union membership shall be appointed by the President from among these delegates, and the member appointed shall report at each Local Union membership on proceedings at recent meetings of the Council. The Local Union will reimburse the member's employer for any loss of wages.
- f) Any member representing the Local at Union functions shall present in writing, a report of the business of the Union function they attended. This report shall be presented to the Executive Board prior to coming before the Membership at the first meeting of each body following the Union function. When more than one member attends a joint report may be presented.
- g) All members shall be eligible to attend seminars as approved by the Membership at Membership Meetings.

## **SECTION 14 - LEAVE OF ABSENCE FOR UNION FUNCTIONS**

- 1) A leave of absence will be submitted for all Delegates and Alternates attending Union functions by a Member of the Board as Delegated by the Board.
- 2) An amount equal to any loss of salary and benefits necessitated by the attendance at the event, or reimbursement to the Employer as per the Collective Agreement.

## **SECTION 15 - COMMITTEES**

### **a) Special Committees**

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

### **b) Negotiating Committee**

This will be a special committee established upon completion of each set of negotiations, 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 distribute suggested revisions / bargaining survey to all members. The committee shall consist of the President and three (3) members elected as per Article 10. Nominations, Elections & Installation of Officers of these By-Laws. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages from formulating

proposals, through negotiations, to contract ratification by the membership.

All members of Local 1182's negotiating committee shall attend Level 1 and Level 2 of CUPE's collective bargaining education

c) **Permanent Committees**

The Chairperson of each permanent committee will be elected by the members of that Committee. Permanent committees will have a term of two years, elected in even years. The Chairperson and the Executive Board may, with the approval of the membership, jointly appoint other members to serve on a committee. Committees will provide written reports to each regular membership meeting. The Vice-President or designate shall be a member, ex-officio, of each committee.

There shall be ten (10) permanent committees as follows:

**1. Grievance Committee**

This committee will:

- Oversee the handling of all local grievances.
- Receive copies of all grievances.
- Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting.
- When a grievance is not settled in the initial steps provided for in the collective agreement, all grievance arbitration matters shall be brought forward to the Executive in consultation with the National Staff Representative for the decision to proceed to arbitration. Notice to the grievor of the decision of the Executive Board shall be made immediately after the Board meeting where the decision was made.
- If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board at the next sitting of the Executive Board. The recommendation of the Executive following the appeal will be reported to the membership.
- Notice to the grievor(s) shall be given in writing at least two (2) weeks in advance
- All material expenditures shall be submitted to the Board for approval prior to the purchase.
- Each steward shall be provided with all current Acts, contracts, seniority lists, grievance forms, complaint forms which will be the property of the Local that they have on loan in order for them to perform their duties.
- Grievances must be in writing on the forms provided by the National Office and be signed by the Grievor(s), the Executive Board as provided for in the Collective Agreement.

The committee members will be the five (5) stewards. The Chief Shop Steward shall be the Chairperson of this Committee. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages.

**2) Labour Management Committee:**

- a) This Committee shall be comprised of five (5) members one of whom shall be the President of the local.
- b) The President shall be the Chairperson of the Committee

All Labour Management issues as covered by the Collective Agreement brought forth at Membership Meetings will be priority items on the next meeting's agenda. All other Labour Management issues brought forth at Membership Meetings will be priority items for the Executive Board Committee to deal with.

**3) Benefits and Pensions Committee**

- a) This committee shall be comprised of at least two (2) Members.
- b) This Committee shall meet and remain informed of all issues as they relate to pensions, health care and employment insurance benefits and related legislation/policies, which may affect the coverage and well-being of both Members and Pensioners.
- c) This committee shall assist members with filling of forms and fact finding as related to b) above.

**4) WSIB Committee**

- a) The Committee shall be comprised of at least four (4) members.
- b) The Committee shall strive to ensure fairness and justice for members injured in the workplace.
- c) Identify, evaluate and recommend a resolution for all matters pertaining to the Worker's Safety and Insurance Board.
- d) When requested by a member who has suffered a compensable injury and who requests to be represented by the Local Union, the Local Union shall provide the necessary representation in a manner prescribed by the Local Union Executive, provided that the member signs a release and an agreement.
- e) Co-operate with the Health and Safety Committee in order to report unsafe work conditions by reviewing accident frequency.

**5) Social Media Committee**

This committee will:

- The committee shall be composed of at least two (2) members



- The committee shall have administrators' privileges to the Facebook page and the Website
- The committee shall be responsible to edit and / or update the Local's Facebook page. Remove those members who are no longer with CUPE 1182 and add new members.
- The committee shall be responsible with the executive board's approval, the preparing of media releases, doing interviews with media outlets and website maintenance. This does not preclude the President from speaking to the media or doing media releases.

## **6) Committee Against Racism and Discrimination (CARD)**

This committee will:

- Advise and give guidance to Officers, committee members, and the general membership on all issues that affect all equity-seeking groups, including people of colour, Aboriginals, lesbian, gay, bi-sexual and transgendered workers in the workplace and the union movement.
- Promote leadership of equity-seeking workers at the Local Union level and in the broader labour movement.
- Increase and support the active participation of equity-seeking workers in the Local Union and the broader labour movement.
- Strive to eliminate racism and discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in human rights and anti-racism activities both in and outside of the labour movement.
- The committee members will be the elected chairperson and three (3) members. The committee shall appoint its secretary from among its members.

## **7) Health and Safety Committee**

This committee will:

- Work to educate members on the importance of workplace health and safety.
- Prepare and present reports to the regular membership meetings.
- Organize an April 28th Day of Mourning ceremony each year.
- Participate on the Joint Worksite Health and Safety Committees (JWH&SC) at their workplace.
- Ensure that the worker representatives on the JWH&SC meet separately from the employer to prepare for meetings with the employer.
- Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.
- Immediately bring to the attention of the employer any workplace hazard that has the potential to cause members' illness or injury.

- Work to eliminate all workplace hazards, be they physical, environmental, or social.
- Members of this committee should be designated as a “Certified Worker Representative” in accordance with the legislation in their respective jurisdictions (provincial, federal).
- The committee members will be the five (5) members. The Committee will elect their chairperson and its secretary from among its members.

#### **8) Bylaw Committee**

This committee will:

- Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.
- Ensure that the Local Union’s bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.
- The committee members will be four (4) elected members. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.

#### **9) Membership Support Committee**

This committee will:

- Visit members who are ill.
- If a member is ill for more than a week, arrange some token of the Local Union’s concern and desire to help, whether the member is at home or in hospital.
- Extend the Local Union’s condolences in the event of the death of a member or one of their immediate family and make other appropriate gestures in accordance with custom or the wishes of the family concerned.
- The committee members will be the chairperson and two (2) members, and one of whom shall be the Membership Officer.

#### **10) Social Committee**

This committee will:

- Arrange and conduct all social, cultural, and recreational activities of the Local Union, either on the committee's own initiative or as a result of decisions taken at membership meetings. The committee shall submit reports and proposals to the Executive Board or to the membership as required.
- A budget for the committee will be fixed annually by the membership but, other than that, all social, cultural, and recreational events and activities shall be self-supporting unless otherwise decided by vote at a membership meeting.
- The committee members will be the chairperson and four (4) members, and one of whom shall be the Treasurer of the Local.

## **SECTION 16 - COMPLAINTS AND TRIALS**

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution. (Articles B.11.1 to B.11.5)

## **SECTION 17 - RULES OF ORDER**

### **1. MEETINGS**

All meetings of the Local Union will 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 bylaws as Appendix C. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

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

## **SECTION 18 - AMENDMENTS**

### **a) CUPE Constitution**

These bylaws 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 bylaws and the CUPE Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE Constitution.

(Articles 9.2(c), 13.3 and B.5.1)

b) **Additional Bylaws**

A Local Union can amend or add to its bylaws only if:

- i. the amended or additional bylaws do not conflict with the CUPE Constitution.
- ii. 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
- iii. 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.

(Articles 13.3 and B.5.1)

c) **Effective Date of Amended or Additional Bylaws**

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 the CUPE Constitution.

(Articles 13.3 and B.5.1)

## **SECTION 19 – PRINTING AND DISTRIBUTION OF BYLAWS**

Members will receive a copy of Local 1182 bylaws, either in paper format, email or via the Local Union website at [1182.cupe.ca](http://1182.cupe.ca). Members with special needs may request a copy of the bylaws in larger font.

## **APPENDIX A**

### **RULES OF ORDER**

- 1) The President or in his absence or at this request, the Vice-President, shall take the Chair at all Membership Meetings. In the absence of both the President and Vice-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 5 (five) minutes or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution shall be limited to fifteen (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 be put.
- 4) A motion to be entertained by the presiding Officer must be moved and seconded; both mover and seconded must rise and be recognized by the Chair.
- 5) A motion to amend or amend an amendment shall be in order, but no motion to amend an 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 President Officer, be presented in writing before being put to the Local.
- 8) At the request of any Member, upon a majority vote of those present, a question may be decided when the sense will admit it.
- 9) Any Member having made a motion can withdraw it with the consent of the seconder, except that any motion, one debated, cannot be withdrawn except by a majority vote of those present.
- 10) When a Member wishes to speak on a question or 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 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 President 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 the 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 discussions shall be permitted.
- 15) The President shall take no part in debate while presiding but may yield the Chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
- 16) The Presiding Officer shall have the same rights as other Members to vote on any question. In case of a tie, he may in addition give a casting vote, or if he chooses, refrain from breaking the tie, in which case the motion is lost.
- 17) When a motion is before the Local, no other motion shall be in order except:
  - a) To adjourn
  - b) To put the previous question
  - c) To lay on the table
  - d) To postpone for definite time
  - e) To refer
  - f) To divide or amend, which motions shall have precedence in the order named. The first three (3) 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 or 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 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.
- 20) A motion to adjourn is in order except:
  - a) When a member has the floor.
  - b) When Members are voting
- 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 the same.

- 22) If any Member wishes to challenge (appeal) a decision of the Chair he must do so at the same time the decision is made. If the challenge is seconded, the Member shall be asked to state briefly the basis of 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 (2) Members who have voted in the majority may at the time or next meeting move reconsideration thereof.
- 24) No Member shall enter or leave a Meeting during the reading of the minutes, installation of Officers, or the taking of a vote, and no Member shall be allowed to leave without the permission of the President.
- 25) The Local's business and proceedings of Meetings are not to be divulged to any other person outside the Local or The Canadian Union of Public Employees.

## **APPENDIX B**

### **CUPE NATIONAL EQUALITY STATEMENT**

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

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

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

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

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

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



# APPENDIX C

## 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.

This Code of Conduct sets out standards of behaviour for participants at national convention, conferences, schools, meetings, and any other union events organized by CUPE National, Local 1182, or any other CUPE chartered body. 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 CUPE bodies. 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. A complaint shall be brought to the attention of an ombudsperson when there is one available. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
3. The ombudsperson or the person in charge will work to seek a resolution. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge. The person in charge has the authority to expel members from the event for serious or persistent offenses.
4. If the complaint involves a national 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 CUPE chartered organization, the complaint shall be referred to the person responsible for their employment.
5. If the person in charge is a party to the complaint, an alternate will be designated to assume the role.
6. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For other events, the presiding officer shall receive a report on the matter.
7. 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. For other events, the presiding officer shall consult the National President.

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

This Code of Conduct does not replace a member's right to access the trial provisions under Appendix F of the CUPE National Constitution.

## APPENDIX D

### APPENDIX D: LETTER OF INTENT TO STAND FOR OFFICERS OF THE LOCAL

I am submitting my name as I intend to stand for the position of:

President

Vice President

Secretary Treasurer

Recording Secretary

Membership Officer

Trustee (3 year)

Trustee (2 year)

Trustee (1 year)

Name (please print): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX E: LETTER OF INTENT TO STAND FOR COMMITTEES OF THE LOCAL

Whereas: I want to become involved in the Union at the Local level and,  
 Knowing: That I can stand for more than one committee

I (please print) \_\_\_\_\_

am submitting my name with the intent to stand for the following position(s):

- |                              |                          |   |                          |
|------------------------------|--------------------------|---|--------------------------|
| Stewards & Grievance         | <input type="checkbox"/> | Committee against racism & discrimination | <input type="checkbox"/> |
| Labour Management            | <input type="checkbox"/> | Social Committee                          | <input type="checkbox"/> |
| Health & Safety              | <input type="checkbox"/> | 3 yr. Trustee                             | <input type="checkbox"/> |
| Pensions / Benefits          | <input type="checkbox"/> | By-Laws                                   | <input type="checkbox"/> |
| WSIB                         | <input type="checkbox"/> | Sudbury & District Labour Council         |                          |
| Social Media Committee       | <input type="checkbox"/> | Delegates/Alternates                      | <input type="checkbox"/> |
| Membership Support Committee | <input type="checkbox"/> | Sudbury & District CUPE Council           |                          |
|                              |                          | Delegates/Alternates                      | <input type="checkbox"/> |

**SIGNATURE:** \_\_\_\_\_

**Date:** \_\_\_\_\_

# APPENDIX F MEMBERSHIP APPLICATION FORM



## APPLICATION FOR MEMBERSHIP TO CUPE LOCAL 1182

▶ Last name				First name			
▶ Address							
City			Province			Postal Code	
▶ Phone cell				Phone home			
▶ Personal Email address							
▶ Employer	EXTENDICARE YORK SUDBURY						
▶ Employer address	333 YORK ST						
City	SUDBURY		Province	ON		Postal Code	P3E 5J3
▶ Work Phone	674-4221						
▶ Classification/Department							
▶	<input type="checkbox"/> Full time <input type="checkbox"/> Part Time <input type="checkbox"/> Casual						

<b>DECLARATION</b>	
I, the undersigned:	
Apply for membership in the Canadian Union of Public Employees and its Local ____ and agree to abide by its constitution and bylaws.	
If accepted into membership, I promise to support and obey 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.	
Applicant Signature	Day/Month/Year
Witness Signature (on behalf of the union)	Day/Month/Year

# **POLICY PAPERS**

## **PREAMBLE**

Policy Papers as adopted by the membership of CUPE Local 1182 are designed to provide the Officers with the necessary guidance to effectively administer the affairs of the Local Union on a daily basis. The following Policy Papers govern the payment of remuneration, expenses for those Members responsible to carry out the business of the Local, and other related expenditures.

Policy Papers are not limited to matters of a financial nature, provided that a Policy Paper of the Local Union may cover any topic which is of interest to all Members.

These Policy Papers 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 policy papers and the CUPE Constitution the Latter shall govern. Constitutional interpretation, including determination of conflict is the prerogative of the National President.

These Policy Papers shall not be amended, added to or suspended except upon a two-thirds (2/3) majority vote of those present and voting at regular Membership meeting or special General Membership Meeting following at least seven (7) days’ notice at a previous meeting or at least sixty (60) days written notice has been given and further provided that such Policy Papers do not conflict with the CUPE National Constitution.

Changes in these Policy Papers shall not be valid or take effect until approved by the General Membership of CUPE Local 1182 and the CUPE National President.

## **Payment of Local Union Funds**

Funds can only be spent for valid purposes of the Local Union under the following circumstances:

- When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting.
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members present and voting at a regular or special membership meeting. (Article B.4.4)

## **Payment of Per Capita Tax and Affiliation Fees**

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

No Officer or member of Local 1182 will be allowed to spend any Local Union funds without first having received authorization under these bylaws.

**POLICY #1 – OUT OF POCKET EXPENSES**

1) EXECUTIVE BOARD

- a) President \$150.00 monthly
- b) Vice-President \$ 75.00 monthly
- c) Secretary-Treasurer \$125.00 monthly
- d) Recording-Secretary \$ 75.00 monthly
- e) Sergeant-At-Arms \$ 75.00 monthly

2) All Members of Standing Committees and delegates to affiliated Councils as set out below shall receive fifty (\$50.00) dollars for out-of-pocket expenses to be paid out in September annually.

- a) Special Committees
- b) Stewards & Grievance – five (5) members - Stewards will receive \$25.00 / month paid quarterly in March, June, September, and December
- c) By-Laws – four (4) members
- d) Labour Management Five (5)
- e) Health & Safety – Five (5) members
- f) Sudbury & District Labour Council – two (2) delegates and one (1) alternate
- g) Sudbury & District CUPE Council – two (2) delegates and one (1) alternate
- h) WSIB Officers – four (4) members
- i) Benefits Officers – two (2) members
- j) Social Committee – four (4) members
- k) Social Media Committee two (2) members
- l) Trustees – three (3) members
- m) Committee Against Racism and Discrimination –four (4) members
- n) Membership Support Committee – three (3) members

## **POLICY #2 FUNDING FOR DELEGATES & ALTERNATES ATTENDING UNION FUNCTION**

### 1) BASIC FUNDING:

All Members representing the Local at functions outside the City of Sudbury shall receive:

- a) An expense allowance of one hundred (\$100.00) dollars per day. Receipts may be required to be produced upon request of the Secretary Treasurer. This allowance shall also apply for travel days. Where a travel day is four hours or less the expense allowance shall be fifty (\$50.00) dollars.
- b) Delegates to conventions, conferences, and educational(s) and full day meetings held locally shall have no travel allowance. There shall be a per diem allowance of \$25.00 dollars for meals and expenses incurred by attendance at the convention, conference or educational. The Local Union will reimburse the member's employer for any loss of wages.
- c) Local 1182 will provide members with their per diem allowance prior to their attending the convention, conference, or educational.
- d) Local 1182 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educational(s).
- e) An amount equal to any loss of salary and benefits necessitated by the attendance at the event, or reimbursement to the Employer as per the Collective Agreement.

### 2) BASIC TRANSPORTATION:

- a) When air travel, train and/or bus travel is being utilized as the method of travel all delegates are encouraged to travel together where possible and receipts for travel to be reimbursed by the union after submission of receipts to the Secretary-Treasurer of the local. This travel reimbursement will only be provided to all delegates for transportation between the airport and/ or appropriate station and the Union function hotel. In addition, when air travel is used, airport improvement tax levies for transfer and exit are to be included in the allowable expenses. The Secretary-Treasurer shall be responsible to ascertain whether or not these levies apply when booking flight for delegates.

### 3) TRANSPORTATION: DELEGATE'S VEHICLE & PARKING EXPENSES:

- a) Transportation expenses shall be determined by the Board bearing in mind the most economical means. Payment shall be equivalent to that of the Ontario Division rate / kilometre for delegates using their own vehicle. Receipts are required for parking expenses and are to be submitted to the Secretary-Treasurer. Where practical the mileage allowance will be paid to one delegate / event to encourage car-pooling.



4) VEHICLE RENTAL:

- a) No more than one (1) vehicle rental per function unless prior Membership approval has been attained.
- b) Where vehicle rental is utilized, there shall be no mileage allowance shall be paid other than the actual cost of the gas and rental. Receipts must be provided.
- c) Advances for gas and rental shall be paid and determined by the Executive Board on a function-by-function basis bearing in mind the location of the function.
- d) All Delegates attending the function shall travel in the rental vehicle unless in the instance of prior Membership approval.

5) ROOM & BOARD FUNCTIONS:

- a) When a function or conference is held, and room and board is provided the expense allowance shall be fifteen (\$15.00) dollars per day.
- b) Where the Union function or conference is held in town and a meal is provided the expense allowance shall be fifteen (\$15.00) dollars per day.

6) ACCOMMODATION:

- a) Hotel accommodation shall be single occupancy except where the Delegates and/or alternates attending have mutually agreed to share a room. Accommodation shall only be paid where required and booked by the Local.

The Local Union will reimburse the member's employer for any loss of wages.

7) CHILD CARE, DEPENDENT CARE AND ELDER CARE:

- a) Delegates and/or alternates attending Union functions outside the City of Sudbury shall receive childcare expenses to offset childcare in the amount of fifty (\$50.00) dollars per day to a maximum of three hundred and fifty (\$350.00) per week. provided the child or children are minors and not attending the function where day care is provided. Receipts are required for the Local to submit for reimbursement from the CUPE Ontario or CUPE National Division.
- b) Caring for children, dependents or the elderly are barriers to actively participating in the union or to attending membership meetings. Local 1182 is committed to removing barriers within its control so that all members have equal access to participation.
- c) When it is practical and demand warrants, Local 1182 will provide on-site childcare at all Local Union membership meetings. Where on-site childcare is not provided, and in the case of dependent care or elder

care, members will be reimbursed to a maximum of \$30.00

Reimbursement will be provided upon proof of payment.

- d) Any member who is on authorized Local 1182 business shall be eligible for childcare, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum \$30.00 (in town business)
- e) Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

8) UNEXPECTED EXPENSES:

- a) Should an unexpected expense arise, request for reimbursement shall be submitted in writing to the Executive Board for approval, and receipts will be required. Recommendations will then be brought forward to the next regular Membership Meeting for approval.

9) LOCAL FUNCTIONS:

- a) With regards to functions held locally, there shall be no expense allowance for travel and parking. The expense allowance for day meetings shall be twenty-five (\$25.00) dollars per day and any loss of salary and benefits shall be provided as outlined.

**POLICY 3 – NO SMOKING POLICY**

There shall be no smoking / vaping allowed within the hall during any meeting of Local 1182.

**POLICY 4 – NON-ATTENDANCE AT UNION FUNCTIONS**

Any person who does not attend the function for which the Local is paying per diem, lost wages etc. shall forfeit the right to be at any function at the Local's expense for a period of one (1) year. The Members shall be notified at the next regular Membership Meeting of the member's name and particulars of the absence.

**POLICY 5 – COMPLAINTS**

Whereas when elected to a position by the membership and.

Whereas the elected position requires your full attendance and participation in all function of the Committee or elected body.

Therefore, upon a complaint submitted in writing to the President, those people(s) performance will be reviewed and brought to the attention of the membership for due process by the President.

**POLICY 6 – LEAVE OF ABSENCE SIGNING AUTHORITY**

No Officer or Member of the Union shall be authorized to approve a request for a Union Leave of Absence for him/herself.

**POLICY 7 - GOOD OF THE UNION**

– DEATH BENEFIT

Upon the death of a current Member of the Local Union, the Treasurer shall pay the legal estate of the deceased member three hundred (\$300.00) dollars.

Upon the death of a former member of CUPE Local 1182 the Local Union shall provide a gesture of a donation to an organization of the family’s choice. Such donation shall not exceed twenty-five (\$25.00) dollars. The Secretary-Treasurer will arrange for such gesture.

– BEREAVEMENT GESTURE

Upon the death of a member or upon the death of a member’s spouse, children or parents, mother-in-law or father-in-law, the Local Union shall provide a gesture of a donation to an organization of the family’s choice. Such donation shall not exceed twenty-five (\$25.00) dollars. The Secretary-Treasurer will arrange for such gesture.

– RETIREMENT BENEFIT

Every member at the time of retirement (age 55 or greater) shall be entitled to a retirement gift from the Local Union in the amount of three hundred (\$300.00) dollars. Every member who leaves the employ of the Home with twenty-five (25) years of service or greater shall receive a gift from the Local Union in the amount of three hundred (\$300.00) dollars.

--SERVICE RECOGNITION GESTURE

Current member(s) who have by Date of Hire has attained in the calendar year receive a recognition of long service to the Local paid in November as prescribed below:

30 years of Service	Seventy-five (\$75.00) dollars
35 years of Service	One Hundred (\$100.00) dollars
40 years of Service	One Hundred & fifty (\$150.00) dollars
45 years of Service	Two Hundred (\$200.00) dollars

## -- FINANCIAL APPEALS

The Local throughout the year will receive numerous requests for financial assistance regarding personal / financial appeals that cover a varied group of affiliates and non-affiliates of CUPE. The executive board may, at their discretion, provide the following assistance:

- Fifty (\$50) to all CUPE locals in the Sudbury & District
- Twenty-five (\$25.00) to all CUPE locals
- Twenty-five (\$25.00) to all other non-affiliates / organizations / strike appeals

Delegates to union functions shall have the authority to pledge on behalf of the local a maximum of one hundred (\$100.00) dollars to cover all appeals and donations requested from the delegation. The Delegates shall report to the Secretary-Treasurer any pledges in order that payment be made.

## **POLICY 8 – RETIREE MEMBERS**

Recognizing retirees provide invaluable resources to locals. Local 1182 retirees shall:

- 1) Have the right to have opinions heard and respected
- 2) To support the work of the Union
- 3) Support the Local's initiatives and political advocacy /lobbying work
- 4) Communicate the Local's events and information to retired members
- 5) May attend membership meetings with voice but no vote
- 6) Retirees are ineligible to run for office
- 7) To be active participants on the Social, CARD, and Membership support committees with voice but no vote
- 8) Retirees may be a Retiree Delegate on behalf of Local 1182 to the Sudbury & District CUPE Council and the Sudbury & District Labour Council as determined by the executive board.

## **POLICY 9 - CREDIT CARD POLICY**

The Local 1182 Credit Card was introduced as an alternative purchasing and payment mechanism to improve payment performance, simplify clerical processes, provided more effective cash management and better service delivery for your members. The card system is specifically intended for, but not restricted to, use in conducting all out-of town union business.

Benefits to the local and its members will be:

- Faster receipt of goods and services
- Increased flexibility
- Less reliance on cash and/or cheques
- Prompt and reliable recording of financial transactions

## **CREDIT LIMIT**

The credit limit on the Local 1182 credit card has been set at \$5,000 and determined based on the largest monthly expense for travel and accommodations anticipated in the year it was implemented.

## **AMENDING THE EXISTING CREDIT LIMITS**

Proposed amendments to the existing credit limit shall be identified by the cardholders and brought to the Executive and the membership for approval.

## **RETENTION AND USE OF THE CREDIT CARD**

The Local shall retain 3 copies of the credit card.

The President, Vice-President and Secretary-Treasurer shall be the only authorized persons to use the credit card and sign on behalf of the Local and its members.

Each of the 3 credit cards shall be issued in the name of the Local, as well as indicate the name of the executive member holding the card, for increased accountability.

When the executive positions within the Local change person, the signing authority and responsibility of the credit card shall immediately change. The card issued in the exiting executive member's name shall be immediately submitted to the Local and immediately destroyed. A new card shall be issued in the newly elected executive member's name.

The use of the credit card shall be limited to the following transactions:

- hotel/accommodations;
- airline reservations and payment;
- ground transportation including bus service, car rental, shuttles, taxi, etc.;
- fuel;
- booking facilities for union functions;
- Local operational expenses

An expense voucher shall be submitted for all charges on the credit card and a receipt shall be included. Where a member does not submit a receipt, the amount charged on the credit card shall be deducted from any future expense claims of that member until that amount is repaid.

## **MISUSE**

The Local 1182 credit card shall not be used for any personal purchases or financial transactions whatsoever.

The Local's Executive members shall have the authority to cancel/terminate usage of the credit card where misuse is suspected/determined.

**ACCOUNTABILITY**

The Secretary-Treasurer shall make available all transaction records and monthly statements of the credit card available to the trustees for the bi-annual audits.

These By-Laws were presented to and voted on at the June 27, 2022, membership meeting. All amendments were passed unanimously.

DATE SUBMITTED FOR APPROVAL: August 29, 2022

EFFECTIVE DATE: September 8, 2022

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