



**By-Laws
CUPE Local
2998
&
2998-01**

Approved by L2998 Membership May 15th, 2014

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PREAMBLE

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

The following Bylaws are adopted by the Local pursuant to, and to supplement, Appendix "B" of the CUPE Constitution, to safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

COMPOSITION

LOCAL 2998 **APPLEGROVE COMMUNITY COMPLEX**
CECIL COMMUNITY CENTRE
CENTRAL EGLINTON COMMUNITY CENTRE
COMMUNITY CENTRE 55
EASTVIEW NEIGHBOURHOOD COMMUNITY CENTRE
~~**HARBOURFRONT COMMUNITY CENTRE**~~
WATERFRONT NEIGHBOURHOOD CENTRE
RALPH THORNTON COMMUNITY CENTRE
SCADDING COURT COMMUNITY CENTRE
SWANSEA TOWN HALL
~~**THE 519 CHURCH ST. COMMUNITY CENTRE**~~

LOCAL 2998 –01 **UNIVERSITY SETTLEMENT**

SECTION 1 – NAME

The name of this Local shall be: **Canadian Union of Public Employees Local No. 2998**

SECTION 2 – OBJECTIVES

The objectives of the Local are to:

- (a) Secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all active and retired workers;
- (b) support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- (c) provide an opportunity for its members to influence and shape their future through free democratic trade unionism;

- (d) encourage the settlement by negotiation and mediation of all disputes between the members and their employers;
- (e) establish strong working relationships with the public we serve and the communities in which we work and live.

SECTION 3 – INTERPRETATION AND DEFINITIONS

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

SECTION 4 – MEMBERSHIP MEETINGS – Regular and Special

- (a) Regular membership meetings shall be held quarterly ~~during the 2nd week of the month.~~ The Executive Board shall give ~~one (1) months~~ **advanced, at least 14 days advanced** notice of the date of the regular meeting and location. The Meeting shall not take place on a statutory or faith based holiday. (every effort shall be made to accommodate every faith represented)
- (b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than twenty-five (25) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours notice of the special meeting and the subject (s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- (c) A quorum for the transaction of business at any regular or special meeting shall be ten (10) members, including at least two (2) Table Officers. Quorum shall require representation from a minimum of three different community Centres.
- (d) The order of business at regular membership meetings is as follows once the meeting is called to order:
 - 1. Roll call of Officers

2. Reading of the Equality Statement – *per 2009 National Convention*
3. ~~Voting on new members and Initiation~~ **Swearing in of new members.**
4. Reading of Minutes
5. Matters arising
6. Treasurer's report
7. Communications and bills
8. Executive ~~Committee~~ **Board** report
9. Reports of committees and delegates
10. Nominations, Elections, or Installations
11. Unfinished business
12. New business
13. Good of the Union
14. Adjournment

(Article B.VI)

SECTION 5 – VOTING OF FUNDS

Except for ordinary expenses and bills as approved at membership meetings, no sum over five hundred dollars (\$500.00) shall be voted for the purpose of a grant or contribution to a member or any cause outside CUPE, except by a notice of motion given in writing thirty (30) days prior to the following membership meeting.

(Article B.4.4)

SECTION 6 – OFFICERS

The officers of the Local shall be the President, First Vice-President, Second Vice-President, Secretary-Treasurer, Recording Secretary, Chief Steward, **Membership Officer**, three (3) Trustees, and the site stewards. All Executive Board Officers shall be elected by the membership as a whole. Site stewards will be elected by the members within their respective Community Centres.

*(Articles B.2.1 & **B.2.2**)*

SECTION 7 – EXECUTIVE BOARD

- 7.1 (a) The Executive Board shall comprise all officers, except Trustees and site stewards.

(Article B.2.2)

(b) The Executive Board shall meet at least once every month. The Meeting shall not take place on a statutory or faith based holiday. (every effort shall be made to accommodate every faith represented)

(Article B.3.14)

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

(d) The Executive officers shall hold title to any real estate of the Local

as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved.

(e) The Executive Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.

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

(Article B.11.1 to B.11.5)

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

SECTION 8 – DUTIES OF OFFICERS

All Officers authorized to sign on behalf of the Local Union or other chartered organization, shall be properly bonded with a faithful performance of duty bond. Persons unable to qualify for the bond shall be prohibited from having signing authority. Bonding amounts shall conform to the minimum guidelines as 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 Article 9.3 (k).

(a) The President shall:

- Enforce the CUPE Constitution and these bylaws;
- preside at all membership, Council and Executive Board meetings and preserve order;
- decide all points of order and procedure (subject always to appeal by the membership);
- have a vote on all matters (except appeals against his rulings) ~~and in case of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie;~~
- ensure that all officers perform their assigned duties;
- fill committee vacancies where elections are not provided for;
- introduce new members and conduct them through the initiation ceremony;
- sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, bylaws, or vote of the membership;
- have first preference as a delegate to the CUPE National Convention.
- On termination of office surrender all books, seals and other properties of the local to his successor.

(b) The First Vice-President shall:

- If the President is absent or incapacitated, perform all duties of the President;
- If the office of President falls vacant, be Acting President until a new President is elected;

- Render assistance to any member of the Board as directed by the Board.
- Have signing authority.
- On termination of office, surrender all books, seals and other properties of the local to his successor.

(Article B.3.2)

(c) The Second Vice-President shall:

- Second Vice-President must come from University Settlement;
- ~~Guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the President and by consent of the members present;~~
- ~~Assist in maintaining the record of membership attendance at meetings;~~
- Perform such other duties as may be assigned by the Board from time to time.
- ~~Second Vice-President shall act as Sergeant of Arms at membership meetings.~~
- On termination of office, surrender all books, seals and other properties of the local to his successor.
- **Same as duties of first vice-president.**

(d) The Recording Secretary shall:

- Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership

meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.

- ~~• Keep full, accurate and impartial account of the proceedings of all regular or special membership and Board meetings. **These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will include all Trustee's reports;** ensuring that these records include a copy of the full financial report presented by the Secretary-Treasurer;~~
- record all alterations in the bylaws;
- answer correspondence and fulfill other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to members;
- have all records ready on reasonable notice for Auditors and Trustees;
- preside over membership and Board meetings in the absence of both the President and the Vice-Presidents;
- be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
- on termination of office, surrender all books, seals and other properties of the Local to his successor.

(Article B.3.3)

(e) The Secretary-Treasurer shall:

- ~~• The Secretary-Treasurer shall be responsible for keeping all financial accounts of the Local Union and shall be responsible for maintaining correct and proper accounts of all its members. Maintenance of the financial accounts of the Local Union shall require that the Secretary-Treasurer, throughout his/her term, and on behalf of the~~

~~Local Union membership, be responsible for maintaining, organizing, safe guarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE National Headquarters, as well as records and supporting documents for all income received by the Local Union. The Secretary Treasurer shall ensure that all funds owing to CUPE National be sent by the last day of the following month.~~

- ~~• sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, bylaws, or vote of the membership and in the event of a prolonged absence, in consultation with the Executive Board, designate a signing officer to act on their behalf;~~
- ~~• The Secretary Treasurer shall regularly make a full financial report to meetings of the Local's Executive Board, as well as a written financial report to each regular membership meeting, detailing all income and expenditures for the period. It shall be the duty of the Secretary Treasurer to keep on file all receipts for money sent to the Canadian Union of Public Employees Headquarters during the year. throughout his term, and on behalf of the Local Union membership, be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE headquarters, as well as records and supporting documents for all income received by the Local Union;~~
- ~~• The Secretary Treasurer shall submit the Local's books and records to the Trustees for audit at least once each calendar year, and in addition to providing all books, records, invoices, other supporting documents, and original bank statements, must also furnish the Trustees with a letter from the bank(s) where the funds of the Local Union are deposited, attesting to the amount to the credit of the Local Union at such bank(s). The Secretary Treasurer must, within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees in accordance with Article B.3.12.~~
- ~~• The Secretary Treasurer shall forward to the National Secretary Treasurer of the Canadian Union of Public Employees, on the official monthly report forms provided, not later than the last day of each month, all financial~~

~~obligations for the previous month owing to the Canadian Union of Public Employees. The Secretary Treasurer shall forward (\$1.00) of each initiation fee on all members admitted (except for those named on the list forwarded with the application for a charter) along with the per capita tax on all dues received by the Local Union. The report should also set out the number of those initiated, reinstated, suspended and expelled and the number of members on whom per capita is being paid.~~

- ~~• At the end of his/her term of office, the Secretary Treasurer shall turn over to his/her successor, all properties and assets, including funds, books and records belonging to the Local Union. Any Secretary Treasurer who cannot qualify for a bond shall immediately be disqualified from office and the Local Union shall proceed with the election of another Secretary Treasurer.~~
- **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.**
- **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.**
- **Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.**
- **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.**
- **Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.**

- **Make a full financial report to meetings of the Local Union's Executive Board.**
- **Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.**
- **Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.**
- **Pay no money unless supported by a cheque requisition or expense form 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.**

(f) The Chief Steward shall:

- Act as the Executives representative to work with, coordinate and when necessary, perform the duties of Site Stewards in each of the Centres.
- When necessary participate in matters relating to grievances, arbitrations, WSIB and OLRB hearings.
- When necessary assist Site Stewards in negotiating and settling disputes between members, member(s) and the Employer.
- Participate in Labour Management Meetings.
- Be a member of the Grievance Committee as outlined in these by-laws.
- Coordinate educational opportunities for Site Stewards
- Ensure that ~~she/he is~~ **they are** acquiring the necessary training to carry out the duties of a Chief Steward.
- Give a report at each General Members meeting.
- Other duties as may be requested.

(Articles B.3.4 to B.3.9)

(g) The Trustees shall:

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

(Articles 3.10 to B.3.12)

(h) The Membership Officer: NEW

- **Guard the inner door at all membership meetings and admit no one but members in good standing or official of CUPE, except on the order of the President and with consent of the members present;**
- **Assist in maintaining the record of membership attendance at meetings.**
- **Obtain the names of new members and provide such names to the President or presiding Chair. The President or Presiding Chair shall introduce and conduct such candidates through the initiating ceremony.**
- **Perform such other duties as may be assigned by the Executive Board from time to time.**
- **Be empowered to contact any outgoing Executive Office and recover any Union Property.**

SECTION 9 – DUTIES OF OTHER ELECTED POSITION

The Site Steward shall:

- (a) Act as the Union's representative, may request the aid of any member in their respective bargaining unit at the workplace and shall ensure that grievances are filed if the Employer fails to comply with the terms of the Collective Agreement.
- (b) Report on all grievances to the Grievance Committee as well as investigate such grievances, providing documentation to the Grievance Committee.
- (c) Attend the bi-monthly Council Meeting.

9.02 COUNCIL DESCRIPTION AND DUTIES

- (a) COUNCIL DESCRIPTION: The Council shall be comprised of all Site Stewards and the Executive Board.
- (b) The Council shall be comprised of one(1) voting steward from each Centre. Alternates, where a Centre has more than one (1) elected steward may attend Council meetings. Where the alternate is the only representative from ~~her/his~~ **their**

Centre, ~~she/he~~ **they** will be entitled to voice and vote. Where the Alternate is in addition to the Centre's voting Steward, ~~she/he~~ **they** will have voice, but no vote.

- (c) ~~Meetings will be held during the second week of every other month. These meetings will not be held in those months coinciding with General Membership Meetings.~~ The Executive Board shall give ~~one (1) months~~ **14 days advanced** notice of the date of the regular meeting and location. The Meeting shall not take place on a statutory or faith based holiday. (every shall be made to accommodate every faith represented)
- (d) Quorum shall consist of four (4) voting Council members.
- (e) The President or ~~her/his~~ **they** designate shall chair Council meetings.
- (f) Any unfinished business will be referred back to the Executive Board for action, provided there is a report back to the next Council meeting of the disposition of such business.
- (g) The Council Members shall:
- Be a member of the Grievance Committee as outlined in these bylaws.
 - Represent the membership at their Centre.
 - Give ~~a~~ **an** update of their Centre's concerns and activities at each meeting. If unable to attend a Council meeting, provide the President with an update to give on the Centre's behalf.
 - Perform other duties as may be requested by the Executive Board.

SECTION 10 – OUT-OF-POCKET EXPENSES

~~(a) Executive Board Members will receive an honorarium of six hundred dollars (\$600.00) per year per year~~ **two hundred dollars (\$200.00) a month and one hundred dollars (\$100.00) for everyone else** to cover out of pocket expenses. Meal and travel allowance will be paid by

the local for those who attend business on behalf of the local. ~~Other expenses can be submitted for consideration. Some expenses are to be supported by receipts.~~

(b) All mileage incurred on official Union business, excluding membership meetings, shall be reimbursed to each committee member, officer and steward attending as per the rate set by the CRA (Canada Revenue Agency).

(c) Schedule of expenses:

i. The following schedule of expenses shall be provided to each officer, payable monthly.

President	\$200.00	Monthly
First Vice-President	\$150.00	Monthly
Second Vice-President	\$150.00	Monthly
Chief Steward	\$125.00	Monthly
Secretary-Treasurer	\$100.00	Monthly
Recording Secretary	\$100.00	Monthly
Membership Officers	\$100.00	Monthly

(d) All executive member officers will receive \$65.00 dollars towards their cell phone bill upon submission the Secretary-Treasurer.

(e) All parking fees incurred on official Union Business shall be reimbursed upon submission of receipt to the Secretary-Treasurer.

SECTION 11 – FEES, DUES, AND ASSESSMENTS

(Articles B.4.1 & B.8.2)

(a) Monthly Dues

~~Effective January 1, 2013, the monthly dues shall be 1.50%~~

~~Effective January 1, 2014, the monthly dues shall be 1.75%~~

~~Effective January 1, 2015, the monthly dues shall be 2%~~

Changes in the levels of the Initiation Fee, or the Monthly Dues can be effected only by following the procedure for amendment of these bylaws (see section 15), with the additional provision that the vote must be by secret ballot.

(Articles B.4.1 & B.4.3)

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

All new members shall be assessed an Initiation Fee of \$1.00, or such higher amount as may be decided on by the membership, so long as that amount does not exceed \$10.00. Any persons seeking readmission into the Local shall be assessed a Readmission Fee of \$1.00, or such higher amount as may be decided on by the membership, so long as that amount does not exceed \$10.00.

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

(b) Non-Payment of Dues and Assessments

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

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)

SECTION 12 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) *Nominations*

- ~~1) Notice of call for nominations shall be distributed to the membership at the beginning of September. Nominations shall be received by the Recording Secretary by 8:00 pm on the eve of the elections.~~
- ~~2) To be eligible for nomination a member shall have attended at least fifty percent (50%) of the membership meetings held in the previous twelve (12) months or in the period he was a member, if less than one (1) year, unless a valid reason, acceptable to the Local, is given for non-attendance by the next membership meeting.~~
- ~~2) Any member nominated under this section shall be in attendance at the nomination meeting to accept such nomination, or will have filed with the Recording Secretary, by the prescribed date, a written letter indicating that should they be nominated for a particular position, they will stand for such nomination. No nomination shall be accepted 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. No member shall be eligible for nomination if he is in arrears of dues and/or assessments.~~
- 1) At least fourteen (14) days' notice shall be given to members of all nominations meetings and election arrangements, either by newspaper advertisement, mail, electronic mail or bulletin boards.**
- 2) Nominations will be received for the Executive Board Officers every two (2) years, starting in 2019, at the regular membership meeting held in the month of April. Nominations shall be declared closed at the adjournment of the May membership meeting.**
- 3) Nominations will be accepted from members in attendance at the nomination meeting or from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member.**

- 4) An all candidates forum may be held following the close of nomination meeting as determined by the Election Committee.
- 5) 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.
- 6) No member will be eligible for nomination if they are in arrears of dues and/or assessments.

~~(b)~~ — Election

- ~~(1) At a membership meeting at least one (1) month prior to Election Day the President shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant (s). The committee shall include members of the Local who are neither officers nor candidate for office, it shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.~~
- ~~(2) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.~~
- ~~(3) The Returning Officer shall be responsible for issuing, collecting, and counting ballots. He m **Must** be fair and impartial and see that all arrangements are unquestionably democratic.~~
- ~~(4) The voting shall take place at the regular membership meeting in October, with a two (2) hour voting period before 2pm and a two (2) hour voting period after 5pm. The vote shall be by secret ballot.~~
- ~~(5) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.~~
- (5) **(1)** The First Vice-President shall **will** come from Local 2998 and the Second Vice-President shall **will** come from Local 2998-01 (University Settlement).

- ~~(6) A majority of votes cast shall **will** 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.~~
- ~~(7) When two or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.~~
- (8) **(2)** Any member may request a recount of the votes for any election and a recount shall **will** be conducted if the request is supported, in a **majority** vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Section 4(c).
- (3) The vote will be by secret ballot.**
- (4) To ensure that all elections are fair and democratic, the Election Committee will conduct such elections at voting sites throughout Toronto that are accessible by all members, including shift workers, with sufficient time to enable all members to vote.**
- (5) The Committee will determine the voting sites and form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.**
- (6) The Returning Officer will be responsible for issuing, collection, and counting ballots. The Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.**
- (7) 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.**
- (8) Candidates may not accept nominations for more than one (1) position. Once a candidate stands for election to any position, he/she shall automatically be deemed to decline all subsequent nominations.**

- (9) Every nominee who stands for election shall have the right to appoint one (1) scrutineer to attend and witness the balloting process on the election day. The scrutineer's availability on the election day is solely the responsibility of the nominee and shall not affect the election proceedings.
- (10) The candidates with the largest number of votes cast in their favour shall be declared elected. In case of a tie vote, the president officer may cast the deciding vote or call for a revote.
- (11) Immediately following the closing of voting, the Returning Officer and Assistants shall proceed to count the ballots. Upon completion of same, the Returning Officer shall notify the President that the report is ready and this report shall be made under the CUPE Constitution.

(c) Installation

- i. All duly elected officers shall be installed at the meeting at which elections are held and shall continue in the office for two years or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three years.
- ii. The terms of office for Trustees shall as be laid down in Article B.2.4 of the CUPE Constitution.

(d) By-Election

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

SECTION 13 – DELEGATES TO CONVENTIONS

- (a) Except for the President's option (section 8 (a)), all delegates to conventions shall be chosen by election at membership meetings.
- (b) All delegates elected to the conventions held outside the City of Toronto shall be paid transportation expenses (at economy, tourist or coach rates), a per diem allowance of ~~seventy one dollars (\$71.00)~~ **seventy five dollars (\$75.00)** per for expenses, and an

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

- c) Representation at educational institutes and seminars shall be on the recommendation of the Executive Board, subject to final approval by the Council. There shall be a per diem of thirty-five dollars (\$35.00) for functions in the Greater Toronto Area.

SECTION 14 – COMMITTEES

Negotiating Committee

This shall be a special ad hoc committee established at least ~~three (3) months~~ **six (6) months** prior to the expiry of the Local's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee for local 2998 shall consist of a maximum of five (5) members including the President; Local 2998-01 shall consist of a maximum of five (5) members including the second (2nd) **President or designate**, Vice President, all elected at a membership meeting. The CUPE representative assigned to the local shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

Special Committee

A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two (2) members of the Board may sit on any special committee as ex-officio members.

Grievance Committee

This Committee shall process all grievances not settled through the grievance procedure as set out in the Collective Agreement. The committee will be comprised of the Executive Committee and the Council. The Grievance Committee will make the determination as to whether an unresolved grievance proceeds to arbitration. All recommendations will be in consultation with the National Servicing Representative. Should the Grievance Committee not support a grievance being referred to arbitration, the grieving member shall have the right to appeal to the Executive Board at the next regularly scheduled,

or specially convened, Executive Board meeting. The decision in such case of the Executive Board shall be final and binding.

The Grievance Committee shall produce grievance reports to be presented to the Executive Board, the CUPE National Representative, and to the membership.

Bylaw Committee – NEW

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 the elected chairperson and a maximum 4 members.

The committee shall appoint its secretary from among its member. 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.

SECTION 15 – AMENDMENT

1. 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. Constitutional

interpretation, including determination of conflict, is the prerogative of the National President.

2. These bylaws shall not be amended, added to, or suspended except upon the majority vote of those present and voting at a regular or special membership meeting following ~~seven (7)~~ **fourteen**

(14) days notice at a previous meeting or at least sixty (60) days written notice.

3. No change in these bylaws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

RULES OF ORDER

1. The President or, in his absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and Vice-President, the Recording Secretary shall act as President, and in his absence a President pro-tem shall be chosen by the Local.
2. No member, except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than five minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.
3. The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
5. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.
6. On motion, the regular order of business may be suspended by a two-thirds vote of those present, to deal with any urgent business.
7. All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
8. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.

9. Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
10. When a member wishes to speak on a question or to make a motion, he shall rise in his place and respectfully address the presiding officer, but, except to state that he rises to a point of order or on a question of privilege, he shall not proceed further until recognized by the chair.
11. When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
12. Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Local or member thereof.
13. If a member, while speaking, is called to order, he shall cease speaking until the point is determined; if it is decided he is in order, he may again proceed.
14. No religious discussion shall be permitted.
15. The President shall take no part in debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
16. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he may in addition give a casting vote, or, if he chooses, refrain from breaking the tie, in which case the motion is lost.
17. When a motion is before the Local, no other motion shall be in order except (1) to adjourn (2) to put the previous question (3) to lay on the table (4) to postpone for a definite time (5) to refer (6) to divide or amend, which motions shall have precedence in the order named. The first three of these shall be decided without debate.
18. A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment

- is adopted, the original resolution, as amended, shall be put to the Local.
19. A motion to adjourn is in order except (1) when a member has the floor, and (2) when members are voting.
 20. A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.
 21. After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.
 22. If any member wishes to challenge (appeal) a decision of the chair, he must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for his challenge. The Chairperson may then state briefly the basis for his decision, following which the Chairperson shall immediately and without debate put the question: "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie the chair is sustained.
 23. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
 24. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Vice-President.
 25. The Local's business, and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

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.

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