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# Bylaws Local Union 1882

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*Updated for Oct.8, 2024*

**CUPE** / Canadian Union  
of Public Employees

# CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 1882

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# CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 1882

## PREAMBLE

In order to improve the social and economic welfare of its members without regard to sex, 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 1882 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" (Bylaws Governing Chartered Organizations) 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.

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## SECTION 1 – NAME

The name of this Local shall be: Canadian Union of Public Employees, Local No. 1882 (Clerical & Technical employees of the City of Cambridge).

## SECTION 2 – OBJECTIVES

The objectives of the Local are to:

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

## SECTION 3 – INTERPRETATION & DEFINITIONS

Masculine pronouns shall be understood to include the feminine gender.

Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the current CUPE Constitution (~~2001~~) which should be read in conjunction with these Bylaws.

## SECTION 4 – MEMBERSHIP MEETINGS – REGULAR AND SPECIAL

- (a) Regular membership meetings shall be held each month on the second Tuesday at 4:45 pm, with the exception of July and August; **no regular membership meetings will occur over the summer months. In the event of a meeting time change, or if** a statutory holiday intervenes, the Executive Board shall give a week's notice of any change in the date **and time** of the regular meeting.
- (b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than 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 6 members, including at least three (3) members of the Executive Board.
- (d) The order of business at regular membership meetings is as follows:
  - 1. Acknowledgment of Indigenous territory
  - 2. Roll Call of Officers
  - 3. Reading of the Equality Statement
  - 4. Voting on new members and initiation
  - 5. Reading of Minutes
  - 6. Matters arising from the minutes
  - 7. Treasurer's Report
  - 8. Communication and Bills
  - 9. Executive Board Report
  - 10. Reports of Committees and Delegates
  - 11. Nominations, Elections, or Installations
  - 12. Unfinished Business
  - 13. New Business
  - 14. Good of the Union
  - 15. Adjournment.

~~(Article B.6.1)~~

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- ~~(e) Monthly draw will be \$25.00 with only members present at the meeting being eligible. **The Executive may choose to have a monthly draw of Union related merchandise valued under \$100.**~~
- ~~(f) Monthly draw will be \$25.00 progressive membership draw from the list of eligible members. Members must be present to collect. If members is not in attendance, money will go back into the pot for the next meeting).~~
- (e) Depending on the nature of the item, the voting method for a virtual or in-person meeting will be by an appropriate, secure, voting method determined by the Executive. In some cases, such as a ratification of a Collective Agreement, the voting method may be conducted in person, by secret ballot.**

### SECTION 5 – VOTING OF FUNDS

Except for ordinary expenses and bills as approved at membership meetings, no sum over \$100.00 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 and dealt with at the following membership meeting.

(Article B.4.4)

The funds of the local union shall not be divided, donated, or disbursed in whole or in part among individual members of the union. These funds can only be used for valid local union purposes in keeping with the intent of the National Constitution.

(Article B.4.4)

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## SECTION 6 – OFFICERS

The Officers of the Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, Chief Steward, three (3) Executive-at-Large members, Sergeant at Arms, and Trustees. All Officers shall be elected by the membership.

(Articles B.2.1 and B.2.2)

## SECTION 7 – EXECUTIVE BOARD

(a) The Executive Board shall consist of the President, Vice-President, Secretary-Treasurer, Recording Secretary, Chief Steward and three (3) Members-at-Large.

(Article B.2.2)

(b) The Board shall meet at least once every month.

(Article B.3.14)

(c) A majority of the 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 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.

(Appendix F)

(g) Should any Board member fail to answer the rollcall for three (3) consecutive regular membership meetings or three (3) 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.

(Article B.2.5)

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## SECTION 8 – DUTIES OF OFFICERS

All Officers must give all properties, assets, funds, and all records of the Local Union to their successors at the end of their term of office. All signing Officers of Local 1882 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.

(a) The President shall:

- enforce the CUPE Constitution and these Bylaws;
- preside at Executive Board meetings and at all membership meetings and preserve order;
- decide all points of order and procedure (subject always to appeal to 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;
- be allowed necessary funds, not to exceed \$25.00 monthly, to reimburse himself or any officers for expenses, supported by vouchers, incurred on behalf of the Local;
- have first preference as a delegate to the CUPE National Convention, Ontario Division Convention and the Ontario Municipal Employees Co-ordinating Committee.

(Article B.3 1)

(b) The 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.

(Article B.3.2)

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(c) The Recording-Secretary shall:

- keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports;
- record all alterations in the Bylaws;
- answer correspondence and fulfill other secretarial duties as directed by the Board;
- prepare and distribute all circulars and notices to members;
- file a copy of all letters sent out and keep on file all communications;
- 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-President;
- 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)

(d) The Secretary-Treasurer shall:

- 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;
- ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National percapita 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 moneysent 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 Board and in accordance with good accounting practices;
- 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;
- make a full financial report to meetings of the Local union Executive Board;

Approved by National [TBD]

Submitted to National for Approval [TBD]

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- make a written financial report to each regular membership meeting, detailing all income and expenditures for the period;
- be bonded for not less than \$500.00 (or any greater sum as may be decided at a membership meeting, taking into account the assets of the Local and the amount of cash and cheques handled by the Secretary-Treasurer) through the master bond held by the National office, and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
- pay no money unless supported by a voucher duly signed by the President and one other member of the Board or any two other members of the Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- make all books available for inspection by the auditors and/or Trustees on reasonable notice. Ensure that the books are audited semi-annually and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees;
- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- be empowered, with the approval of the Membership, to employ necessary clerical assistance to be paid for out of the Local's funds;
- notify all members who are one month in arrears and report to the Board all members two or more months in arrears in the payment of union dues;
- on termination of office, surrender all books, records, and other properties of the Local to his successor.

(Articles B.3.4 to B.3.8)

(e) 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 Committees semi-annually;
- 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;

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- inspect at least twice 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;
- use audit forms supplied by the National Office and send a copy of each half-yearly audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution.

(Articles B.3.10 to B.3.12)

(f) The Sergeant-At-Arms shall:

- guard the inner door at **virtual or in-person** 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.

(g) The Chief Steward shall:

- be responsible for meeting with stewards once a month
- be Chairperson of the Grievance Committee
- assist other stewards if needed
- attend grievance meetings from second step until completion
- inform membership at regular monthly meetings of all grievances and their results

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## SECTION 9 – OUT-OF-POCKET EXPENSES

The following expense allowance shall be provided:

President	\$225.00 per year
Vice-President	\$225.00 per year
Recording Secretary	\$225.00 per year
Secretary Treasurer	\$225.00 per year
Chief Steward	\$225.00 per year
Trustees	\$25.00 per audit

Out of pocket expenses: \$100.00 per month for President and \$75.00 per month for other Executive Board Members as per Section 7A.

## SECTION 10 – FEES, DUES AND ASSESSMENTS

### ~~(a) Initiation Fee~~

~~Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee of \$1.00 dollar which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned:~~

~~(Articles B.4.1 & B.8.2)~~

### ~~(b) Readmittance Fee~~

~~The readmittance fee shall be \$1.00.~~

~~(Article B.4.1)~~

### ~~(c)~~ (a) Monthly Dues

The monthly dues shall be 1.65% of gross pay.

(Article B.4.3)

Changes in ~~the levels of the Initiation Fee, the Readmittance Fee, or the Monthly Dues~~ can be affected only by the following procedure for amendment of the Bylaws (see Sect. 16) with the additional provision that the vote must be by secret ballot.

(Article B.4.1 & B.4.3)

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~~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.~~

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

### **SECTION 11 – NON-PAYMENT OF DUES AND ASSESSMENTS**

Any member in arrears for a period of three (3) 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~~ assessment 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, and to include maternity or paternity leave, he/she ~~shall pay the readmittance fee, but~~ may not be required to pay his arrears.

(Article B.8.6)

## **SECTION 12— NOMINATION ELECTION & INSTALLATION OF OFFICERS**

**(a) Nomination**

Nominations shall be received at the regular membership meeting held in the month of September. ~~To be eligible for nomination, a member shall have attended at least fifty percent of the membership meetings held in the previous twelve months, unless a valid reason, acceptable to the Local, has been given for non-attendance.~~ No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting his 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.

**(b) Elections**

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 candidates for office. It shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
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 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. The vote shall be by secret ballot.
5. Voting to fill one office shall be conducted and completed and recounts dealt with, before balloting may begin to fill another office.
6. A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken, if necessary, to obtain a majority. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In case of a final tie vote, the presiding officer may cast the deciding vote.

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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 member of candidates to be elected or the member's ballot will be declared spoiled.
8. Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Section 4 (c)

### (c) **Installation and Offices**

1. All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for two (2) years or until a successor has been elected and installed, provided, however, that NO term of office shall be longer than three (3) years

(Article B.2.4)

- i. 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.**

### (d) **By-Elections**

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 the Executive Board.
- (b) Delegates to the CUPE District Council shall be elected annually. An official reporter for these delegates shall be appointed annually by the President from among these delegates, and he shall be required to report at each membership meeting of the Local on proceedings at recent meetings of the Council.
- (c) All delegates elected to the conventions and conferences held outside the Region of Waterloo shall be paid transportation expenses (at economy, tourist or coach rates), a per diem allowance of \$75.00 for expenses, and an amount equal to any loss of salary incurred by attendance at the convention.
- (d) Delegates to conventions held locally shall have no travel allowance. There shall be a per diem allowance of \$37.50 and compensation for any loss of salary incurred by attendance at the convention.

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- (e) Representation at educational institutes and seminars shall be on the recommendation of the Education Committee, subject to final approval by the membership.
- (f) For any education course, conference, or other union function where meals are provided, per diem shall be paid in the amount of \$37.50 for functions attended on a partial day basis.

### SECTION 14 – COMMITTEES

#### (a) **Negotiating Committee**

This shall be a special ad hoc committee established at least 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 shall consist of not more than six (6) members, at least three (3) members of the Executive Board and up to three (3) members, in good standing, appointed by the executive, for a total of five (5) members and one alternate. 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.

Expenses for negotiating meetings shall be in accordance with Article 13(d) above.

#### (b) **Special Committees**

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

#### (c) **Standing Committees**

The Chairperson of each standing committee shall be elected by the members at a membership meeting. The Chairperson and the Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a committee. The President shall be a member, ex-officio, of each committee. There shall be four standing committees as follows:

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## 1. Grievance Committee

This Committee shall:

- process all grievances not settled at the initial stage, and its reports shall be submitted to the Executive Board, with a copy first to the CUPE Representative, and then to a membership meeting.

Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement.

- comprise of the Chief Steward, President, Vice-President, and Steward. The Committee shall appoint its secretary from among its members.

## 2. Education Committee

It shall, be the duty of this Committee to:

- arrange for representation of the Local at any appropriate and available educational seminar or conference and submit recommendations accordingly to the Executive Board;
- instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports;
- co-operate with the Executive Board in preparing press releases and other publicity material;
- co-operate with the Education and Public Relations Departments of CUPE, and with the regional Education Representative, in implementing both the Local's and CUPE's policies in these fields. The Committee shall comprise between two (2) and three (3) members and shall appoint its secretary from among its members.

That CUPE 1882 Executive to prepare an education budget of \$12,000 per year.

## 3. Sick Committee

This Committee may:

- visit members who are ill;
- if a member is ill for more than a week, have sent some token of the Local's concern and desire to help, whether the member is at home or in the hospital

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- arrange for blood donors to replace blood or plasma required by a member or one of his immediate family;
- extend the Local's condolences in the event of the death of a member or one of his immediately family and make other appropriate gesture in accordance with custom or the wishes of the family concerned;

The Committee shall **be** comprised **of** between two (2) and three (3) members and may appoint a secretary-treasurer from among its members. It shall be reimbursed by the Executive Board for expenses incurred in the performance of its duties.

#### 4. Social Committee

It is the function of this Committee to arrange and conduct all social and recreational activities of the Local either on the Committee's own initiative or as a result of decisions taken at membership meetings. The Committee shall submit reports (**e.g. a plan and budget**), and proposals to the Executive Board or to the membership as required. A ceiling for the Committee's net expenditures shall be fixed annually by the membership, but, other than that, all social and recreational events and activities shall be self-supporting. The Executive Board shall be held responsible for the proper and effective functioning of this Committee. The Committee shall comprise between two (2) and three (3) members and may appoint a secretary-treasurer from among its members.

That the Union members who participate in the Children's Christmas party **may** be requested to pay **a nominal fee, per participating child, as set by the 1882 executive, to help cover the cost of the party.**

## SECTION 15 – RULES OF ORDER

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian parliamentary procedures. Some of the more important rules to ensure free and fair debate are appended to these Bylaws as Appendix "A". 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 "A", the CUPE Constitution, may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

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## ARTICLE 16 – AMENDMENT

- (a) 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 By-law and the CUPE Constitution, the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.

(Article 12.3 b)

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

(Article B.5.1 b and B.5.1 c)

- (c) 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.

(Article B.5.1 c and 12.3 c)

# CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 1882

## APPENDIX "A"

### 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 tempore 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 recopied 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.

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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 of 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 the 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 has 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 the 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

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no member shall be allowed to leave without the permission of the Vice-President.

25. The Local's business, and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

## **APPENDIX "B"**

### **CODE OF CONDUCT**

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff and elected officers to carry out our work. CUPE's expectation is that mutual respect, understanding and co-operation will be the basis of all our interaction.

The Code of Conduct sets out standards of behaviour for participants at national convention, national conferences, schools, meetings, and all other events organized by CUPE National. It is also applicable to structures of CUPE – locals, Provincial and Service Divisions, District Councils, Provincial Unions, Councils of Unions, Provincial Councils of Unions, and Provincial Sectoral Groups. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National and at events, meetings and activities by other parts of CUPE referenced above. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As CUPE members, staff, and elected officers, we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement.
- Respect the views of others, even when we disagree.
- Recognize and value individual differences.
- Communicate openly.
- Support and encourage each other.
- Make sure that we do not harass or discriminate against each other.
- Commit to not engaging in offensive comment or conduct.
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating.

Take responsibility for not engaging in inappropriate behaviour due to use of alcohol or other drugs while participating in union activities, including social events.

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**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:**

**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.**

**At national convention, national conferences, schools, meetings, and all other events organized by CUPE National, a complaint shall be brought to the attention of an ombudsperson.**

**At a meeting, event, or activity held by a structure of CUPE, should an ombudsperson be available, the same process would be used. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.**

**If the complaint involves a staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another part of CUPE, the person responsible for their employment will be the one to whom a complaint is referred and the relevant collective agreement, should it exist, would be applicable.**

**Once a complaint is received where an ombudsperson is being used, the ombudsperson will work to seek a resolution.**

**If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.**

**At CUPE National events where an ombudsperson is not available, a person properly appointed and designated to be in charge shall receive the complaint. Depending on the nature of the problem, the person in charge may attempt to resolve it through conflict resolution. If this fails to resolve the matter, the person in charge shall determine whether there is a need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses. The same process is to be used for other parts of CUPE where an ombudsperson is not available.**

**For National events, if the person in charge is a party to the complaint, the director or designate shall assume that role. For all other parts of CUPE, an alternate will be**

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designated to assume the role.

In a case where a member has been expelled from an event, the National President shall receive a report on the matter. For all other structures of CUPE, the presiding officer shall receive a report on the matter.

For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. A similar process may be applicable to the other parts of CUPE, done in consultation with the National President.

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

All chartered organizations are subject to this Code of Conduct, to apply to conventions, conferences, schools, and meetings which they organize.