

# CUPE 1048 Bylaws



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# **CANADIAN UNION OF PUBLIC EMPLOYEES LOCAL 1048**

## **BYLAWS**

### **PREAMBLE**

We, the public employees of the City of Prince George - Inside Workers, believe it to be a natural right of those who toil to unite together for mutual protection and advancement. This document is without regard to gender, race, ability, sexual orientation, class, religion or ethnic origin. In order to involve as many of our members as possible through the sharing of duties and responsibilities, and to enjoy to the fullest extent the wealth created by our labours, we hereby accept the following Bylaws for the governing of this Local:

### **SECTION 1 - NAME**

The name of this Local shall be:

**CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 1048**

### **SECTION 2 - OBJECTIVES**

The objectives of this 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 Article II of the National Constitution.
- c) Provide an opportunity for its members to influence and shape their future through free and democratic trade unionism.
- d) Encourage the settlement by negotiation of all disputes between the members and the employer.

## **SECTION 3 - INTERPRETATION AND DEFINITIONS**

Numbers of Articles at the end of sections or sub-sections refer to relevant Articles of the CUPE Constitution which should be read in conjunction with these Bylaws. Where these Bylaws are silent, local 1048 shall follow the CUPE National Constitution.

## **SECTION 4 - MEMBERSHIP MEETINGS: REGULAR AND SPECIAL**

- a) Regular Membership meetings shall be held once monthly with the exception of July, August, and December. Meetings will be generally held on the fourth Thursday at 5:15pm, but may be changed with at least fifteen (15) days advance notice to the membership. The Annual General Meeting shall be held on the fourth Thursday in June at 5:15pm and will not be live streamed, it will be in person only. If a regular General Meeting change is required, the Executive Board shall give one weeks' notice of any such change.
- b) Special meetings may be ordered by the Executive Board or requested in writing by no fewer than eight members (8). A simple majority of the petitioners must be in attendance at this meeting. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least 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 eight (8) members, including at least three (3) members of the Executive Board.
- d) The Annual General Meeting to be held on the fourth (4<sup>th</sup>) Thursday in June shall be to elect and install officers to fill all existing vacancies. Regular Union business will also be conducted at this meeting.

## **SECTION 4 – MEMBERSHIP MEETINGS: REGULAR AND SPECIAL (Continued)**

- e) The following shall submit written annual reports:
  - 1. Executive Board
  - 2. President
  - 3. Secretary-Treasurer
  - 4. Health and Safety Committee
  - 5. Municipal Policy and Advocacy Committee
  - 6. Other Committees as requested by the Executive
- f) The fiscal year for this Local shall be from January 01 to December 31.
- g) The order of business at Regular Membership meetings is as follows:
  - 7. Traditional Land Acknowledgement
  - 8. Equality Statement
  - 9. Roll Call of Officers
  - 10. New Member Initiation
  - 11. Reading of Minutes of Previous Meeting
  - 12. Matters Arising from Minutes
  - 13. Treasurer's Report
  - 14. Correspondence
  - 15. Committee Reports:  
Bargaining, Grievance, MPAC, Health and Safety, Labour Management, Bylaw, Trustees, Conference/Seminars
  - 16. Nominations, Elections and Installations
  - 17. Old Business
  - 18. New Business
  - 19. Good of the Union
  - 20. Adjournment

## **SECTION 5 – OFFICERS**

The Officers of the Local shall be:

- President\*
- 1<sup>st</sup> Vice President\*
- Secretary-Treasurer\*
- Recording Secretary\*
- 2<sup>nd</sup> Vice President\*
- Member Coordinator\*
- Three (3) Trustees
- Shop Stewards
- Lead Shop Steward\*

\*Executive Board

One Trustee shall be elected annually for a three (3) year term, or in case of vacancies occurring, elect Trustees to fill only the un-expired terms in order to preserve overlapping terms of office.

All officers of this Local shall adhere to Policies & Procedures as determined by the membership.

## **SECTION 6 – EXECUTIVE BOARD**

- a) The Executive Board shall be the governing body of the Local Union when the membership is not in session. It shall take such action and render such decisions as may be necessary to carry out the decisions and instructions of the members, and to enforce the provisions of the Local's Bylaws.
- b) The Executive Board shall consist of the President, 1st Vice President, 2nd Vice President, Secretary-Treasurer, Recording Secretary, Lead Shop Steward, and the Member Coordinator.
- c) The Board shall meet at least once every month, prior to the regular monthly meeting.

## **SECTION 6 – EXECUTIVE BOARD (Continued)**

- d) Four (4) members of the Executive, or if unfilled positions exist, a majority of the executive board, shall constitute quorum for the purpose of Executive meetings
- 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.
- g) Should any Officer fail to perform their duties as outlined in these Bylaws or fail to answer the roll call for three (3) consecutive membership meetings, or in the case of the Executive, three (3) regular executive meetings, without having submitted good reason for those failures, their office can be declared vacant by the Executive. Nominations and elections will be held at the next regular membership meeting with seven (7) days advance notice of the election posted throughout the Local.
- h) In order to provide adequate WorkSafe BC coverage, executive members must receive fair and reasonable compensation for the value of work performed. Board members receive \$40 per month, Trustees shall be compensated at a rate of \$100 per year.

## **SECTION 7 – DUTIES OF OFFICERS**

### **a) The President shall:**

- Enforce the CUPE Constitution and these Bylaws
- Attend all Executive Board, General and any other meetings as required
- Preside at all Membership and Executive Board meetings and preserve order
- Be held accountable to, and follow direction from, the Executive Board
- Decide all points of order and procedure (subject always to appeal of the membership)
- Ensure that all officers perform their assigned duties
- Introduce new members and conduct them through the initiation ceremony
- Have first preference as a delegate to the CUPE National and BCDivision Conventions
- Chair the Grievance Committee
- Chair the Negotiating Committee
- Be empowered to employ necessary clerical or legal assistance to be paid for out of the Local's funds
- Sign all checks as authorized or directed by the Constitution, Bylaws, Policy, or vote of the membership, and to ensure that the Local's funds are used only as authorized by the same
- Be empowered to exercise the regular and customary functions of managing and directing those who have been elected or appointed by the Local
- On termination of office, surrender all books, seals and other properties of the Local to their successor within five (5) days.

## **SECTION 7 – DUTIES OF OFFICERS (Continued)**

### **b) The 1<sup>st</sup> Vice President shall:**

- Attend Executive Board, Regular, General, Stewards, and any other meetings as required
- 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 after a notice of motion, duly given, and posted throughout the Local at least seven (7) days in advance
- Render assistance to the president as directed by the president, and any member of the Board as directed by the Board
- Maintain bank signing authority and ensure that the Local's funds are used only as authorized or directed by the Constitution, Bylaws, Policy, or vote of the membership
- On termination of office, surrender all books, seals, and other properties of the Local to their successor or the President within five (5) days.

### **c) The Lead Shop Steward shall:**

- Perform the duties and the positions above them, if either the president and first vice president are absent or not able to perform their duties
- Attend all meetings of the grievance committee
- Sit on the Bargaining Committee
- Act as liaison between the grievance committee, and executive board.
- Render assistance to a member of the executive board as directed by the executive board
- Provide resources and guidance to shop stewards on a regular basis

## **SECTION 7 – DUTIES OF OFFICERS (Continued)**

### **d) The Secretary-Treasurer shall:**

- Attend Executive Board, Regular, General, any other meetings as required:
- Be empowered to receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all monies with a financial institution:
- Be empowered to prepare all CUPE National per capita tax forms and remit payment:
- Be empowered to record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices:
- 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, through the Master Bond held by the National Office; 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 or two 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 a written financial report to each Regular membership meeting, detailing all income and expenditures for the period:
- Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees:
- Be empowered to provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE:

## **SECTION 7 – DUTIES OF OFFICERS (The Secretary-Treasurer continued)**

- Notify all members whose dues are one month in arrears and report to the Board all members two or more months in arrears:
- Serve as Chairperson of the Budget Committee if one is active:
- Present the annual Secretary-Treasurer's report at the Annual General meeting:
- With the approval of the President, pay all bills, wages and expenses as authorized by the members and the Executive Board, and such other payments as may be necessary:
- On termination of office, surrender all books, seals, and other properties of the local to their successor or the President within five (5) days.
- 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:
- 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:
- May be required by the local Executive Board to provide newly elected Secretary-Treasurer some familiarization. Duration of this time to be determined by the Executive Board.

## **SECTION 7 – DUTIES OF OFFICERS (Continued)**

### **e) The Recording Secretary shall:**

- Attend Executive Board, Regular, General, and any other meetings as required;
- 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 records will include the Trustees' reports.
- Record all altercations in the Bylaws;
- Fulfills 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 as required;
- Have all records ready on reasonable notice for Auditors and Trustees;
- Preside over Membership and Board meetings in the absence of the President, 1<sup>st</sup> Vice President, and 2nd vice president;
- Be empowered with the approval of the President to employ necessary stenographic or other assistance, to be paid for out of the Local's funds
- Maintain bank signing authority and ensures that the Local's funds are used only as authorized or directed by the Constitution, Bylaws, Policy, or vote of the membership;
- On termination of office, surrender all books, seals and other properties of the Local to their successor or the President within five (5) days.

## **SECTION 7 – DUTIES OF OFFICERS (Continued)**

### **f) The 2<sup>nd</sup> Vice President shall:**

- Render assistance to any member of the Board as directed by the Board:
- Oversee and assist the lead shop steward, and shop Stewards with duties listed below:
- Attend proofing of the Agreement with the Trustees
- Attend General, Executive, and Steward meetings and any other meetings as required:
- On termination of office, surrender all books, seals and other properties of the Local to their successor or the President within five (5) days.

### **g) The Trustees shall:**

- Attend regular, General, Trustee, Budget and any other meetings as required:
- Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, Recording Secretary, and the Standing Committee's, quarterly:
- Make a written report of their findings to the first Membership meeting following the completion of each audit:
- 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:
- 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:
- 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 Local, and report their findings to the membership:
- Carry out duties as outlined in Section 11 (c) clauses 2 and 3 of these Bylaws

## **SECTION 7 – DUTIES OF OFFICERS (The Trustees continued)**

- All Trustees will be members of the Budget Committee if one is active
- The second (2<sup>nd</sup>) year Trustee will be a member of the Bylaw Committee
- Complete CUPE Education Department's Financial Officers Training Course as soon as reasonable possible after election to office
- Two (2) Trustees will be required to proof all Collective Agreements that have been negotiated prior to final approval of such document(s). Errors or omissions will be reported to the appropriate bargaining committee for correction
- Report 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
- On termination of office, surrender all books, seals and other properties of the Local to their successor or the President within five (5) days.

### **h) The Shop Stewards shall:**

- Define, detect, prepare, and present grievances to the lead shop steward at the initial level
- Generally know, and police the Collective Agreement and Provincial or Federal Legislation affecting labour and a particular job
- Provide communications and information from the members in the unit to the Executive and from the Executive to the members, including distribution of Union literature and newspapers
- Attend Regular and General meetings
- Greet new employees and encourage the participation of all members in Union activity
- Maintain daily contact with the members to provide ongoing Union awareness and education
- On termination of office, surrender all books, seals and other properties of the Local to their successor or the President within five (5) days.

## **SECTION 7 – DUTIES OF OFFICERS (Continued)**

### **i) The Member Coordinator shall:**

- Attend Regular and General meetings;
- 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 the 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
- On termination of office, surrender all books, seals and other properties of the Local to their successor or the President within five (5) days.

## **SECTION 8 - VOTING OF FUNDS**

- a) Except for ordinary expenses and bills as approved at membership meetings, no sum over two hundred dollars (\$200) shall be voted on for the purpose of a grant or contribution for any cause outside CUPE, except by a notice of motion given in writing and dealt with at the following membership meeting.
- b) A sum of no more than triple the hourly rate of Paygrade 1 of Schedule B in the current year shall be used for the purpose of a gift or flowers in the event of illness or hospitalization of a member, the death of a spouse, parent, child, sibling, parent-in-law, grandparent, or grandchild or a member, or the birth of a child to a member.
- c) One time payment of \$750 if an active member dies or if an active member is critically injured while at work.
- d) \$20 per year of service to members that retire, resign, or are permanently laid off who are of retirement age.

## **SECTION 9 – FEES, DUES AND ASSESSMENTS**

### **a) MONTHLY DUES**

The monthly dues are to be deducted at the rate of 1.85% (.0185) of the gross regular wages from all Employees. The monthly dues shall be the current per capita payable to CUPE national plus one percent (1%). A further .15% (.0015) to be deducted when the Local's total bank balance including investments falls below \$150,000.00 and ceases when \$200,000.00 is reached.

- Changes in the Re-admittance Fee, or the monthly Dues can be effected only by following the procedure for amendment of these Bylaws (see Section 14) with the additional provision that the vote must be by secret ballot.
- Notwithstanding the above provisions, if CUPE National raises their per capita tax, these Bylaws will be deemed to have been automatically amended to conform to the new per capita tax.
- Special assessments may be levied in accordance with Article B.4.2. of the CUPE Constitution.

## **SECTION 10 – NON-PAYMENT OF DUES AND ASSESSMENTS**

A member who fails to pay dues and assessments for three months is automatically deemed inactive. Inactivity will be reported to the Executive Board. The member may return to active membership by resuming dues payments. A member who has been unemployed or unable to work because of sickness will not be required to pay arrears.

## **SECTION 11 – TERMS OF OFFICE, NOMINATIONS, ELECTIONS, AND INSTALLATION OF OFFICERS**

### **a) TERMS OF OFFICE**

The term of office for all Executive Board Members shall be two (2) years as follows:

**Odd Years: President, 2nd Vice, Recording Secretary, Member Coordinator**

**Even Years: First Vice, Treasurer, Lead Shop Steward**

Three Trustees shall have staggered 3 year terms, whereby 1 Trustee per year is elected.

### **b) NOMINATIONS**

Nominations shall be received prior to the May General Meeting. No nominations shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting, the member's consent in writing, duly witnessed by another member.

### **c) ELECTIONS**

1. The voting shall take place at the Annual Membership meeting in June which is to be an “in person” meeting only. The vote shall be by secret ballot.
2. The Trustees plus appointed scrutineers shall be responsible for issuing, collecting, and counting the ballots. They must be fair and impartial and see that all arrangements are unquestionably democratic.
3. The Trustees shall determine the form of the ballot and ensure that sufficient quantities are made available at the time of election.
4. Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.

## **SECTION 11 – TERMS OF OFFICE, NOMINATIONS, ELECTIONS, AND INSTALLATION OF OFFICERS (Continued)**

5. 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 ballots shall be dropped. In case of a final tie vote, the presiding officer may cast the deciding vote or other tie-breaking procedures can be used with the consent of the voting members.
6. 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 (d).
7. Elections can be extended with membership approval and with review by the membership in six (6) months. The extensions can be only for a maximum of one (1) year in total, so the total length of time that can pass without elections being called cannot exceed three (3) years.

### **d) INSTALLATIONS**

1. All duly elected officers, except the President and First Vice President, shall be installed at the meeting at which elections are held and shall continue in office for their elected term or until a successor has been elected and installed, provided however, that no term of office shall be longer than three (3) years.
2. The terms of office for Trustees shall be as laid down in Article B.2.4 of the CUPE Constitution.

### **e) BY-ELECTIONS**

Should an office fall vacant for any reason, the resulting by-election should be conducted as closely as possible in conformity with this Section.

## **SECTION 12 – DELEGATES TO CONVENTIONS, CONFERENCES, SEMINARS & WORKSHOPS**

- a) Where possible the membership shall be informed of all the above in order to allow their names to stand as a delegate. Except for the President's option (Section 7 (a)), all delegates to the above shall be chosen by the Executive Board. The number of delegates must be approved by the Executive Board in accordance with the budget approved at the special budget meeting held in January.
- b) Delegates to the N.A.D.C. and affiliated Labour Councils will be appointed by the Executive Board if positions are not filled.
- c) All members on Union business requiring a whole day or more outside the City of Prince George shall be paid transportation, accommodation, and compensation for any loss of salary incurred by attendance at such meetings and a per diem equivalent to that of CUPE BC. Where registration fees include room and board, the per diem will be equivalent to that of CUPE BC. In the instances of day courses, the per diem will be set in each instance by the Executive as necessary but will not exceed that of CUPE BC. For conventions, conferences, seminars, and workshops held within the City of Prince George, per diem shall be half of CUPE BC guidelines.
- d) Delegates to all Conventions, Conferences, Seminars, and Workshops shall be required to make a report at the following Regular Membership meeting. Where there is more than one delegate, a composite written report is to be submitted.
- e) Where a parent is partaking in Union Schools, Seminars, Conventions or affiliated meetings, provision for day care expenses by the Union Local to be equivalent to that of CUPE BC. Provision for pet care, and elder care expenses will be equivalent to that of CUPE BC.

## **SECTION 13 - COMMITTEES**

### **1. STANDING COMMITTEES**

The Chairperson of each standing committee shall be elected by the members at a membership meeting. The chairperson and Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on the committee. Two (2) members of the Executive Board may sit on any special committee as ex-officio member of that committee

The Standing Committees are as follows:

#### **a) NEGOTIATING COMMITTEE**

- i. 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.
- ii. The committee shall consist of the President and Lead Shop Steward and a maximum of two (2) regular members plus two (2) alternate members.
- iii. All members and alternate members, except the president and Lead Shop Steward, will be 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.
- iv. Nominations will be accepted at a general meeting as per past practice. Notice for the nomination meeting shall be circulated to the membership at least seven (7) days in advance. No nomination shall be accepted unless the member is in good standing with the union; is in attendance at the meeting and accepts nomination or has filed their consent in writing with a member of the union who presents it at the meeting.
- v. A questionnaire must be distributed to the membership at least five (5) months prior to the expiration of the current Collective Agreement. The Negotiating Committee will formulate the proposal from the questionnaire for ratification by the membership.

**b) GRIEVANCE COMMITTEE**

The Grievance Committee shall consist of the President, Lead Shop Steward, 1st Vice President and 2nd Vice President. All grievances not settled at the first stage shall be submitted to the President and Lead Shop Steward with a copy to the CUPE representative. The President shall ensure the proper processing of all grievances and report to the Executive meeting. Grievances must be in writing on the forms provided by the Local and be signed by the complainant or complainants and/or signed by an Officer of the Union.

**c) MUNICIPAL POLICY AND ADVOCACY COMMITTEE**

It shall be the function of the committee to:

- Cooperate with the Executive Board in preparing press releases and other publicity material.
- Cooperate with CUPE National and their Representatives in implementing both the Local's and CUPE's policies in the field.

**d) ENGAGEMENT COMMITTEE**

It shall be the function of this committee to:

- Extend the Local's condolences in the event of the death of a member or one of their immediate family, and make any other appropriate gesture in accordance with custom or the wishes of the family concerned.
- Arrange and conduct all social, recreational, and retirement 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 and proposals to the Executive Board or to the membership as required. The Executive Board shall be held responsible for the proper and effective function of this committee.

### **e) BYLAWS AND POLICY COMMITTEE**

It shall be the function of this committee to:

- Formulate new bylaw wording as directed by the membership.
- The Committee's proposals must be submitted to the Executive Board prior to being put to the floor.
- The committee will comprise of a minimum of two (2) to a maximum of four (4) members.
- Prepare a written report to be submitted at the Annual General Meeting in September. Monthly reports shall not be required.
- Establish and maintain a policy and procedures manual for the Local.

### **f) AD HOC COMMITTEES**

Special Ad Hoc committees 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 be appointed by the President or the Executive Board. Two (2) members of the Executive Board may sit on any special committee as ex-officio members.

## **SECTION 14 - RULES OF ORDER**

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian Parliamentary Procedure. Some of the more important rules to ensure free and fair debate are appended to these 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.

## **SECTION 15 – AMENDMENT**

- a) These bylaws are always subordinate to the CUPE Constitution (including Appendix "A") 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 conflicts, is the prerogative of the National President.
- b) These bylaws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting and having been posted at least seven (7) days in advance of the next membership meeting.
- 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.

## **APPENDIX "A"**

### **Rules of Order**

1. The President, or in his absence, the 1<sup>st</sup> Vice President, shall take the Chair at all membership meetings. In the absence of both the President and 1<sup>st</sup> Vice President, the 2nd Vice shall act as President and in their absence a President pro tempore shall be chosen by the Local.
2. No members, except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than five (5) minutes, or more than once on the same question without the consent of the meeting chair, or until all who wish to speak have had an opportunity. Chairperson 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 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 the amendment of an amendment shall be permitted (3rd Rank Amendment). 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.

## **APPENDIX "A" (Continued)**

8. 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.

9. When a member wishes to speak on a question or to make a motion, they shall rise in their place and respectfully address the presiding officer, but, except to state that they rise to the point of order, or a question of privilege, they shall not proceed further until recognized by the chair.

10. When two (2) or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.

11. 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.

12. If a member, while speaking, is called to order, they shall cease speaking until the point is determined: If it is decided they are in order, they may again proceed.

13. No religious discussion shall be permitted.

14. The President shall take no part in debate while presiding but may yield the chair to the 1<sup>st</sup> Vice President in order to speak on any question before the Local, or to introduce a new question, until such question has been resolved.

15. In cases of a tie, the President may give a casting vote or if they choose to, refrain from breaking the tie, in which case the motion is lost. At no other time does the President have a vote.

## **APPENDIX "A" (Continued)**

16. When a motion is before the Local, no other motion shall be in order except:

- a) To adjourn,
- b) To call the previous question,
- c) To lay on the table,
- d) To postpone for a definite time,
- e) To refer,
- f) To divide or amend.

These motions shall have precedence in the order named. The first three (3) of these shall be decided without debate.

17. A motion for the previous question, when regularly moved and seconded, shall be put in this format: "Shall the main question now be called?". 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.

18. A motion to adjourn is in order except:

- a) When a member has the floor,
- b) When members are voting.

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. 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.

## **APPENDIX "A" (Continued)**

21. If any member wishes to challenge (appeal) a decision of the Chair, they must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to briefly state the basis for their challenge. The Chairperson shall immediately and without debate put the question: "Shall the decision of the Chair be sustained?".
22. 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.
23. 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 Member Coordinator.
24. The Local's business, and proceeding or meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.