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**Bylaws**  
**Durham Northumberland District**  
**Council**  
**CUPE Local Union 9112**

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***CUPE*** / *Canadian Union  
of Public Employees*

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## **INTRODUCTION**

These By-Laws are designed to give proper balance to the administration of the Durham Northumberland District Council CUPE Local 9112.

Duties and responsibilities of elected officers and members of the committees should be as widely dispersed as possible, rather than for the willing few to have to serve in multiple capacities. In other words, duties should be shared by the many rather than the few. While various committees have been designated as "Standing" committees, this does not preclude the possibility of special committees being established from time to time as may be required and necessary. In order to improve and maintain the social and economic welfare of its members, and to give clear evidence of its recognition of the unity of organized labour, this Council has been formed and does now establish these By-laws for its Government.

The Constitution of this Council shall be the Constitution of the Canadian Union of Public Employees.

Local 9112 of the Canadian Union of Public Employees has been formed to:

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

The following bylaws are adopted by Local 9112 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

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

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

## **SECTION 1 – NAME**

This Council chartered by the Canadian Union of Public Employees shall be known as Canadian Union of Public Employees Durham Northumberland District Council, and it shall

be subject to the Constitution of the Canadian Union of Public Employees and the Canadian Labour Congress.

It should consist of all locals serviced by the CUPE Oshawa Area Office.

## **SECTION 2 – OBJECTIVES**

The objectives of Local 9112 are to:

- (a) To mirror those of the Canadian Union of Public Employees Constitution;
- (b) To obtain maximum participation by Locals in the programs of the Canadian Union of Public Employees and the trade union movements.
- (c) To promote continuing union education to affiliated Local unions and Leadership training.
- (d) To aid and encourage the use of union-made goods and services.
- (e) To encourage the participation by the affiliate Locals in matter of community interest.
- (f) To promote and support the Union movement in the Durham Northumberland Area.
- (g) To promote involvement for retirees within the Durham Northumberland Area.

## **SECTION 3 – MEMBERSHIP**

### **(a) Membership**

Membership in this Council shall be open to all Local Unions serviced by the Oshawa Area Office, chartered by the Canadian Union of Public Employees. To remain as an affiliate, a Local Union must abide by the Constitution and Bylaws of this Council.

(Article B.8.1)

- (b) The Council shall remain in existence so long as five (5) Local Unions are affiliated.
- (c) Encourage activism in Council with members who's Local Union is outside the Durham Northumberland area but whereas members reside within the jurisdiction of this Council.

- (d) Each affiliated Local Union shall be entitled to have four (4) voting delegates present at any regular or special meeting of this Council. Alternate delegates may be appointed or elected by each affiliate, who may also attend membership meetings with voice, but affiliates shall be allowed only four (4) voting representatives at any meeting.
- (e) Any affiliate, which is three (3) months or more in arrears in Per Capita Tax payment to the Council, shall have its voting rights suspended and after six (6) months in arrears, may be liable to suspension of affiliation.
- (f) National Executive Board members and Staff Representatives may attend Council meeting with voice, but without vote.
- (g) Retired Members Association of Durham Northumberland District Council may attend council meetings with voice and vote.
- (h) At the time of affiliation, and after each election of officers, all affiliated Locals will provide this Council with an up-to-date list of officers, including the names of their credentialed delegates and contact information.

#### **SECTION 4 – AFFILIATIONS**

In order to strengthen the labour movement and work toward common goals and objectives, Local 9112 shall be affiliated to and pay per capita tax to the following organization(s):

- The CUPE Ontario Provincial Division
- CUPE National

#### **ARTICLE 5– MEMBERSHIP FEES**

- (a) Each affiliate shall pay a per capita tax of fifteen cents (\$0.15) per member per month; such per capita shall be paid quarterly in advance. Per capita to the Council shall be paid on the same membership basis as applies in per capita payment to the Canadian Union of Public Employees.
- (b) All monies collected by the Treasurer for per capita tax or from any other source, shall remain in the property of this Council until properly expended and any affiliate ceasing to be an active member of the Council shall forfeit all rights, title and interest in and to, the property of this Council, or any part thereof.

## **SECTION 6 – MEMBERSHIP MEETINGS**

- (a) The Council shall hold four (4) regular meeting in each calendar year with a starting time of 7:00 p.m.

This Council shall call additional Leadership and special meetings throughout the year.

- (b) A quorum shall consist of eight (8) eligible delegates for all regular and special meetings of the Council with representation from at least four (4) affiliated locals.
- (c) In the event that a quorum is not present within fifteen (15) minutes after the time scheduled, the Chairman shall declare all business referred to the Executive Committee and shall adjourn the meeting.

- (d) Membership Meeting Agenda

The order of business at regular membership meetings is as follows:

1. Roll call of officers
2. Reading of the Equality Statement
3. Voting on new members and initiation
4. Reading of the minutes
5. Matters arising from the minutes
6. Secretary-Treasurer's Report
7. Communications and bills
8. Executive Committee 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.6.1)

## **SECTION 7 – OFFICERS**

The Officers of Local 9112 shall be the President, two (2) Vice-Presidents (one from Durham Region Local and one from a Northumberland County Local), Secretary-Treasurer, Recording Secretary, Education Officer, three (3) Trustees.

(Articles B.2.1 and B.2.2)

## **SECTION 8 – EXECUTIVE BOARD**

- (a) The Executive Board shall include all Officers, except Trustees.  
(Article B.2.2)
- (b) The Executive Board shall meet at least eight (8) times per year.  
(Article B.3.14)
- (c) A majority of the Executive Board constitutes a quorum.
- (d) Assist as members of Standing Committees.
- (e) Have a general supervision of the affairs of the Council between regular meetings.
- (f) Consider and make recommendations on all matters arising out of the business of this Council.
- (g) The Executive Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.
- (h) Should any Executive Board member fail to answer the roll call for three (3) **consecutive** regular meetings or three (3) **consecutive** regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting.  
(Article B.2.5)
- (i) Promote the good of the Council and coordinate Leadership meetings for all CUPE Activists.

## **SECTION 9 – DUTIES OF OFFICERS**

Each Officer of Local 9112 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

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

(Article B.3.9)

All signing Officers of Local 9112 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.

(Article B.3.5)

(a) **President**

The President shall:

- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
- Interpret these bylaws as required.
- Preside at all membership and Executive Board meetings and preserve order.
- Decide all points of order and procedure (subject always to appeal to the membership).
- Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.
- Ensure that all Officers perform their assigned duties.
- Fill committee vacancies where elections are not provided for.
- Be the spokesperson for all delegates representing this Council.
- Sign all cheques and ensure that the Council's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership.
- Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the Council. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.
- Have first preference as a delegate to the Ontario Division Convention and the CUPE National Convention.

(Article B.3.1)

- Perform such other duties as required by the delegates.

(b) **Vice-President**

The Vice-President shall:

- If the President is absent or not eligible, perform all duties of the President.

- Preside over membership and Executive Board meetings in the absence of the President.
- If the office of the President falls vacant, be Acting President until a new President is elected through a by-election.
- Be one of the signing officers for the disbursement of funds.
- Render assistance to any member of the Executive as directed by the Executive Board.

(Article B.3.2)

- Have second preference as a delegate to the CUPE National and the Ontario Division Convention. Should both Vice-Presidents wish to exercise their second preference right, then an election will be held.

(c) **Recording Secretary**

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 amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval prior to implementing.
- Refer all communications to the Executive Board or presiding officer and shall read such as are requested.
- Keep a record of all correspondence received and sent out.
- Record attendance of all officers and members at every meeting.
- Prepare and distribute all notices to members.
- Have all records ready on reasonable notice for the Trustees or auditors.
- Preside over membership and Executive Board meetings in the absence of both the President and Vice-President.

- Maintain a list of all credential local delegates and contact information.
- Performs other duties required by the Council, its bylaws or the National Constitution.

(Article B.3.3)

(d) **Secretary-Treasurer**

The Secretary-Treasurer shall:

- Receive all revenue, initiation fees, dues, and assessments, keeping a record of each locals payments, and deposit promptly all money with a bank or credit union.
- Sign all cheques and ensure that the Councils funds are used only as authorized or directed by the CUPE Constitution, Council 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.
- 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 Council'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 or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board.
- Have a petty cash of fifty dollars (\$50.00) and shall be accountable for such.
- 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.

- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- Notify all locals who are three (3) months in arrears and report to the Executive Board.
- Maintain a list of affiliated Local Unions.

(Articles B.3.4 to B.3.8)

(e) **Trustees**

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 committees 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 Council'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 have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
  - i. Completed Trustee Audit Program
  - ii. Completed Trustees' Report
  - iii. Secretary-Treasurer Report to the Trustees
  - iv. Recommendations made to the President and Secretary-Treasurer of the Local Union
  - v. Secretary-Treasurer's response to recommendations
  - vi. Concerns that have not been addressed by the Council Executive Board.

(Articles B.3.10 to B.3.12)

**(f) Education Officer**

The Education Officer shall:

- Keep Council informed on all matters pertaining to Education.
- Coordinate the Spring & Fall Council School as well as any other educational sessions as directed by the Executive Board.
- Cooperate with the CUPE Education Department in developing Union Education programs within Councils jurisdiction.

**SECTION 10 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

**(a) Nominations**

1. Nominations will be received at the regular membership meeting held in the month of January in even years, every two (2) years.
2. 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.
3. To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.
4. 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.

(Articles B.8.1, B.8.2 and B.8.3)

**(b) Elections**

1. The voting will take place at the regular membership meeting in January. The vote will be by secret ballot.
2. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
3. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will 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 will be dropped.

4. In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
5. When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.  
(Article 11.4)
6. Any member may request a recount of the votes for any election and a recount will be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as set out in Section 6(c).

**(c) Installation of Officers**

1. All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office for two (2) year(s) or until a successor has been elected and installed, provided, however, that no term of office shall be less than one year and no longer than three years.  
(Article B.2.4)
2. The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three year period. No member who has been a signing Officer for the Council is eligible to run for Trustee, until at least one full term of office has elapsed.
3. The Oath of Office to be read by the newly-elected Officers is:  
*"I, \_\_\_\_\_, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term."*

(Article 11.6(b))

**(d) 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. The term of office for any position filled through a by-election will be the term that the vacated position was initially elected to fulfill.

## **SECTION 11 – FEES, DUES AND ASSESSMENTS**

- (a) Each affiliate shall pay a per capita tax of fifteen cents (\$0.15) per member per month; such per capita shall be paid quarterly in advance. Per Capita to the Council shall be paid on the same membership basis as applies in per capita payment to the Canadian Union of Public Employee.
- (b) All monies collected by the Treasurer for per capita tax or from any other source, shall remain in the property of this Council until properly expended and any affiliate ceasing to be an active member of the Council shall forfeit all rights, title and interest in and to, the property of this Council, or any part thereof.

## **SECTION 12 – EXPENDITURES**

### **(a) Payment of Per Capita Tax and Affiliation Fees**

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

- (b) No Officer or member of Local 9112 will be allowed to spend any Local Union funds without first having received authorization from the Executive Board.

## **SECTION 13 – OUT-OF-POCKET EXPENSES**

Local Union Officers shall be provided an out-of-pocket expense allowance as follows twice (2x) yearly half (1/2) in May and half (1/2) in December per annum:

President	\$1200.00
Vice-President	\$1000.00
Recording Secretary	\$1000.00
Secretary-Treasurer	\$1000.00
Education Officer -	\$1000.00
Trustees	\$100.00 per Audit and Presentation

The out of pocket expenses will be reviewed yearly the month prior to election. The out of pocket expenses may be withheld if in the opinion of the Executive (subject to membership approval); the duties of the office have not been carried out satisfactorily. The person having the out of pocket withheld may appeal to the next membership meeting. The membership vote shall be final.

- (a) Affiliated local unions wishing to submit any matter that it deems in the interest of the affiliate or in the interest of organized labour or in the interest of the public, may submit such matter in writing to the Secretary **fourteen (14)** days prior to the meeting at which the affiliated organization wishes the matter presented for debate.
- (b) Request for Council support in obtaining a position on the National or Ontario Division Executive must be made at a regular meeting. If more than one person seeks the same position, a vote by secret ballot will be held to select the Council's choice.
- (c) Council's choice for support will get up to three hundred dollars (\$300.00) each for a campaign, to a maximum of one thousand five hundred dollars (\$1,500.00) per year.
- (d) Appeals: Durham and Northumberland locals serviced by the Oshawa Area office fifty dollars (\$50.00) per appeal.
- (e) Federal, Provincial and Municipal Election Support up to legal maximums.
- (f) The Executive Board has spending authority up to a three hundred (\$300.00) limit per month to be used at the Board's discretion.

#### **SECTION 14 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS**

- (a) Except for the President's and Vice-President's option [Section 9(a)], all delegates to conventions, conferences, and educationals shall be chosen by election at membership meetings.
- (b) All delegates attending conventions, conferences, or educationals held outside of the Durham Region shall be paid transportation expenses (at economy, tourist or coach rates or fifty-two cents (.52¢) per km) as determined by the Secretary-Treasurer, and a per diem allowance of one hundred dollars (\$100) for meals and expenses. The Council will reimburse the member's employer for any loss of wages. If such convention or conference seminar is no longer than half day (1/2) in length, the rate shall be fifty dollars (\$50) for out of pocket expense.
- (c) Delegates to conventions, conferences, and educationals held locally shall have no travel allowance. There shall be a per diem allowance of fifty dollars (\$50) for meals and expenses incurred by attendance at the convention, conference or educational. The Council will reimburse the member's employer for any loss of wages.
- (d) Local 9112 will provide members with their out of pocket allowance prior to their attending the convention, conference, or educational.

- (e) Local 9112 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.

## **SECTION 15 – COMMITTEES**

### **(a) Special Committees**

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

### **(b) Permanent Committees**

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

There shall be five (5) permanent committees as follows:

#### **1. Women's Committee**

This committee will:

- Advise and give guidance to Officers, committee members and the general membership on all issues that affect women in the workplace and the union movement.
- Promote leadership of women at the Local Union level and in the broader labour movement.
- Increase and support the active participation of women in the Local Union and the broader labour movement.
- Strive to eliminate gender discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in human rights activities both in and outside of the labour movement.

The committee members will be the elected chairperson and [REDACTED] members. The committee shall appoint its secretary from among its members.

## 2. Bylaw Committee

This committee will:

- Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Council to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.
- Ensure that the Council'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 [REDACTED] members. The committee shall appoint its secretary from among its members. The National Representative assigned to the Council shall be a non-voting member of the committee and shall be consulted during the review process.

## 3. Political Action Committee

This committee will:

- This Committee is responsible for organizing regular activities that meet established goals and objectives and build the Council's political action capacity in Durham Region and Northumberland County through the use of effective political pressure. The Committee will mobilize CUPE members in our area to influence public policy at all levels of government. The Committee will focus on activities that maximize our winning tactics and build a stronger political action network.

## 4. Young Workers Committee

This committee will:

- Encourage active involvement of young person in union activities and other activities affecting them.
- Promote and organize educational programs including communication material, concerning young persons in the workplace, home and community.

- Advance solidarity amongst workers, students, and young persons to strive towards common interests.

## 5. Communications Committee

This committee will:

- Be responsible for the Durham Northumberland District Council website, newsletter, branding and social medial tools.
- The Committee will use the following strategies to assist groups and locals fighting for economic social equality.
- Build functional, user friendly web site, Twitter and Facebook (social media).
- Help manage mailing lists and contact databases.
- Plan and carry out online campaigns.

No expenditure by any Committee shall be incurred unless same has been approved by Council. Between Council meetings the President may approve and be held accountable for such expenditures.

## SECTION 16 – COMPLAINTS AND TRIALS

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

(Articles B.11.1 to B.11.5)

## SECTION 17 – RULES OF ORDER

All meetings of the Council will be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these bylaws as Appendix C. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

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

## **SECTION 18 – AMENDMENTS**

### **(a) CUPE Constitution**

These bylaws are always subordinate to the CUPE Constitution (including Appendix B) as it now exists or may be amended from time to time, and in the event of any conflict between these bylaws and the CUPE Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE Constitution.

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

### **(b) Additional Bylaws**

A Council can amend or add to its bylaws only if:

- (i) the amended or additional bylaws do not conflict with the CUPE Constitution;
- (ii) the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and
- (iii) notice of the intention to propose the amended or additional bylaws was given at least seven days before at a previous membership meeting or 60 days before in writing.

(Articles 13.3 and B.5.1)

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

The amended or additional bylaws do not come into effect until they have been approved in writing by the National President. The National President will decide whether to approve the amended or additional bylaws within 90 days of receiving them and will withhold approval only where they conflict with the CUPE Constitution.

(Articles 13.3 and B.5.1)

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

Members will receive a copy of Local 9112 bylaws, either in paper format or via the Local Union website at [www.cupe9112.com](http://www.cupe9112.com). Members requesting a copy of these bylaws will be provided a copy in either French or English as requested. Members with special needs may request a copy of the bylaws in larger font.

## **Appendix A**

### **CUPE NATIONAL EQUALITY STATEMENT**

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

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

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

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

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

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

## **Appendix B**

### **CODE OF CONDUCT**

Local 9112 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

Local 9112 strives to promote 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.

Local 9112 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 9112 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 9112 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 9112 sets out standards of behaviour for members at meetings, and all other events organized by Local 9112. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. 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 members of Local 9112 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; and
- Take responsibility for not engaging in inappropriate behaviour due to abuse of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing

behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding this Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking the person to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Local Union 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.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of Local 9112, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

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

# Appendix C

## RULES OF ORDER

1. The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President will be the Chairperson at the membership meeting. In the absence of the President and Vice-President, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: "Is the Local ready for the motion?" If no member rises to speak, the motion will be voted upon.
5. A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
6. A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
7. An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
8. On motion, the regular order of business at a membership meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
9. Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
10. At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.

11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
13. The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
15. A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
16. Religious discussion of any kind is not permitted.
17. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
18. The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
19. When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.
20. The Chairperson will ask "Will the main question be now put?" where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
21. A motion to adjourn is in order except when a member is speaking or when members are voting.

22. A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
24. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, "Will the decision of the chair be upheld?" A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
25. At a membership meeting where a question has been decided any two members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds majority of members who vote. If two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.
26. Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
27. The Local Union's business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.

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