



# Bylaws of CUPE Local 1989 Mississauga Library Workers Union



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## INTRODUCTION

Local 1989 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 1989 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.

## SECTION 1 - NAME

The name of this Local Union shall be Canadian Union of Public Employees Local 1989, Mississauga Library Workers Union.

CUPE Local 1989 consists of all unionized workers in the Mississauga Library System.

## SECTION 2 - OBJECTIVES

The objectives of CUPE Local 1989 are to:

- (a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- (b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (c) Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers;
- (d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical ability; and the active opposition of discrimination of same wherever it occurs or appears;

- (e) Establish strong working relationships with the public we serve and the communities in which we work and live; and
- (f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

### **SECTION 3 – REFERENCES**

- (a) Feminine pronouns shall be understood to include the masculine gender.
- (b) Numbers of articles at the end of sections or sub-sections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

### **SECTION 4 – AFFILIATIONS**

In order to strengthen the labour movement and work toward common goals and objectives, CUPE Local 1989 shall be affiliated to and pay per capita tax to the following organizations:

- The CUPE Ontario Provincial Division
- The Peel Regional Labour Council
- The Peel District CUPE Council

### **SECTION 5 – REGULAR AND SPECIAL MEMBERSHIP MEETINGS**

- (a) Regular membership meetings of CUPE Local 1989 shall be held in the second week of the following months: February, April, June, August, October, December. Meetings will be held on rotating days, Monday through Thursday, at 6:00 p.m., at a location to be announced.
- (b) Special membership meetings of CUPE Local 1989 may be required, and shall be called by the Executive Board or may be requested in writing by no fewer than 10% of the members affected by the issue for discussion. The President shall immediately advise members when a special meeting is called, and ensure 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) The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be 10 members, including a majority of members of the Executive Board. If quorum is not reached, an informal meeting may take place; information may be presented to the membership in attendance but there can be no approval of minutes or reports, no motions presented, and no

nominations or voting. In the event that two (2) consecutive regularly scheduled general membership meetings do not have sufficient quora, then the Executive Board is empowered to deal with the necessary business of the local. Any decisions made by the Executive Board will be reported back for ratification at the next membership meeting.

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

1. Roll call of officers
2. Reading of the Equality Statement
3. Welcome of new members
4. Reading and approval of minutes of previous meeting
5. Matters arising from the minutes
6. Secretary-Treasurer's report
7. Correspondence
8. Executive Board report
9. Reports of committees and delegates
10. Nominations, Elections, and Installations
11. Unfinished business
12. New business
13. Recognition of members
14. Adjournment

(e) CUPE Local 1989 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 and equity-seeking members.

(f) A draw will be held annually. The amount of the draw will be two hundred dollars (\$200.00). Qualifications for entry into the draw will be as follows:

- a. Each member who does not hold office is entitled to one draw entry for every regular membership meeting she attended.
- b. Each member, including those who hold office, will be entitled to one draw entry for each new or previously inactive member she brought with her to a regular membership meeting, or who attended at her suggestion.

The winner will be randomly chosen from all draw entries and will be announced at the December regular membership meeting.

## SECTION 6 – OFFICERS

The Officers of CUPE Local 1989 shall be:

- President,
- Vice President,
- Secretary-Treasurer,
- Recording Secretary,
- Chief Steward,
- three (3) Trustees,
- Membership Officer,
- six (6) Regional Stewards,
- and one (1) Steward for each worksite.

The regional stewards shall be divided as follows: one (1) Regional Steward representing Shared Services, and five (5) Regional Stewards representing Public Services, covering Central Library and all branches in the four (4) quadrants of Mississauga.

## SECTION 7 – EXECUTIVE BOARD

- (a) The Executive Board shall include the President, Vice President, Secretary-Treasurer, Recording Secretary, and Chief Steward.
- (b) The Executive Board shall meet at least eight (8) times per year.
- (c) The Executive Board shall sit on the joint Labour-Management Committee.
- (d) The Executive Board shall handle all grievances and potential grievances. Grievance reports should be presented to the membership, and the National CUPE Representative should also receive copies.
- (e) A majority of the Executive Board constitutes quorum.
- (f) The Executive Board shall hold title to any real estate of the Local Union as trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.
- (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 **consecutive** regular membership meetings, or three **consecutive** regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting.

## SECTION 8 – DUTIES OF OFFICERS

Each Officer of CUPE Local 1989 is encouraged to participate in CUPE educational courses to enhance her leadership skills and expand her knowledge and expertise.

All signing officers of Local 1989 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 National Constitution, these Local Union bylaws, and the Equality Statement.
- 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 a vote on all matters (except appeals against the President's rulings) and in case of a tie vote in any matter, excluding elections, have the right to cast an additional vote to break the tie.
- Ensure that all Officers perform their assigned duties.
- Fill committee vacancies by appointment where elections are not provided for.
- Introduce new members at a membership meeting.
- Communicate with members all relevant activities of the Local Union in a timely and thorough manner. This includes, but is not limited to, providing copies of minutes of all General or Special Meetings to all members.
- Sign cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE National Constitution, Local Union bylaws, or vote of the membership.
- Have first preference as a delegate to the CUPE National Convention.
- Represent the Union in meetings with the Employer.
- On termination of office, surrender all books, seals and other properties of the Local Union to her successor.

(b) 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, or when the President wishes to take the floor to speak on a matter.
- If the office of the President falls vacant, serve as Acting President until a new President is elected.
- Coordinate education for officers and members as required.
- Sign cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE National Constitution, Local Union bylaws, or vote of the membership.
- Render assistance to any member of the Executive as directed by the Executive Board.
- Keep track of all bereavements and retirements within the membership and send cards and/or request payments as appropriate.
- Attend meetings with the Employer as required.
- Make all bookings for conferences, conventions, meetings, and the like, as needed.
- On termination of office, surrender all books, seals and other properties of the Local Union to her successor.

(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 Trustee reports.
- Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval.
- Retain a copy of all grievances and correspondence relating to grievances in an orderly fashion.
- 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.
- Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union's funds.



- On termination of office, surrender all books, seals and other properties of the Local Union to her successor.

(d) The Secretary-Treasurer shall:

- Receive all revenue, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union.
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the National Constitution, Local Union bylaws, or vote of the membership.
- In consultation with the Executive Board, designate a signing officer during prolonged absences.
- Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
- Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.
- Be allowed necessary and reasonable funds, to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense and with supporting receipt(s) attached.

- 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.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union's funds.
- On termination of office, surrender all books, records and other properties of the Local Union to her successor.

(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 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 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 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.
- Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union, and report their findings to the membership.
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
  - i. Completed Trustee Audit Program
  - ii. Completed Trustees' Report
  - iii. Secretary-Treasurer Report to the Trustees

- iv. Recommendations made to the President and Secretary-Treasurer of the Local Union
- v. Secretary-Treasurer's response to recommendations
- vi. Concerns that have not been addressed by the Local Union Executive Board.

(f) The Chief Steward shall:

- Write grievances or assist other members of the Executive Board with the preparation and implementation of grievances, as required.
- Perform the duties of the Regional Stewards in their absence, or where conflicts of interest may occur.
- On termination of office, surrender to her successor all books, papers, seals, documents and other property of the Local.

(g) The Regional Stewards shall:

- Act as the Union's representative at the workplace and report any concerns to the Executive Board.
- Attend orientations for new members, to the extent possible.
- Attend any Stewards meetings, as called by any member of the Executive Board.
- Inspect union bulletin boards in their region of responsibility and discuss any issues with the applicable steward.
- Approve members to join the CUPE 1989 closed Facebook group.
- On termination of office, surrender to their successor, all books, papers, seals, documents and other property of the Local

(h) The Membership Officer shall:

- Guard the inner door at membership meetings and admit no one but members in good standing, and officers and officials of CUPE, except on the order of the President and with consent of the members present.
- Assist in maintaining the record of membership attendance at meetings.
- Approve members to join the CUPE 1989 closed Facebook group.
- On termination of office, surrender to her successor, all books, papers, seals, documents and other property of the Local.

(i) The Stewards shall:

- Post on and update the union bulletin board in their worksite.

## SECTION 9 – NOMINATION, ELECTION, AND INSTALLATION OF OFFICERS

(a) Nominations

1. A call for nominations will go out one month prior to the election date.
2. Nominations will be accepted from members in attendance at the nomination meeting and from those members who have allowed their name to be filed in writing (hard copy or electronic) at the meeting, witnessed by another member. Nominations also may be received by email.
3. A member may accept a 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 the time of installation.
4. To be eligible for nomination, a member must be a member in good standing as set out in Article B.8.3 of the National Constitution.
5. One week prior to an election, nominees may write a campaign statement, not to exceed 200 words, and submit such statement to the officer responsible for the email list. All campaign statements will be compiled, sent to the member email list, and posted on the union's closed Facebook group as an attached document, one time. The officer sending the email and posting will not alter or edit the statements in any way.

(b) Elections

1. Elections of officers shall be held every three years.
2. All duly elected Officers shall be installed at the December election meeting and shall continue in office for three (3) years or until a successor has been elected and installed.
3. At either a regular or special membership meeting, at least one month prior to Election Day, the President will, subject to the approval of the members present, appoint an Elections Committee consisting of an Elections Chair and up to three (3) other members. The Committee will include members of the Local Union who are neither currently Officers nor candidates for office. The Committee shall have responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
4. The Elections Chair will be responsible for running the nominations and elections, issuing, collecting, and counting ballots, with the assistance of a

CUPE representative. The Elections Chair must be fair and impartial and see that all arrangements are democratic.

5. Election Day will take place at the December General Membership Meeting in a place to be announced.
  - The vote will be by secret ballot.
  - Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
  - 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.
6. Each member running for office may appoint a scrutineer for the ballot count.
7. A majority of votes cast will be required before any candidate can be declared elected. In the event of a tie vote for any position, a second and subsequent ballot(s) will be taken 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.
8. 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 5(c).
9. After voting is completed, all ballots will be sealed in a secure envelope to be held in safe keeping by the Elections Chair.
10. Any election complaints by members will be submitted in writing to the Elections Chair as soon as possible but in no circumstances later than seven (7) days after the election. The Elections Chair in conjunction with the Elections Committee will investigate the complaint, issue a ruling as soon as practical, and report the ruling to the very next regular membership meeting. The ballots will be destroyed at the next regular membership meeting.

(c) Installation

1. All duly elected Officers shall be installed at the December election meeting and shall continue in office for three (3) years or until a successor has been elected and installed.
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 set out in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three-year period. No member who has been a signing

officer for the Local Union is eligible to run for Trustee until at least one full term of office has elapsed.

3. The Oath of Office to be read by the newly-elected Officers is:

*"I, \_\_\_\_\_, do most sincerely promise that I will truly and faithfully, to the best of my ability, perform the duties of my office for the ensuing term, as prescribed in the Constitution and laws of the Canadian Union of Public Employees, and as an Officer of this Local Union will at all times endeavour, both by counsel and example, to promote the harmony and preserve the dignity of its sessions.*

*I further promise that at the close of my official term, I will promptly deliver all monies, books, papers, or other property of this Local Union in my possession to my elected successor."*

(d) By-Election

Should an office fall vacant pursuant to Section 7(h) of these bylaws or for any other reason, the resulting by-election will be held as soon as practical and should be conducted as closely as possible in conformity with this Section. If the term of office is less than one year, the President shall appoint someone to fill the vacancy.

## **SECTION 10 – FEES, DUES, AND ASSESSMENTS**

(a) Initiation Fee

The Local Union will remit to the Canadian Union of Public Employees an initiation fee of \$1.00 for each new member. (Articles B.4.1 and B.8.2)

(b) Re-Admission Fee

The re-admission fee shall be \$5.00. (Article B.4.1)

(c) Monthly Dues

The monthly dues shall be 1.75% of regular wages. (Article B.4.3)

(d) Amending Monthly Dues

The regular monthly dues may be amended by referendum vote. The vote must be by secret ballot. Notice of at least seven days at a previous meeting or 60 days in writing must be given. (Article B.4.2)

(e) Assessments

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose

or specific length of time. Membership approval is required and the assessment will only be applied after the National President approves the assessment. (Article B.4.2)

(f) Non-Payment of Dues and Assessments

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a re-admission fee and any other penalty set by the Local Union. The re-admission fee cannot be less than the initiation fee of the Local Union.

A member who has been unemployed or unable to work because of sickness shall pay the re-admission fee but may not be required to pay arrears. (Article B.8.6)

## SECTION 11 - VOTING OF FUNDS

- a. CUPE Local 1989 will pay out funds under the following circumstances:
  - When the expenditure has received prior authorization through a membership approved budget,
  - When these bylaws approve the expenditure, or
  - Through a vote of the majority of members at a membership meeting.
- b. In the case of a grant or a contribution greater than \$100 to a member or a cause outside of CUPE, a notice of motion must be made at a regular membership meeting and then approved at the following regular membership meeting before the grant or contribution can be paid out.
- c. No member of CUPE Local 1989 will be allowed to spend any Local Union funds without first having received authorization under Section 11(a) of these bylaws.

## SECTION 12 - STRIKE FUND

- a. At the end of each calendar year, surplus funds in the Local Union's regular chequing account in excess of \$30,000 shall be transferred to a 1989 Strike Fund. The total amount of the strike fund shall not exceed an amount to be calculated as follows: standard strike pay (\$60) multiplied by number of members, multiplied by seven days, plus reasonable expenses.
- b. To the extent such funds are available, Strike Fund payments will be made to members participating in a strike for a minimum of four hours per day. Such payment shall not exceed \$60 per day for a maximum of \$300 per week. Such payments will be made for all days of strike for which CUPE National does not pay strike pay.

- c. During a strike, the executive, in consultation with the chair of the Mobilization Committee, shall be authorized to spend funds necessary for conducting standard strike business, including, but not limited to, signage, photocopying, water, and other necessary supplies.
- d. The Local shall donate \$100 to any CUPE local that is on strike.

**SECTION 13 – HONORARIA AND OUT-OF-POCKET EXPENSE REIMBURSEMENTS**

Local Union Officers who fulfill all their duties shall be provided annual out-of-pocket expense reimbursements as follows:

President	\$1,500
Vice President	\$1,250
Secretary-Treasurer	\$1,500
Recording Secretary	\$1,250
Chief Steward	\$1,000
Regional Steward	\$400
Membership Officer	\$300

Direct out-of-pocket expenses for members and Local Union Officers in the course of conducting authorized union business shall be paid as follows:

- (a) The Local Union will reimburse the Employer for any loss of wages. If a member is required to conduct union business outside of her normal working hours, she shall be given a per diem of \$35. To qualify for the per diem, such union business must be approved in advance by the President.
- (b) All delegates attending conventions, conferences, or educationals shall be paid transportation expenses (at economy, tourist or coach rates) as determined by the Secretary-Treasurer, and receive a per diem allowance of \$20 for breakfast, \$35 for lunch, \$45 for dinner. Where meals are included, delegates will receive a meal allowance for meals that are not provided.
- (c) Delegates or committee members will be reimbursed for paid parking or any other required expense with proof of receipt.
- (d) Mileage will be paid at rate of fifty-two cents per kilometre (\$0.52/km) or the Canada Revenue Agency (CRA) rate for conventions, conferences, education, committee or council meetings, and seminars. A Google Map or other proof of distance may be required.



## SECTION 14 – BEREAVEMENTS AND RETIREMENTS

- (a) The Vice President will extend the Local's condolences in the event of the death of a member or one of her immediate family (spouse, domestic partner, parent, or child) and make other appropriate gestures in accordance with the custom or wishes of the family concerned. Cost will be limited to fifty (\$50) dollars per qualifying deceased family member.
- (b) When a member retires, she shall receive a gift of her choosing equal to twenty-five dollars (\$25.00) for each year of service in the bargaining unit to a maximum of one thousand dollars (\$1,000). In the event of the death of a member prior to retirement, this amount shall be paid to her estate.

## SECTION 15 – CHILD CARE, DEPENDENT CARE AND ELDER CARE

Caring for children, dependents or the elderly are barriers to actively participating in the union or to attending membership meetings. CUPE Local 1989 is committed to removing barriers within its control so that all members have equal access to participation. **A Dependent is defined as any child under the age of 12, or any persons over the age of 12 that require supervision or direct care by a caregiver to meet their activities of daily living.**

- (a) When it is practical and demand warrants, CUPE Local 1989 will provide on-site child care at membership meetings. Where on-site child care is not provided, and in the case of dependent care or elder care, members will be reimbursed up to \$15 for each hour of care required or a maximum of \$60 for each meeting. Reimbursement will be provided upon proof of payment.
- (b) Any member who is on authorized CUPE Local 1989 business outside of their regular working hours shall be eligible for child care, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of \$15 for each hour of care required.
- (c) Claims will not be paid for a spouse, partner, or a family member who normally provides care without charge. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

## SECTION 16 – DELEGATES TO CONFERENCES, CONVENTIONS, AND COUNCILS

- a) CUPE Local 1989 encourages the participation of all equity-seeking groups in their delegation to conventions, conferences, and educational.
- b) CUPE Local 1989 may send up to three (3) delegates and one alternate to attend the CUPE National Convention. Interested members and officers will put forth their names. Except for the President's option [Section 8 (a)] all other delegates will be elected at a regular membership meeting at least 3 months prior to the convention.

- c) CUPE Local 1989 may send up to five (5) delegates to attend the annual CUPE Ontario Division Convention. Interested members and officers will put forth their names for nomination and be elected at the regular membership meeting in February. Delegates to CUPE Ontario will consist of no more than two (2) executive officers.
- d) CUPE Local 1989 may send up to two (2) delegates to attend the annual Ontario Municipal Employees Co-ordinating Committee (OMECC) Conference. Interested members and officers will put forth their names for nomination and two (2) delegates will be elected at the regular membership meeting in February.
- e) CUPE Local 1989 may send up to four (4) delegates to attend the annual Ontario Library Workers Conference. Interested members and officers will put forth their names for nomination and delegates will be elected at the regular membership meeting in February. Delegates to Ontario Library Workers Conference will consist of no more than two (2) executive officers and at least two (2) members from the floor.
- f) Up to two (2) voting delegates to the Peel District CUPE Council and up to three (3) voting delegates to the Peel Regional Labour Council may be elected every two years. The delegates shall attend council meetings and make a written report at each Local Union membership meeting on proceedings at recent meetings of the Council.

## SECTION 17 - EDUCATION

- a) All elected officers or committee members will automatically be approved to attend the CUPE education necessary to perform their duties.
- b) For cost efficiency, the Local will attempt to register members for workshops in Peel Region whenever possible.
- c) Members who do not hold office may request to attend CUPE education. Reasonable requests for CUPE education held within Peel Region will not be denied.
- d) A member who wishes to attend a week-long course or out-of-town educational will present her request to the Executive Board, who will vote on her attendance.

## SECTION 18 - 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 be appointed by the President or the Executive Board.

#### 1. Negotiating Committee

This will be a special committee established at least 12 months prior to the expiry of the Local Union's collective agreement and automatically disbanded when a new

collective agreement has been signed. The function of the Negotiating Committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The Committee shall consist of up to 10 members elected at a membership meeting, plus the President, Vice President, and Chief Steward. The 10 elected members shall include three (3) full-time members, three (3) part-time members, and up to four (4) alternates (two full-time and two part-time alternates). If no member from Shared Services is elected to the Committee, one member from Shared Services shall be appointed to participate in the Committee's preparation, training, and meetings. The CUPE Representative assigned to the Local Union shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

All members of CUPE Local 1989's Negotiating Committee shall attend CUPE's collective bargaining educationals.

## 2. Mobilization Committee

This will be a special committee established at least two (2) months prior to the expiry of the Local Union's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare for a strike in the event that the Local Union and the Employer do not reach a collective agreement. The committee shall consist of up to six (6) members, elected or appointed, plus the Secretary-Treasurer, Recording Secretary, and Membership Officer. The six members shall include three (3) full-time members, and three (3) part-time members.

All members of CUPE Local 1989's Mobilization Committee will be encouraged to attend CUPE mobilization or strike aversion/preparation educationals.

## B. Permanent Committees

Permanent committees will have a term of two (2) years. There shall be four (4) permanent committees as follows:

### 1. Health and Safety Committee

This committee will:

- Consist of the elected chairperson, up to five (5) elected members, and at least one member who has completed all levels of Worker Health and Safety Centre education.
- Form the Union side of the Joint Health and Safety Committee (JHSC).
- Through the JHSC, immediately bring to the attention of the Employer any workplace hazard that has the potential to cause members illness or injury.
- Work to educate members on the importance of workplace health and safety.

- Work to eliminate all workplace hazards, be they physical, environmental, or social.
- Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.
- Be designated as “Certified Worker Representatives” in accordance with the legislation in their respective jurisdictions (provincial and federal).

The Co-Chair of this committee will:

- Prepare and present reports to the regular membership meetings.
- Keep the Executive Board informed of outcomes of meetings of the JHSC.

## 2. Labour Committee

This committee will:

- Consist of the Executive Board and one additional elected member. The President will be the chairperson.
- Participate in the Labour-Management Meetings at the workplace.
- Meet separately from the Employer to prepare for meetings with the Employer.
- Bring to the attention of the Employer at joint meetings any concerns that the membership has brought forth at regular membership meetings.
- Prepare and present reports to the regular membership meetings.

## 3. Modified Work/Return-to-Work Committee

This committee will:

- Consist of the Chief Steward plus up to three (3) elected/appointed members who have completed a minimum of WSIB Level 1 training.
- Complete WSIB Level 2 and WSIB Return-to-Work training as soon as possible after election or appointment.
- Represent members in Return-to-Work, modified work, or WSIB meetings with the employer at the workplace.
- Assist or advise members who have been injured, off work long-term, or require modified work due to illness or injury.
- Maintain members’ privacy and adhere to privacy legislation.

#### 4. Bylaws Committee

This committee will:

- Consist of the elected chairperson and up to four (4) elected or appointed members. The committee shall appoint its secretary from among its members.
- 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 to ensure that the amendment will conform to the remainder of the bylaws and the CUPE National Constitution.
- Ensure that the Local Union's bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.

#### C. Optional Committees

The following committees may be formed on voluntary basis by any interested members.

##### 1. Membership Support Committee

This committee will:

- Extend the Local Union's condolences in the event of the death of a member or one of their immediate family, and make other appropriate gestures in accordance with custom or the wishes of the family concerned.
- If a member retires, arrange some token of the Local Union's congratulations to be presented in accordance with the member's wishes.

##### 2. Committee Against Racism and Discrimination (CARD)

This committee will:

- Advise and give guidance to Officers, Committee Members, and the general membership on all issues that affect all equity-seeking groups, including people of colour, Aboriginals, and lesbian, gay, bisexual and transgendered (LGBT) workers.
- Increase and support the active participation of equity-seeking workers in the Local Union and the broader labour movement.
- Promote leadership of equity-seeking workers in the Local Union and the broader labour movement.
- Strive to eliminate racism and discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in

human rights and anti-racism activities both in and outside of the labour movement.

### 3. Social Committee

This committee will:

- Arrange and conduct social, cultural, and recreational activities for the Local Union, either on the committee's own initiative or as a result of decisions taken at membership meetings. The committee shall submit reports and proposals to the Executive Board or to the membership as required.

A budget for the Social Committee may be fixed annually by the membership.

## SECTION 19 - 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.

## SECTION 20 - RULES OF ORDER

All meetings of the Local Union will be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these bylaws as Appendix "B". 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 "B", 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 21 - AMENDMENTS

- (a) These bylaws are always subordinate to the CUPE National 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 National Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE National Constitution.
- (b) These bylaws will not be amended, added to, or suspended except upon a 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.
- (c) No change in these bylaws will be valid and take effect until approved by the National President of CUPE. The validity will date from the letter of approval of the National President.

## **SECTION 22 – PRINTING AND DISTRIBUTION OF BYLAWS**

Members will be able to access a copy of CUPE Local 1989 bylaws via the Local Union web site at <http://1989.cupe.ca>. Members may have an electronic copy of the bylaws emailed to them upon request. Members with special needs may request a print copy of the bylaws in a format suitable to their needs.

## 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"

### 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. After a question has been decided, any two members who have voted with the majority can move reconsideration, provided that a motion for reconsideration is made at either the meeting where the decision proposed for reconsideration was made, or at the very next meeting.
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.

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.