



Local 65  
BYLAWS

(Amended 2019)

## **PREAMBLE**

These by-laws are designed to give proper balance to the administration of the Local Union. Duties and responsibilities of elected officers and members of committees should be as widely dispersed as possible. It should not be left to 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 as necessary. In order to improve and maintain the social and economic welfare of its members without regard to colour, race or creed, to promote efficiency in public employment and to give clear evidence of its recognition of the unity of organized labour, this Local Union has been formed and does establish these by-laws for its Government. These by-laws shall automatically rescind and by-laws that have been place on the books of the Union prior to the adoption of these by-laws, and which are contrary to it.

## **SECTION 1 - NAME**

The name of this Local Union shall be: Canadian Union of Public Employees Local 65 and shall consist of the following Units:

- 65.02 - Community Living Fort Frances and District**
- 65.03 - Rainycrest Long Term Care Facility**
- 65.04 - Northwest Catholic District School Board**
- 65.05 - Town of Fort Frances**
- 65.06 - Town of Rainy River**
- 65.08 - Fort Frances Community Clinic**
- 65.09 - Rainy River District School Board**
- 65.10 - Rainycrest Community Support Services (Home care/Home support/ assisted living)**
- 65.12 - LaVerendrye Non-Profit Supportive Housing Corporation**
- 65.14 - Nelson Medicine Professional Corporation**

## **SECTION 2 - PRINCIPLES AND OBJECTIVES**

- (a) To place the various occupations of the membership upon high plane of efficiency and skill.
- (b) To encourage the settlement of all disputes between the members and the employers’ administration by mediation and negotiation.
- (c) To secure adequate remuneration for work performed.

- (d) To reduce the hours of labour and by all legal and proper means to elevate the moral, intellectual and social conditions of all workers in general and of this membership in particular.
- (e) To support the Canadian Union of Public Employees in its objectives as set out in article II of the Canadian Union of Public Employees constitution.

### **SECTION 3 - MEMBERSHIP MEETINGS-REGULAR GENERAL MEMBERSHIP, SPECIAL MEETINGS AND UNIT MEETINGS**

- (a) Regular General Membership meetings shall be held monthly on the fourth (4<sup>th</sup>) Wednesday of each month at 7:30pm (Central Standard Time) in the municipality where the majority of the members are employed, except for the months of July, August, and December. During the months of July, August and December the Executive Committee shall have the authority of general membership to manage the affairs of the Local Union.
- (b) Special membership meetings may be ordered by the Executive Committee or requested in writing by ten (10) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours notice of the special meeting and the subject to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- (c) A quorum for the transaction of business at the regular General Membership or special meeting shall consist of eight (8) members present, including at least three (3) members of the Executive Committee. Between meetings, and when there is no quorum at the meeting, the Executive shall be empowered to transact necessary business on behalf of the Local, especially concerning conferences, conventions, educational seminars and workshops, and strike support.
- (d) Participation by members living in Atikokan, Dryden, Emo, Mine Center, Rainy River and Sioux Lookout and Stratton for any meeting shall be as per Section 16(f).
- (e) Each Unit shall meet a minimum of three (3) times per year at a time to be called by the Chairperson the unit. The Unit Chairperson shall ensure that all Unit members receive at least twenty-four (24) hours notice of the meeting. The Unit Chairperson or the shop steward (if the Unit Chairperson is unavailable) shall chair the Unit meeting. Any business at the Unit meeting which results in a vote, that may have a direct impact on the general membership as a whole, must be brought forward to the next General Membership meeting for approval

before any action can be taken.

Executive Committee members may attend Unit meetings however only those members from the Unit may vote on issues in the Unit. A quorum for the transaction of business at any Unit meeting shall consist of the members present and the Unit Chairperson or his/her designate.

#### **SECTION 4 - EXECUTIVE COMMITTEE**

- (a) The executive committee shall include all officers (as outlined in section 5) except trustees.
- (b) The Officers of the local shall be elected by the membership at large.
- (c) The Unit Chairpersons shall be elected by the membership in the Units.
- (d) The Executive Committee shall meet prior to the membership meeting to review the correspondence and to prepare a Base Agenda for the next membership meeting. The base agenda, including copies of any correspondence will be sent by the Secretary to the Unit Chair or the Shop Steward residing in the outlying areas.
- (e) The Executive Committee shall meet at least one (1) hour prior to a general membership meeting to review the Base agenda and to make any changes or additions thereto.
- (f) A quorum for the transaction of business at any Executive Committee meeting shall consist of at least three (3) of the Officers of the Union Local being present.

#### **The Executive Committee shall:**

- (a) The Executive Committee shall hold title to any real estate of the Local Union as trustees for the Local. It shall have no right to sell, convey, or encumber any real estate without first giving notice then submitting the proposition to a membership meeting and having it approved.

- (b) The Executive Committee shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective function of all committees.
- (c) All charges against members or Officers must be made in writing and dealt with in accordance with the provisions of the constitution of the Canadian Union of Public Employees.
- (d) Should any Executive Committee member fail to answer the roll call for three (3) consecutive regular membership meetings or three (3) consecutive regular Committee meetings, without having submitted good reasons for those failures, his/her office shall be declared vacant and shall be filled by an election at the following membership meeting.

## **SECTION 5-OFFICERS**

The Officers of the Local Union shall consist of the President, Vice-President, Recording Secretary, Secretary Treasurer, Warden and three (3) Trustees. All Officers shall be elected by the membership at large.

## **SECTION 6 - DUTIES OF OFFICERS**

### **The President Shall:**

- (a) Enforce the Canadian Union of Public Employees Constitution through these by-laws.
- (b) Preside at all General Membership meetings, Special Membership meetings, and Executive Committee meetings and preserve order.
- (c) Decide all points of order and procedure (subject always to appeal to the membership).
- (d) Have a vote on all matters (except appeals against his/her rulings) and in the case of a tie vote in any meeting, including elections, shall ensure that the vote be turned back to membership for a revote until a result is declared by the majority.
- (e) Ensure that all officers perform their assigned duties.

- (f) Filling committee vacancies where elections are not provided for.
- (g) Introduce new members and conduct them through the initiation ceremony.
- (h) Sign all cheques and ensure that the Local's funds are used only as authorized or directed by the constitution, by-laws, or vote of the membership.
- (i) Have first preference as a delegate to the Canadian Union of Public Employees National convention and Ontario Division Convention.

**The Vice-President Shall:**

- (a) If the President is absent or incapacitated, perform all duties of the President.
- (b) If the office of President falls vacant, be Acting President until a new President is elected.
- (c) Render assistance to any member of the Executive Committee as directed by the committee.

**The Recording Secretary Shall:**

- (a) Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Committee meetings. These records must also include a copy of the full financial report presented by the Secretary Treasurer. The record will also include any Trustees' reports.
- (b) Record all alterations in the by-laws.
- (c) Answer correspondence and fulfill other secretarial duties as directed by the Executive Committee.
- (d) File copies of all letters sent out and keep on file all communications.
- (e) Prepare and distribute all circulars and notice to membership.
- (f) Have all records ready on reasonable notice for Auditors and Trustees.
- (g) Preside over membership and Executive Committee meetings in the absence of both the President and Vice-President.

**The Secretary-Treasurer Shall:**

- (a) Receive all revenue, initiation fees, dues and assessments, keeping a record of each member's payments, and deposit promptly all money with a Bank or Credit Union.
- (b) Record all financial transactions in a manner acceptable to the Executive Committee and in accordance with accounting practices.
- (c) Make all books available for inspection by the trustees on reasonable notice, and have the books audited semi-annually by the trustees and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- (d) Make a full financial report to meetings of the Executive Committee, as well as a written financial report to each regular membership meeting, detailing all income and expenditure for the period.
- (e) Pay no money unless supported by a voucher and duly signed by signing officers.
- (f) Prepare for approval of the Executive Committee in November of each year a Local Union budget covering the following calendar year.
- (g) Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union by-laws, or vote of the membership. In consultation with the Executive Committee, designate a signing officer during prolonged absences.
- (h) 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.

**The Warden Shall:**

- (a) Guard the inner door at membership meetings and admit no one but members in good standing or Officers and officials of the Canadian Union of Public Employees, except on the order of the President and by consent of the members present.
- (b) Assist in maintaining the record of membership attendance at meetings.

- (c) Perform such other duties as may be assigned by the Executive Committee from time to time.

**The Trustees Shall:**

- (a) 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.
- (b) Make a written report of their findings to the first membership meeting following the completion of the audit and provide a copy of the report to the Secretary Treasurer.
- (c) 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.
- (d) Be responsible to ensure that monies are not being paid out without proper constitutional or membership authorizations.
- (e) Ensure that proper financial reports are made to the membership.
- (f) Audit the record of attendance.
- (g) Inspect at least yearly, 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.
- (h) Send to the National Secretary Treasurer, with a copy to the assigned servicing Representative the following documents:
  - (1) Completed Trustee Audit Program
  - (2) Completed Trustee's Report
  - (3) Secretary Treasurer Report to the Trustees
  - (4) Recommendations made to the President and Secretary Treasurer of the Local Union
  - (5) Secretary Treasurer's response to recommendations



- (vi) Concerns that have not been addressed by the Local Union's Executive Committee

**The Unit Chairperson Shall:**

- (a) Be required to represent the interests of the Unit with the members and the Executive Committee
- (b) Be a member in good standing and an employee of the Unit they represent
- (c) Act as Chief Steward of their Unit and present grievance reports for their Unit to the Executive Committee and to the monthly general membership meetings
- (d) Chair the Unit's Negotiation Committee
- (e) Chair Unit membership meetings and ensure the recording and filing of minutes
- (f) Be the liaison between the Unit and the Executive Committee

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.

The signing Officers shall be the President, Vice-President, and Secretary Treasurer. All signing Officers of Local 65 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.

**SECTION 7 - STANDING COMMITTEES**

**(a) Unit Grievance Committee/Unit Chairperson Responsibilities**

The unit chairperson shall process all grievances not settled at the initial stage and its reports shall be submitted first to the Executive Committee, with a copy to the CUPE Representative and then to a membership meeting. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant(s), as provided for the Collective Agreement of the individual units.

The unit chairperson shall submit a grievance report to each meeting of the Executive Committee and regular membership meetings.

The Executive Committee shall present a motion to the general members on all recommendations made by the unit's servicing representative regarding the advancement of a grievance to arbitration.

The number of shop stewards in the Unit shall be as prescribed in the Unit's collective agreement. Shop stewards shall be elected in the opposite years that the Officers elections are held at regular Membership meetings and shall be elected by the membership of that unit. The shop stewards shall elect the Unit Chairperson as per section 10 (a).

**(b) Benevolent Committees**

1. In the event of a death of a Local 65 union member, or a retired member, the Unit Chairperson from where the member was employed will be responsible to send a gift or a contribution made to the charity of the families' choice. Such cost shall not exceed one hundred dollars (\$100).
2. A member upon retirement shall receive an article from the local in recognition of their years of service. This article may not exceed the amount of one hundred and fifty dollars (\$150). The Unit Chairperson shall be responsible for providing the Secretary Treasurer with the names of the retirees annually.
3. Five (5) bursaries of one hundred fifty dollars (\$150) each (one for each of the following communities- Atikokan, Dryden, Fort Frances, Rainy River, and Sioux Lookout) shall be presented yearly to members of Local 65 or their spouse or child. Local 65 members living in each of the communities noted above will make recommendations to the Executive Committee for the recipient from their community. The Executive Committee shall make the final determination of the recipients. If funds are insufficient, the bursaries will be canceled for that year.
4. Upon the death of an immediate family member of a member of Cupe 65 the Unit Chairperson from where the member is employed may send a gift or token of condolence to the member. Such cost shall not exceed fifty dollars (\$50) plus the cost of a sympathy card.

**(c) Unit Negotiating Committee**

The function of the Committee is to prepare collective bargaining proposals and to negotiate a Collective Agreement.

This Committee shall be established no less than four (4) months prior to the expiry of each Bargaining Unit's Collective Agreement and shall remain in

place for the duration of the negotiations for amendments to the Collective Agreement and shall continue in place for three (3) months following the ratification of the Collective Agreement. Members of each Bargaining Unit shall elect their Negotiating Committee at a regular unit meeting or at a special unit meeting.

The Unit Chairperson shall chair the Unit Negotiating Committee.

The representation and make-up of the Unit's Negotiating Committee will be as provided for in each Unit's Collective Agreement and as determined by the Unit's membership. The CUPE National Representative assigned to the Unit shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

**(d) Special Committees:**

The President as directed by the membership may establish Special Committees either by election at any meeting or by appointment and at least two (2) Executive Committee members shall sit on all Special Committees.

**(e) By-Law Committee:**

This committee shall consist of the Executive Committee and all the Unit Chairpersons. This committee will review the by-laws on an annual basis. The committee will be responsible for interpretation of the by-laws and will ensure that the proper processes are employed in amending the by-laws.

**SECTION 8 - INITIATION FEES AND DUES**

**(a) Initiation Fees and Dues:**

Each application for membership in the Local shall be directed to the Secretary Treasurer and shall be accompanied by an initiation fee of ten dollars (\$10) that shall be in addition to the monthly dues. The Secretary Treasurer shall issue a receipt for the initiation fee. If the application is rejected, the fee shall be returned.

**(b) Re-Admittance Fee:**

(1) The re-admittance fee shall be ten dollars (\$10).

(2) A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary Treasurer. The Executive Board will report all suspensions to the next membership

meeting. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union.

- (3) A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but may not be required to pay arrears.

**(c) Monthly Dues:**

All members will pay monthly dues in the amount of one percent (1%) plus the per capita rate of the National Union. The total of each employee's basic rate for the month does not include any call-in or overtime pay.

Changes in the levels of the initiation fee, the re-admittance fee, or monthly dues can be affected only by following the procedure for amendment of the by-laws, with the additional provision that the vote must be by secret ballot.

Notwithstanding the above provisions, if the CUPE National Convention raises the minimum fees or dues or institutes special levies above the level noted herein these by-laws will be deemed to have been automatically amended to conform to the new minimum. The membership will be notified of any such increases.

**SECTION 9 - REPRESENTATIVE EXPENSES WHILE ON LOCAL MATTERS**

All representatives of the Local Union shall receive the following allowances while on Local Union matters:

- (a) All representatives attending to Local Union matters inside their home location shall be paid no transportation expenses.
- (b) Per Diem and mileage allowance will be equal to the National Union's rate as amended from time to time. Whenever possible, car-pooling should be used. When car-pooling is implemented, transportation cost will be provided only to the driver.
- (c) All members incurring cost while on Local Union matters outside their home location shall be provided with hotel accommodation based on the single occupancy rate.
- (d) An amount equal to any loss of salary incurred while on Local Union matters.
- (e) Receipts must substantiate expenses other than per-diem and transportation costs.

- (f) Members while on Local Union matters for a minimum of four hours (4) inside their home location shall be provided with the National Union “in-town” per-diem rate. Members while on Local Union matters inside their home location and who are required to be away from their home for ten (10) hours or more shall receive an additional “in –town” per-diem.
- (g) Members while on Local Union matters outside their home location (a minimum of 90 kms away) for a minimum of six hours (6) shall be provided with the National Union “out-of-town” per diem rate. Less than six (6) hours and the member shall receive the “in-town” rate.
- (h) Such other expenses incurred on Local Union business and as approved by the Executive Committee (i.e parking, taxi, baggage fees).
- (i) Any disputes arising as a result of a claim for expenses by a member shall be resolved by the Executive Committee.
- (j) All members travelling on Local union business shall be covered by WSIB. Premium for this amount shall be paid for by the Local Union.
- (k) Delegates are expected to become active and utilize any knowledge they may have gained by way of union participation.
- (l) Delegates attending courses may be requested by the Executive Committee to assist in matters pertaining to the Local Union (ie. Financial officers who have received training may be requested to assist trustees).
- (m) Delegates must be in attendance at the schools, conventions, conferences, or seminars they have been elected to attend (unless absent for just cause) or they will be responsible for refunding all costs incurred by the Local (ie registration, hotel, travel, per-diem etc). Inappropriate behavior will not be tolerated and it is expected that the Local will be represented respectfully.
- (n) Delegates for National Convention shall be elected by the June meeting of the same year as the National Convention. (o) Delegates for Ontario Division Convention shall be elected by the April meeting of each year prior to the Ontario Division Convention.

## **SECTION 10 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

### **(a) Nomination:**

Officers and Trustees Nominations for the installation of Officers and any vacant Trustee position shown in section 5 shall be received only at the October General Membership meeting. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting his/her consent in writing duly witnessed by another member. To be eligible for an Officers position, or a Trustee position, one must be a member of Local 65 and must be a member in good standing and must not be

in arrears of dues and/or assessments.

**(b) Elections: Officers and Trustees**

- (1). In an election year, at the October General membership meeting, the President shall, subject to the approval of the members present/appoint an Elections Committee consisting of a Returning Officer and assistant(s). The committee shall include members of the Local who are neither officers nor candidates for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
- (2). The Executive Committee shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- (3). The Returning Officer shall be responsible for issuing, collecting and counting ballots. She/he must be fair and impartial and see that all arrangements are unquestionably democratic.
- (4). Elections shall be held biennially. Voting for the position of Officers and any vacant Trustee positions shall take place at the regular membership meeting in November. The vote shall be by secret ballot.
- (5). Before balloting may begin to fill another office. Order of voting shall be President first, followed by Vice-President, Recording Secretary, Secretary Treasurer, Warden, and then Trustees.
- (6). A majority of votes cast shall be required before any candidate can be declared elected. 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. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
- (7). When two (2) or more nominees are to be elected to any office by ballot, each voting member shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
- (8). Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting.
- (9). Any candidate may appoint a scrutineer of their choosing to be present during the ballot counting.

**(c) Installation**

- (1). All duly elected Officers and Trustees shall be installed at the meeting at which elections are held and shall continue in force for two (2) years or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three (3) years.
- (2). The terms of office for Trustees shall be outlined in Article B.2.4 of the CUPE Constitution.
- (3). All duly elected Officers and trustees as outlined in (i) above not already installed shall be installed at the next Executive Committee meeting or regular Membership meeting.

**(d) By-Election**

Should an office fall vacant pursuant to section 4 (d) of these By-Laws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this section.

**SECTION 11 – 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 A. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

In situations not covered by Appendix A 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 12 – AMENDMENTS AND ALTERATIONS TO THE BY-LAWS**

- (a) These By-Laws shall always be subordinate to the Constitution of the Canadian Union of Public Employees (including appendix "B") as it now exists or may be amended from time to time at a National Convention. In the event of any conflict between these By-Laws and the Constitution of the Canadian Union of Public Employees the latter shall prevail.

- (b) These By-Laws shall not be amended, added to or suspended except upon a two thirds (2/3) majority vote of those present and voting at a regular General Membership meeting or Special Membership meeting following at least seven (7) days notice at a previous meeting or at least sixty (60) days written notice. Any By-Law changes shall not conflict with the Constitution of the Canadian Union of Public Employees.
- (c) In addition to (a) and (b) above, at the September General Membership meeting each year, the By-Law Committee, after reviewing the By-Laws, will make recommendations for amendments to these By-Laws through a notice of motion. Voting for annual By-Law changes will take place at the November General Membership meeting each year and will follow the rules noted in (a) and (b) above.
- (d) Any changes to these By-Laws shall not be valid until approved by the National President of the Canadian Union of Public Employees in accordance with article 13 of the CUPE Constitution.

## **SECTION 13 – ORDER OF BUSINESS**

The Order of Business at a regular membership meeting is as follows:

1. Read the Equality Statement at the start of every meeting
2. Roll Call of officers
3. Reading of the Minutes of Previous Meeting
4. Matters arising out of the Minutes
5. Treasurer's Report
6. Communications and Bills
7. Executive Committee Report
8. Reports of Committees and Delegates
9. Nominations, Elections, or Installations
10. Unfinished Business
11. New Business
12. Good of the Union
13. Adjournment

## **SECTION 14 – DONATIONS FOR PERSONAL APPEALS AND STRIKE APPEALS**

### **a) Personal Appeals**

Donations for any personal appeal for assistance from any local of the Canadian Union of Public Employees shall be dealt with by the membership upon an Executive Committee Recommendation made at a regular General Membership meeting. Donations for any personal appeal for assistance shall not be for a sum greater than one hundred dollars (\$100).



Recommendations for a donation greater than one hundred dollars (\$100) shall require a notice of motion.

Donation for any personal appeal for assistance from any organization outside the Canadian Union of Public Employees shall not be for a sum greater than one hundred dollars (\$100).

**b) Strike Appeals**

The Local will receive numerous requests for assistance from CUPE Locals and from other unions on strike. The amount of such financial assistance shall be determined by the membership upon an Executive Committee recommendation made at a regular General Membership meeting. Donations for strike appeals shall not be for a sum greater than two hundred dollars (\$200).

The Executive Committee shall designate one of the Local’s delegates to any convention or conference as being responsible to deal with personal appeals, strike appeals or special appeals launched at conventions or conferences. This delegate shall have the authority to make donations to personal appeals, strike appeals or special appeals on behalf of the Local. Donations made at conventions or conferences shall not exceed two hundred dollars (\$200) for any single appeal.

**SECTION 15 – Honorarium**

An Honorarium will be paid to each of the following officers for personal time and resources spent in service of the local on a monthly basis:

President.....	\$260.00 per month
Vice President.....	\$130.00 per month
Recording Secretary.....	\$175.00 per month
Secretary Treasurer.....	\$175.00 per month
Unit Chairperson.....	\$130.00 per month
Warden.....	\$50.00 per month
Shop Steward:	
One member to twenty five members.....	\$50.00 per month
Twenty six members to fifty members.....	\$90.00 per month
Over fifty members.....	\$130.00 per month
Trustees.....	\$60.00 per six month audit

## **SECTION 16 – GENERAL POLICIES**

### **(a) General Membership Meeting Monthly Attendance Award**

At each general membership meeting the local will draw a name from the members in attendance, the selected person will receive a “swag” bag from the local with CUPE items, in order to attempt to promote the local and increase overall attendance.

### **(b) Defence Fund**

A special defence fund shall be established to assist bargaining units during strikes and to assist units in fight-back campaigns. As strike policy including a term of Reference shall be attached to these by-laws and shall be implemented to control the defence fund.

### **(c) Swearing-in of Members**

New members shall be sworn in at the General Membership meeting whenever possible. Unit Chairpersons shall be permitted to swear in new members if the member is unable to attend the General Membership meeting. The Unit Chairperson shall be responsible for collecting the initiation fee from the new member and shall be responsible for notifying the Officers of any members sworn in by them.

### **(d) Leave for Union Business**

Employees requesting a leave of absence for union business from their employer must first obtain approval from at least two (2) members of the Executive Committee

### **(e) Voting Procedures**

The Local will not permit mail in ballots to take place at any time except under Section 16(f)-iii. Voting for officials of the union (including voting for Officers, Executive Committee members and Shop Stewards) and votes on motions or resolutions made at General Membership meetings, Unit meetings or any Special Membership meetings conducted by the Union shall be held by the raising of hands or by secret ballot filled out by those members eligible to vote and are present at the meeting.

### **(f) Participation by Atikokan, Dryden, Emo, Mine Center, Rainy River, Sioux Lookout and Stratton**

(1). The Local has purchased a telephone system to enable members from Atikokan, Dryden, Emo, Mine Center, Rainy River, Sioux Lookout and Stratton to participate in General Membership, special membership

and Unit meetings. The members in the above noted areas shall be permitted to participate in the business of the local through teleconference calls.

**(2).** Whenever General membership votes are held the following procedure shall be followed: The Unit Chairperson, shop steward or member designated by the President shall coordinate voting in each of the areas noted above and shall be responsible to collect and count the ballots. The results of the vote shall be reported to the person conducting the vote through a separate telephone line. The person conducting the vote shall cast the appropriate number of ballots into the main ballot box prior to the counting of the ballots. Any member in the areas noted above wishing to stand for election shall not be permitted to coordinate the voting for that particular election.

**(3).** For the Election of Officers at the Biennial meeting the following procedure will apply: The Returning Officers, immediately following the October Nomination's meeting shall notify by mail all of the members who work in Atikokan, Dryden, Emo, Mine Center, Rainy River, Sioux Lookout, and Stratton of the results of the nominations and what positions will be elected at the November meeting including candidate names for that position. The Returning Officer will also include a stamped and self-addressed return envelope that will contain the appropriate number of approved ballots for the positions to be elected. These ballots must be returned one (1) week prior to the November meeting and will remain sealed and in the possession for the Returning Officer until the ballots are to be counted. The Returning Officer will add the appropriate unspoiled mail in ballots to the ballot box for the position being elected at the time.

## **CUPE LOCAL 65 STRIKE POLICY**

### **Introduction**

In the event of a legal strike by one of the bargaining units of CUPE Local 65 or in the event of a fight-back campaign approved by the membership, the following policy shall govern the operation of the strike or fight-back campaign.

- (1). The Local shall place one dollar (\$1.00) per member per month into the defence fund until the fund reaches \$25,000.
- (2). Each member of CUPE Local 65 whose bargaining unit is on a legal strike, and who fulfills the participation requirement, shall be entitled to one hundred dollars (\$100) per week, twenty dollars (\$20) per day in strike pay payable from the first day of the strike until such time as the National Strike Defence Funds take effect.

- (3). Defence fund monies shall be held in a separate account and shall require the signatures of at least two (2) of the following signing officers, President, Vice President, Secretary Treasurer in order to transact any business, including the transfer of monies into a Unit's strike fund and any expenditures on fight-back campaigns.
- (4). The Secretary Treasurer shall provide monthly reports on the status of the defence funds.

## **Principles**

- (1). All members of Local 65 benefit from the strike action taken by a particular bargaining unit.
- (2). There is a responsibility upon each member of the Local to respect the democratic decision of the bargaining unit in the event of a strike vote.
- (3). All members of CUPE local 65 are expected to support any bargaining unit that is on strike.
- (4). All members of the striking bargaining unit are expected to participate in the strike.
- (5). All members of the striking bargaining unit are expected to refrain from crossing their own picket lines.
- (6). Members of non-striking bargaining units are encouraged to respect the picket lines by not crossing them.
- (7). All members of CUPE Local 65 are expected to support any fight-back campaign initiated by Local 65 or by an individual bargaining unit.

## **Local Strike Committee (LSC)**

Upon the failure of a bargaining unit of CUPE Local 65 to obtain a settlement with its employer at the conciliation stage of bargaining, the Unit Chair of that bargaining unit will contact the executive of CUPE Local 65. The Executive will establish a Local Strike Committee (LSC) composed of the President, Secretary Treasurer, and Unit Chair of the striking bargaining unit and at least one member of the bargaining unit's negotiations committee.

The Local Strike Committee (LSC) will ensure that a Bargaining Unit Strike Committee (BUSC) is established, that a strike fund is established for the striking bargaining unit and that the general membership of CUPE Local 65 is

kept informed of the progress of the strike. The LSC will be kept up to date by the BUSC on the progress of the strike including picket strategies, picket line support and financial matters.

### **Bargaining Unit Strike Committee (BUSC)**

Upon failure of a bargaining unit to reach a settlement at the conciliation table, the bargaining unit will elect a Bargaining Unit Strike Committee (BUSC) composed of the Unit Chair and no less than two (2) and no more than four (4) members of the bargaining unit. The Bargaining Unit Strike Committee will be responsible for the following:

- (1). Compliance with all regulations of the National Defence Fund
- (2). Control and allocation of strike fund monies received from the Local, national and donations from other sources
- (3). Selection of a strike headquarters
- (4). Operational set up of the strike headquarters
- (5). Operational issues related to the strike such as the establishment of committees such as the financial committee, picket captains committee, communications committee, advertising committee, social committee, and any special committee deemed necessary
- (6). Information concerning banking matters for the strike including establishing a strike account, creating agreements with financial institutions on possible loan, mortgage or debt payments for members
- (7). Communications issues, including media releases and equipment needs
- (8). Reporting to the LSC
- (9). Any other responsibilities as may be required

### **Strike Fund**

Upon the initiation of a strike by any bargaining unit, the local executive shall, through the Local Strike Committee, approve the allocation of five thousand dollars (\$5000) into a special strike fund administered by the BUSC.

Monies received through strike donations or through fundraising activities

shall be kept separate from the strike fund money provided to the bargaining unit by the LSC.

Upon the conclusion of a strike, any funds remaining in the units strike fund from the LSC allocation shall be returned to the LSC. Any monies received from strike donations or through fundraising activities, shall be distributed amongst the members involved in the strike to assist them and their families with any financial hardships incurred during the strike.

### **Participation Requirement**

Members whose bargaining unit is on a legal strike or lock-out are expected to contribute to the strike a minimum of twenty hours (20) per week made up of four (4) hours per day, five (5) days per week or alternate hours as agreed to by the BUSC. This time may be spent doing a number of duties including picket duty, telephone duty, providing child care, flying squad duty, office duty, making picket signs, or by participation on one of the committees created for the strike or any other duties as assigned by the BUSC.

## **CUPE NATIONAL EQUALITY STATEMENT**

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behavior 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 behavior 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 A**

### **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. A Guide to Preparing Local Union Bylaws 50

(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. A Guide to Preparing Local Union Bylaws 51

(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. 39

(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 the 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 a two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote. A Guide to Preparing Local Union Bylaws 52

(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. 40

(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.