

BY LAWS

CUPE LOCAL 4891

REGENERATION HOUSE

Approved by National: November 15, 2018

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TABLE OF CONTENTS

SECTION	PAGE
 Contents	
P R E A M B L E.....	3
SECTION 1 - NAME.....	3
SECTION 2 - OBJECTIVES.....	3
SECTION 3 - INTERPRETATION and DEFINITIONS	4
SECTION 4 – MEMBERSHIP	4
SECTION 5 - MEMBERSHIP MEETINGS - Regular and Special.....	5
SECTION 6 – AFFILIATIONS	6
SECTION 7 - EXPENDITURES	6
SECTION 8 - OFFICERS.....	6
SECTION 9 - EXECUTIVE BOARD	7
SECTION 10 - DUTIES OF OFFICERS.....	7
(a) The President.....	8
(b) The Vice-President.....	8
(c) The Recording Secretary	9
(d) The Secretary-Treasurer	9
(e) The Trustees	11
SECTION 11 - OUT-OF-POCKET EXPENSES	12
SECTION 12 - FEES, DUES, and ASSESSMENTS.....	13
SECTION 13 - NON-PAYMENT OF DUES and ASSESSMENTS.....	14
SECTION 14 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS	14
SECTION 15 - DELEGATES TO CONVENTIONS AND EDUCATIONALS	16
SECTION 16 - COMMITTEES	17
(a) Negotiating Committee	17
(b) Standing Committees	18
SECTION 17 - RULES OF ORDER	20
SECTION 18 - AMENDMENT	20
APPENDIX “A”	21
CUPE NATIONAL EQUALITY STATEMENT	21
APPENDIX “B” TO THE BYLAWS OF LOCAL 4891, CUPE	23
RULES OF ORDER	23

P R E A M B L E

In order to improve the social and economic welfare of its members without regard to sex, colour, race or creed, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, this Local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

The following Bylaws are adopted by the Local pursuant to, and to supplement, Appendix "B" of the CUPE Constitution, to safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

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

SECTION 1 - NAME

The name of this Local shall be: Canadian Union of Public Employees, Local No. 4891

SECTION 2 - OBJECTIVES

The objectives of the Local are to:

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

- (e) establish strong working relationships with the public we serve and the communities in which we work and live.

SECTION 3 - INTERPRETATION and DEFINITIONS

- (a) Masculine pronouns shall be understood to include the feminine gender.
- (b) Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the CUPE National Constitution which should be read in conjunction with these bylaws.

SECTION 4 – MEMBERSHIP

- (a) Membership
An individual employed within the jurisdiction of Local 4891 can apply for membership in Local 4891 by signing an application and paying the initiation fee set out in Section 12 a) of these bylaws.
(Article B.8.1)
- (b) Approval of Membership
At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting object, the applicant(s) will be accepted into membership.
(Article B.8.2)
- (c) Oath of Membership
New members will take this oath:

“I promise to support and obey the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming other members of the Union.”
(Article B.8.4)

SECTION 5 - MEMBERSHIP MEETINGS - Regular and Special

- (a) Regular membership meetings shall be held every four (4) months February, June & October on any day of the week at 5:30 p.m. (weekdays) & (weekends) at noon. Notice of each regular membership meeting outlining the date, time and location shall be given to members at least seven days in advance of the meeting.

When a statutory holiday or a situation beyond the control of the Local Union arises which causes the cancellation of a regular membership meeting, the Executive Board shall reschedule the regular membership meeting, and will give members seven days' notice of the date of the rescheduled regular membership meeting.

- (b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than 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(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- (c) A quorum for the transaction of business at any regular or special meeting shall be 8 members, including at least three (3) members of the Executive Board.
- (d) The order of business at regular membership meetings is as follows:
1. Roll call of Officers
 2. Reading of the Equality Statement
 3. Voting on new members and Initiation
 4. Reading of Minutes
 5. Matters arising
 6. Treasurer's report
 7. Communications and bills
 8. Executive Board report
 9. Reports of committees and delegates
 10. Nominations, Elections, or Installations
 11. Unfinished business
 12. New business
 13. Good of the Union
 14. Adjournment
- (Article B.6.1)

SECTION 6 – AFFILIATIONS

In order to strengthen the labour movement and work toward common goals and objectives, Local 4891 shall be affiliated to and pay per capita tax to the following organizations:

- The CUPE Ontario Provincial Division.
- The Toronto and York District Labour Council.

SECTION 7 - EXPENDITURES

(a) Payment of Local Union Funds

Funds can only be spent for valid purposes of the Local Union under the following circumstances:

- When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting;
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members present and voting at a regular or special membership meeting.

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

(c) No Officer or member of Local 4891 will be allowed to spend any Local Union funds without first having received authorization under Section 7 a) of these bylaws.

SECTION 8 - OFFICERS

The officers of the Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, and three (3) Trustees. All officers shall be elected by the membership.

(Articles B.2.1 & B.2.2)

SECTION 9 - EXECUTIVE BOARD

- (a) The Executive Board shall comprise all officers, except Trustees.
(Article B.2.2)
- (b) The Board shall meet at least eight times a year.
(Article B.3.14)
- (c) A majority of the Board constitutes a quorum.
- (d) The Executive officers shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- (e) The Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- (f) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
(Articles B.11.1 to B.11.5)
- (g) Should any Board member fail to answer the roll call for three consecutive regular membership meetings or three (3) consecutive regular Board meetings without having submitted good reasons for those failures, their office shall be declared vacant and shall be filled by an election at the following membership meeting.
(Article B.2.5)
- (h) Each Executive Board Member will be entitled to expense \$50.00 per month for cellular phone service to fulfil their respective duties. Receipt to be attached.

SECTION 10 - DUTIES OF OFFICERS

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

All signing Officers of Local 4891 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

(a) **The President** shall:

- enforce the CUPE Constitution and these bylaws;
- preside at 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 their rulings);
- ensure that all officers perform their assigned duties;
- fill committee vacancies where elections are not provided for;
- introduce new members and conduct them through the initiation ceremony;
- sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, bylaws, or vote of the membership;
- have first preference as a delegate to the CUPE National Convention.

(Article B.3.1)

(b) **The Vice-President** shall:

- if the President is absent or incapacitated, perform all duties of the President;
- if the office of President falls vacant, be Acting President until a new President is elected;
- render assistance to any member of the Board as directed by the Board.

(Article B.3.2)

(c) **The Recording Secretary** shall:

- keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.
- record all alterations in the bylaws;
- answer correspondence and fulfil other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to members;
- have all records ready on reasonable notice for auditors and Trustees;
- preside over membership and Board meetings in the absence of both the President and the Vice-President;
- be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
- on termination of office, surrender all books, seals and other properties of the Local to their successor.

(Article B.3.3)

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

- receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union;

Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the

Executive Board, designate a signing officer during prolonged absences.

- prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month;
- throughout their term, and on behalf of the Local Union membership, be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or receipts for every disbursement made, receipts for all money sent to CUPE headquarters, as well as records and supporting documents for all income received by the Local Union;
- record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- make a full financial report to meetings of the Local's Executive Board, as well as 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 the National Office, and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
- pay no money unless supported by a voucher duly signed by the President and one other member of the Board or any two other members of the Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books 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 they may need to complete the audit report forms supplied by CUPE;
- Where required, not later than February 28th each year, furnish each member, on the forms supplied by the National Office, with a

statement showing the net amount of tax-deductible dues paid by him during the preceding calendar year;

- be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds;
- notify all members who are one month in arrears and report to the Board all members two or more months in arrears in the payment of union dues;
- on termination of office, surrender all books, records and other properties of the Local to their successor. (Articles B.3.4 to B.3.8)
- prepare and present an annual budget report to the Executive for review and to the Membership for approval.

(e) **The Trustees** shall:

- act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary and the Standing Committees 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 are not paid out without proper constitutional or membership authorization;
- ensure that proper financial reports are made to the membership;
- audit the record of attendance;

- 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, and report their findings to the membership;
- send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their report to the Local Union membership along with a copy of their recommendations and/or concerns to the President and Secretary-Treasurer and the Secretary-Treasurer's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative;

(Articles B.3.10 to B.3.12)

SECTION 11 - OUT-OF-POCKET EXPENSES

The following expense allowance shall be provided for meals, local office supplies, travel and or equipment.

- (a) Meals maximum (Breakfast \$10) (Lunch \$20) (Dinner \$30)
Receipt to be attached.
- (b) Travel (mileage 47cent/km) (cost of public transportation)
- (c) Childcare expenses rate \$15 per hour up to a maximum of 12 hours per day to be reimbursed to members attending General/Special or Committee meetings of the local. CUPE Voucher and Receipt to be attached. In the case when there is more than one (1) member elected or chosen to attend a CUPE function i.e. Educational Course/Workshop/Convention, who are the primary care givers for children (16 years & under), the decision will rest with the executive as to whether one (1) or more members can be provided with subsidized childcare at the rate indicated in the above. This will be subject to amount of local funds accumulated or available at the time of the request(s). Priority in requests will be considered on a first come first served basis. Members will be required to fill out and sign a CUPE voucher expense form indicating the date, time and amount to be reimbursed for childcare services and attach a receipt.

- (d) Annual Honorarium for Officers and Stewards to be paid out biannually in January and July with the exception of the trustees who are paid out annually after the audit is received.

The Secretary-Treasurer will issue honorariums in accordance with the Canada Revenue Agency rules and regulations and deduct any applicable withholding taxes and report on either a T4 or T4A as applicable.

President - \$499
Secretary-Treasurer - \$449
Vice-President - \$399
Recording Secretary - \$399
Trustees - \$200
Up to Five Stewards - \$100

SECTION 12 - FEES, DUES, and ASSESSMENTS

(a) Initiation Fee

Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee of one (1) dollar which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected the fee shall be returned.

(Articles B.4.1 & B.8.2)

(b) Readmittance Fee

The readmittance fee shall be one (1) dollar.

(Articles B.4.1)

(c) Monthly Dues

The monthly dues shall be 1.5% of regular wages.

(Article B.4.3)

Changes in the levels of the Initiation Fee, the Readmittance Fee, or the Monthly Dues can be effected only by following the procedure for amendment of these bylaws (see Section 18), with the additional provision that the vote must be by secret ballot.

(Articles B.4.1 & B.4.3)

Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established, these bylaws will be deemed to have been automatically amended to conform to the new CUPE minima.

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

SECTION 13 - NON-PAYMENT OF DUES and ASSESSMENTS

Any member in arrears for a period of three months or more shall be automatically suspended and their suspension shall be reported to the Executive Board by the Secretary-Treasurer. The Executive Board shall report to the next membership meeting with a recommendation. Any member under suspension wishing to be reinstated shall, upon application, pay the readmittance fee, plus any dues and assessments in arrears. This money will be returned if the application is rejected. If a member has been unemployed or unable to work because of sickness, they shall pay the readmittance fee but may not be required to pay their arrears.

(Article B.8.6)

SECTION 14 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) Nomination

Nominations and elections shall take place at the regular scheduled membership meeting held in the month of October or November. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting their consent in writing, duly witnessed by another member. To be eligible for nomination, the nominee must have been accepted into the membership and continue to be a member in good standing. No member shall be eligible for nomination if they are in arrears of dues and/or assessments.

(b) Election

- (1) At a 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; it shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
- (2) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- (3) The Returning Officer shall be responsible for issuing, collecting, and counting ballots. They must be fair and impartial and see that all arrangements are unquestionably democratic.
- (4) The voting shall take place at a Special Membership Meeting or General Membership Meeting. The vote shall be by secret ballot.
- (5) A majority of votes cast will be required before any candidate can be declared elected and second and subsequent ballots will be taken if necessary to obtain a majority. On the second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot will be dropped.
- (6) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- (7) In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
- (8) When two or more nominees are 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.
- (9) Any member may request a recount of the votes for the request is supported, in a vote, by at least the number of members equal to

the quorum for a membership meeting as laid down in Section 4 (c).

(c) Installation

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

(Article B.2.4)

- (2) The terms of office for Trustees shall be as laid down in Article B. 2.4 of the CUPE Constitution.

(d) By-Election

Should an office fall vacant pursuant to Section 9 (g) of these bylaws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section.

SECTION 15 - DELEGATES TO CONVENTIONS AND EDUCATIONALS

- (a) Except for the President's option [Section 10 (a)], all delegates to conventions shall be chosen by election at membership meetings.
- (b) Delegates to the CUPE District Council shall be elected annually. An official reporter for these delegates shall be appointed annually by the President from among these delegates, and he shall be required to report at each membership meeting of the Local on proceedings at recent meetings of the Council.
- (c) All delegates elected to the conventions and educationals held outside the city of Toronto shall be paid transportation expenses (at economy, tourist or coach rates), a per diem allowance of \$80.00 dollars for expenses, and an amount equal to any loss of salary incurred by attendance at the convention.
 - (1) Hotel costs up to a maximum of \$300.00 per day including hotel incidentals i.e. Internet service, upon receipt.

- (2) Ground Transportation expenses (taxi service to and from the airport and designated Convention location also including to and from the hotel and or public transportation), upon receipt.
- (3) Mileage rate 47 cents per km.
- (4) Convention related photography expenses up to a maximum of \$20.00, upon receipt.
- (d) Delegates to conventions and educationals held locally shall have travel expenses (mileage rate 47 cents per km, and or the cost of public transportation. There shall be a per diem allowance of \$60.00 dollars per day.
- (e) Representation at educational institutes and seminars shall be on the recommendation of the Education Committee, subject to final approval by the membership.
- (f) Delegates to Conventions shall reimburse the Local Union the per diem in Section 15 c) and d) if they are unable to attend the Convention.

SECTION 16 - COMMITTEES

(a) Negotiating Committee

This shall be a special ad hoc committee established at least eight (8) months prior to the expiry of the Local's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of three (3) members and one (1) alternate member, all elected at a membership meeting. The CUPE representative assigned to the Local shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

The committee shall consist of three (3) members with one (1) being the President or another member of the Executive who is elected by the Executive if the President is unable to be on the committee and one (1) alternate member. All positions other than that held by the President or Executive member will be elected at a membership meeting. Members

must have attended at least 50% of the membership meetings in the preceding 12 months period or in the period he/she was a member, if less than a year, unless a valid reason acceptable to the Local is given for non-attendance by the next membership meeting in order to be eligible for nomination & election to the Negotiation Committee.

(b) **Standing Committees**

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

(1) Health and Safety Committee

This committee will:

- Work to educate members on the importance of workplace health and safety.
- Prepare and present reports to the regular membership meetings.
- Participate on the Joint Health and Safety Committees in the workplace.
- Ensure that the worker representatives of the Joint Health and Safety Representatives meet separately from the employer to prepare for meetings with the employer.
- Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.
- Immediately bring to the attention of the employer any workplace hazard that has the potential to cause members' illness or injury.
- Work to eliminate all workplace hazards, be they physical, environment, or social.

Members of this committee should be designated as a "Certified Worker Representative" in accordance with the legislation in their respective jurisdictions.

The committee members will be the elected chairperson and a minimum of 2 members. The committee shall appoint its secretary from among its members.

(2) Bylaw Committee

This committee will:

- Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments 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.

The committee members will be the elected chairperson and four (4) of members. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.

(3) Grievance Committee

This committee will:

- Assist in the handling of all local grievances.
- Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting.
- When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether or not the grievance should proceed to arbitration.
- If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board.
- The committee members will be the President or Vice-President as chairperson and 2 appointed stewards. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages.

SECTION 17 - RULES OF ORDER

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

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

SECTION 18 - AMENDMENT

- (a) These bylaws are always subordinate to the CUPE Constitution (including Appendix "B") as it now exists or may be amended from time to time, and in the event of any conflict between these bylaws and the CUPE Constitution the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.

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

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

(Article 13.3 and B.5.1)

- (c) No change in these bylaws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

(Articles 13.3 & B.5.1)

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" TO THE BYLAWS OF LOCAL 4891, CUPE

RULES OF ORDER

1. The President or, in their absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and Vice-President, the Recording Secretary shall act as President, and in their absence a President pro-tem shall be chosen by the Local.
2. No member, except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than five minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.
3. The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
5. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.
6. On motion, the regular order of business may be suspended by a two-thirds vote of those present, to deal with any urgent business.
7. All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
8. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.

9. Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
10. When a member wishes to speak on a question or to make a motion, they shall rise in their place and respectfully address the presiding officer, but, except to state that they rise to a point of order or on a question of privilege, they shall not proceed further until recognized by the chair.
11. When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
12. Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Local or member thereof.
13. If a member, while speaking, is called to order, they shall cease speaking until the point is determined; if it is decided they are in order, they may again proceed.
14. The President shall take no part in debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
15. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, they may in addition give a casting vote, or, if they choose, refrain from breaking the tie, in which case the motion is lost.
16. When a motion is before the Local, no other motion shall be in order except (1) to adjourn (2) to put the previous question (3) to lay on the table (4) to postpone for a definite time (5) to refer (6) to divide or amend, which motions shall have precedence in the order named. The first three of these shall be decided without debate.
17. A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.

18. A motion to adjourn is in order except (1) when a member has the floor, and (2) when members are voting.
19. A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.
20. After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.
21. If any member wishes to challenge (appeal) a decision of the chair, they must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for their challenge. The Chairperson may then state briefly the basis for their decision, following which the Chairperson shall immediately and without debate put the question: "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie the chair is sustained.
22. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
23. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Vice-President.
24. The Local's business, and proceedings of meetings, is not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

November 17, 2017

cope 491