

BYLAWS



LOCAL 1015

City of Lloydminster Pioneer Complex, and the Lloydminster Public Library

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Canadian Office and Professional Employees
Local 491 lb/cope 491

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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, language 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.

PREAMBLE

Local 1015 of the Canadian Union of Public Employees (CUPE) 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 1015 in accordance with the CUPE National Constitution (Articles 13.3 and Appendix 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 organization's activities.

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

SECTION 1 – NAME

The name of this Local shall be: Canadian Union of Public Employees, Local No. 1015 (City of Lloydminster, Pioneer Complex, and the Lloydminster Public Library Employees).

Local 1015 consists of the following bargaining units:

00 – City of Lloydminster

01 – Pioneer Complex

02 – Lloydminster Public Library

SECTION 2 – OBJECTIVES

The objectives of the Local 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 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 disability; 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 – INTERPRETATION AND DEFINITIONS REFERENCES

Numbers of Articles at the end of sections or subsections refer to relevant articles of the CUPE Constitution which should be read along with these bylaws.

SECTION 4 – ELIGIBILITY FOR MEMBERSHIP AND MEMBERS IN GOOD STANDING

- a) All workers engaged in the public service field who would come within the bargaining scope of the Union established by the most recent certification order are eligible for membership.
- b) Eligible workers will be admitted to membership in the Union after signing an application form as required by the Union and by paying the fees and/or dues as may be determined by the Union, as provided under Section 11 (a).
- c) All members in good standing will have the right to full participation in the affairs of the Local. They are able to hold Executive office and vote on all matters concerning the Local.

A member in good standing is a person who has paid the initiation fee, and is currently paying dues to the Union. In the event of a member being discharged from their employment and where the Local has agreed to pursue the matter to arbitration, they shall be considered as members in good standing until a decision in the matter has been rendered and decisions of all subsequent appeals as deemed appropriate by the Grievance Committee, have been rendered.

SECTION 5 – AFFILIATIONS

Local 1015 CUPE shall be affiliated to the Alberta Federation of Labour (AFL); CUPE Alberta Division, the Alberta Municipal Employees Committee (AMEC), the Alberta Health Employees Committee (AHEC), the Alberta Library Employees Committee (ALEC) and the Canadian Labour Congress (CLC).

SECTION 6 – MEMBERSHIP MEETINGS – REGULAR AND SPECIAL

- a) Regular membership meetings will be held monthly, the date and time being variable to facilitate having more members available, but generally on the second Thursday evening of each month at 6:00 PM. Regular membership meetings will not be held in the months of July and August. 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 seven (7) members. The President will immediately call a special meeting when so ordered or requested and will 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 will be take place at the special meeting other the subjects in the notice.
- c) A quorum for business to take place at any regular or special meeting will be 10 members, including at least three (3) members of the Executive Board.
- d) The Executive Board of CUPE Local 1015 is empowered to conduct the business of the Local in the absence of a quorum at a regular monthly meeting, provided that any decision made by the Executive is brought back to the membership at the next regular general membership meeting for ratification.
- e) The order of business at regular membership meetings is as follows:
1. Indigenous Land Acknowledgement
 2. Roll call of the Officers
 3. Reading of the Equality Statement
 4. Voting on new members and initiation
 5. Reading of the minutes
 6. Matters arising from the minutes

7. Treasurer's Report
8. Communications and bills
9. Executive Board Report
10. Reports of committees and delegates
11. Nominations, Elections, or Installations
12. Unfinished business
13. New business and Round Table
14. Good of the Union
15. Adjournment

(Appendix B.6.1)

All business and discussion that takes place at any regular or special membership meeting are confidential to our membership. It is a serious violation of the Oath of Obligation to discuss any matter which has been brought up at these meetings with any person who is not a member in good standing as outlined in Section 4.

- f) Bargaining unit meetings may be called to deal with matters that affect only members of the bargaining unit. Such meetings are not to be used to replace regular membership meetings and will not make decisions that affect the Local Union as a whole or another bargaining unit. The President shall advise members of the bargaining unit seven days in advance of the meeting providing the time and location and an agenda.

SECTION 7 – BUDGET

The Secretary-Treasurer will annually prepare a budget for the November Executive meeting for approval by the Executive. The Secretary-Treasurer will present the approved budget to the membership for their approval at the December general membership meeting.

SECTION 8 – VOTING OF FUNDS

- a) Except for ordinary expenses and bills covered by these bylaws, the budget, or approved at membership meetings, no sum over one hundred dollars (\$100) will be voted for the purpose of a grant or contribution to a member or any cause outside CUPE, except by a Notice of Motion given in writing and dealt with at a regular membership meeting and passed by a two-thirds (2/3) majority of members present.

Except for the regular fees, out-of-pocket expenses and per capita assessments, no non-budgeted expenditure of the Local shall be made unless approved by the membership at a regular meeting.

SECTION 9 – OFFICERS

The Officers of the Local will be the President, Vice-President (Civic), Vice-President (Pioneer), Vice-President (Library), Secretary-Treasurer, Recording Secretary, and three (3) Trustees. All Officers and Trustees must be elected by the general membership, except that the Vice-President (Civic) shall only be elected from and by the City of Lloydminster members, the Vice-President (Pioneer) from and by the Pioneer Complex members and the Vice-President (Library) from and by the Lloydminster Public Library members.

If any of Vice-President positions become vacant or fail to be filled, or if the Vice-President (Civic) is Acting President, the remaining Vice-Presidents will decide amongst themselves who will fulfill the role of Chief Shop Steward and duties of Vice-President at the site(s) with vacancies.

(Appendices B.2.1 & B.2.2)

SECTION 10 – EXECUTIVE BOARD

- a) The Executive Board (Board) will be made up by all elected Officers, except Trustees.

(Appendix B.2.2)

- b) The Board will meet once every month or as necessary, but must meet at least eight (8) times a year.

(Appendix B.3.14)

- c) The majority of the Board constitutes a quorum.

- d) The Board will hold title to any real estate of the Local Union as trustees for the Local Union. They will 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 will do the work delegated to it by the Local and will 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.

(Appendices B.11.1 to B.11)

- g) If any Board member fail to answer the roll call for three (3) consecutive regular membership meetings or three (3) consecutive regular Board meetings without having submitted good reasons for those failures, their office will be declared vacant and will be filled by an election at the following membership meeting. As well, honorariums to that Board member will only be paid prior to non-attendance of the three (3) consecutive meetings.

(Appendix B.2.5)

SECTION 11 – DUTIES OF OFFICERS

Each Officer of Local 1015 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

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

All signing Officers of Local 1015 must be bonded through the master bond held by CUPE National. Any officer who cannot qualify for the bond will be disqualified from having signing authority. Any Secretary Treasurer who cannot qualify for the bond must be disqualified from the office.

a) President

The duties of the President are:

- Enforce the CUPE National Constitution and these Local Union bylaws and the Equality Statement.
- Interpret these bylaws as required.
- Preside at all membership and Executive Board meetings and preserve order.
- Decide all points of order and procedure (subject always to appeal to the membership).
- Have a vote on all matters (except appeals against his rulings) and in case of a tie vote in any matter, have the right to cast an additional vote to break the tie or choose not to cast a deciding vote and instead turn the matter back to the membership for a revote.
- 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;
- Co-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.
- Be allowed necessary funds, not to exceed one hundred dollars (\$100) monthly, to reimburse themselves or any Officers for expenses supported by vouchers, incurred on behalf of the Local. These expenses will be reported to the membership at the next general membership meeting.
- Have first preference as a delegate to all events, conventions and conferences.

(Appendix B.3.1)

b) Vice-President (Civic)

The duties of the Vice-President (Civic) are:

- 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.

- Be responsible for ensuring that all City of Lloydminster grievances are processed in a timely and efficient manner; report on grievances first to the Executive Board, with a copy to the CUPE representative, and then to a membership meeting. Grievances must be in writing on the forms provided by CUPE National and be signed by the complainant or complainants, as provided for in the relevant Collective Agreement.
- Render assistance to any member of the Board as directed by the Board.
- Act as the Chief Shop Steward, and in that capacity will:
 - Be responsible for the effectiveness of the Collective Agreement with Management of all bargaining units of the Local;
 - Aid the Shop Stewards in carrying out their duties;
 - Attend grievance meetings alone or with other members of the executive;
 - Keep accurate written notes of all grievance meetings;
 - Act as a Union Leader and communicator and solicit attendance of members at Regular and Special Meetings;
 - Commit to attending Shop Steward Training.

(Appendix B.3.4 to B.3.9)

c) Vice-President (Pioneer)

The duties of the Vice-President (Pioneer) are:

- Be responsible for ensuring that all Pioneer Complex grievances are processed in a timely and efficient manner; report on grievances first to the Executive Board, with a copy to the CUPE representative, and then to a membership meeting. Grievances must be in writing on the forms provided by CUPE National and be signed by the complainant or complainants, as provided for in the collective agreement.
- Act as third chair in the event the President or the Vice-President (Civic) are absent or recuse themselves.
- Render assistance to any member of the Board as directed by the Board.

(Appendix B.3.2)

d) Vice-President (Library)

The duties of the Vice-President (Library) are:

- Be responsible for ensuring that all Library grievances are processed in a timely and efficient manner; report on grievances first to the Executive Board, with a copy to the CUPE representative, and then to a membership meeting. Grievances must be in writing on the forms provided by CUPE National and be signed by the complainant or complainants, as provided for in the collective agreement.
- Act as third chair in the event the President or the Vice-President (Civic) are absent or recuse themselves.
- Render assistance to any member of the Board as directed by the Board.

(Appendix B.3.2)

e) Recording Secretary

The duties of the Recording Secretary are:

- Keep correct, full and impartial minutes of all membership meetings and all meetings of the Executive Board. The minutes will include a copy of the full financial report presented by the Secretary-Treasurer as required by Appendix B.3.6 of the CUPE Constitution.
- Maintain records of membership attendance at all meetings.
- Record all alterations in the bylaws.
- Answer correspondence and fulfill 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 President, to employ necessary stenographic or other assistance to be paid for out of the Local's funds.

(Appendix B.3.3)

f) Secretary-Treasurer

The duties of the Secretary-Treasurer are:

- Keep all financial records of the Local Union and keeps a correct record of all its members. The Secretary-Treasurer must maintain and organize all financial records including all documents, authorizations, invoices and vouchers for all payments made, records and supporting documents for all income received by the Local Union and receipts for all money sent to CUPE National.
- 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.
- 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.
- 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 vouchers 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 CUPE National, and any Secretary-Treasurer who cannot qualify for the bond will be disqualified from the office.
- Pay no money unless supported by a voucher duly signed by the President or their designate, and one other member of the Executive Board as determined by the Executive Board, No voucher will be required for payment of any per capita fees to any organization to which the local is affiliated.
- 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.
- 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 National.
- Not later than February 28th each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid during the preceding calendar year.
- Be empowered, with the approval of the President, to employ necessary clerical assistance to be paid for out of the Local's funds.
- Notify all members who are one (1) month in arrears and report to the Board all members two (2) or more months in arrears in the payment of Union dues.
- Shall sit as the Privacy Officer and assume those duties.

g) Trustees

The duties of the Trustees are:

- 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 annually.
- Make a written report of their findings and present them to the first membership

meeting following the completion of each audit.

- Submit in writing to the President and Secretary-Treasurer any recommendation 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, bylaw, 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 to the National Secretary-Treasurer, with a copy to the assigned National Representative, the following documents:

- (i) Completed Trustee Audit Program
- (ii) Completed Trustees' Report (on the prescribed form provided by the National Secretary-Treasurer)
- (iii) Secretary-Treasurer Report to the Trustee
- (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

(Appendices B.3.10 to B.3.12)

SECTION 12 – FEES, DUES AND ASSESSMENTS

a) Initiation Fee

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees.

All new members will pay an initiation fee of two dollars (\$2.00) upon first application for membership which will be in addition to monthly dues. The Secretary-Treasurer will issue a receipt. If the application is rejected, the fee will be returned.

A re-admittance fee of two dollars (\$2.00) will apply to returning members.

b) Monthly Dues

The monthly dues will be as follows:

- one and one half percent (1.5%) of regular wages

(Appendix B.4.3)

Changes in the levels of the Monthly Dues can be effected only by following the procedure for amendment of these bylaws (see Section 21), with the additional provision that the vote must be carried out by secret ballot.

Notwithstanding the above provisions, if the CUPE convention raises minimum fees and /or dues above the level established here, these bylaws will be deemed to have been automatically amended to conform to the new CUPE minimum(s).

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

SECTION 13 – NON-PAYMENT OF DUES AND ASSESSMENTS

Any member in arrears for a period of three (3) months or more will be automatically suspended and their suspension shall be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report to the next membership meeting with a recommendation. Any member under suspension wishing to be reinstated will, upon application, pay 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 may not be required to pay their arrears, at the discretion of the Executive Board.

SECTION 14 – OUT OF POCKET EXPENSES HONORARIUMS
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The following honorariums will be paid out at the end of each month or when the position is vacated:

President	\$250.00 per month
Vice-Presidents	\$200.00 per month
Recording Secretary	\$200.00 per month
Secretary-Treasurer	\$200.00 per month
Trustees	\$50.00 per audit once the audit is completed

In the month that any of the Officers change, the honorariums will be paid to both Officers for that month, unless the position was declared vacant as per section 9(h).

SECTION 15 – REIMBURSEMENT OF EXPENSES TRAVEL ON UNION BUSINESS
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- a) All delegates elected or requested to attend to Union affairs or attend schools outside the City of Lloydminster shall be reimbursed as follows:
- Transportation costs if a private vehicle is used based on reimbursement rates per kilometre established by Revenue Canada, which includes the cost of gasoline and wear-and-tear on the vehicle. If public transportation is necessary, it will be paid at economy, tourist or coach rates. Transportation costs will be reimbursed upon the production of a receipt.
 - Where possible, members will carpool, with at least three (3) members per private vehicle before an additional private vehicle is authorized to be reimbursed for travel. This will apply for as many delegates as there are for the trip (e.g., six (6) members would travel in two (2) vehicles). Members may choose to take their own vehicles, instead of carpooling, at their own cost.
 - Mileage to be reimbursed will be calculated based upon the shortest route between Lloydminster and the event, plus any additional travel at the location directly related to the business of the Local. Any additional mileage for personal reasons will not be reimbursed.
 - In the event non-delegates are travelling with the delegates, any costs related to their travel will be the responsibility of the member they are accompanying.
 - If, due to extenuating circumstances, a member desires to take their own vehicle and have the travel costs reimbursed by the Local, they must make a motion at a general membership meeting prior to travel and explain the circumstances.
 - There will be a per diem allowance of seventy-five dollars (\$75) per day for meals and additional expenses. Per diems are provided only for days where all meals are not provided at the venue, or where travel time would reasonably cause (a) meal(s) to be missed (e.g., lunch is provided, but arrival time would be later than supper).
 - The receipted amount of hotel accommodation.
 - An amount equal to any loss of salary incurred by attendance at the Convention, as Union Leave.
 - Other receipted expenses may be reimbursed upon approval by the membership.
- b) Delegates elected to attend to Union affairs or attend schools held locally will receive no travel allowance. They will receive an amount equal to any loss of

salary incurred by attendance at the function as Union Leave. There will also be an out of pocket allowance of up to thirty-five dollars (\$35) per day to cover the cost of meals and other expenses.

SECTION 16 – MEMBER BENEFITS

- a) Any member in good standing who retires from the City of Lloydminster, the Pioneer Complex, or the Lloydminster Public Library after achieving five (5) years of membership in CUPE Local 1015 may request a retirement gift to a value of ten dollars (\$10) per year of service or portion thereof. In the event of a member in good standing's death, the family of that member shall receive flowers and a card of condolence.
- b) An annual donation, not to exceed one hundred dollars (\$100) will be made to a charitable organization in recognition of all members who have been sick or experienced the loss of a loved one over the year. The charity will be chosen at the regular membership meeting in November.

SECTION 17 – INDEMNITY CLAUSE

CUPE Local 1015 shall pay the cost of:

- a) Defending an action or proceeding against a Union Officer claiming liability on the part of that Union Officer for acts or omissions done or made by the Union Officer in the course of their duties or paying any sum required to settle the action or proceeding;
- b) Damages and costs awarded against a Union Officer as a result of the finding of liability on the part of that Officer for acts or omissions done or made by the Union Officer in the course of their duties.

This clause shall cover Executive Officers of Local 1015 only.

SECTION 18 – NOMINATION, ELECTIONS AND INSTALLATION OF OFFICERS

- a) Nomination

Nominations for Executive Board members and Trustees will take place at a regular membership meeting held in the month of February. To be eligible for nomination a member must be a member in good standing. No nomination will be accepted unless the member is in attendance at the meeting or has allowed to be filed prior to the meeting their consent in writing or email, and is prepared to take

the Oath of Office if elected. No member will be eligible for nomination if they are in arrears of dues and/or assessments or if they state that they will refuse to take the Oath of Office and abide by its conditions.

b) Elections

1. The President and Recording Secretary are elected in ~~odd~~ even years. The Vice-Presidents, and Secretary-Treasurer are elected in odd years.
2. At a membership meeting at least one (1) month prior to election day the President will, subject to the approval of the Executive Board, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The committee will include members of the Local who are neither Officers nor candidates for office, it will have full responsibility for voting arrangements and will treat information submitted to it in connection with its responsibilities as confidential.
3. The Executive Board will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
4. The Returning Officer will be responsible for issuing, collecting, and counting ballots. They must be fair and impartial and see that all arrangements are unquestionably democratic.
5. The voting will take place at the regular membership meeting held in March. The vote shall be secret ballot.
6. Voting to fill one office will be conducted and completed, and recounts dealt with, before balloting may begin to fill another office. In any case, no one person can hold two elected positions.
7. 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. In case of a final tie vote, each of the remaining candidates will be given the opportunity to address the membership for a maximum of five (5) minutes, at which point the members will re-cast the votes.
8. When two (2) or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

(Article 11.4)

9. Any member may request a recount of the votes for any election and a recount must be conducted if the request is supported, in a vote, by at least the number of members equal to a quorum for a membership meeting as laid down in Section 6 (c).
10. All election complaints by members will be submitted in writing to the Chief Returning Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven days after the election. The Chief Returning Officer in conjunction with the Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.
11. Following the final count of the votes, a motion will be made for the ballots to be destroyed.

c) Installation

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

(Appendix B.2.4)

d) By-election

If an office falls vacant pursuant to Section 9 (g) of these bylaws or for any other reason, the resulting by-election should follow this Section as closely as possible. The newly elected member will serve the remainder of the term of the vacant position.

<p>SECTION 19 – DELEGATES TO CONVENTIONS, CONFERENCES OR OTHER EVENTS</p>
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- a) The Executive Board will, when notified of a convention, conference or other events, such as educational courses or seminars, decide whether representatives/delegates will be sent, and how many, on the following criteria:
 1. Sufficient funds are available, with reasonable reserves, such that the Local is in sound financial standing and the costs of attending the event will not compromise the Local's finances: the Board should take into consideration upcoming liabilities and potential expenses (such as upcoming bargaining or arbitrations) which would call for more fiscal restraint.

2. The number of delegates and the costs involved are reasonably counterbalanced by the relevance of the event and benefit to the Local and the membership.
 3. The anticipated quality and/or purpose of the event, and who it is targeted at, the academic level it will be presented at (e.g., too complex or too elementary) and whether there are better alternatives.
 4. Sufficient funds are allocated to education of new or less experienced members who have shown interest in the Local Union to allow for their fostering and growth and to allow Shop Stewards to attend courses to improve ~~on~~ their skills.
 5. The Local recognizes that issues affecting minority, female and equity-seeking groups are important even if not a personal priority for the membership as a whole; efforts will be made to attend events with subject-matter that, although not personally relevant to all members, is important to promoting the principles of legal and economic justice and equality consistent with our organized labour movement's tradition that an affront against one is an affront against all.
 6. A reasonable effort is undertaken to appropriately budget so that funds are available to send the maximum number of delegates to the most important events, such as the CUPE National Convention, while sending fewer or no delegates to less important events unless the funds allow. The following events are listed in the order of priority:
 - i. CUPE National Convention (every 2 years in the odd year, usually in alternating order in Vancouver, Toronto and Montreal or Quebec City)
 - ii. Canadian Labour Congress (CLC) Convention
 - iii. CUPE Alberta Division Convention
 - iv. Alberta Federation of Labour (AFL) Convention
 - v. CUPE National Sectorial Conference (every 2 years in the even year)
 - vi. CUPE National Conferences on various topics, such as Bargaining, Human Rights, etc.
 - vii. CLC or AFL conferences on various topics
 - viii. Western Municipal Conference
 - ix. Parkland Institute Conference or Public Interest Alberta Conference
 - x. CUPE Alberta topical conferences
 - xi. All Union-sponsored schools are acceptable, such as CUPE Weeklong School or the AFL Winter School depending on the Local's needs; non-Union Labour Relations non-profit organizations are also acceptable, such as the Canadian Industrial Relations Association or HR organizations. Courses put on by for-profits which are acceptable are: Lancaster House, Labour Law Online, Carswell Legal Education, QuickLaw or a course that features a certified/approved arbitrator or mediator.
- b) Once the Board has determined whether delegates will be sent and how many, delegate selection shall be made from amongst the Executive Members, with the

President having the first choice, and any vacant positions shall be elected from the membership at the following Membership Meeting.

- c) Every opportunity shall be used, wherever possible, to use out-of-town trips as a way of fostering the next generation of leaders and inspiring those who show interest, but the Local must be represented at the most important events by the Leadership of the Local and delegates who have been the most active in the Union as that is the greatest benefit to the Local membership as a whole.

SECTION 20 – COMMITTEES

a) Negotiating Committee

This is a special ad hoc committee established at least three (3) months prior to the expiry of any of the Local's collective agreements 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 any amendments to the collective agreement. The committee will consist of up to six (6) members: the President, the Vice-President of the bargaining unit, and the remaining members elected by the general membership, the number of which shall be determined by the Collective Agreement for that bargaining unit. The CUPE National representative assigned to the Local will be a non-voting member of the committee and will be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

b) Grievance Committee

The Grievance Committee shall be comprised of the Executive Board and the Local's assigned National Representative as a non-voting member, and will:

- Oversee the handling of all the Local's grievances.
- Receive copies of all grievances.
- Prepare a report on the status of all grievances to be submitted to the National Representative, and to the membership meetings.
- When a grievance is not settled in the initial steps provided for in the Collective Agreement, decide whether or not the grievance should proceed to arbitration.

Once a matter has already been advanced to arbitration, and the National Representative, CUPE Lawyers or other Legal Counsel handling the case recommend a settlement or withdrawal with which the Board concurs, the Board will have the authority to impose a settlement. This includes resolving the grievance against the grievor's wishes, with no opportunity to appeal to the membership, provided the decision is made in consideration of all the circumstances of the case, the likelihood of success and the merits of the grievance and is not discriminatory, arbitrary, made in bad faith or capricious.

c) Special Committees

A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. The members will be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Special committees will be comprised of two (2) Executive Board members, and as many other members as required to perform the functions of the committee. Examples of Special Committees that may be established are:

1. Education Committee

It shall be the duty of this committee to:

- arrange for representation of the Local at any appropriate and available educational seminar or conference and submit recommendations accordingly to the Executive Board;
- instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports;
- cooperate with the Executive Board in preparing press releases and other publicity material;
- cooperate with the Union Development Department (Education) and Communications Branch of CUPE, and with the regional education representative, in implementing both the Local's and CUPE's policies in these fields.

2. Social Committee

It is the function of this committee to arrange and conduct all social and recreational activities of the Local either on the committee's own initiative or as a result of decisions taken at membership meetings. The committee will submit reports and proposals to the Executive Board or to the membership as required. A budget for the committee's net expenditures will be set annually by the membership. The Executive Board will be held responsible for the proper and effective functioning of this committee. Where possible, this committee will have at least one (1) member from each bargaining unit within the Local.

3. Bylaw Committee

It is the function of this committee to review the Local's bylaws and prepare amendments. This committee will:

- Review the bylaws 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 three (3) members. The committee will appoint its secretary from among its members. The National Representative assigned to the Local Union will be a non-voting member of the committee and will be consulted during the review process.

SECTION 21 – RULES OF ORDER

All meetings of the Local 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 will 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 will be consulted and applied.

SECTION 22 – RATIFICATION

At such time that a negotiating committee has finalized proposals to be presented to one of the Local's employers for bargaining, or a memorandum of agreement has been reached between the Local and one of the Local's employers, a ratification vote must be held using the following procedure:

- a) Only members of the bargaining unit which the proposals or memorandum of agreement applies will be allowed to vote.
- b) The vote will take place at a special meeting of the bargaining unit called specifically to deal with the negotiating business of the unit. No other business will be dealt with at that meeting.
- c) Notice of the special meeting will be sent to eligible members and posted throughout the workplace(s) at least seven (7) calendar days prior to the meeting taking place.

- d) A simple majority of more than 50% of votes cast will determine the outcome of the vote.
- e) Voting will be by secret ballot.

SECTION 23 – 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 will govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.
(Articles 9.2(c), 13.3 & B.5.1)
- b) A Local Union can amend or add to its bylaws only if:
 - (i) the amended or additional bylaws do not conflict with the CUPE Constitution;
 - (ii) the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and
 - (iii) notice of the intention to propose the amended or additional bylaws was given at least seven days before at a previous membership meeting or 60 days before in writing.
(Articles 13.3 & B.5.1)
- c) The amended or additional bylaws do not come into effect until they have been approved in writing by the National President. The National President will decide whether to approve the amended or additional bylaws within 90 days of receiving them and will withhold approval only where they conflict with the CUPE Constitution.
(Articles 13.3 & B.5.1)

APPENDIX “A” TO THE BYLAWS OF LOCAL CUPE 1015
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RULES OF ORDER

1. The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President (Civic) will be the Chairperson at the membership meeting, and in their absence, another Vice-President will be the Chairperson. In the absence of the President and Vice-Presidents, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-Presidents 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 (5) 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 Chair of a committee who is making a report may speak for up to fifteen (15) minutes. With the agreement of the members present, the fifteen (15) 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 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, will rise and respectfully address the Chairperson. The member will 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, must adhere to the Equality Statement and speak only to the issue under debate.
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.
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 will have precedence in the order indicated. Motions 1 through 3 will 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 will decide, In the event of a tie vote, the decision of the Chair is upheld.
25. At a membership meeting where a question has been decided any two members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds majority of members who vote. If a two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent.
26. Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
27. The Local Union's business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.

APPENDIX “B” TO THE BYLAWS OF CUPE LOCAL 1015

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff and elected officers to carry out our work. CUPE’s expectation is that mutual respect, understanding and co-operation will be the basis of all our interaction.

The Code of Conduct sets out standards of behaviour for participants at national convention, conferences, schools, meetings, and any other union events organized by CUPE, Local 1015, or any other CUPE chartered body. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As CUPE members, staff, and elected officers, we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement.
- Respect the views of others, even when we disagree.
- Recognize and value individual differences.
- Communicate openly.
- Support and encourage each other.
- Make sure that we do not harass or discriminate against each other.
- Commit to not engaging in offensive comment or conduct.
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating.
- Take responsibility for not engaging in inappropriate behaviour due to use of alcohol or other drugs while participating in union activities, including social events.

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

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

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

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. A complaint shall be brought to the attention of an ombudsperson when there is one available. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
3. The ombudsperson or the person in charge will work to seek a resolution. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge. The person in charge has the authority to expel members from the event for serious or persistent offences.
4. If the complaint involves a national staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another CUPE chartered organization, the complaint shall be referred to the person responsible for their employment.
5. If the person in charge is a party to the complaint, an alternate will be designated to assume the role.
6. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For other events, the presiding officer shall receive a report on the matter.
7. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in further events organized by CUPE National. For other events, the presiding officer shall consult the National President.

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

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