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# Bylaws

# Local Union 911

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Approved by General Membership – June 19, 2019

Approved by Mark Hancock, National President – July 8, 2019

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

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## INTRODUCTION

Local 911 of the Canadian Union of Public Employees has been formed to:

- Improve the social and economic well-being of all of its members;
- Promote equality for all members and to oppose all types of harassment and discrimination;
- Promote the efficiency of public services; and
- Express its belief in the unity of organized labour.
- Local 911 encourages the participation of all equity-seeking groups which includes women, people of colour, Aboriginals, Lesbians, gay, bi-sexual and transgendered workers, young workers, workers with disabilities in all union participation, and their delegation to conventions, conferences, and educational.

The following bylaws are adopted by Local 911 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

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

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

## **SECTION 1 – NAME**

The name of this Local Union shall be Canadian Union of Public Employees, Local 911 (Niagara Paramedics and Dispatchers)

## **SECTION 2 – OBJECTIVES**

The objectives of Local 911 are to:

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

Numbers of articles at the end of sections or sub-sections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

## **SECTION 4 – MEMBERSHIP**

### **(a) Membership**

An individual employed within the jurisdiction of Local 911 can apply for membership in Local **911** by signing an application and paying the initiation fee set out in Section 11(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 another member of the Union.”

(Article B.8.4)

### **(d) Continuation of Membership**

Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local Union unless the member loses good standing under the provisions of the CUPE National Constitution.

(Article B.8.3)

### **(e) Member Obligations**

Members are obligated to abide by the CUPE National Constitution and these bylaws as amended from time to time.

Members will provide the Recording Secretary with their current address, home telephone contact number and where available, an e-mail address. The member will advise the Recording Secretary of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of mail, e-mail blasts.

## **SECTION 5 – AFFILIATIONS**

In order to strengthen the labour movement and work toward common goals and objectives, Local 911 shall be affiliated to and pay per capita tax to the following organization(s):

- The CUPE Ontario Division
- The Niagara CUPE Council
- The Ontario Federation of Labour
- The Niagara Labour Council
- CUPE Ambulance Committee of Ontario

## **SECTION 6 – MEMBERSHIP MEETINGS**

### **(a) Regular Membership Meetings**

Regular membership meetings shall be held in the months of January, March, May, June, September and November preferably on Wednesdays, both morning and evening. Meetings are to start punctually at 9:00 a.m. & 7:30 p.m. The meetings will be rotated in an effort to maximize all member's participation throughout the year. The meeting dates will be posted in November for the following year. 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. Notice of date changes in any case shall be given with no less than two (2) weeks notice of said notice.

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**

Special membership meetings of Local 911 may be required, and shall be called by the Executive Board or may be requested in writing by no fewer than six (6) members. The President shall immediately advise members when a special meeting is called and ensure that all members receive at least twenty-four (24)

hours' notice of the special meeting, the subject(s) to be discussed, the date, time and location. No business shall be transacted at the special meeting other than that for which the meeting has been called and notice given.

(c) **Quorum**

The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be (5) five members, in good standing for A.M. meetings and, (8) eight members, in good standing for P.M. meetings, including two (2) members of the Executive Board.

(d) **Membership Meeting Agenda**

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

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

The Officers of Local 911 shall be the President, First Vice-President, Second Vice-President, Secretary-Treasurer, Recording Secretary, Equality Representative, Membership Officer, three (3) Trustees,

All officers shall be elected by the membership. Should an officer end their service before end of term, the Executive Board may appoint a replacement on a temporary basis for a short term, no longer than 3 months, after such a time a by-election must be conducted as soon as possible. A WSIB specialist shall be appointed as an advisor to the executive.

## **SECTION 8 – EXECUTIVE BOARD**

- a) The Executive Board shall include all Officers, except Trustees. (Article B.2.2)
- b) The Executive Board shall meet at least eight (8) times per year. (Article B.3.14)
- c) A majority of the Executive Board constitutes a quorum.
- d) The Executive Board shall hold title to any real estate of the Local Union as trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.
- e) The Executive Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.
- f) Should any Executive Board member fail to answer the roll call for three consecutive regular meetings or three consecutive regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting.
- g) The immediate Past President and Stewards may attend executive meetings and shall have voice but no vote.

## **SECTION 9 – DUTIES OF OFFICERS AND STEWARDS**

Each Officer and/or Steward of Local 911 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

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

(Article B.3.9)

All signing Officers of Local 911 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

(Article B.3.5)



a) **President**

The President shall:

- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
- Interpret these bylaws as required.
- Preside at all membership and Executive Board meetings and preserve order.
- Decide all points of order and procedure (subject always to appeal to the membership).
- Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote, or the President may refrain from casting an additional vote, in which case the motion is defeated.
- Ensure that all Officers perform their assigned duties.
- Fill committee vacancies where elections are not provided for.
- Introduce new members and conduct them through the initiation ceremony.
- 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.
- Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.
- Have first preference as a delegate to the CUPE National Convention and all conferences and conventions. If President cannot attend an alternate will be appointed by the Executive Board.

a. (Article B.3.1)

b) **First Vice-President**

The **First** Vice-President shall:

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

- Preside over membership and Executive Board meetings in the absence of the President.
- If the office of the President falls vacant, be Acting President until a new President is elected through a by-election.
- Attend all grievance meetings Render assistance to any member of the Executive as directed by the Executive Board.

c) **Second Vice-President**

The Second Vice-President shall;

- Present all grievances at grievance meetings or delegate to stewards
- Responsible for scheduling meeting with stewards
- Ensure that stewards are fulfilling their role
- Preside over membership and Executive Board meetings in the absence of both the President and First Vice-President.

a. (Article B.3.2)

d) **Recording Secretary**

The Recording Secretary shall:

- Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.
- Record all amendments and/or additions in the bylaws and make certain that these are sent to the National President for approval prior to implementing.
- Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
- Keep a record of all correspondence received and sent out.
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- Have all records ready on reasonable notice for the Trustees or auditors.
- Preside over membership and Executive Board meetings in the absence of both the President, First Vice-President and Second Vice-President.
- Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union's funds.
- Performs other duties required by the Local Union, its bylaws or the National Constitution.

a. (Article B.3.3)

e) **Secretary-Treasurer**

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.
- Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
- Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.

- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.
- Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- Where required, not later than February 28<sup>th</sup> each year, furnish each member, on the forms supplied by CUPE National, 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 administrative assistance to be paid for out of the Local Union's funds.
- Notify all members who are one month in arrears and report to the Executive Board all members two or more months in arrears in the payment of union dues.

a. (Articles B.3.4 to B.3.8)

f) **Equality Representative**

- Advise and give guidance to Officers, committee members, and the general membership on all issues that affect all equity-seeking groups, including women, people of colour, Aboriginals, Lesbians, gay, bi-sexual and transgendered workers, young workers, workers with disabilities in the workplace and the union movement.
- Must be a member from an equity seeking group.
- Promote leadership of equity-seeking workers at the Local Union level and in the broader labour movement.

- Increase and support the active participation of equity-seeking workers in the Local Union and the broader labour movement.
- Strive to eliminate racism and discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in human rights and anti-racism activities both in and outside of the labour movement.

g) **Membership Officer**

The Membership Officer shall:

- Guard the inner door at membership meetings and admit no one but members in good standing or Officers and officials of CUPE, except on the order of the President and with consent of the members present.
- Maintain the record of membership attendance at meetings.
- Perform such other duties as may be assigned by the Executive Board from time to time.
- Attend new member orientation meet and greets, which includes signing membership cards
  - The Membership Officer shall be responsible for the maintenance of the local's website, and for the compilation and publication of the Local newsletter, and other materials for outreach.
  - Ensure that proper notice is provided to the membership for all meetings and referenda, including strike and ratification votes.
  - Act as a liaison between membership and the executive of the local by conveying information from the executive to the membership and vice versa.
  - Arrange and utilize social committee for necessary activities of the Local Union

h) **Trustees**

- The Trustees shall:
- Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary, and the committees at least once every calendar year.
- Make a written report of their findings to the first membership meeting following the completion of each audit.
- Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- Inspect at least twice a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union and report their findings to the membership.
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
  - Completed Trustee Audit Program
  - Completed Trustees' Report
  - Secretary-Treasurer Report to the Trustees
  - Recommendations made to the President and Secretary-Treasurer of the Local Union
  - Secretary-Treasurer's response to recommendations
  - Concerns that have not been addressed by the Local Union Executive Board.  
(Articles B.3.10 to B.3.12)

## **Stewards**

- Be elected by majority vote, and at least one Steward (1) be a dispatcher
- Be elected on a rotating basis (3 first year, 3 second year, 2 third year)
- Be the initial contact by the membership regarding grievances and other workplace issues
- Each Steward of Local 911 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

## **Non-Officer Appointed Positions**

The Executive Board shall appoint a member from local 911 to be responsible for the following:

### **WSIB Specialist**

- Be appointed by the Executive Board
- Expectation of a long-term commitment
- Attend such mandatory training as is necessary to perform their duties within 2 years of being elected;
- Be responsible for assisting members with WSIB claims, appeals and settlements;
- Assist members with short term and long-term disability claims, appeals and settlements;
- Ensuring that WSIB Representatives are fulfilling their role
- On termination of office, surrender all books, records and other properties of the local to their successor.

### **WSIB Representative**

- Be elected by the membership, with minimum Four (4) representatives,
- Expectation of a long-term commitment
- Attend such mandatory training as is necessary to perform their duties within two (2) years of being elected;
- Be responsible for assisting members with WSIB claims, appeals and settlements

- Assist members with short term and long-term disability claims, appeals and settlements;
- On termination of office, surrender all books, records and other properties of the local to their successor.

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

### **(a) Nominations**

At a membership meeting, at least two months prior to Election Day, the Executive will appoint an Elections Committee consisting of a Chief Returning Officer and assistant(s). The Committee will include members of the Local Union who are neither Officers nor candidates for office. The Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The Chief Returning Officer and assistants shall make all decisions regarding the election process, and their decision shall be final and binding.

The Election Committee shall declare the elected candidates in each contest who receive the greatest number of votes. (plurality/ first past the post) When more than one candidate is to be elected to an office the member voting shall be required to vote for the full number of candidates to be elected or else the electronic vote will be declared spoiled. 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. The report of the Election committee shall be signed by all members of the Committee and shall be reported at the next general membership meeting by the Chief Returning Officer. Those declared elected shall take the oath of office as set out in Article 11.6 (b) of the National Constitution and their term of office shall commence upon adjournment of the membership meeting.

Nominations for Officers and Trustees must be received by the membership meeting held in the month of November and the names of all candidates qualified and accepting nomination shall be circulated to the membership at least fourteen (14) days prior to the opening of electronic voting. No nomination shall be accepted in writing to the Election Committee at least twenty-one (21) calendar days prior to the opening of electronic voting.



To be eligible for election to an Officer or Trustee, on the date of being nominated a member must;

- a) Be a member in good standing; and
- b) Have not less than thirty (30) days continuous membership in the Local union
- c) No nomination shall be accepted unless the member, who is in attendance at the meeting, or has allowed to be filed at the meeting, his/ her consent in writing, duly witnessed by another member. No member shall be eligible if he/ she is in arrears and or/ assessments.
- d) A member may accept nomination for one office only.
- e) In the event that there is only one (1) nominee for any position the Chief Election Officer shall declare that nominee elected by acclamation.
- f) All campaign material (such as posters, flyers, website content, etc.) must be submitted to the Election Committee within two weeks after the nomination for approval by the Election Committee prior to distribution or posting.
- g) Any candidate seeking election shall have their posters printed at their own expense.
- h) Election material must conform to all union standards and time lines as set out by the election committee.
- i) All candidates using campaign material or campaigning using social media must follow all rules as laid out by the Election Committee. Postings are to be respectful and follow the CUPE Equality Statement. Candidates posting offensive material will be asked to alter or remove the offending material.
- j) A candidate who chooses to ignore the rules as set out by the Election Committee will be considered to have violated these by-laws and their candidacy will be declared to be null and void.
- k) Elections shall be conducted electronically using a third-party firm selected by the Executive Board prior to nominations opening. The firm selected must have demonstrated capability to carry out the electronic vote and the capacity to ensure all voting is confidential. Electronic voting will be open seven days prior to the General meeting held in January and remain open until midnight on the day preceding the January membership meeting. The election committee shall arrange adequate notice to the membership at least seven (7) days prior to the voting day, with all pertinent information pertaining to the election.

l) The results shall be announced at the January membership meeting, posted on the Local union website and sent via email to all members who have provided email addresses. The candidate receiving the most votes shall be deemed elected.

m) The Officers and Trustees shall be voted for by the membership.

n) The Chief Returning Officer shall investigate and rule upon any election complaints. The decision of the Chief Returning Officer shall be final and binding upon all parties. If a candidate requests a recount of the results of their election, the Chief Returning Officer shall in the presence of a representative from each candidate concerned and in the presence of the CUPE National Representative or a CUPE designate meet with the independent firm carrying out the vote to recount the vote. Any complaint regarding the Elections process must be filed with the Chief Returning Officer/Committee within ten (10) days of the election results being announced. Election ballots will be destroyed sixty (60) days after the election results have been announced.

o) Those declared elected shall take the oath of office as follows;

*"I, \_\_\_\_\_, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union I will promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term"*

p) When a vacancy occurs for an Officer or for a Trustee, a replacement shall be elected to complete the unexpired term provided that the unexpired term is greater than three (3) months at the time of the vacancy.

q) Officers of the local who are absent for three consecutive regular Executive meetings without a legitimate excuse or three consecutive regular membership meetings without a legitimate excuse shall have their office declared vacant. Excuses shall be conveyed to the Executive Board at the time of absence.

r) Any officer who accepts temporary employment outside of their current bargaining unit for any period less than four (4) months will be relieved of their duties, responsibilities and rights as an officer for the period of employment. Any officer who accepts employment outside of their current bargaining unit for a period exceeding four (4) months will have their office declared vacant.

(b) **Elections**

1. The President, Recording Secretary, Second Vice-President and Equality Representative shall be elected in odd years. The First Vice-President, Secretary-Treasurer, and the Membership Officer shall be elected in even years.

(c) **Installation of Officers**

1. All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office for two year(s) or until a successor has been elected and installed, provided, however, that no term of office shall be less than one year and no longer than three years.  
(Article B.2.4)
2. The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three-year period. No member who has been a signing Officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed.

(d) **By-elections**

Should an office fall vacant for any reason, the resulting by-election should be conducted as closely as possible in conformity with this section. The term of office for any position filled through a by-election will be the term that the vacated position was initially elected to fulfill.

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

(a) **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. Each application for membership in the Local Union will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of \$ 1.00 (one) 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 and B.8.2)

**(b) Readmission Fee**

The readmission fee shall be \$ 1.00 (one) dollar.

(Article B.4.1)

**(c) Monthly Dues**

The monthly dues shall be 1.8 % of regular wages.

(Article B.4.3)

**(d) Amending Monthly Dues**

The regular monthly dues may be amended at a regular or special membership meeting. The vote must be by secret ballot. Notice of at least seven days at a previous meeting or 60 days in writing must be given.

(Article B.4.3)

**(e) Assessments**

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. Membership approval is required, and the assessment will only be applied after the National President approves the assessment.

(Article B.4.2)

**SECTION 12 – NON-PAYMENT OF DUES AND ASSESSMENTS**

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

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

(Article B.8.6)

## **SECTION 13 – 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 by the majority of members present and voting at a regular or special membership meeting.

Regular operating costs shall not require prior approval of the membership.

(Article B.4.4)

### **b) Payment of Per Capita Tax and Affiliation Fees**

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

### **c) Payment of Local Union Funds to Members or Causes Outside of CUPE**

In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than \$300, a notice of motion must be made at a regular membership meeting and then approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven days after the meeting where notice of motion has been given.

No Officer or member of Local 911 will be allowed to spend any Local Union funds without first having received authorization under Section 13(a) of these bylaws.

However, in the event there is no quorum at a membership meeting, the Executive Board may approve, by majority vote, expenditures related to grievances, arbitration, attendance at conferences and conventions. Such expenditure must be reported at the next general membership meeting.

## SECTION 14 – OUT-OF-POCKET EXPENSES

Local Union Officers and committee members shall be provided an out-of-pocket expense allowance as follows:

Any member or officers performing business of the local, with approval of the executive board, shall be allowed necessary funds, not to exceed thirty dollars (\$30.00) per instance while in the Region of Niagara and not to exceed seventy dollars (70.00) per instance while outside of the Region of Niagara, to reimburse him/ her for expenses incurred on behalf of the local.

Mileage incurred costs will be paid at the rate of RMON current rate.

### Honorarium

President	\$ 1400.00 per year of two-year term
First Vice-President	\$ 1100.00 per year of two-year term
Second Vice-President	\$ 1100.00 per year of two-year term
Secretary-Treasurer	\$ 1100.00 per year of two-year term
Recording Secretary	\$ 1100.00 per year of two-year term
Equality Representative	\$ 600.00 per year of two-year term
Membership Officer	\$ 600.00 per year of two-year term
H&S Officer	\$ 300.00 per year of two-year term
Trustees	\$ 120.00 per audit year completed
Stewards	\$ 220.00 per year of two-year term
WSIB Specialist	\$ 1100.00 per year
WSIB Representative	\$ 220.00 per year

The Local shall provide the President a cell phone (billing to be received directly to the Local) with data capabilities for the purpose of conducting union business and shall pay the billings and other communication devices at the request of the executive.

According to Federal tax laws, any honorarium must be reported by the recipient as taxable income and honoraria over certain amounts must be reported by the recipient as taxable income, and honoraria over certain amounts must be reported by the Local (by way of T4) to Revenue Canada (for current information, check with your local taxation office)

Honoraria will be paid out and pro rated if necessary at the end of the year in question, due to elections, or officers leaving office prematurely.

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

Caring for children, dependents or the elderly are barriers to actively participating in the union. Local 911 is committed to removing barriers within its control so that all members have equal access to participation.

- (a) Any member who is on authorized Local 911 business shall be eligible for child care, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of the living wage for the area for each hour of care required.
- (b) Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

## **SECTION 16 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS**

- a) Except for the President's option [Section 9(a)], all delegates to conventions, conferences, and educationals shall be chosen by election at membership meetings.
- b) Delegates to the Niagara District CUPE Council shall be elected annually. A member responsible for reporting back to the Local Union membership shall be appointed by the President from among these delegates, and the member appointed shall make a written report at each Local Union membership meeting on proceedings at recent meetings of the Council. The Local Union will reimburse the member's employer for any loss of wages.
- c) All delegates attending conventions, conferences, or educational held outside the Region of Niagara shall be paid transportation expenses, at economy, tourist or coach rates (at the Employer's mileage rate) as determined by the Secretary-Treasurer, and a per diem allowance of \$ 80.00 dollars for meals and expenses. The Local Union will reimburse the member's employer for any loss of wages.
- d) Delegates to conventions, conferences, and educationals held locally shall receive travel allowance. There shall be a per diem allowance of \$40.00 dollars for meals and expenses incurred by attendance at the convention, conference or educational. The Local Union will reimburse the member's employer for any loss of wages.

- e) Local 911 will provide members with their per diem allowance prior to their attending the convention, conference, or educational.
- f) The payout of per diems regarding half days will be at the discretion of the President and Treasurer of the local. If meals are provided at schools, it is understood that no per diem will be paid.

## **SECTION 17 – COMMITTEES**

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

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

#### **1. Negotiating Committee**

This will be a special committee established at least five (5) months prior to the expiry of the Local Union's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of the President and five (5) members, (one member must be a SSC) all elected at a membership meeting. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

It is understood that if article 8.08 of the collective agreement is changed, the committee will reflect the number of committee members in the collective agreement.

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

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



There shall be six (6) permanent committees as follows:

### **1. Grievance Committee**

This committee will:

- Oversee the handling of all local grievances.
- Receive copies of all 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 in conjunction with the executive board, 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 Second Vice-President and eight (8) 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.

The stewards shall be elected on a rotating basis. (3 stewards first year, 3 stewards second year, 2 stewards third year.)

Be the initial contact by the membership regarding grievances and other workplace issues;

All officers shall be allowed the necessary funds, not to exceed thirty dollars (\$30.00) per instance while in the Region of Niagara and not to exceed seventy dollars (\$70.00) per instance while outside of the Region of Niagara, to reimburse him/ herself for expenses incurred on behalf of the local.

### **2. Labour Management Committee**

The composition of this committee shall be defined by the Collective Agreement; however, it is otherwise understood that the President or their designate shall be a standing member of this committee.

### **3. Education Committee**

This committee will:

- Gather information about appropriate courses, the availability of courses and make recommendation to the local union on whether members should be attending.
- Assist delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports.
- Cooperate with the National Union Development department and communication branch of CUPE, and with the Regional Education Representative, in implementing both the Local Unions and CUPE's policies in these fields.
- The committee members will be elected chairperson and three (3) members. The committee shall appoint its secretary from among its members.
- Terms of reference will be created by the education committee and the Recording Secretary and Secretary-Treasurer of the Local.
- A budget for the committee will be fixed annually by the Secretary-Treasurer and approved by the membership.
- Any member attending educationals must get approval from the Education Committee. All approvals for access to training will be subject to the budgetary constraints of the local.
- Requests to attend must be made 30 days in advance of any training. The Chairperson of the Education Committee will respond to the request within 7 days.
- This committee will operate on a two year term and shall be elected in September.

#### **4. Health and Safety Committee**

This committee will be elected in the month of January for a three-year term.

This committee will:

- The Health and Safety Committee shall be comprised of the Health and Safety Representative and three (3) elected members. Two (2) of these members shall be paramedics and one (1) shall be an SSC. The President shall also be a member of this committee. An allowance of one (1) alternate due to increasing size of the Local, however not required by these by-laws. Certification of at least one member is the responsibility of the employer. One member will be appointed by the President as a Co-chair of the Joint Occupational Health and Safety Committee (JOHSC). All members must attend at least fifty percent of the JOHSC meetings. Failure to do so may result in removal of the committee at the discretion of the President and the Co-chair.

## **5. By-law 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 two rank and file members and two executive board 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.

## **6. Social Committee**

This committee will:

- Arrange and conduct all social, cultural, and recreational activities of the Local Union, either on the committee's own initiative or as a result of decisions taken at membership meetings. The committee shall submit reports and proposals to the Executive Board or to the membership as required.
- Visit members who are ill
- If a member is ill for more than a week, arrange some token of the local Unions concerns and desire to help, whether the member is at home or in hospital.
- Extend the Local Union's condolences in the event of the death of a member or one of their immediate family and make other appropriate gestures in accordance with custom or the wishes of the family concerned.

A budget for the committee will be fixed annually by the Secretary-Treasurer and approved by the membership but, other than that, all social, cultural, and recreational events and activities shall be self-supporting.

The committee members will be the Membership Officer and two (2) elected members and may appoint a secretary-treasurer from among its members.

Note- It will be the responsibility of the above noted committees to prepare a Terms of Reference. The Terms of Reference will need approval from the Executive Board.

## **SECTION 18 – COMPLAINTS AND TRIALS**

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

(Articles B.11.1 to B.11.5)

## **SECTION 19 – RULES OF ORDER**

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

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

## **SECTION 20 – AMENDMENTS**

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

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

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

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

A 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 and B.5.1)

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

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

(Articles 13.3 and B.5.1)

**SECTION 21 – PRINTING AND DISTRIBUTION OF BYLAWS**

Members will receive a copy of Local 911 bylaws via the local website.

# Appendix A

## CUPE NATIONAL EQUALITY STATEMENT

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

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

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

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

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

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

## Appendix B

### CODE OF CONDUCT

Local 911 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

Local 911 strives to promote core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

Local 911 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 911 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 911 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 911 sets out standards of behaviour for members at meetings, and all other events organized by Local 911. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As members of Local 911 we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

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

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

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

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking the person to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Local Union shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of Local 911, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

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



# Appendix C

## RULES OF ORDER

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

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

take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.

21. A motion to adjourn is in order except when a member is speaking or when members are voting.
22. A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
24. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, "Will the decision of the chair be upheld?" A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
25. At a membership meeting where a question has been decided any two members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds majority of members who vote. If two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.
26. Members are allowed to leave a meeting with the permission of the First 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.

## Notes