



# **Bylaws Local 3174**

## **Extending**

**Fort Macleod, St. Paul,  
Viking, and Vulcan**

---

Approved by National Office: July 12, 2024

## TABLE OF CONTENTS

LAND ACKNOWLEDGEMENT .....	2
INTRODUCTION .....	2
SECTION 1 - NAME .....	3
SECTION 2 - OBJECTIVES.....	3
SECTION 3 - INTERPRETATION AND DEFINITIONS REFERENCES .....	3
SECTION 4 - MEMBERSHIP.....	4
SECTION 5 - MEMBERSHIP MEETINGS .....	5
SECTION 6 - VOTING OF FUNDS.....	6
SECTION 7 - OFFICERS .....	6
SECTION 8 - EXECUTIVE BOARD.....	7
SECTION 9 - DUTIES OF OFFICERS and STEWARDS .....	7
SECTION 10 - NOMINATION, ELECTIONS AND INSTALLATION OF OFFICERS .....	13
SECTION 11 - DELEGATES TO CONVENTIONS, CUPE EVENTS, CONFERENCES AND EDUCATION.....	16
SECTION 12 - COMMITTEES.....	17
SECTION 13 - HONORARIUMS .....	20
SECTION 14 - FEES, DUES AND ASSESSMENTS .....	20
SECTION 15 - NON-PAYMENT OF DUES AND ASSESSMENTS .....	21
SECTION 16 - PRINTING AND DISTRIBUTION OF BYLAWS .....	21
SECTION 17 - RULES OF ORDER.....	22
SECTION 18 - AMENDMENTS .....	22
SECTION 19 - COMPLAINTS AND TRIALS.....	23
APPENDIX 'A' - CUPE NATIONAL EQUALITY STATEMENT .....	24
APPENDIX 'B' - CODE OF CONDUCT .....	25
APPENDIX "C" - RULES OF ORDER .....	28

## LAND ACKNOWLEDGEMENT

The premises of The Canadian Union of Public Employees Local 3174 is situated on Treaty 6, 7 and 8 Territories and within the historical Métis homelands and Métis Nation of Alberta Region 1, 2, 3, 4, 5 and 6. Local 3174 acknowledges this land as the traditional territories of many First Nations, such as the Nehiyaw (Cree), Densuliné (Dene), Nakota Sioux (Stoney), Anishinaabe (Saulteaux) and Niitsitapi (Blackfoot), Kainai, Pikani, Siksika, Tsuu Tina, Métis and Inuit who have cared for these lands for generations. Local 3174 is grateful for the traditional Knowledge Keepers and Elders who are still with us today and those who have gone before us. Local 3174 makes this acknowledgement as an act of reconciliation and gratitude to those whose territory we reside on or are visiting.

## INTRODUCTION

Local 3174 of the Canadian Union of Public Employees has been formed to:

1. Improve the social and economic well-being of all of its members;
2. Promote equality for all members and to oppose all types of harassment and discrimination;
3. Promote the efficiency of public services; and
4. Express its belief in the unity of organized labour.

The following bylaws are adopted by Local 3174 in accordance with the CUPE National Constitution, 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.

(Article 13.3 and Appendix B.5.1)

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

CUPE Local 3174 has chosen to adopt a Local Union Code of Conduct that applies 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 the Canadian Union of Public Employees, Local 3174

Local 3174 consists of the following bargaining units:

Extendicare Fort Macleod  
Extendicare St. Paul  
Extendicare Viking  
Extendicare Vulcan

And any other bargaining unit which may be organized from time to time.

## **SECTION 2 - OBJECTIVES**

The objectives of Local 3174 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 - INTERPRETATION AND DEFINITIONS 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 3174 can apply for membership in Local 3174 by signing an application and paying the initiation fee set out in Section 11(a) of these bylaws.

(Appendix 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.

(Appendix B.8.2)

### (c) Oath of Membership

New members will take this oath:

***“I promise to support and comply with 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.”***

(Appendix 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.

(Appendix 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, or telephone calls.

Upon request, the Local Union will share the telephone contact information with CUPE National or CUPE Alberta. The purpose of sharing this contact information with CUPE National or CUPE Alberta so that the National Union or Provincial Division can communicate with members on important matters.

## **SECTION 5 - MEMBERSHIP MEETINGS**

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

Regular membership meetings shall be held each month except for July and August. Meetings shall be held online or a combination of online and in person. Notice of each regular membership meeting outlining the date, time and location shall be given to members in December for the coming calendar year and a reminder will be sent at least seven days in advance of the meeting.

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

### **(b) Site/ Classification Meetings**

Site/ Classification meetings may be called by the Executive Board or requested in writing by no fewer than 5 (five) members to deal with matters that affect only members of a specific site and/ or Classification. 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 site. The President shall advise members of the bargaining unit seven (7) days in advance of the meeting providing the time and location and an agenda.

The minimum number of members required to be in attendance for the transaction of business at the site meeting shall be four (4) bargaining unit members plus one (1) member of the Executive Board. Members from other sites in the Local Union may attend these meetings with a voice but without a vote and are not counted as part of the quorum.

### **(c) Special Membership Meetings**

Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than six (6) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least forty-eight (48) hours' notice of the special meeting and 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 is called, and notice given.

(d) Quorum

A quorum for the transaction of business at any regular or special meeting shall be fifteen (15) members, including at least three (3) members of the Executive Board.

(e) Membership Meeting Agenda

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

1. Acknowledgement of Indigenous Territory
2. Roll call of officers
3. Reading of the Equality Statement
4. Voting on New Members and Initiation
5. Reading of Minutes
6. Matters Arising from the Minutes
7. Secretary 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
14. Good of the Union
15. Adjournment

(Article B.6.1)

## SECTION 6 - VOTING OF FUNDS

Except for ordinary expenses and bills as approved at membership meetings, no sum over five hundred (\$500.00) dollars shall be voted for the purpose of a grant or contribution or any given cause outside CUPE, except by a notice of motion given in writing and dealt with at the following membership meeting.

(Article B.4.4)

## SECTION 7 - OFFICERS

The officers of Local 3174 shall be the President, Site Vice President (one for each of the Local's sites), Secretary-Treasurer, Recording Secretary, three (3) Trustees and a Membership Officer. All officers shall be elected by the membership.

(Articles B.2.1 and B.2.2)

## **SECTION 8 - EXECUTIVE BOARD**

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

## **SECTION 9 - DUTIES OF OFFICERS and STEWARDS**

Each Officer of Local 3174 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

Within six months of being elected, all newly elected Executives and Stewards will be expected to attend CUPE's Introduction to Stewarding.

All Officers and 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 3174 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 Constitution, these By-laws, 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 on all matters (except appeals against their rulings). 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's funds are used only as authorized or directed by the Constitution, By-laws or vote of the membership;
- be allowed necessary funds necessary and reasonable funds to reimburse the President, Officers and Stewards for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, and the reason for the expense, with supporting receipt(s) attached;
- have first preference as a delegate to Conventions;
- Be an ex-officio member of all committees;
- Shall be the spokesperson for the Union and shall have the option to attend all conventions, seminars, education, and conferences.

(Article B.3.1)

(b) Site Vice President

The Site Vice President shall:

- preside over membership and Executive Board meetings in the absence of the President; the Site Vice President who will assume the duties will be based on the size of the unit represented. The Site Vice President with the most members will assume the President's duties in their absence; if the office of the President falls vacant, be Acting President until a new President is elected through a by-election;
- render assistance to any member of the Executive Board as directed by the Executive Board;
- update the Executive Board and membership on site specific issues;
- support the Stewards at their respective site;
- make recommendations to the Executive regarding the education needs of the site and its officers;
- coordinate the orientation of new members at their respective site;
- be the grievance chairperson, managing all grievances within their respective units and maintaining grievance files including documentation supporting grievances. Ensure grievances are handled efficiently and within timelines.

(Article B.3.2)

(c) 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;

(Article B.3.3)

- record all amendments and/or additions in the bylaws and make certain that these are sent to the National President for approval prior to implementation;
- answer correspondence and fulfill other administrative duties as directed by the Executive Board;

- file a record of all correspondence received and sent out;
- prepare and distribute all notices, communications and reports to members;
- have all records ready on reasonable notice for auditors and Trustees;
- preside over membership and Executive Board meetings in the absence of both the President and the Site Vice Presidents;
- be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local's funds;
- perform other duties required by the Local Union, its bylaws, or the National Constitution;
- act as the Privacy Officer of the Local.

(d) Secretary-Treasurer

The Secretary-Treasurer will:

- 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;  
(Articles B.3.4 to B.3.8)
- in consultation with the Executive Board, produce an annual budget for the Local and present and have the budget approved by the membership at a general membership meeting;
- 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;
- throughout his/her 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 National, as well as records and supporting documents for all income received by the Local Union;

- record all financial transactions in a matter acceptable to the Executive Board and in good accordance with good accounting practices;
- make a full financial report to meetings of the Local's Executive Board, as well as a written financial report to each regular membership meeting, detailing all income and expenditures for the period;
- be bonded through the master bond held by the National Office, any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
- pay no money unless supported by a voucher duly signed by the President and one other member of the Executive no voucher or request shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees;
- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE National;
- be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Locals funds; employer will collect and remit to CUPE National;
- 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;

(e) 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;
- where possible prior to completing an audit, each Trustee will complete Financial Essentials and Financial Officers training;
- 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 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 without proper constitutional or membership authorization;
- ensure that the 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 Union and report their findings to the membership;
- send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their recommendations and/or concerns to the President and Secretary-Treasurer and the Secretary-Treasurer's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned Servicing Representative, the following documents:
  - (i) Completed Trustee Audit Program
  - (ii) Completed Trustees' Report
  - (iii) Secretary-Treasurer Report to the Trustees
  - (iv) Recommendations made to the President and Secretary-Treasurer of the Local Union
  - (v) Secretary Treasurer's response to recommendations
  - (vi) Concerns that have not been addressed by the Local Union Executive Board.

(Articles B.3.10 to B.3.12)

(f) Membership Officer

The Membership Officer shall:

- guard the inner door at membership meetings and admit only members in good standing or officers and officials of CUPE, except on the order of the President and by 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.

(g) Site Stewards

The Site Stewards shall:

- Each site can elect one site steward for every 30 members or part thereof;
- be accountable to the Site Vice President and members at their site;
- communicate information to the Site Vice President and/or President regarding all matters and request assistance when required;
- provide all notes and documentation related to member representation and grievances to the Site Vice President;
- attend Steward education as approved by the Executive Board;
- Site Stewards are expected to be in attendance at no less than 50% of the meetings held annually including general membership meetings, applicable site meetings and/or Steward meetings.

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

(a) Nominations

Nominations shall be received at the regular membership meeting held in the month of January.

To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member of good standing.

(Appendices B.8.1, B.8.2 and B.8.3)

No nomination shall be accepted unless the member attends the meeting or has allowed his name to be filed in writing at the meeting, witnessed by another member.

A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.

No member shall be eligible for nomination if he is in arrears of dues and/or assessments.

(b) Elections

1. The President, Recording Secretary, Site Vice Presidents, and Stewards are elected are elected in even years.
2. The Secretary-Treasurer and Membership Officer are elected are elected in odd years.
3. Site Vice Presidents and Stewards shall be elected at each site during a site meeting.
4. At a membership meeting, at least one month prior to Election Day, the President shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee shall include members of the Local who are neither Officers nor candidates for office. The Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
5. The Elections Committee shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
6. The voting will take place by secret ballot or electronic vote no more than 30 days after the nomination meeting. Once the Executive Board and Returning Officer have decided on a specific method, and in order to ensure transparency, the election notice or notice of motion should specify the voting method on the notice.
7. Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
8. The election is determined by a plurality vote win under a referendum-style vote. When elections are held in a regular membership meeting, a majority of votes shall be required before any candidate can be declared elected, and second and subsequent votes shall be taken if necessary to obtain a majority.
9. When two (2) or more nominees are to be elected to any office by ballot, each member voting shall 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)

10. 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.
11. Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Section 4 (c).

(c) Site Elections

Nominations and elections for site positions will take place at a special site meeting held between January and February membership meetings. Site nominations and elections will be conducted for the following positions:

Site Vice- Presidents  
Site Steward(s)

Only members from the associated site will participate in elections for the site-specific positions.

(d) Installation of Officers and Stewards

- (1) All duly elected officers will be installed at the February membership meeting and will continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office shall be less than one year and 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 Appendix B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three-year period. No member who has been a signing Officer for the Local Union is eligible to run for Trustee until at least one full term of office has elapsed.

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

***“I, \_\_\_\_\_, 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 always 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.”***

(Article 11.7(b))



(e) By-Elections

Should an office fall vacant pursuant to Section 7 (g) of these By-laws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section.

Should an office fall temporarily vacant for any reason, the Executive Board may appoint a member to temporarily fill the duties. Where a temporary vacancy lasts longer than 3 months or is expected to last 3 months or more, the temporary vacancy will be filled through a by-election. The term of office for any position temporarily filled through a by-election will be until the absent member returns or the end of the term for that position, whichever comes first.

**SECTION 11 - DELEGATES TO CONVENTIONS, CUPE EVENTS, CONFERENCES AND EDUCATION**

- (a) Except for the President's option [Section 8 (a)], all delegates to conventions, conferences, CUPE events and education shall be chosen by election or motion at membership meetings.
- (b) All delegates elected to the conventions, conferences, CUPE events and education held outside their site location, shall be paid transportation expenses (at economy, tourist or coach rates).

Expenses allowed are as follows:

Travel by personal vehicle will be at the current year CRA rate.

\$90.00 for a full day (over 8 hours in a single day and overnight), for part days or events of more than 4 hours but less than 8 hours, the per diem shall be paid depending on the time of the event or travel time. Breakfast \$20.00, Lunch \$30.00, and Dinner \$40.00.

Where delegates are attending an event that includes meals, the per diem shall be \$20.00 for snacks or other expenses.

The Local Union will reimburse the member's employer for any loss of wages.

- (c) Delegates to conventions held locally shall be eligible for travel allowance where the travel requirements are greater than their usual commute from home to the workplace. and compensation for any loss of salary incurred by attendance at the convention.

- (d) Representation at educational institutes and seminars shall be on the recommendation of the Education Committee, subject to final approval by the membership.
- (e) Local 3174 will provide members with their per diem allowance no later than the start of the convention, conference, CUPE event or education.
- (f) Local 3174 encourages the participation of all equity-seeking groups in their delegation to conventions, conferences, CUPE events and education.

## **SECTION 12 - COMMITTEES**

### (a) Negotiating Committee

This shall be a special ad hoc committee established at least six (6) months prior to the expiry of the Local's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the Committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The Committee shall consist of two (2) members all elected at a site meeting. Each Site Vice President shall sit on the negotiating committee for their site along with one member elected at a site meeting. The President may sit on the negotiation committee as an ex-officio member. The CUPE National Representative(s) assigned to the Local shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

All members of Local 3174's negotiating committee shall attend CUPE's collective bargaining education.

### (b) Special Committees

A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. The members shall 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. Two (2) members of the Executive Board may sit on any special committee as ex-officio members.

(c) Permanent Committees

Where applicable, the Chairperson and the Committee members shall be elected by the members in September in odd years. The Chairperson and the Executive Board, with the concurrence of the membership, jointly appoint other members to serve on a committee. There shall be a member, ex-officio, of each committee. There shall be four (4) Standing 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, and the National Representative.
- When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether or not the grievance should proceed to arbitration.
- If the decision is to not proceed, the Grievor(s) may appeal the decision to the Executive Board.

The committee members will be the Site Vice Presidents.

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.

(2) 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. The Committee shall comprise of four (4) members and shall appoint its secretary from among its members.

(3) Member Engagement Committee

This committee will:

- Be compromised of up to two (2) members. It shall be reimbursed by the Executive Board for expenses incurred in the performance of its duties.
- Support and make recommendations for the Union's presence on social media including maintaining the Local's website and content management.
- Coordinate with the Social Committee to bring members together with the intent of generating more participation in the local and an understanding of the role of the union.
- Support the Executive and Committees in eliciting member participation and involvement to further the Union's pursuits.
- Create and implement avenues in which to connect with individual members, workgroups, and bargaining units.
- Receive and process "Good of the Union" requests for members who are retiring, hospitalized, recovering from an illness, or on compassionate leave for an immediate family member. Good of the Union shall not exceed \$50.00 per member, per event. When a member retires, members shall receive a gift not exceeding \$200.00.
- Extend the Local's condolences in the event of the death of a member or one of his immediate family;
- Report back to the Executive Board.

(4) 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 initiatives or as a result of decisions taken at membership meetings. The Committee shall submit reports and proposals to the Executive Board or to the membership as required.

A ceiling for the committee's net expenditures shall be fixed annually by the budget or a vote at a membership meeting but, other than that, all social and recreational events and activities shall be self-supporting.

The Executive Board shall be held responsible for the proper and effective functioning of this Committee. The Committee shall be comprised of up to six (6) members.

### SECTION 13 - HONORARIUMS

Local Union Officers and committee members shall be provided an annual honorarium as follows: (pro-rated):

Honorarium is to be paid in December of each year.

President	\$200.00 per month
Site Vice President	\$175.00 per month
Secretary-Treasurer	\$175.00 per month
Recording Secretary	\$175.00 per month
Membership Officer	\$50.00 per month
Stewards	\$50.00 per month
Trustees	\$150.00 per calendar year audited.

### SECTION 14 - FEES, DUES AND ASSESSMENTS

(a) Initiation Fee

Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee of two dollars (\$2.00) which shall be in addition to monthly dues. The Secretary-Treasurer will issue a receipt. If the application is rejected, the fee shall be returned.

(Articles B.4.1 to B.8.2)

(b) Readmittance Fee

The readmittance fee shall be two dollars (\$2.00).

(Article B.4.1)

(c) Monthly Dues

The monthly dues shall be one and one-half percent (1.5%) of gross 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.

(Appendix B.4.2)

## **SECTION 15 - NON-PAYMENT OF DUES AND ASSESSMENTS**

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

(Article B.8.6)

## **SECTION 16 - PRINTING AND DISTRIBUTION OF BYLAWS**

Members will receive a copy of Local 3174's bylaws, either in paper format or via the Local Union website. Members requesting a copy of these bylaws will be provided a copy as requested. Members with special needs may request a copy of the bylaws in larger font.

## SECTION 17 - RULES OF ORDER

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

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

## SECTION 18 - AMENDMENTS

### (a) CUPE Constitution

These By-laws 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 By-laws 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:

1. the amended or additional bylaws do not conflict with the CUPE Constitution.
2. 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
3. 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.

(Article 13.3 and B.5.1)

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

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

(Articles 13.3 and B.5.1)

## **SECTION 19 - COMPLAINTS AND TRIALS**

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.  
(Appendices B.11.1 and F)



## 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, 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.

## APPENDIX 'B' - CODE OF CONDUCT

Local 3174 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 3174 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 3174 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 3174 needs to ensure that it provides a safe environment for members, staff, and elected officers to carry out our work. Local 3174 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 3174 sets out standards of behaviour for members at meetings, and all other events organized by Local 3174. 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 3174, 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 comments 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.

1. A complaint regarding this Code of Conduct will be handled as follows:  
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. At national conventions, national conferences, schools, meetings, and all other events organized by CUPE National, a complaint shall be brought to the attention of an ombudsperson.
3. At a meeting, event, or activity held by a structure of CUPE, should an ombudsperson be available, the same process would be used. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
4. If the complaint involves a 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 part of CUPE, the person responsible for their employment will be the one to whom a complaint is referred and the relevant collective agreement, should it exist, would be applicable.
5. Once a complaint is received where an ombudsperson is being used, the ombudsperson will work to seek a resolution.
6. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge, who shall determine whether there is a need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offences.
7. At CUPE National events where an ombudsperson is not available, a person properly appointed and designated to be in charge shall receive the complaint. Depending on the nature of the problem, the person in charge may attempt to resolve it through conflict resolution. If this fails to resolve the matter, the person in charge shall determine whether there is a need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offences. The same process is to be used for other parts of CUPE where an ombudsperson is not available.

8. For National events, if the person in charge is a party to the complaint, the director or designate shall assume that role. For all other parts of CUPE, an alternate will be designated to assume the role.
9. In a case where a member has been expelled from an event, the National President shall receive a report on the matter. For all other structures of CUPE, the presiding officer shall receive a report on the matter.
10. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. A similar process may be applicable to the other parts of CUPE, done in consultation with the National President.

This Code of Conduct is designed to create a safe, respectful, and supportive environment within all parts of 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.

All chartered organizations are subject to this Code of Conduct, to apply to conventions, conferences, schools, and meetings which they organize.

## APPENDIX "C" - RULES OF ORDER

- (1) The President or, in his absence, the Vice President, shall take the chair at all membership meetings. In the absence of both the President and Vice President, the Recording Secretary shall act as President, and in their absence, a President shall be chosen by the Local.
- (2) No member, except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than five (5) minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had the opportunity. Chairpersons and movers of a resolution shall be limited to fifteen (15) minutes, except with the consent of the meeting.
- (3) The President shall state every question coming before the Local and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.
- (4) A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the Chair.
- (5) A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.
- (6) On motion, the regular order of business may be suspended by a two-thirds (2/3) vote of those present, to deal with any urgent business.
- (7) All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
- (8) At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
- (9) Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
- (10) When a member wishes to speak on a question or to make a motion, he shall rise in his place and respectfully address the presiding officer, but except to state that he rises to a point of order or on a question of privilege, he shall not proceed further until recognized by the Chair.

- (11) When two (2) or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
- (12) Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Local or member thereof.
- (13) If a member, while speaking, is called to order, he shall cease speaking until the point is determined; if it is decided he is in order, he may again proceed.
- (14) No religious discussion shall be permitted.
- (15) The President shall take no part in debate while presiding but may yield the chair to the Vice President in order to speak on any question before the Local or to introduce a new question.
- (16) The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he may in addition give a casting vote, or if he chooses refrain from breaking the tie, in which case the motion is lost.
- (17) When a motion is before the Local, no other motion shall be in order except, (1) to adjourn, (2) to put the previous question, (3) to lay on the table, (4) to postpone for a definite time, (5) to refer, and (6) to divide or amend, which motions shall have precedence in the order named. The first three (3) of these shall be decided without debate.
- (18) A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
- (19) A motion to adjourn is in order except, (1) when a member has the floor, and (2) when members are voting.
- (20) A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local until fifteen (15) minutes have elapsed.
- (21) After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken, and the Secretary shall count same.

- (22) If any member wishes to challenge (appeal) a decision of the Chair, he must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for his challenge. The Chairperson may then state briefly the basis for his decision, following which the Chairperson shall immediately and without debate put the question: "Shall the decision of the Chair be sustained?" A majority vote shall decide except that in the event of a tie the Chair is sustained.
- (23) After a question has been decided, any two (2) members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
- (24) No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote, and no member shall be allowed to leave without permission of the Vice President.
- (25) The Local's business, and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.