
Bylaws

Local Union 1550

CUPE / *Canadian Union
of Public Employees*

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INTRODUCTION

Local 1550 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.

The following bylaws are adopted by Local 1550 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 of 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 1550, CancerCare Manitoba Employees (CCMB), hereinafter referred to as the "Local".

The Local consists multiple CCMB sites including: MacCharles Cancer Centre (MCC), St. Boniface Unit (SBU) and Cancer Navigation Hub (St. Boniface Hospital), Cancer Screening Programs (Misericordia Hospital), Buhler Cancer Centre (Victoria Hospital), cancer units at the Grace, Concordia and Seven Oaks Hospitals.

This list may change over time due to restructuring by the employer.

SECTION 2 – OBJECTIVES

The objectives of the Local are to:

- (a) Secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- (b) Support CUPE in reaching the goals set out in Article II of the CUPE constitution;
- (c) Provide an opportunity for its members to influence and shape their future through free demographic trade unionism;
- (d) Encourage the settlement by negotiation and mediation of all disputes between members and their employers;
- (e) Eliminate all forms of harassment and discrimination wherever it exists;
- (f) Promote equality in the workplace for all of our members.

SECTION 3 – INTERPRETATION AND DEFINITIONS

The pronouns “they” and “their” shall be understood to include all forms of gender.

SECTION 4 – MEMBERSHIP

All workers engaged in the health care service field who would come within the bargaining scope of the Local established by certification or negotiation are eligible for membership.

- (a) Eligible workers shall be admitted to membership in the Local by paying the dues as may be determined by the Local.
- (b) Membership into the Local shall be confirmed by the membership at a regular general meeting.

SECTION 5 – AFFILIATIONS

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

- CUPE Manitoba

The Local shall determine whether to affiliate to additional bodies by a majority vote at a general or special membership meeting. Such bodies may include but are not limited to:

- Provincial Health Care Council,
- Winnipeg Labour Council,

- Manitoba Federation of Labour
- Manitoba Council of Health Care Unions, etc.

SECTION 6 – MEMBERSHIP MEETINGS

(a) Regular Membership Meetings

Regular membership meetings of the Local shall be held in the months of February, March, June, September, October and December. The date, time, place and agenda to be posted no less than seven (7) days in advance.

(c) Special Membership Meetings

Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than ten (10) members. The President shall within seven (7) days call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours' notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

(c) Quorum

The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be seven (7) members, including three (3) members of the Executive Board.

(d) Membership Meeting Agenda

At the beginning of the General Membership meeting, the President or designate shall take the chair and shall conduct the business of the Local. The Officers and/or Executive Board shall determine the order of the following:

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

1. Roll call of officers
2. Reading of the Equality Statement
3. Confirmation of Membership
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

SECTION 7 – OFFICERS

The Officers of the Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, Offsite Officer and three (3) Trustees.

SECTION 8 – EXECUTIVE BOARD

- (a) The Executive Board shall include all Officers, except Trustees.
- (b) The Executive Board shall meet monthly.
- (c) A majority of the sitting 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 Executive Board shall enforce the Collective Agreement, CUPE Constitution, By-laws, Policies and financial budget of the Local.
- (h) Executive Board members shall be Shop Stewards for the Local.
- (i) Executive Board Members shall attend Shop Steward training and attend Shop Steward meetings whenever possible.
- (j) Executive Board Members shall be Communicators.
- (k) The Executive Board shall have the authority to refer grievances to arbitration and report to the General Membership.

- (l) The Executive Board will be responsible for reviewing and approving attendance of the Local's members at education events in accordance with the Local's Education Policy and these By-laws.

SECTION 9 – DUTIES OF OFFICERS

Each Officer of Local 1550 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

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

All signing Officers of Local1550 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

(a) **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.
- Ensure that all Officers perform their assigned duties.
- In consultation with the Executive Board 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, budgets, 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.
- Shall be booked off on union leave up to 5 days per year to do the work of the President.

(b) Vice-President

The 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.
- Render assistance to any member of the Executive as directed by the Executive Board.
- 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.
- As directed by the Executive Board, the Vice-President may act as a special assignments officer for the following reasons:
 1. Campaign Coordinator;
 2. Special project;
 3. Strike preparation;

Should the Vice-President be unable to fulfil the duties of the special assignments officer the Executive Board may appoint an executive member, or alternate.

(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.
- 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 (e.g. emails and letters) and fulfil other administrative duties as directed by the Executive Board.
- Keep a record of all correspondence received and sent out.
- Prepare and distribute all notices to members.
- 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 and 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.

(d) 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 28th each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid 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.
- Ensure the Local participate in a travel insurance program and administers the program.
- Shall be booked off on union leave up to 5 days per year to do the work of the Secretary-Treasurer.

(e) Offsite Officer

The Offsite Officer shall:

- facilitate two-way communication with their membership to share information and identify and address common issues on a monthly basis;
- with the President, adhere to the grievance procedure.
- represent members by attending meetings with the Employer at both the Management level and at Human Resources and submit all notes to the Recording-Secretary;
- provide communications and information from the members at the offsite locations to the Executive Board;
- Shall be booked off on union leave up to 6 days per year to do the work of the Offsite Officer.

(f) 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 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 to the National Secretary-Treasurer, 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.

SECTION 10 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) Nominations

1. Initially nominations for all executive board positions will be in the Fall of 2017 and all requirements shall be waived. Thereafter, nominations will be received at the regular membership meeting held in the month of September.
2. Nominations will be accepted from members in attendance at the nomination meeting or from those members who have allowed their name to be filed in writing (email acceptable) at the meeting, witnessed by another member.
3. To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.
4. To be eligible for nomination, the nominee must have attended a minimum of three (3) meetings out of the last six (6) meetings prior to the election, including the month of the election unless there is a reasonable explanation (i.e.: regular shift rotation that precludes the nominee from attending the meetings.) If there is no eligible nominee in the September nomination meeting, a call for nominations shall be held at the October meeting, at which time the requirements will be waived.
5. 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.
6. No member will be eligible for nomination if they are in arrears of dues and/or assessments.
7. To be eligible to run for the Offsite Officer a member must be assigned their primary position at one of the off site locations at the time of nomination.

(b) Elections

1. The Terms of Office for the Executive Board positions shall be as followed:

President – ~3 years to 2020 every, then every 3 years thereafter

Vice-President - ~2 years to 2019, then every 3 years thereafter

Treasurer – ~2 years to 2019, then every 3 years thereafter

Recording Secretary – ~3 years to 2020, then every 3 years thereafter

Offsite Officer - ~3 years to 2020, then every 3 years thereafter

The term of office for all positions shall start on November 1st and end on October 31st of the election year.

2. At a membership meeting, at least one month prior to Election Day, the President will, subject to the approval of the members present, 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 Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union.
3. The Elections Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Chief Returning Officer.
4. The Chief Returning Officer will be responsible for issuing, collecting, and counting ballots. The Chief Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
5. The voting shall be done by electronic ballot. Voting shall be available between 6 am and 8 pm.
7. A plurality of votes cast will be required before any candidate can be declared elected. As in the candidate with the most votes shall be declared elected.
8. 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.

9. When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
10. Any member may request a recount of the votes for any election and a recount will 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 set out in Section 6(c).
11. All election complaints by members will be submitted in writing to the Chief Returning Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven days after the election. The Chief Returning Officer in conjunction with the Elections Committee and National Staff Representative will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.

(d) **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 3 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.
2. The terms of office for Trustees shall be so that one serves for a period of three (3) years, one for two (2) years, and one for one (1) year, as laid down in 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."

(e) **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 one dollar (\$1.00) 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.

(b) **Readmission Fee**

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

(c) **Monthly Dues**

The monthly dues shall be 1.5% of regular wages.

(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.

(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.

- a. Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established, these By-laws will be deemed to have been automatically amended to conform to the new CUPE minima. The membership dues payable to the Union shall not be less than the National per capita outlined in the CUPE Constitution and per capita payable to the Local's affiliates.

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.

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 of the majority of members present and voting at a regular or special membership meeting.

(b) Annual Budget

- The budget year shall be July 1 to July 30.
- A budget shall be done yearly and be passed by the General Membership by June of each year at a General Membership Meeting.
- The Secretary-Treasurer shall draft a budget based on previous year's budgets and expenditures to be presented to the Executive Board, taking into account the goals, priorities and realities of the local.
- The Executive Board shall finalize the draft annual budget to be presented to the General Membership, taking into account the goals, priorities and realities of the Local.

- Once the budget is passed by the General Membership, any change(s) to the budget requires a Notice of Motion and can only be voted upon at the next General Membership meeting or at a Special Meeting.
- Any Notice of Motion must be discussed and debated at the next Executive meeting with a recommendation and rationale to the General Membership for approval.
- The Executive Board, in the event of unforeseen or emergent circumstances (e.g. equipment failure) shall be authorized to go over the approved budget line to ensure the operation of the Local. Such overages shall be reported to the General Membership.
- The Executive Board shall be authorized to go over the budget line to pay all fees associated with the costs of handling grievances, including but not limited to:
 - i. Legal fees for arbitration and opinions
 - ii. Arbitrator fees
 - iii. Per diems for witness and the Local advisor
 - iv. Costs of information gathering (e.g. paying for medical information, employee personnel file copying etc.)

(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 \$100, 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.

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

SECTION 14 – OUT-OF-POCKET EXPENSES

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

President	\$140.00 per month
Vice-President	\$140.00 per month
Secretary-Treasurer	\$140.00 per month
Recording-Secretary	\$140.00 per month
Offsite Officer	\$140.00 per month
Trustees	\$100.00 per audit

(b) Expenses

The Local will provide per-diem allowance and mileage at rates as stated in the CUPE Manitoba Policies.

The Local shall pay to any member required or elected to attend any meeting on behalf of the Union the following:

- Lost wages: shall be reimbursed to the employer as billed. These lost wages shall include responsibility pay, shift and weekend premiums as would have been scheduled;
- Registration costs;
- Per Diem Allowance:
 - i. Travel Day:
6 hours or less - \$35.00
Over 6 hours - \$75.00
 - ii. Meeting or event (no overnight) - \$35.00
 - iii. Meeting or event (overnight required):
6 hours or less - \$35.00
More than 6 hours - \$75.00
 - iv. Meeting or event (out of province) - \$86.00/day (as per CUPE National)

(c) When travel is necessary to multiple locations within Winnipeg during the course of one day, mileage will be paid based on the following:

- When travel is required on a normal work day, travel will not be paid from home to the first location (e.g. Workplace, meeting place). Nor will travel be paid from the last location to the Member's home (e.g. Meeting place or workplace). All locations in between shall be paid mileage at the rate of fifty-one (\$0.51) (as per CUPE National) cents per kilometer. A print-out of a Google Maps travel itinerary shall be attached to the expense voucher.
- When travel is required on a day that is not a normal work day, all mileage shall be paid including the travel from home to the first and subsequent locations of union business and finally travel to return home. This travel allowance shall include travel within the City of Winnipeg as well as travel to and from locations outside of Winnipeg.
- Members who travel by bus will be reimbursed bus fare in place of mileage and parking.
- Parking shall be paid upon submission of a receipt.
- Transportation by taxi will be provided upon prior approval by the President or in their absence, the Secretary-Treasurer.

SECTION 15 – CHILD CARE, DEPENDENT CARE AND ELDER CARE

Caring for children, dependents or the elderly are barriers to actively participating in the union or to attending membership meetings. Local 1550 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 1550 business shall be eligible for child care, dependent care, and/or elder care expenses where required. These costs shall be reimbursed at the following rates:
- \$25.00/half day (4 hours) per child/dependent or elder;
 - \$40.00 per full day (8 hours) per child/dependent or elder;
 - \$50.00 overnight per child/dependent or elder

A child shall include any children sixteen (16) years and younger.

- (b) Expenses of special needs persons will be considered on an individual basis.
- (c) 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) First preference shall be provided to the Executive Board to attend provincial and national conventions or conferences. No greater number of delegates/alternates and observers shall be sent to any convention or conference other than allowed for in the Local 1550 budget except by a majority vote at a regular membership meeting.
- (b) The Local Treasurer or President shall make all arrangements for air transportation and hotel accommodations. The cost of air transportation shall be paid directly by the Local to the travel agent or airline.

Where delegates choose to stay with friends or family rather than use hotel accommodations, they will not receive any accommodation allowance.

- (c) Delegates shall be entitled to single room accommodations where this can be arranged, otherwise double or group accommodation will prevail. All hotel receipts must be turned into the Treasurer of the Local; failure to do so will result in the delegate repaying the Local for full accommodations.

- (d) Local 1550 shall pay transportation to and from authorized functions on the following basis:
1. Outside of Manitoba – reduced fare economy class air transportation or group travel rate. Where reduced fare economy rates are not available, full fare economy rates shall be arranged. For travel when it is not possible to obtain reduced fare economy or full fare economy rates, first class airfare may be authorized. Members who choose to travel outside Manitoba by car will be reimbursed mileage for the use of their vehicle to the maximum of the cost the Local would have incurred by paying reduced fare economy class rates.
 2. Within Manitoba – mileage will be paid to delegates whose vehicle is used at the same rate as CUPE Manitoba. Members who travel by bus will be reimbursed upon receipt for bus fare. Expenses for airfare within Manitoba may only be authorized by the general membership.
 3. Delegates will be expected to use the most economical method of transportation available. Delegates shall be reimbursed for all receipted legitimate ground travel expenses related to attendance at the Union function. For greater clarity, this will normally apply only to taxi or airport bus/shuttle or other public transportation from the airport or bus terminal to the hotel where delegates are staying and returning. No transportation will be paid for functions within the greater Winnipeg area.
- (e) Per Diems shall be paid as per Section 15 (a). Per Diems shall be paid prior to the event or function provided that an expense voucher is given to the Secretary-Treasurer.
- (f) Lost wages shall be paid as per Section 14 (b).
- (g) Delegates/alternates and observers sent by Local 1550 to such conventions or conferences shall be expected to attend the conference/convention to which they have been sent.
- (h) The delegates/alternates and observers shall report back to the next general membership meeting.

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. The Executive Board shall be recognized as ex-officio members of each committee.

(b) Permanent Committees

The Chairperson of each permanent committee will be elected by the members at a membership 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 Executive Board shall be recognized as ex-officio members of each committee.

1. Grievance Review Panel

This committee will:

- Shall be comprised of two (2) Officers and 1 member-at-large.
- This panel shall have the authority to determine whether a member's grievance will be submitted to arbitration
- The panel will review the grievance, including any legal opinions obtained, will receive the grievor's point of view either in person or in writing and will conduct whatever investigation it deems necessary.
- In the event the Panel determines that the grievance should not proceed to arbitration, the grievor may appeal this decision before a full meeting of the Executive Board. The grievor shall be given notice of this right.
- The decision of the Executive Board shall be final.

2. Health and Safety Committee

This committee will:

- Work to educate members on the importance of workplace health and safety.
- Prepare and present reports to the regular membership meetings.
- Organize an April 28th Day of Mourning ceremony each year.
- Participate on the Joint Worksite Health and Safety Committees (JWH&SC) at their workplace.
- Ensure that the worker representatives on the JWH&SC meet separately from the employer to prepare for meetings with the employer.
- Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.
- Immediately bring to the attention of the employer any workplace hazard that has the potential to cause members' illness or injury.

- Work to eliminate all workplace hazards, be they physical, environmental, or social.

3. Bylaw Committee

This committee will:

- Review the bylaws at least every two (2) years 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 National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.

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.

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.

(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.

(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.

SECTION 21 – PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 1550 bylaws, either in paper format or via the Local Union website at 1550.cupe.ca. Members requesting a copy of these bylaws will be provided a copy. Members with special needs may request a copy of the bylaws in larger font.

SECTION 22 – CELL PHONES

The President and Offsite Officer shall receive \$50.00 per month for cell phone usage in lieu of the Local entering into a cell-phone contract for those officers.

SECTION 23 – RETIREMENT GIFT FUND

- (a) All members of the Canadian Union of Public Employees, Local 1550 shall receive a retirement gift upon retirement.
- (b) To be eligible for this gift, a member must be a member in good standing.
- (c) Members must be eligible to retire under the terms of the Pension Plan, whether or not they are a member of the Pension Plan.
- (d) A gift certificate of the member's choice shall be given in the following amounts:

<u>Years of Service</u>	<u>Benefit</u>
1 to 10 years	Pin and Certificate
More than 10 years and up to 20 years	\$150.00
More than 20 years and up to 25 years	\$200.00
More than 25 years and up to 30 years	\$250.00
Over 30 years	\$300.00

Retirement gifts for part-time employees shall be determined on a pro-rata basis based on the same formula used to determine pre-retirement leave in the Collective Agreement.

Total Combined Seniority on Date of Retirement

Full-time Hours (either 2015 or 1950 depending on position)

For members whose seniority is credited for service prior to entering the bargaining unit, years of service shall be defined as only the time as a dues paying member of Local 1550 from the CancerCare Manitoba bargaining unit.

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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 1550 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 1550 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 1550 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 1550 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 1550 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 1550 sets out standards of behaviour for members at meetings, and all other events organized by Local 1550. 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 1550 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 1550, 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.

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Appendix C

RULES OF ORDER

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

11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
13. The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
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 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.

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