
Bylaws

Local Union 2331

CUPE / *Canadian Union
of Public Employees*

REVISED JANUARY 2020

INTRODUCTION

Local 2331 of the Canadian Union of Public Employees has been formed to:

- Unite in one organization, regardless of religion, race, creed, sex, political affiliation, nationality, sexual orientation, ability, or age, all employees under the jurisdiction of this Local;
- 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 highest decision making and policy forming body shall be the general membership meeting.

The following bylaws are adopted by Local 2331 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 Local 2331 shall respect and apply the CUPE National Equality Statement to all the chartered organization's activities. The CUPE National Equality Statement can be found in Appendix A to these bylaws.

CUPE Local 2331 shall adopt a Local Union Code of Conduct that will 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 2331.

(Employees of the York Catholic District School Board)

Local 2331 consists of the following bargaining units:

2331-00	Support Staff
2331-01	International Language Instructors
2331-02	Adult English as a Second Language Instructors

SECTION 2 – OBJECTIVES

The objectives of Local 2331 are to:

- (a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- (b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (c) Encourage the settlement by negotiation and mediation of all disputes between the members and their employers;
- (d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
- (e) Establish strong working relationships with the public we serve and the communities in which we work and live;
- (f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

SECTION 3 – REFERENCES

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

SECTION 4 – MEMBERSHIP

(a) Membership

An individual employed within the jurisdiction of Local 2331 can apply for membership in Local 2331 by signing an application and paying the initiation fee set out in Section 11(a) of these bylaws.

(Article B.8.1)

(b) Approval of Membership

At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting object, the applicant(s) will be accepted into membership.

(Article B.8.2)

(c) **Oath of Membership**

New members will take this oath:

"I promise to support and obey the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union."

(Article B.8.4)

(d) **Continuation of Membership**

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

(Article B.8.3)

(e) **Member Obligations**

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

Member contact information provided to the Local by the Employer will be protected and used to communicate with members. Such communication may take the form of mail, e-mail blasts, telephone town halls or phone blasts.

Telephone numbers and email addresses may be shared with a service provider under contract to the Local Union to provide the technical equipment to support such communication.

The Local Union may share the telephone contact information and email addresses with CUPE National, CUPE Ontario and/or the Ontario School Board Council of Unions (OSBCU). The purpose of sharing this telephone contact information with these organizations is so that they may conduct telephone communication with members on important matters.

Members are to maintain accurate contact information with the Employer.

SECTION 5 – AFFILIATIONS

In order to strengthen the labour movement and work toward common goals and objectives, Local 2331 shall be affiliated to and pay per capita tax to the following organization(s):

Ontario School Board Council of Unions
CUPE Ontario
York & Toronto Region Labour Council

SECTION 6 – MEMBERSHIP MEETINGS

(a) General Membership Meetings

General membership meetings of Local 2331 shall be held and where possible in the months of September, November, January, March, April, and June. Notice of each general membership meeting outlining the date, time and location shall be communicated to members, at least seven days in advance of the meeting and shall be posted on the union local's website.

The Executive Board shall schedule the general membership meeting dates at the first Executive Board meeting of the school year.

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

(b) Special Membership Meetings

Special membership meetings of Local 2331 may be required, and shall be called by the Executive Board or may be requested in writing by no less than 30 members. The President shall immediately advise members when a special meeting is called, and ensure that all members receive at least twenty-four (24) hours notice of the special meeting, the subject(s) to be discussed, the date, time and location. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

(c) Quorum

The minimum number of members required to be in attendance for the transaction of business at any general or special meeting shall be 17 members in good standing, plus 3 members of the Executive Board.

(d) **Membership Meeting Agenda**

The President will Chair the meeting and follow this order of business:

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

(e) **Unit Meetings**

Unit Meetings may be called by the Unit Chair and/or the President.

Unit meetings may be called to deal with matters that affect only members of that bargaining unit. Such meetings are not to be used to replace general membership meetings and will not make decisions that affect the Local Union as a whole or another bargaining unit. Members of the unit shall receive notice seven days in advance of the meeting providing the date, time, location and the purpose of the meeting.

The minimum number required to be in attendance for the transaction of business at any unit meeting shall be 10% or 17 unit members, or whichever is less, plus the President, the Unit Chair and one additional member of the Executive Board.

The transaction of business at a Unit Meeting is restricted to business relating to the purpose of the meeting.

Unit meetings cannot pass motions that bind the Local Union unless the General Membership Meeting subsequently ratifies the motion.

Note: It is understood that the following job classifications may also function as individual units and can convene meetings if needed following the criteria outlined in Section 6 (e).

- Secretarial / Clerical
- Educational Assistants
- Educational Intervenors
- Designated Early Childhood Educators
- Library Technicians
- Student Support Workers
- Lunchtime Supervisors
- Office Support Workers
- Supply Staff

SECTION 7 – OFFICERS

The Officers of Local 2331 shall be the President, 1st Vice-President Chief Steward, 2nd Vice President RTW / WSIB / Health & Safety, Secretary-Treasurer, Recording Secretary, Membership Officer, 2 (two) Unit Chairs, (3) three Trustees and Stewards.

(Articles B.2.1 and B.2.2)

SECTION 8 – EXECUTIVE BOARD

(a) The Executive Board shall include all Officers, except Trustees and Stewards.

(Article B.2.2)

(b) The Executive Board shall meet at least nine (9) times per year before the General Membership Meetings. The only duties of the Executive Board are those set out in the bylaws of the Local Union.

(Article B.3.14)

(c) A majority of the Executive Board constitutes a quorum.

(d) The Executive Board shall hold title to any real estate of the Local Union as trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.

(e) The executive board shall be required to make decisions on behalf of the Local between meetings when the action required will occur before the next regular membership meeting.

(f) An annual operating budget shall be prepared and presented to the Membership for approval no later than the second general membership meeting of the school year.

(g) For Executive board members on release, benefits will be as per the CUPE Education Workers Benefit Trust. Sick leave days will be provided in accordance with central bargaining language

and paid leave days will be as per the highest contract serviced (Local 2331-00). The Local will ensure WSIB/liability insurance coverage and OMERS contributions for all release positions.

- (h) Executive Board members are required to stay informed of issues which may impact the membership and when ever possible should attend School Board Trustee meetings.
- (i) 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.

(Article B.2.5)

SECTION 9 – DUTIES OF OFFICERS

Each Officer of Local 2331 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

All Officers are required to report to the President on all matters affecting the local.

All Officers will render assistance to the membership and the Executive Board.

At the termination of their office or on a leave of absence, all Officers shall surrender to their

successor, all books, files, seals, documents and all other property of the Local.

(Article B.3.9)

All signing Officers of Local 2331 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)

President

The President chairs all meetings of the Local Union, approves payments that are authorized by the Local Union and appoints committees where there is no method of appointment. The President also does whatever is necessary for the proper functioning of the Local Union and carrying out the duties of President. (Article B.3.1)

- The President shall exercise supervision over the affairs of the Local and render assistance as required. The President shall ensure that all officers perform their assigned duties. The President shall also assume the responsibilities of the position of the Unit chair for the bargaining unit from which they originate.
- The President shall enforce the CUPE National Constitution and these local union bylaws, the CUPE Code of Conduct and the Equality Statement.
- The President shall be signatory to all official documents, shall be a co-signatory for orders on the Treasury, and shall be bondable.

The President shall sign cheques, except for cheques payable to the President and ensure that the local union's funds are used only as authorized or directed by the CUPE Constitution, local union bylaws, or a vote of the membership.

The President shall be allowed necessary and reasonable funds to reimburse 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 receipts attached.

- The President, or the President's designate, shall be the official spokesperson for the Local with the media.
- The President shall have the authority to interpret these By-Laws. Their interpretation shall be fair and will ensure the intent and objectives of these By-Laws, subject to the Constitution.
- The Office of the President shall be a 12-month full time release position for the length of the term. The Office of the President shall be paid an amount of \$79,500 annually, with the effective date of February 1, 2020, and to be increased by the same amount as the general wage increase received by members. The Secretary Treasurer will advise the employer and the membership annually of the rate.

The local will pay for only one President's salary at any given time. Should the President be on full time sick leave exceeding one hundred and thirty-two days, the 1st Vice President will be paid at the President's rate.

Vacation time will be based upon years of service as per the Local 2331-00 collective agreement. Vacation time must be used within the current school year. Any unused vacation time will be paid out prior to August 31st of the same school year. When possible, vacation should be scheduled during school breaks. Vacation and sick time will be submitted in writing to the Secretary Treasurer, who will track days used.

- The President shall open and preside at General Membership Meetings, Executive Board Meetings and Special Membership Meetings. The President shall see that officers and members perform their respective duties, preserve order, follow the correct order of business, and decide all rules of order, subject to appeal to the membership.
- The President shall decide all points of order and procedure (subject always to appeal to the membership).
- The President shall have the right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.
- The President shall have the right to call special Executive Board meetings upon notification to all members of the Executive Board.
- The President will be a member of all regular and/or special committees of the Local and shall ensure proper and effective functioning of all committees.
- The President shall make all arrangements for registration, accommodation, and travel for all conferences, conventions and educationals as approved by the budget.
- In case of a Committee vacancy, the President shall appoint an interim officer or standing committee member in consultation with the Executive Board until such vacancy can be filled by election if so required.
- The President, or their designate, shall be the Chairperson of the Bargaining Committee of each bargaining unit.
- The President, or their designate, shall be a constitutional delegate to conferences, conventions and educationals as approved by the budget.
- The President will maintain an education record for union officers and members.

1st Vice President Chief Steward

- The 1st Vice-President shall be the Chief Steward of the Local.
- The 1st Vice President/Chief Steward shall supervise, resource, direct all activities of the steward body and be the Chairperson of the Grievance Committee. The 1st Vice President Chief Steward shall attend labour management meetings.
- The 1st Vice President Chief Steward shall have no less than four meetings a year with the steward body and will facilitate training for all stewards.
- The 1st Vice-President Chief Steward shall, in the absence of the President, fulfill the duties of the office of President. If the office of the President falls vacant, be Acting President until a new President is elected through a by-election.
- The 1st Vice President /Chief Steward shall be a 12-month full time release position for the length of the term.
- The office of the 1st Vice President Chief Steward shall be paid an amount of \$62,500 annually, with the effective date of February 1, 2020 and to be increased by the same amount as the general wage increase received by members. The Secretary Treasurer will advise the employer and the membership annually of the rate.
- Vacation time will be based upon years of service as per the Local 2331-00 collective agreement. Vacation time must be used within the current school year. Any unused vacation time will be paid out prior to August 31st of the same school year. When possible, vacation should be scheduled during school breaks. Vacation and sick time will be submitted in writing to the Secretary Treasurer, who will track days used.
- The 1st Vice President/Chief Steward, shall be a constitutional delegate to conferences and conventions as per budget approval.
- The 1st Vice President Chief Steward shall be a member of the bargaining committee for each bargaining unit.
- The 1st Vice-President Chief Steward shall be a co-signatory on the treasury and shall be bondable.
- The 1st Vice-President Chief Steward may attend Unit Meetings.
- The 1st Vice-President Chief Steward shall report to the Executive Board and the Local on the functions and activities under their responsibility.
- The 1st Vice President Chief Steward shall maintain an updated list of all elected stewards. The 1st Vice President Chief Steward shall inform the executive board and membership of all changes.
- The 1st Vice President Chief Steward shall be responsible to monitor all job postings and successful candidates.
- The 1st Vice President Chief Steward shall be responsible for Attendance Management.

2nd Vice President (WSIB/Health and Safety)

The 2nd Vice President shall:

- Be the Chairperson of any committees responsible for Health and Wellness including WSIB, Health and Safety, , and will attend Joint Health and Safety committee meetings.
- The 2nd Vice-President shall be provided release time of 2 days per month when required.
- The 2nd Vice-President will represent members on WSIB related matters.
- The 2nd Vice-President shall report to the Executive Board and the Local on the functions and activities under their responsibility.
- The 2nd Vice-President is required to attend, and complete training-education provided by the local.

Recording Secretary

The Recording Secretary shall:

- Keep full, accurate, and impartial account of the proceedings of all regular and special Membership meetings, Unit meetings and Executive Board meetings and provide copies to the executive board. 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 to the bylaws and make certain that these are sent to the National Representative to forward to the National President for approval prior to implementing.
- Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
- Assist in updating the Local's social media accounts
- Attend Labour Management meetings and provide minutes to the President.
- Keep a record of all correspondence received and sent out.
- Have all records ready on reasonable notice for the Trustees or auditors.
- Following elections, a list of the newly elected union officers will be provided to the employer and to the CUPE area office including salary rates for any release positions. This list will be maintained and updated with any changes to the employer and on the Local 2331 website.
- Preside over membership and Executive Board meetings in the absence of both the President and 1st Vice-President.
- Performs other duties required by the Local Union, its bylaws or the National Constitution.

(Article B.3.3)

Secretary-Treasurer

The Secretary-Treasurer shall:

- The Secretary-Treasurer shall be fully trained on the accounting software and attend the appropriate training provided by CUPE.
- 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.

Shall be provided release time of 2 days per month when required

When possible, cheques should be electronically prepared and printed using the Accounting software.

- 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.
 - Supervise and maintain Local 2331 financial investments.
 - Record all financial transactions and provide reporting in accordance with good accounting practices utilizing the ledger approved by CUPE National.
 - Make a full financial written report to meetings of the Local Union's Executive Board.
 - Provide a copy of the written financial report to each member at regular membership meetings, detailing all income and expenditures for the period. A copy of the written financial report will be posted on the local's website.
 - 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 financial records, invoices, original bank statements and all other supporting documents available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books, and all financial records are audited at least once each calendar year and respond in writing to any recommendations and concerns raised by the Trustees within a reasonable time.
- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- The local shall maintain a separate chequing account as a strike fund holding the minimum balance required.
- Maintain the annual operating budget and report to the membership for approval.
- All financial records, invoices, and documents will be kept at the local 2331 CUPE office.

(Articles B.3.4 to B.3.8)

(f) **Trustees**

The Trustees shall:

- Be required to attend CUPE's financial officer training as soon as possible.
- Act as an auditing committee on behalf of the members and audit the books, financial records 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 members at 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 of general, special and unit membership meetings.
- 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 National 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)

Unit Chair

- Each Unit Chair in conjunction with the President (or 1st Vice President), shall manage any and all business as may pertain to their office and which may be necessary for the proper functioning of their bargaining unit.
- Each Unit Chair shall preside at all meetings related to their specific bargaining unit.
- Each Unit Chair shall be an ex-officio member for all of the unit's committees, and are to be notified of any Committee meetings held within their bargaining unit.
- The Unit Chair will serve as liaison to the Grievance Committee on matters pertaining to their bargaining unit.
- The Unit Chair will attend labour management meetings for their respective bargaining unit.
- The Unit Chair will be a member of the bargaining committee of their bargaining unit.

Membership Officer

The Membership Officer shall:

- Guard the inner door at membership meetings and admit no one but members in good standing or Officers and officials of CUPE, except on the recommendation of the President and with consent of the members present.
- Maintain the record of membership attendance at meetings. Where required, enforce the showing of union cards or other identification at the door.
- At the end of the meeting, deliver the attendance record to the Recording Secretary.
- Review membership lists and ensure adherence to National guidelines for members in good standing.
- Provide new members with Union cards and registration information for the local website.
- Perform such other duties as may be assigned by the Executive Board from time to time.

Union Stewards

- Stewards shall represent and defend the Collective Agreement and the interests of their members and ensure that issues are dealt with in a professional and timely manner.
- Stewards shall provide guidance, information and assistance to members; and, may attend meetings with the employer when necessary.
- Stewards shall report to the Chief Steward regarding members' concerns.
- Stewards shall have knowledge of the Collective Agreement(s) and legislation.
- Stewards shall, in consultation with the Chief Steward, investigate and file grievances at the initial level where the employer fails to comply with the terms of the Collective Agreement, relevant policies or legislation.
- Stewards shall encourage the participation of all members of the unit in union activity.
- Stewards are required to stay informed of issues which may impact the membership and whenever possible should attend School Board Trustee meetings.
 - Stewards shall attend steward meetings when called by the Chief Steward.
- Stewards are required to attend and complete training-education provided by the local.
- Should any steward member fail to attend three consecutive regular membership meetings or three steward meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting. (Article B.2.5)

SECTION 10 – NOMINATION, CAMPAIGNING, ELECTION AND INSTALLATION OF OFFICERS

(a) Nominations

1. Nominations will be received at the regular membership meeting held in the month of April in an election year.
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 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.
(Articles B.8.1, B.8.2 and B.8.3)
4. 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 the time of transition to their new position.
5. A member may accept nomination for one office only.
6. In the event that there is only one (1) nominee for any position, the Chief Returning Officer shall declare that nominee elected by acclamation.
7. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

(B.4.2)

Campaigning

Candidates (and/or their agents) seeking election or re-election to any position shall not use any of the following for campaign purposes;

- Any of the union's or employer's:
- Computers, printers, fax machines
 - e-mail
 - photocopiers
 - telephone and/or member lists
 - official media accounts
 - property

Candidates and/or their agents will not solicit, campaign or distribute material inside a designated union meeting room or the local office.

Members seeking election or re-election to any officer position shall:

- Meet time lines as set out by the Election Committee.
- Have all campaign materials (including but not limited to posters, flyers, etc.) submitted to the Election Committee within five working days of the nomination for approval prior to distribution or posting. Items not approved must be revised and re-submitted to the committee for approval prior to distribution or posting.
- Approved flyers/posters may be posted on the Local Union website, in the private members' area through the Election Committee.
- Follow all rules as laid out by the election committee when using social media.
- Postings are to be respectful and in accordance with the CUPE Equality Statement and Code of Conduct.
- Negative campaigning will not be tolerated. No comments of a negative, misleading or disrespectful nature in relation to other nominees will be acceptable whether in print or on social media, or in any other form.
- Intent of campaign material is to be an introduction of the nominee to the members, describing interest, relevant experience and other positive attributes that may be brought to the office that is being sought.
- Candidates and or their agents may interview or campaign or distribute material outside the designated union meeting room.
- Candidates may use personal time and vacation time to campaign.

Any infraction of these campaign rules will be reviewed by the Election Committee. Any violation may result in disqualification of the nominee.

(b) Elections

1. The Executive Officers are elected every third year for a three-year term.
2. An Elections Committee consisting of a Chief Returning Officer and four (4) assistant(s) shall be elected at a general membership meeting in the month of February in an election year. 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 as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union.

Election of Officers

The election of officers will be held during the month of May in an election year. The election will be conducted electronically using an online system approved by the Executive Board.

To be elected, a candidate must receive a plurality of the votes cast.

The online polls will open at least seven days prior to the election date as determined by the election committee and remain open until midnight of the election day. The results, shall be posted on the Local union's website within 48 hours of the election results being

provided to the Chief Returning Officer. Candidates will be notified prior to the posting of the election results.

All duly elected officers shall be installed at the June general membership meeting following the announcement of election results. The transition date of commencement of duties will be mutually agreed upon between the new and outgoing presidents. Commencement of duties shall take place no later than July 15th.

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 11.6(b))

ELECTION OF TRUSTEES

1. There shall be three Trustees for the Local.
2. Nominations and elections to be held at the June General Membership Meeting.
3. The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three-year period. No member who has been a signing Officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed.
4. In the case of a vacancy occurring, a Trustee shall be elected to fill the unexpired term.

ELECTION OF UNIT CHAIRS AND STEWARDS

1. The nomination and election of Unit Chairs will take place at a unit meeting after the announcement of the newly elected officers of the union. These elections shall be held prior to the June general membership meeting.
2. Unit Chairs will be elected by their respective units.
3. Election of four stewards shall take place at the June General membership meeting after the announcement of the newly elected officers of the Union. All Stewards shall be trained to provide Union representation for members of all Units

4. Elections shall be conducted by secret ballot. Each member shall be entitled to one vote. Proxy votes are not acceptable in any form or for any reason of voting. A candidate must obtain a plurality of votes to be declared elected.
5. When two or more nominees are to be elected to the same position, each member voting shall be required to vote for the full amount of candidates to be elected or the members ballot will be declared spoiled.
6. The President has the right to fill a vacancy from a given unit if no member is prepared to stand for office.

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. The President has the right to fill a vacancy if no member is prepared to stand for office.

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 \$2.00 dollars which shall be in addition to monthly dues.

(Articles B.4.1 and B.8.2)

(b) Readmission Fee

The readmission fee shall be \$2.00

(Article B.4.1)

(c) Monthly Dues

The monthly dues shall be 1.9% of regular wages.

(Article B.4.3)

(d) Amending Monthly Dues

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

(Article B.4.3)

(e) **Assessments**

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

(Article B.4.2)

SECTION 12 – NON PAYMENT OF DUES AND ASSESSMENTS

A member who fails to pay dues and / or 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.

(Article B.8.6)

SECTION 13 – EXPENDITURES

(a) **Payment of Local Union Funds**

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

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

(b) **Voting of funds**

Expenses or payments in excess of \$300 for services, terms or donations will be presented to and approved by the membership. This does not include operating expenses, items covered in the approved budget and regular bills, and members retirement gratuities.

(Article B.4.4)

(c) **Payment of Per Capita Tax and Affiliation Fees**

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

(d) No Officer or member of Local 2331 will be allowed to spend any Local Union funds without first having received authorization under Section 13(a) of these bylaws.

SECTION 14 –EXPENSES

(a) Mileage

Mileage will be paid at the rate set by the Canada Revenue Agency automobile allowance rate. Mileage is to be calculated beginning and ending from the local office location. Detailed mileage expense forms will be submitted to the Secretary Treasurer on a monthly basis for all approved union business.

(b) Honourariums

Local Union Officers shall be provided a monthly honourarium allowance, paid quarterly in November, February, May and August as follows:

- President - \$175
- 1st Vice President Chief Steward - \$150
- 2nd Vice President - \$125
- Recording Secretary - \$125
- Secretary Treasurer - \$125
- Unit Chairs (2) - \$90
- Membership Officer - \$90
- Stewards - \$70

- Trustees -shall receive \$100 honorarium for each audit completed.

(c) Cell Phones

The President, 1st Vice President Chief Steward, and the 2nd Vice President will be provided with cell phones for union business.

(d) Credit Card

The local union will hold two credit cards with a combined total credit limit of \$25,000. The President and the 1st Vice President will be the authorized user.

SECTION 15 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

Except for the President's and 1st Vice President/Chief Steward's option, [Section 9], all delegates to conventions, shall be chosen by election at membership meetings.

- Educational training for elected officers will be provided as required.
 - Members and/or officers may not attend conferences, conventions or educationals while on leave.
 - All delegates attending conventions, conferences, or educationals may be provided with single accommodations and a per diem allowance of \$100 for meals and expenses where meals are not provided.
 - Transportation expenses (at economy, tourist or coach rates) will be reimbursed
 - The Local Union will reimburse the member's employer for any loss of wages.
 - The President will have discretion for providing accommodations in consideration of distance, weather, and evening agenda items to allow delegates full participation and opportunity for networking.
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- Where meals are included, or not required the following deductions shall be made to per diems: breakfast=\$20, lunch=\$30, dinner=\$50.
 - Local 2331 will provide members with their per diem allowance prior to their attending the convention, conference, or educationals.
 - Local 2331 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.
 - All conference, convention and educational attendees will provide a report back to the President summarizing their experience. Information of interest to the members will be shared at a General Membership Meeting.

SECTION 16 – COMMITTEES

(a) Special Committees

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

Ad hoc committees for social purposes shall submit financial proposals to the membership for approval and submit reports at general membership meetings.

1. Bargaining Committee

This will be a special committee established approximately 6 months prior to the expiry of the Local Union's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee

shall consist of the number of members as per the collective agreement(s), and elected at Unit Membership meetings. Where possible, committee members should be elected from various job classifications within the contract.

The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

Upon ratification of a new local collective agreement, members of the bargaining committee shall receive a \$25 honorarium for each day spent in bargaining with the employer.

All members of Local 2331's negotiating committee shall attend Level 1 and Level 2 of CUPE's collective bargaining educationals.

Permanent Committees

The Chairperson of each permanent committee will be elected by the members at a membership meeting unless already stipulated under Executive Board responsibilities. 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.

1. Grievance Committee

The committee members will be the President, the Chief Steward, the Unit Chairs (for grievances specific to their Unit) and additional stewards and designates as required. The Chief Steward shall be the chair of the Grievance Committee. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages.

- Oversee the handling of all local grievances.
- The Chief Steward shall prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and reported at general membership meetings.
- When a grievance is not settled in the initial-stages provided for in the collective agreement, this committee will decide if the grievance should proceed to mediation and/or arbitration.
- If the decision is to not proceed, the grievor(s) may appeal the decision to the membership.
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2. Health and Safety Committee

The committee members will be the unit chairs and the JHSC representatives.

- The 2nd Vice President will chair the Health and Safety Committee.
- The 2nd Vice President will be a member of the Joint Health and Safety Committee (JHSC).

This committee will:

- Work to educate members on the importance of workplace health and safety.
- Prepare and present reports to the general membership meetings.
- Acknowledge April 28th Day of Mourning each year.
- Promote safe work procedures and environments to assist in preventing illness and injury as a result of workplace factors.
- Work to eliminate all workplace hazards, be they physical or environmental.

3. Bylaw Committee

This committee will:

- Review the bylaws at least every two years or as needed 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 President will be a member of the committee, plus four additional committee members will be elected at a general membership meeting at least every two years or as needed. The committee shall appoint its chairperson and secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.

SECTION 17 – COMPLAINTS AND TRIALS

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

(Articles B.11.1 to B.11.5)

SECTION 18 – 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 19 – AMENDMENTS

(a) CUPE Constitution

These bylaws are always subordinate to the CUPE Constitution (including Appendix B) as it now exists or may be amended from time to time, and in the event of any conflict between these bylaws and the CUPE Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE Constitution.(Articles 9.2(c), 13.3 and B.5.1)

(b) Additional Bylaws

A Local Union can amend or add to its bylaws only if:

- (i) the amended or additional bylaws do not conflict with the CUPE Constitution;
- (ii) the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and
- (iii) notice of the intention to propose the amended or additional bylaws was given at least seven days before at a previous membership meeting or 60 days before in writing.

(Articles 13.3 and B.5.1)

(c) Effective Date of Amended or Additional Bylaws

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

(Articles 13.3 and B.5.1)

SECTION 20 – PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 2331 bylaws, either in paper format or via the Local Union website at www.local2331.ca

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 2331 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 2331 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 2331 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 2331 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 2331 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 2331 sets out standards of behaviour for members at meetings, and all other events organized by Local 2331. 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 2331 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 to an officer of the Executive Board.
2. Should an issue arise at a union meeting the Chair shall determine whether there is need to remove the member. The Chair has the authority to expel members from the event for serious or persistent offenses.
3. Once a complaint is received the Local Union will work to seek a resolution.
4. If this fails to resolve the matter, the Local Union shall direct the complainant to the CUPE Constitution and the Trial procedure.

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 2331, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

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

Appendix C

RULES OF ORDER

1. The President will be the Chairperson at all membership meetings. In the absence of the President, the 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.