

CUPE Local 3905

Bylaws

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## **Preamble**

In order to improve the social and economic welfare of its members as set out in section 4, to promote efficiency in public employment, and to manifest its belief in the value of the unity of organized labour, this Local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

The following Bylaws are adopted by the Local pursuant to, and to supplement, Appendix "B" of the CUPE Constitution, to safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

## **Section 1 - Name**

The name of this Local shall be: Canadian Union of Public Employees, Local No. 3905 (herein it shall be referred to as "the Local").

## **Section 2 - Objectives**

The objectives of the Local are to:

- a. To protect, maintain, and advance the interests of the members of the Local.
- b. To regulate relations between the employer and employees by means of collective bargaining and joint consultation.
- c. To assist in improving the quality of education at Lakehead University by means of active participation in the determination of teaching methods, curriculum, course content, and class size.
- d. To develop and maintain professional standards of skill, to maintain fair rates of pay and terms and conditions of employment for its members in recognition of their skill, and to work to ensure opportunities for members within its jurisdiction.
- e. To act as a lobbying agent on behalf of its members to all appropriate outside agencies which are responsible for, or which have an interest in, post-secondary education issues such as funding, access, and quality in the province of Ontario, Canada.
- f. To do all things necessary for the attainment of the above objectives.

### **Section 3 – Interpretation and Definitions**

- a. The operational year for Local 3905 is defined as starting May 1 and ending April 30.
- b. In all CUPE 3905 documents, both masculine and feminine pronouns will be used simultaneously.
- c. Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the CUPE Constitution (2007) which should be read in conjunction with these bylaws.

### **Section 4 – The Membership**

- a. The membership of the Local shall consist of all persons registered at Lakehead University as graduate or undergraduate students who are regularly employed in demonstrating, tutoring, or marking, or as research or teaching assistants, save and except sessional lecturers, persons with the rank of lecturer or above, persons whose salaries are paid from other than operating funds, persons in other bargaining units of the University and all other persons employed in a full-time capacity at Lakehead University.
- b. Any member whose employment terminates may maintain their membership for a maximum of six months after their termination date.
- c. No person shall be excluded from membership because of race, creed, colour, national origin, nationality, native language, citizenship, ancestry, sex, sexual orientation or preference, gender identity, marital or parental status, number of dependents, family relationships, place of residence, religious or political beliefs, affiliations or activities, disability, or criminal record.
- d. No persons otherwise eligible for membership in the Local shall be admitted to membership if they have been fined, suspended, or expelled by the Union or any local of the Union until they have complied with the terms of such fine, suspension, or expulsion.

## Section 5 - Membership Meetings: Regular and Special

- a. Membership meetings shall be held at least once between September 1st and December 31st, and at least once between January 1st and April 30<sup>th</sup>.
- b. The equity statement shall be read at the outset of every meeting.
- c. Every member in good standing is entitled to vote on any issue which arises at a membership meeting, except where otherwise prescribed in these bylaws or in Bourinot's Rules. Where the two are in conflict, these bylaws will determine the course of voting (this Constitution).
- d. Voting shall be by show of hands unless a member asks for a roll call vote or for a balloted vote. A balloted vote shall happen if both are called, and a majority (50% plus one) of those present shall be sufficient to determine a decision.
- e. Quorum for the transaction of business at any regular or special meeting shall be ten (10) members in good standing, including at least three (3) members of the executive board.
- f. Membership meetings of the Local may be called at any time by the executive or upon receipt of a written petition signed by not fewer than twenty-five (25) members in good standing, submitted to the Executive. Upon receipt of a properly constituted petition, the executive shall call a membership meeting to take place within fourteen (14) days and see that all members receive at least 24 hours' notice of the meeting and the subject(s) to be discussed. The meeting shall be advertised by email and at least one of the following methods: posting on the CUPE 3905 website, advertisement in the Argus and/or by putting up posters in areas especially frequented by Members. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- g. Such a petition must contain the name, department or work, telephone number and signature of each signatory.
- h. The Executive shall call an Annual General Meeting each year for the purpose of reporting to the membership on the business transacted during the preceding year and for the election of the Executive. At the Annual General Meeting, the Financial Officer shall submit a full financial report, covering the preceding year, to the membership for approval. At the Annual General Meeting, the Financial Officer shall submit a proposed budget for the following year to the membership for approval. Notwithstanding the above, should negotiations for a collective agreement be in process, the Annual General Meeting may be delayed until such a time as a new agreement has been ratified.

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

1. Call to order
2. Roll call of officers
3. Voting on new members and initiation
4. Reading of minutes
5. Matters arising
6. Treasurer's report
7. Communications and bills
8. Executive committee 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 6 – Funds**

- a. Except for ordinary expenses and bills recommend by the Budget Committee as approved at membership meetings, no sum over five hundred fifty (500) dollars shall be voted for the purpose of a grant or contribution to a member or any cause outside CUPE, except by a notice of motion given in writing and dealt with at the following membership meeting.
- b. The Local may budget up to \$4000 for charities as recommended by the Budget Committee.
- c. The Local is encouraged to donate up to \$1000 every year to a charity (or charities) chosen at a membership meeting. The charity (or charities) shall reflect the values contained in the CUPE National constitution.
- d. A charitable organization may only receive one donation per year.
- e. The Strike Fund will be invested into a secure low risk investment. Any interest from the Strike Investment will be directed to three \$1000 awards administered by the Faculty of Graduate Studies at the end of every year.

## **Section 7 - Officers**

The Executive of the Local shall consist of the following offices 1. President – Chair (Internal Affairs) 2. Vice President – Chair (External Affairs) 3. Chief Steward 4. Secretary-Treasurer 5. Recording Secretary/Communications Officer. All officers shall be elected by the membership.

## Section 8 – Executive Board

- a. The Executive Board shall be the governing body of the Local between membership meetings. It shall take such actions and render such decisions as may be necessary to fully carry out the decisions and instructions of membership meetings of the Local. The Executive shall enforce the Constitution and bylaws and the provisions of all agreements between the employer and employees and shall coordinate Union-Local affairs.
- b. Executive Board members shall be elected to serve a one (1) year term and shall be elected at a General Meeting in the spring.
- c. All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
- d. A majority of the members of the Executive shall constitute quorum for the transaction of business.
- e. The Executive shall meet at least eight times during any given year.
- f. Should any board member fail to answer the roll-call for three consecutive regular membership meetings or four regular board meetings without having submitted good reasons for those failures, the office shall be declared vacant and shall be filled by an election at the following membership meeting.

## Section 9 – Duties of Officers

### ***a. The President (Chair-Internal) shall:***

- Enforce the CUPE Constitution and these by-laws.
- Be the chief executive officer and spokesperson for the Local, shall normally preside at all meetings of the Executive, and decide all points of order and procedure (subject always to the appeal of the membership).
- Sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution by-laws or vote of the membership.
- Ensure that all officers perform their assigned duties.
- Shall be a member (ex-officio) of all councils and committees of the Local and fill committee vacancies where elections are not provided for.

- Have first preference as delegate to CUPE National Convention.
- Attend meetings of the university's internal relations committee (IRC).
- Assume additional responsibilities or tasks that are deemed beneficial for the Local.

***b. The Vice-President (Chair-External) shall:***

- Be liaison to CUPE National and Ontario and other external organizations and agencies.
- Call give proper notice for, and preside over all meetings of the Bargaining Team.
- At such time as the Chair internal suffers a prolonged absence, has resigned, or is otherwise unable to perform the duties, the Chair External shall perform those duties, until such time as the Chair Internal returns.
- If the office of Chair Internal falls vacant, be the acting chair Internal until a new chair internal is elected.
- In conjunction with the Recording Secretary/Communications Officer, shall be responsible for administrative preparation of local education and training sessions sponsored by CUPE.
- Be authorized to sign cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution by-laws or vote of the membership.
- Assume additional responsibilities or tasks that are deemed beneficial for the Local.

***c. The Chief Steward shall:***

- Be responsible for the coordination of the stewards network and shall supervise the election/appointment of stewards.
- Call give proper notice for, and preside over all meetings of the Stewards' Committee.
- Report to the Executive on all business conducted by the Stewards' Committee, including all Committee recommendations for Executive decision or action.
- Bring to the attention of the executive all grievances either

through personal knowledge or from the discussion of Stewards Committee.

- Keep adequate records of all grievances conducted by the Local to be maintained in the Local office.
- Be responsible for the coordination of mobilization and educational activity at the Local.
- Be responsible for the production of all stewards' manuals and materials.
- Along with the Recording Secretary organize community activities which are in line with the stated values and goals of the Local.
- Attend the university's joint health and safety meetings.
- Assume additional responsibilities or tasks that are deemed beneficial for the Local.

***d. The Secretary-Treasurer shall:***

- Receive all revenue, dues, and assessments, keeping a record of each member's payments, and deposit promptly all monies with a Bank or Credit Union.
- Prepare all CUPE National tax forms and remit payment no later than the last day of the following month.
- Call give proper notice for, and preside over all meetings of the Budget Committee.
- Report to the Executive on all business conducted by the Budget Committee, including all Committee recommendations for Executive decision or action.
- Throughout his/her term, and on behalf of the local union membership, be responsible for maintaining, organizing, safeguarding, and keeping on file all supporting documents, authorizations, invoices, and/or vouchers for every disbursement made, receipts for all money sent to CUPE headquarters, as well as records and supporting documents for all income received by the local union.
- Make a full financial report to meetings of the Local's Executive Board, as well as a written financial report to each regular membership meeting, detailing all income and expenditures for the period.

- Be bonded for not less than \$1 000.00 through the master bond held by the national Office, and any Financial Officer who cannot qualify for the bond shall be disqualified from office.
- Cause all duly approved expenses to be paid –these must be co-signed by the President and Vice President of the Executive Board.
- Make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited at least once each year, no later than March 31<sup>st</sup>, and within reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- Furnish each member on the form supplied by the National Office with a statement showing the net amount of tax-deductible dues paid by the member during the preceding year.
- On termination of office surrender all books, records and other properties of the Local to the successor.
- Assume additional responsibilities or tasks that are deemed beneficial for the Local.

***e. The Recording Secretary shall:***

- Keep full, accurate, and impartial accounts of the proceedings of all regular or special membership and Board meetings, ensuring that these records include a copy of the full financial report presented by the Secretary-Treasurer.
- Record all alterations in the by-laws.
- Call give proper notice for, and preside over all meetings of the Membership Services Committee.
- Report to the Executive on all business conducted by the Membership Services Committee, including all Committee recommendations for Executive decision or action.
- Answer correspondence and fulfill other secretarial duties as directed by the board.
- File a copy of all letters sent out and keep on file all communications.
- Be responsible for maintaining accurate records of the membership of the Local in the Local office, including all membership lists and all other records which the Executive deems necessary.

- Be responsible for the compilation and production of the Local newsletter, bulletins, members' handbooks and other such materials as are deemed necessary by the Executive.
- Have all records ready on reasonable notice for auditors and Trustees.
- Along with the Recording Secretary organize community activities which are in line with the stated values and goals of the Local.
- Preside over membership and Board meetings in the absence of both the President and Vice-President.
- On termination of office, surrender all books, seals, and other properties of the Local to the successor.
- Update the website with news, agendas, minutes and anything else decided on by the Executive.
- Assume additional responsibilities or tasks that are deemed beneficial for the Local.

**Ex-Officio Members:**

***f. 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 Standing Committees at least once every 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 are not paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports are made to the membership.
- Audit the record of attendance.
- Inspect at least once a year any stocks, bonds, securities, office

furniture and equipment, and titles or deeds to property that may at any time be owned by the local, and report their findings to the membership.

- Send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their report to the local union membership along with a copy of their recommendations and/or concerns to the President and Secretary-Treasurer and the Secretary-Treasurer's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative.
- Assume additional responsibilities or tasks that are deemed beneficial for the Local.

## **Section 10 - Removal of Executive Members**

- a. Should any executive member resign or fail to attend **two (2)** consecutive meetings of the Executive without acceptable reason for absence, their position shall be declared vacant and shall be filled at the next membership meeting. The Executive may appoint one of its members or another member in good standing to fill a vacant position until such time as a membership meeting can be called.
- b. Any Executive member may be subject at any time to review of their performance at a membership meeting. Notice that such a review will take place must be included in the announcements for the membership meeting at which it will take place. Following such a review, the members present may vote to remove the Executive member with a two-thirds majority.
- c. The Executive shall call a membership meeting to review the performance of an Executive member upon receipt of a valid petition requesting a review which contains the signatures of no less than fifteen percent (15%) of the Local's members in good standing. Such a petition must contain the name, department of work, telephone number, and signature of each signatory.
- d. In the absence of a petition, and upon voting two-thirds in favour, the Executive may call for the review performance of an Executive member at a membership meeting.
- e. When an Executive member is removed by membership vote, the position shall be declared vacant. The Executive member shall not be eligible to fill the vacancy.

## Section 11 – Committees

### *a. Stewards Committee*

- There shall be a Stewards' Committee consisting of a maximum of two (2) members in good standing from each department of the University.
- Voting shall consist of one vote from each department.
- The Chief Steward shall be a voting member who is responsible for setting the agenda and advertising the meetings.
- The Chair Internal shall be a non-voting chair.
- Should there be a tie, the motion or action will fail.
- Where necessary, Committee shall recommend that a decision on any given matter is required or that specific action should be taken.
- The members in good standing in each department shall be eligible to represent their department as a steward by either election or appointment.
- All stewards shall hold in strict confidence all information pertaining to any complaint or grievance of which they are aware. They shall reveal such information only to the Chief Steward of the Stewards' Committee when it is in session.

#### **Stewards shall:**

- Recruit and organize members in their departments.
- Act as representatives of the Local to the employees in their departments.
- Within the Local, represent the members in their departments.
- Serve as the liaison between the members they represent and the Executive Committee.
- Advise the members of their departments with regard to matter involving the Collective Agreement.
- Where appropriate, process the grievances of the members in their departments and represent their members in grievance meetings.

***b. Bargaining Team:***

- This shall be a special adhoc committee at least 2 months prior to the expiry of the local's collective agreement and automatically disbanded when a new collective agreement has been signed.
- The Bargaining Team, following the direction of an online survey, shall develop and present bargaining proposals to the membership for approval.
- The Bargaining Team is responsible for bargaining with representatives of the Employer. The Bargaining Team will also make recommendations to the Executive Committee regarding application for conciliation and mediation, the timing of strike vote, and the nature of strike action. The Bargaining Team will report regularly to the unit membership, Stewards' Committee and to the Executive.
- In the event that the Bargaining Team accepts a Collective Agreement, it shall be presented to the membership for ratification. The question shall be, "Shall the Memorandum of Agreement be ratified?" The conduct of any ratification vote shall conform to all relevant legislation.
- Any Collective Agreement entered into on behalf of the Local shall be signed by at least two members of the bargaining team.
- The Team shall consist of not fewer than four (4) members; the Vice-President and three members elected at a membership meeting.
- The Chief negotiator shall be selected by and from the Bargaining Team and shall be the spokesperson in all negotiations with the employer. The CUPE representative assigned to the local shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals through negotiations to contract ratification by the membership.
- One member of the Bargaining Team shall be selected as the recording secretary. The recording secretary shall take notes during negotiations to ensure that the context and intent of the language in the new collective agreement is recorded.
- Before disbanding, the Bargaining Team shall make notes concerning any difficulties, challenges and future opportunities discovered during the bargaining process.

### ***c. Budget Committee***

- The Budget Committee is responsible for developing and maintaining a working budget for the day to day operations of the Local. The Committee will also make recommendations to the Executive Committee regarding the financial matters of the Local and execution of the recommendations of the Trustees.
- There shall be a Budget Committee consisting of a maximum of two (2) members in good standing from each department of the University.
- Voting shall consist of one vote per member.
- The Secretary / Treasurer will chair the committee and be responsible for setting the agenda and advertising the meetings.
- Where necessary, Committee shall recommend that a decision on any given matter is required or that specific action should be taken.
- All members of the Committee shall hold in strict confidence all information pertaining to the financial matters of the Local. They shall reveal such information only to the Trustees and President of Local 3905 when a Committee meeting is in session.

### ***d. Membership Services Committee***

- The Membership Services Committee is responsible for developing and proving the membership services of the Local. The Committee will also make recommendations to the Executive Committee regarding changes to membership services of the Local and execution of the recommendations of the Trustees.
- There shall be a Membership Services Committee consisting of a maximum of two (2) members in good standing from each department of the University.
- Voting shall consist of one vote per member.
- The Recording Secretary will chair the committee and be responsible for setting the agenda and advertising the meetings.
- Where necessary, Committee shall recommend that a decision on any given matter is required or that specific action should be taken.

### ***e. Special Committees***

- The Executive and/or membership shall strike such committees as they consider appropriate to carry out the activities of the Local.
- At the time any committee is struck, the body striking the committee shall determine the mandate, the requirements of membership, and the duration of activity of the committee.
- Committees shall have the power to recommend specific policies and activities within their mandates to the Executive.
- All committees of the Local shall be responsible for electing their own chairs and maintaining accurate records of their deliberations. Such records shall be kept on file at the Local office.

## **Section 12 - Elections and Vacancies**

- Nominations:*** Nomination of the Executives shall take place at the Annual General Meeting. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting with consent in writing, duly witnessed by another member. Newly elected Executive members shall take office as of the day following their election to office.
- Elections:*** The Chair of the meeting shall advise the members present of the positions to be filled and shall call for nominations from the assembly. Every member in good standing has the right to nominate any member in good standing for any position. All nominations must be seconded by a member in good standing other than the member making the nomination. The Chair shall record all nominations and their nominators and seconders, and shall call three times for nominations for each position. After the third call and hearing no further nominations, the chair shall declare nominations closed for that position. The chair shall ask each nominee if they wish to accept or decline their nomination. When more than one nominee indicates acceptance, the Chair shall call for a secret ballot. When two or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballots will be declared spoiled.
- Conduct of the Secret Ballot:*** The Membership present at the meeting shall elect, or, upon a motion passed by a simple majority, the chair may appoint two scrutineers from the membership present, neither of whom

shall be the chair or any of the nominees, nominators, or seconders, to scrutinize the full election. The scrutineers shall, upon completion of balloting, count the ballots cast and advise the membership present of the number of ballots cast for each nominee. The Chair shall declare the nominee who has received the most votes to be the successful candidate for that position. The procedure shall be repeated for each position, until all positions required therein are filled. At the conclusion of elections, the scrutineers shall ask that all ballots be destroyed, and shall, upon approval by majority vote, do so.

### **Section 13 - Terms of Office**

All duly elected officers shall be installed at the membership meeting at which their election is held and shall continue in their respective executive position for a one year term.

### **Section 14 – Honorariums**

- a. All executive members will receive a \$400 honorarium per month during their terms of office.
- b. During the month where new executive members are elected (usually April), both the incoming and outgoing executive shall receive honorariums. This is to encourage a smooth transition.
- c. Trustees shall be paid \$200 each upon completion of their duties.
- d. Committee members shall receive a \$100 honorarium for the fall semester and a \$100 honorarium for the winter semester, which will be disbursed at the respective General Membership meeting. The Bargaining Team will receive \$500 after completion of collective agreement bargaining.
- e. Departmental stewards shall receive a \$100 honorarium for the fall semester and a \$100 honorarium for the winter semester, subject to attendance at all required meetings, which will be disbursed at the respective General Membership meeting.

## Section 15 - Delegates to Conventions

- a. Except for the Chair Internal's option, all delegates to conventions shall be chosen by the Executive Board. Reasonable notice of the application procedure will be given to the general membership. A maximum of three paid delegates shall be chosen by the Executive Board to attend each convention unless additional representation has been approved in a general membership meeting.
- b. Delegates to the Ontario District Council shall be elected annually.
- c. All delegates elected to the conventions held outside the city of Thunder Bay shall be paid transportation expenses (at economy, tourist or coach rates) and a per diem allowance of seventy (70) dollars for expenses. Upon proof of convention attendance, delegates to conventions held locally shall be eligible for either bus fare reimbursement or gas mileage. Gas mileage may be reimbursed if distance travelled is equal to or greater than 10km in each direction and will be paid at a rate of \$0.30/km. There shall be a per diem of twenty-five (25) dollars.
- d. Representation at education institutes and seminars shall be on the recommendation of the Executive, subject to final approval by the membership.
- e. Delegates shall represent the concerns and views of the Local to the body whose meeting they are attending. Where the Local has not taken a position on items being considered, the delegation shall attempt to achieve consensus within the delegation and vote accordingly.
- f. Each delegation shall appoint an official reporter who shall be required to report at each membership meeting of the Local on the proceedings of any meetings attended and the positions taken by Local delegates.

## Section 16 - Strikes

- a. **Strike Vote:** Where the Executive believes that a strike is necessary, the following provisions shall apply:
  - A membership meeting shall be called and notice be sent to every member in good standing advising them of the date, time, and place of the meeting. Such notice shall include a statement from the executive explaining the reasons for the recommendation for a strike.
  - Appropriate notice shall be given to each member at least three (3) days before the date of the membership meeting.
  - The membership meetings shall deal only with the issue of the

recommendation for a strike, and no other business shall be conducted.

- No quorum will be set for the purposes of a strike vote; however, only current members in good standing shall be allowed to vote regarding the issue of a strike.
- A vote will be taken by secret ballot. Not less than fifty-one percent (51%) of ballots cast must be in favor of the Executive recommendation in order for it to be adopted.
- Two (2) scrutineers shall be elected at the meeting for the purpose of observing and counting the secret ballot.
- A sealed ballot box shall be provided where members shall deposit their ballots at the termination of debate and the decision shall be given by the chair of the meeting.
- The decision shall be communicated to the membership within one (1) day of the ballots being counted on all Local bulletin boards.

b. **Conduct of Strike:** Where a decision to strike has been made in accordance with section 14(a) and so ordered, every member shall:

- Endeavour to support the strike in a sincere and conscientious matter.
- Comply with the strike policy of the local.
- Comply with the directions and/or instructions issued by the executive during the period of the strike.
- Endeavour to participate in picket line duties as scheduled by the executive or its' designates during the period of the strike.
- At all times act in accordance with the law and shall perform no illegal act in person or in concert during the period of the strike.
- The Local strike policy shall be available in the Local office.
- The Executive may by simple majority vote free those of its members who are on strike or unable to work due to serious illness or accidents from the obligation to pay dues for as long as these conditions exist.
- The Financial Officer and the Chair Internal shall be responsible for the disbursement of the strike fund subject to the approval of the Executive and shall maintain separate and detailed accounting of the strike fund.
- In the event of a strike vote, the Chair Internal and Financial officer shall provide the Executive and the membership with a written report on the disbursement of any monies from the strike fund.

## **Section 17 - Ratification**

- a. Upon completion of negotiations the terms of settlement shall be brought forward to the membership for ratification at a membership meeting called for that purpose.
- b. The terms of settlement shall be accepted or rejected by a simple majority of the members in good standing present at the meeting. No quorum will be set for the purposes of a ratification vote; however, only current members in good standing shall be allowed to vote regarding ratification.
- c. Voting for the purpose of ratification shall be by secret ballot and shall be subject to Article 13(c) of these By-laws.

## **Section 18 - Dues and Assessments**

- a. The monthly dues shall be 2.5%.
- b. Changes in the level of the monthly dues can be affected only by following the procedure of amendment of these by-laws (Section 18) with the additional provision that the vote must be by secret ballot.
- c. Notwithstanding the above provisions, if the CUPE Convention raises minimum dues save the level herein established, these by-laws will be deemed automatically amended to conform.
- d. Special assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.

## **Section 19 - Rules of Order**

Procedure for the efficient conduct of business at all meetings of the Local and its Executive, councils, and committees, shall be governed by Bourinot's Rules of Order. If these by-laws and the rules of order are in conflict the former shall govern.

## **Section 20 – Personal Development Bursaries**

- a. The Local will give out 15 personal development bursaries per year, five (5) bursaries per semester, to students who have participated in a conference or an event outside of Thunder Bay. Successful applicants will be reimbursed for the costs they incurred to attend the event (as proven with their receipts) up to a maximum of \$500. If there are more than five (5) eligible personal development bursaries applications in a semester, a draw will be held to determine who receives the grants.
- b. To qualify for a personal development bursaries, a member must fill out the Personal Development Bursary application (available on our website), along with proof of attendance and receipts detailing the costs incurred.
- c. The Secretary/Treasurer will notify the successful applicants by e-mail and post their names on the website.
- d. Personal development bursaries applications are due as follows:  
  
Spring / Summer Semester – August 1<sup>st</sup>,  
Fall Semester – November 1<sup>st</sup>, and  
Winter Semester – March 1<sup>st</sup>.
- e. Members can apply once a year for the personal development bursaries.

## **Section 21 - Amendments to the Bylaws**

- a. These by-laws are always subordinate to the CUPE Constitution as it now exists or may be amended. In the event of any conflict between these by-laws and the CUPE Constitution the latter shall govern. Constitutional interpretation, including determination of conflict is the prerogative of the National President.
- b. These bylaws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting following seven (7) days' notice, at a previous meeting or at least sixty (60) days written notice.
- c. No change in these by-laws shall be valid or take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.
- d. Any member in good standing may propose amendments to these Bylaws by submitting the exact wording of the proposed amendment to the Recording Secretary. Where possible, amendments so received

shall be included in the notice for the next general meeting.

## APPENDIX "A" TO THE BYLAWS OF LOCAL 3905 CUPE

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### RULES OF ORDER

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

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

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

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