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# Bylaws

# Local Union 2305

**Metro Community Housing Association**

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

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## **INTRODUCTION**

Local 2305 of the Canadian Union of Public Employees has been formed to:

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

The following bylaws are adopted by Local 2305 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

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

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

## **SECTION 1 – NAME**

The name of this Local Union shall be Canadian Union of Public Employees, Local 2305 (*Metro Community Housing Association*).

## **SECTION 2 – OBJECTIVES**

The objectives of Local 2305 are to:

- (a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members.
- (b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism.
- (c) Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers.

- (d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
- (e) Establish strong working relationships with the public we serve and the communities in which we work and live; and
- (f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

### **SECTION 3 – INTERPRETATIONS AND DEFINITIONS**

- (a) Wherever possible, the language of this document shall be gender non-specific.
- (b) Numbers of Articles at the end of the section or sub-sections refer to the relevant articles of the CUPE National Constitution which should be read in conjunction with these By-laws.
- (c) "National" shall mean the Canadian Union of Public Employees, with headquarters in the city of Ottawa, Ontario.
- (d) "Constitution" shall mean National Constitution.
- (e) "Local" shall mean the Canadian Union of Public Employees, Local 2305.
- (f) "By-Laws" shall mean the regulations governing the Local.
- (g) "CUPE" shall mean the Canadian Union of Public Employees.
- (h) "Liaison" shall refer to the Diversity Liaison Representative. This will be an elected by the membership position.

## **SECTION 4 – MEMBERSHIP**

### **(a) Membership**

An individual employed within the jurisdiction of Local 2305 can apply for membership in Local 2305 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 comply with the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union.”

**(Article B.8.4)**

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

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

**(Article B.8.3)**

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

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

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

In the case of a telephone town hall, the telephone number may be shared with a service provider under contract to the Local Union to provide the technical equipment to support such a virtual meeting.

Upon request, the Local Union will share the telephone contact information with CUPE National or CUPE NS. The purpose of sharing this telephone contact information with CUPE National or CUPE NS is so that the National Union or Provincial Division can conduct a telephone town hall with members on important matters.

## **SECTION 5 – AFFILIATIONS**

In order to strengthen the labour movement and work toward common goals and objectives, Local 2305 shall be affiliated to and pay per capita tax to the following organization(s):

- The CUPE Nova Scotia Provincial Division
- CUPE Nova Scotia Long Term Care Coordinating Committee

## **SECTION 6 – MEMBERSHIP MEETINGS**

### (a) Regular Membership Meetings

Regular membership meetings of Local 2305 shall be held on the third week of every month. No less than 9 meetings per year. Notice of each regular membership meeting outlining the date, time and location shall be given to members at least seven days in advance of the meeting.

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

### (b) Special Membership Meetings

Special membership meetings of Local 2305 may be required and shall be called by the Executive Board or may be requested in writing by no fewer than 5 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 regular or special meeting shall be four (4) members, plus three (3) members of the Executive Board.

(d) Membership Meeting Agenda

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

1. Acknowledgement of Indigenous Territory
2. Roll call of officers
3. Reading of the Equality Statement
4. Voting on new members and initiation
5. Reading of the minutes
6. Matters arising from the minutes
7. Secretary-Treasurer's Report
8. Communications and bills
9. Executive Board Report
10. Reports of committees and delegates
11. Nominations, elections, or installations
12. Unfinished business
13. New business
14. Good of the Union
15. Adjournment

(Article B.6.1)

## **SECTION 7 – OFFICERS**

The Officers of Local 2305 shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, Diversity Liaison Representative, and three (3) Trustees.

(Articles B.2.1 and B.2.2)

## **SECTION 8 – EXECUTIVE BOARD**

(a) The Executive Board shall include all Officers, except Diversity Liaison and Trustees. No member will hold more than one elected position on the Executive Board.

**(Article B.2.2)**

(b) The Executive Board shall meet at least nine (9) times per year.

**(Article B.3.14)**

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

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

(e) The Executive Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.

(f) Should any Executive Board member fail to answer the roll call for three consecutive regular meetings or three consecutive regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting.

**(Article B.2.5)**

(g) Subject to Membership review, the Executive Board has authority over all grievances.

- The Executive Board can refer a grievance to the next step, including arbitration.
- The Executive Board can withdraw a grievance at any step, including arbitration.

## **SECTION 9 – DUTIES OF OFFICERS**

Each Officer of Local 2305 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

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

**(Article B.3.9)**

All signing Officers of Local 2305 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

**(Article B.3.5)**



(a) **President**

The President shall:

- Sit on all committees.
- Offer the position(s) to a member in good standing, if there are vacancies on committees that are not filled through elections.
- Be allowed to remove committee members when absent for three (3) consecutive meetings without valid reasons.
- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
- Interpret these bylaws as required.
- Preside at all membership and Executive Board meetings and preserve order.
- Decide all points of order and procedure (subject always to appeal to the membership).
- Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote, or the President may refrain from casting an additional vote, in which case the motion is defeated.
- Ensure that all Officers perform their assigned duties.
- Fill committee vacancies where elections are not provided for.
- Introduce new members and swear them in at their first meeting.
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership.
- Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.
- Have first preference as a delegate to the CUPE National Convention.

(Article B.3.1)

**(b) Vice-President**

The Vice-President shall:

- Sit on all committees.
- If the President is absent or not eligible, perform all duties of the President.
- Preside over membership and Executive Board meetings in the absence of the President.
- If the office of the President falls vacant, be Acting President until a new President is elected through a by-election.
- Render assistance to any member of the Executive as directed by the Executive Board.

**(Article B.3.2)**

**(c) Recording Secretary**

The Recording Secretary shall:

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

- Performs other duties required by the Local Union, its bylaws or the National Constitution.
- Will obtain and prepare items for the welcome packages from CUPE and assemble and provide welcome packages to MCHA HR department designate.

(Article B.3.3)

(d) **Secretary-Treasurer**

The Secretary-Treasurer shall:

- Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union.
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences.
- Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
- Be responsible for maintaining, organizing, safeguarding, and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.

- Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- Where required, not later than February 28<sup>th</sup> each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid by him during the preceding calendar year.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union's funds.
- Should the position of Secretary-Treasurer fall vacant, the Executive Board may appoint a replacement on a temporary basis, and a by-election will be conducted as soon as possible.

(e) **Diversity Liaison Representative**

The Diversity Liaison Representative shall:

- Be a representative from equity seeking groups: Indigenous people, Black and racialized people, persons with a disability, and 2SLGBTQ+.
- Be inclusive and supportive of Equity seeking groups.
- Be an advisor to the Executive Board on matters of Diversity. The Diversity Liaison Representative shall have full voice and vote.
- Raise concerns to Local 2305 Executive Board at Executive Meetings; and the President will present the concerns to the Human Resources Manager or the Executive Director, when called upon to do so.
- Attend Executive meetings whenever called upon. If they are unable to attend, they will forward all documentation to the President, who will update the Executive Board.
- Following their election, they will develop a plan for their two (2) years in office. This plan shall encompass how to assist the members of Local 2305 and the Executive Board with arising and ongoing matters. This plan will be presented 3 months after their elected position to the Executive Board meeting for discussion and approval.
- Do their best to engage in ongoing self-development and education as it relates to the position.

(f) **Trustees**

The Trustees shall:

- Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary, and the committees at least once every calendar year.
- Make a written report of their findings to the first membership meeting following the completion of each audit.
- Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union and report their findings to the membership.
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
  - i. Completed Trustee Audit Program
  - ii. Completed Trustees' Report
  - iii. Secretary-Treasurer Report to the Trustees
  - iv. Recommendations made to the President and Secretary-Treasurer of the Local Union
  - v. Secretary-Treasurer's response to recommendations
  - vi. Concerns that have not been addressed by the Local Union Executive Board.
- In the event an audit needs to take place and the local has not been able to obtain Trustees through nominations and elections for more than 3 months, the Local may seek out assistance from another local or a Chartered Professional Accountant/Company to complete the local 2305's audit.

**(Articles B.3.10 to B.3.12)**

## SECTION 10 – NOMINATION, ELECTIONS AND INSTALLATION OF OFFICERS

### (a) Nominations

1. Nominations will be received at the regular membership meeting held in the month of September.
2. Nominations will be accepted from members in attendance at the nomination meeting or from those members who have allowed their name to be filed in writing 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 that time.
5. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

### (b) Elections

1. The President, Recording Secretary and Diversity Liaison Representative are elected in odd years. The Vice-President, Secretary-Treasurer are elected in even years.
2. At a membership meeting, at least one month prior to Election Day, the President will, subject to the approval of the members present, appoint an Elections Committee consisting of a Chief Returning Officer and assistant(s). The committee will include members of the Local Union who are neither Officers nor candidates for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union.
3. The Elections Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Chief Returning Officer.
4. The Chief Returning Officer will be responsible for issuing, collecting, and counting ballots. The Chief Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.

5. When voting takes place in person it will be done by secret ballot. If voting takes place virtually then it will be done by a secure electronic platform, to ensure the integrity and security of votes.
6. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
7. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will be taken if necessary to obtain a majority. On the second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot will be dropped.
8. In the event of a tie vote, a second and subsequent ballot(s) will be taken, if necessary, until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
9. When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

**(Article 10.4)**

10. Any member may request a recount of the votes for any election and a recount will be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as set out in Section 6(c).
11. All election complaints by members will be submitted in writing to the Chief Returning Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven days after the election. The Chief Returning Officer in conjunction with the Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.

**(c) Installation of Officers**

1. All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office for 2 year(s) or until a successor has been elected and installed, provided, however, that no term of office shall be less than one year and no longer than three years.

**(Article B.2.4)**

2. The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three-year period. No member who has been a signing Officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed.

3. The Oath of Office to be read by the newly elected Officers is:

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

**(Article 10.7(b))**

(d) By-elections

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

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

(a) Monthly Dues

The monthly dues shall be 1.75% of regular wages.

**(Article B.4.3)**

(b) Amending Monthly Dues

The regular monthly dues may be amended at a regular or special membership meeting. The vote must be by secret ballot. Notice of at least seven (7) days at a previous meeting or 60 days in writing must be given.

**(Article B.4.3)**

(c) Assessments

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

**(Article B.4.2)**

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

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying



outstanding fees and any other penalties set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union.

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

(Article B.8.6)

## **SECTION 13 – EXPENDITURES**

### (a) Payment of Local Union Funds

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

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

(Article B.4.4)

### (b) Stationary

Members of the Executive board of local 2305 shall be permitted to use local funds to purchase stationary items on an as needed basis. Supplies to include, but not limited to: stamps in bulk, paper, pens, highlighters, cards for members, USB drives, file folders, etc.

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

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

### (d) Payment of Local Union Funds to Members or Causes Outside of CUPE

In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than two hundred dollars (\$200.00), a notice of motion must be made and approved by the membership at a regular membership meeting; with the exception of Section 13(b) of these bylaws.

### (e) No Officer or member of Local 2305 will be allowed to spend any Local Union funds without first having received authorization under Section 13(a) of these bylaws.

## SECTION 14 – OUT-OF-POCKET EXPENSES

(a) Officers of the Local shall be entitled to non-receipted out-of-pocket expenses as outlined below. The out-of-pocket expenses shall be paid annually in October each year or a percentage thereof, depending on length of time in office:

President	\$495.00
Vice-President	\$425.00
Secretary-Treasurer	\$450.00
Recording Secretary	\$375.00
Diversity Liaison Representative	\$150.00
Trustees: 3 year	\$100.00
Trustees: 2 year	\$75.00
Trustees: 1 year	\$50.00

NOTE: Trustees will receive their honorarium when the audit is completed and sent to CUPE National. All other honorariums will be paid out in October (within flexibility) of each year.

(b) Union members on approved union business shall be entitled to reimbursement of expenses according to the following guidelines:

- Full reimbursement of any and all lost wages and benefits.
- Actual Accommodation costs.
- Transportation expenses (at economy, tourist, or coach rates) or, if using own vehicle, at kilometer allowance equal to CUPE Nova Scotia's rate at the time of travel, and bridge fare if applicable.
- Parking with receipts.

(c) One Board member shall have a stipend seventy-five dollars (\$75.00) each month for cell phone expenses.

(c) Per Diem:

- in town time and travel equal to four (4) hours or less - twenty-five dollars (\$25.00) per day.
- in town time and travel equal to more than four (4) hours – thirty-five dollars (\$35.00) per day.

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

Caring for children, dependents or the elderly are barriers to actively participating in the union or to attending membership meetings. Local 2305 is committed to removing barriers within its control so that all members have equal access to participation.

- (a) When it is practical and demand warrants, Local 2305 will provide on-site child care at all Local Union membership meetings. Where on-site child care is not provided, and in the case of dependent care or elder care, members will be reimbursed to a maximum of the living wage for the area for each hour of required care. Reimbursement will be provided upon proof of payment.
- (b) Any member who is on authorized Local 2305 business shall be eligible for child care, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of the living wage for the area for each hour of care required.
- (c) Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

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

- (a) Except for the President's option [Section 9(a)], all delegates to conventions, conferences, and education shall be chosen by election at membership meetings.

Representation at conventions, conferences and educational seminars or workshops shall be on the recommendation of the Executive, subject to the final approval of the membership. Expenses shall be paid in accordance to Section 14. Any member selected to attend a conference, or educational seminar or workshop will be expected to use the information in a meaningful way for the good of the Local. All delegates can speak to their learning experiences while participating in all union related conferences, conventions, seminars or workshops. Each delegate will submit a report to the President their individual experiences.

Educationals shall be taken locally whenever possible. Any educationals outside of HRM require executive approval and are eligible for the per diems listed in Section 14. Virtual educationals shall not be eligible for the per diem.

**(b) Education**

If there are free education workshops or training and no expense to the local union is incurred, any member may participate, with the Local President's approval regarding union leave, and this may be done without a vote at a monthly membership meeting.

All delegates selected to attend union conventions or conferences shall receive a per diem of \$20.00 for breakfast, \$30.00 for lunch, and \$40.00 for dinner.

**SECTION 17 – COMMITTEES**

**(a) Special Committees**

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

1. Bargaining Committee

This will be a special committee established at least 3 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 four (4) members, the President and Vice President and two (2) members elected at a membership meeting. In the event the committee loses a member, see vacancies for committees. 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.

2. Bylaw Committee

This committee will:

Review the bylaws every second year and make recommendations to the Executive Board on proposed amendments. Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution. Ensure that the Local Union's bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws. The committee members will be the elected chairperson and three (3) members. The committee shall appoint its secretary from among its members. The National

Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.

### 3. Other Special Committees

The Local may form committees as they see needed. Some other committees include but are not limited to: (a) Grievance Committee, (b) Education Committee, (c) Women's Committee, (d) Committee Against Racism and Discrimination (CARD), (e) Social Committee.

#### (b) Permanent Committees

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

There shall be two (2) permanent committees as follows:

##### 1. Labour Management Committee:

The function of this committee is outlined in Article 9 of the Collective Agreement. The committee shall consist of four (4) members, including the President, Vice President, and two (2) members of the local, plus two (2) alternates elected at a membership meeting in the month of October every second year (odd years). A member of the Executive Board may act as an alternate if any of the members are unable to attend. If no member of the Executive Board is available, the President shall appoint another alternate. The committee shall report on its meetings to both the Executive Board and the membership.

Two (2) consecutive meetings missed will result in removal from the committee. See section (c).

##### 2. Health and Safety Committee

It is the function of this Committee to maintain and improve safety in the workplace through the enforcement of the Occupational Health and Safety Act (Nova Scotia) and its Regulations and the Collective Agreement provisions on safety. The Union's four (4) representatives shall include the President, and three (3) members and two (2) alternatives shall be elected at a membership meeting in the month of October every second year (odd years). The joint committee shall operate under guidelines jointly developed with the Employer and approved by the membership.

Three (3) consecutive meetings missed will result in removal from the committee. See section (c).

(c) Attendance and Notification of Committee Members Absences

Members must:

- (i) Notify the President of their absence,
- (ii) Provide a valid reason(s) and,
- (iii) Obtain an alternate.

If this is not done by the committee member, they shall be removed from said committee.

(d) Committee Vacancies

When a vacancy is created on any committee, it will be posted as an Agenda item with Nominations/Elections/Acclamation held at the next Membership meeting. In the absence of a quorum or nominated Members, the vacancy will be posted for a second time on the next meeting agenda. In the absence of a quorum or nominated Members, the President shall appoint a Member in Good Standing to fill the position(s).

## SECTION 18 – COMPLAINTS AND TRIALS

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

(Articles B.11.1)

## SECTION 19 – RULES OF ORDER

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

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

## **SECTION 20 – AMENDMENTS**

### (a) CUPE Constitution

These bylaws are always subordinate to the CUPE Constitution (including Appendix B) as it now exists or may be amended when needed, 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 8.2(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 12.3 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 12.3 and B.5.1)**

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

Members will receive a copy of Local 2305 bylaws, and they will also be available to the SMS platform(s) being used by the local executive. Members requesting a copy of these bylaws will be provided a copy in either French or English as requested. Members with special needs may request a copy of the bylaws in larger font. Members can request a copy of the Local Bylaws in a language of their choice (subject to availability).

## 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

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our 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.

CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination, and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff, and elected officers to carry out our work. CUPE's expectation is that mutual respect, understanding, and co-operation will be the basis of all our interaction.

This Code of Conduct sets out standards of behaviour for participants at national convention, conferences, schools, meetings, and any other union events organized by CUPE National, Local 2305, or any other CUPE chartered body. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National and at events, meetings, and activities by other CUPE bodies. 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 CUPE members, staff, and elected officers, 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.
- Take responsibility for not engaging in inappropriate behaviour due to use 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 the 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 them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. A complaint shall be brought to the attention of an ombudsperson when there is one available. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
3. The ombudsperson or the person in charge will work to seek a resolution. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge. The person in charge has the authority to expel members from the event for serious or persistent offenses.
4. If the complaint involves a national staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another CUPE chartered organization, the complaint shall be referred to the person responsible for their employment.
5. If the person in charge is a party to the complaint, an alternate will be designated to assume the role.
6. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For other events, the presiding officer shall receive a report on the matter.
7. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. For other events, the presiding officer shall consult the National President.

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 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 under Appendix F 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. No Members, except the Chairperson of a committee making a report or the mover of a resolution shall speak for more than five minutes, or more than once on the same question without consent of the meeting or until those who wish to speak have had the opportunity. Chairpersons and movers of a resolution shall be limited to fifteen 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 putting to a vote, shall ask "Is the Local ready for the question?" Should no member rise to speak, the question shall be put.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must be recognized by the Chair.
5. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend and amendment to an amendment shall be permitted. No amendment, or amendment to an amendment which is a direct negative of the resolution is 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 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, they shall respectfully address the presiding officer but, except to state that they rise to a point of order or on a question of privilege, they shall not proceed further until recognized by the chair.

11. When two or more members address the presiding officer 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, they shall cease speaking until the point is determined; if it is decided they are in order, they 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 President shall have the same rights as other members to vote on any question. In case of a tie, they may in addition give a casting vote, or, if they choose, 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 order except 1) to adjourn; 2) to put the previous question; 3) to lay on the table; 4) to postpone for a definitive time; 5) to refer; 6) to divide or amend, which motions shall have a 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 five 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 a member wishes to challenge (appeal) a decision of the Chair, they must do so at the time the decision is made. The Chairperson may then state briefly the basis for their 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 in the event of a tie, the chair is sustained.

23. After a question has been decided, any two members who voted in the majority may, at the same or next meeting, move reconsideration thereof.
24. No member shall leave a meeting during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
25. The Local Union's business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.

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