



***CUPE***  
***LOCAL 4195***  
***BYLAWS***

***SASKATCHEWAN RIVERS***  
***PUBLIC SCHOOL DIVISION No. 119***

***January 28, 2019***

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## **SECTION 1 – NAME**

The name of this Local shall be: Canadian Union of Public Employees, Local 4195 (Saskatchewan Rivers Public School Division No. 119).

## **SECTION 2 – OBJECTIVES**

The objectives of the Local are to:

- a) secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members and generally advance the economic and social welfare of its members and of all workers;
- b) encourage the settlement by negotiation and mediation of all disputes between the members and their employers;
- c) provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- 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 the goals set out in Article II of the CUPE Constitution.

## **SECTION 3 – REFERENCES**

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

## **SECTION 4 – AFFILIATIONS**

In order to strengthen the labour movement and work toward common goals and objectives, Local 4195 shall be affiliated to and pay per capita to the following organizations:

- CUPE Saskatchewan
- CUPE Saskatchewan Education Workers' Steering Committee

- Saskatchewan Federation of Labour

## **SECTION 5 – MEMBERSHIP**

1. The Local Union shall mean all employees of the Saskatchewan Rivers Public School Division No. 119, except those excluded by order of the Labour Relations Board under *The Saskatchewan Employment Act*.
2.
  - a) All eligible employees shall complete the necessary forms for membership in the Union;
  - b) Every new employee shall, as a condition of employment, apply for and maintain membership in the Union;
  - c) Every employee shall maintain membership in the Union as a condition of employment;
3.
  - a) The names of applicants are read out to the first regular membership meeting after the applications have been submitted. The applicants will be automatically accepted as members unless there is an objection sustained by the majority vote of the members present.
  - b) Once a member has been accepted, they remain in good standing as long as they remain employed within the jurisdiction covered by the charter of the CUPE Local, provided they do not lose their standing by virtue of the application of other relevant sections of this constitution.

## **SECTION 6 – MEMBERSHIP MEETINGS – REGULAR AND SPECIAL**

1. Membership meetings shall be held four (4) times a year on the third (3<sup>rd</sup>) Tuesday of September, November, March and May in a location determined by the Executive Board. The Executive Board shall give a week's notice to time, place and date of the meeting.
2. Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than fifteen (15) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
3. A quorum for the transaction of business at any regular or special meeting shall be twenty (20) members, including at least four (4) members of the Executive Board.

4. The order of business at regular membership meetings is as follows:
  - 1) Reading of the Equality Statement
  - 2) Roll call of Officers
  - 3) Swearing in of new members
  - 4) Reading of Minutes
  - 5) Matters arising
  - 6) Treasurer's report
  - 7) Communications and bills
  - 8) Committee Reports
  - 9) Nominations, Elections, or Installations
  - 10) Unfinished business
  - 11) New business
  - 12) Good of the Union
  - 13) Adjournment
  
5. Local 4195 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak and follow CUPE National's Code of Conduct in Appendix "E".

## **SECTION 7 – OFFICERS**

The officers of the Local shall be the President, Vice-President, Treasurer, Recording Secretary, four (4) Shop Stewards, and three (3) Trustees, the President, Vice-President, Treasurer, Recording Secretary and Trustees shall be elected from the membership at large. The Shop Stewards shall be elected from the following classifications and those members within that classification can nominate and elect only from within that classification:

- Group 1 - Bus Drivers (1 Representative);
- Group 2 - Caretakers/Maintenance/Mechanics (1 Representative);
- Group 3 - Educational Associates (1 Representative);
- Group 4 - One shop steward representing all other classifications. (1 Representative)

## **SECTION 8 – EXECUTIVE BOARD**

- a) The Executive Board shall be comprised of all Table officers and all Shop Stewards, except Trustees.
  
- b) Executive Board meetings shall be held monthly at a time and location decided upon by the Executive Board. The Executive Board meetings shall be open to any member who wishes to attend by appointment.

- c) A majority of the Executive Board constitutes a quorum.
- d) The Executive officers shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- e) The Executive Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- f) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
- g) Should any Executive member fail to answer the roll call for three consecutive membership meetings or three consecutive Executive meetings without having submitted good reasons for those failures, the office shall be declared vacant and shall be temporarily filled by an appointment until the next election.
- h) The Executive Board may grant paid Union Leave to members as deemed necessary by the Executive Board.
- i) The terms of office for all officers are two (2) years. President, Treasurer and Shop Stewards for Group 2 (Caretakers/Maintenance/Mechanics) and Group 4 (the Other Classifications) shall be elected in even years. The Recording Secretary, Vice-President and Shop Stewards for Group 1 (Bus Drivers) and Group 3 (Educational Associates) are elected in odd years.

The term of the office for Trustees shall be three (3) years and one (1) Trustee shall be elected in each year.

- j) The Executive Board conducts all business of the Local Union deemed necessary between regular membership meetings.
- k) The decision made by a majority vote of the Executive are the decisions of the Executive and each member of the Executive is committed to that decision even though in disagreement with it. It is improper for a member of the Local Executive to speak against the Executive recommendation on the floor of a General Membership Meeting. Opposition to that decision is voiced within the Executive at the meeting of the Executive. Once a decision is reached, it is an Executive decision and is to be supported by all members of the Executive.

## **SECTION 9 – DUTIES OF OFFICERS**

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

All signing Officers of Local 4195 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.

1. The President shall:
  - a) enforce the CUPE Constitution, these Bylaws and the Equality Statement;
  - b) preside at all membership and Executive Board meetings and preserve order;
  - c) decide all points of order and procedure (subject always to appeal to the membership);
  - d) have a vote on all matters (except appeals against his rulings);
  - e) ensure that all officers perform their assigned duties;
  - f) fill committee vacancies where elections are not provided for;
  - g) introduce new members and conduct them through the initiation ceremony;
  - h) with the help of the Shop Stewards, maintain an updated list and co-ordinate a phone fan-out list.
  - i) be bonded through the master bond held by National Office. A President who cannot qualify for the bond shall be disqualified from office;
  - j) attends all Labour/Management meetings as required;
  - k) represents the majority decision of the Executive Board or the membership at all times;
  - l) is ex-officio on all committee meetings with voice but no vote;
  - m) sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, Bylaws, or vote of the membership;

- n) sign all approved expense vouchers;
- o) be allowed necessary funds, not to exceed \$25.00 monthly, to reimburse themselves or any officers for expenses supported by vouchers, incurred on behalf of the Local;
- p) shall be willing as required to attend conferences, educationals, etc. deemed necessary to perform the duties of their office.
- q) have first preference as a delegate to the CUPE Saskatchewan and CUPE National Convention;
- r) performs any other duties assigned by the Executive Board or the membership;
- s) shall be a member of the Negotiating Committee and shall sit at the Negotiating Table;
- t) acts as co-chair of the Union Grievance Committee;
- u) on termination of office, immediately surrenders all books, records, and other properties of the Local to the duly elected successor.
- v) shall be allowed up to twenty (20) work hours per week to perform the duties of office.

2. The Vice-President shall:

- a) if the President is absent or not eligible, perform all duties of the President;
- b) if the office of President falls vacant, the Vice-President will be the Acting President until a President is elected by the membership at the next regular membership meeting.
- c) generally know and ensure adherence to the Collective Agreement and provincial or federal legislation affecting labour and a particular job;
- c) greet new employees, encourage the participation of all members in Union activity;
- d)
- e) maintain contact with members and provide on-going Union awareness and education;
- f) is bonded through the master bond held by National Office. A Vice-President who cannot qualify for the bond shall be disqualified from office;

- g) render assistance to any member of the Executive Board as directed by the Executive Board;
- h) performs any other duties assigned by the Executive Board or the membership;
- i) shall co-ordinate the good and welfare committee;
- j) on termination of office, immediately surrenders all books, records, and other properties of the Local to the duly elected successor.

3. The Recording Secretary shall:

- a) keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive Board meetings, and labour/management meetings, including attendance. All motions moved and seconded are recorded by number. 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 Treasurer. The record will also include Trustees' reports;
- b) distribute notices for all Union activities and meetings endorsed by the Local at least seven (7) days prior, whenever possible;
- c) submits a written copy of all minutes to the next Executive Board or general membership meeting;
- d) record all alterations in the Bylaws;
- e) answer correspondence and fulfill other secretarial duties as directed by the Executive Board;
- f) maintain an updated list of all union members;
- g) read out the names of new members at each regular membership meeting;
- h) greets new members and encourage the participation of all members in union activity;
- i) file a copy of all letters sent out and keep on file all communications;
- j) prepare and make available all circulars and notices to members;
- k) have all records ready on reasonable notice for auditors and Trustees including a separate document with a record of monetary motions;

- l) preside over membership and Board meetings in the absence of both the President and the Vice-President;
- m) perform any other duties as assigned by the Executive Board or the membership;
- n) on termination of office, surrender all books, seals and other properties of the Local to the successor.
- o) is authorized as a signing officer in the absence of the President.
- p) shall be allowed up to one (1) work day a week to perform the duties of office.

4. The Treasurer shall:

- a) 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;
- b) prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month;
- c) 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, and signs all expense vouchers;
- d) record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices;
- e) make a full written financial report to meetings of the Local's Executive Board and to each regular membership meeting, detailing all income and expenditures for the period;
- f) be bonded through the master bond held by the National Office, and any Treasurer who cannot qualify for the bond shall be disqualified from office;
- g) pay no money unless supported by a voucher, which must include the motion number and/or receipts and be duly signed by the President and the Treasurer, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- h) 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.

- i) prepare an annual budget to be presented at the September meeting for approval by the members;
- j) 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.
- k) provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE by October 1<sup>st</sup>;
- l) perform any other duties assigned by the Executive Board or the membership;
- m) on termination of office, surrender all books, records and other properties of the Local to the Trustees, who will have a complete audit conducted prior to turning over the books to the in-coming Treasurer.
- n) shall be allowed up to one (1) day a week to perform the duties of office.

5. The Trustees shall:

- a) act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, the Recording Secretary, and the committees at least once every calendar year;
- b) make a written report of their findings to the first membership meeting following the completion of each audit;
- c) submit in writing to the President and 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 Treasurer in an organized, correct and proper manner;
- d) be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- e) ensure that proper financial reports are made to the membership;
- f) 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;

- g) send copies of:
    - i) the completed audit report (on the prescribed form provided by the National Secretary-Treasurer);
    - ii) their report to the Local Union membership;
    - iii) their recommendations and/or concerns to the President and Treasurer;
    - iv) and the Treasurer's response,
- to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative;

6. The Shop Stewards shall:

- a) act as Shop Steward for the classification that they represent;
- b) detect, define, prepare, and present grievances at the initial level;
- c) attend all grievance meetings between Union and Management when dealing with grievances;
- d) act as representatives and bring the opinions and concerns of their members to the Officers of the Local;
- e) generally know and police the collective agreement and provincial or federal legislation affecting labour and particular jobs;
- f) greet new employees and encourage the participation of all members in union activity;
- g) maintain contact with the members to provide on-going union awareness and education;
- h) perform such other duties as may be assigned by the Executive Board or membership;
- i) on termination of office, immediately surrender all books, records and other properties of the Local to their successor.

## **SECTION 10 – COMMITTEES**

- 1. Committees appointed by the Executive Board are subject to approval by the membership at the next scheduled general membership meeting.

a) Negotiating Committee

This shall be a special ad hoc committee established at least six (6) months prior to the expiry of the Local's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of the Executive with each group having representation. Members at large may be elected if desired. 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.

The members negotiating with the Board at the table shall be from the executive.

b) Special Committees

A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive Board. One (1) member of the Executive Board must sit on any special committee as ex-officio members.

c) Grievance Committee

This committee will:

- i) Oversee the handling of all Local grievances.
- ii) Receive copies of all grievances.
- iii) Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting.
- iv) When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether or not the grievance should proceed to arbitration.
- iv) If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board.
- v) The committee members will be the President, Vice-President and the Shop Stewards. The committee shall appoint its secretary from

among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages.

d) Professional Development Committee

The purpose of the committee is to advance staff development of CUPE Local 4195 members with the Saskatchewan Rivers Public School Board and its Administration. This committee shall be comprised of three (3) or more members.

e) Social Committee

The committee is comprised of the Treasurer and volunteer members. The committee arranges and conducts all social and recreational activities of the Local. The committee submits reports and proposals to the Executive Board or to the membership as required. This committee shall be comprised of up to three (3) members.

f) Labour/Management Committee

The purpose of the committee is to advance communication between Local 4195 members with the Saskatchewan Rivers Public School Division Board and Administration. This committee will be comprised of the President, the Recording Secretary, three (3) executive members and the CUPE representative assigned to the Local.

g) Good & Welfare Committee

The purpose of the committee is to promote the good and welfare of the Local. The committee is comprised of the President, Vice-President and up to three (3) members.

h) Aboriginal Committee

The purpose of the committee is to make all members of CUPE Local 4195 aware of its Aboriginal members and educate them to Aboriginal culture and needs, as well, to be a resource to the CUPE Aboriginal members for all issues within Education. The Committee shall be responsible in promoting Aboriginal Day each year. The committee is comprised of an executive liaison and volunteers. This committee shall be comprised of up to three (3) members.

i) Occupational Health and Safety Committee

The purpose of the committee is to inform members of Occupational

Health and Safety rights, principles and issues. The committee is comprised of an executive liaison and volunteers. This committee shall be comprised of up to three (3) members.

j) Scholarship Committee

The purpose of the committee is to administer the scholarship fund. The committee is comprised of an executive liaison and volunteers. This committee shall be comprised of up to three (3) members.

k) Young Workers Committee

The purpose of the committee is to promote the importance of youth activism in the union, involve young members in the union, mentor and support young members and encourage young workers to participate at all levels of the Union. The committee is comprised of an executive liaison and volunteers. This committee shall be comprised of up to three (3) members.

## **SECTION 11 – EXPENSES**

1. Paid Leave of Absence

- a) i) The table officers receive a paid leave of absence for all executive meetings if required.
- ii) The table officers receive a paid leave of absence, not to exceed four (4) hours, for all membership meetings. If more hours are required, such leave must have the approval of the Executive Board prior to the meeting.
- b) Members are paid an amount equal to any loss of salary and receipted expenses incurred while attending to the Local's business. The Union reimburses the Employer for all authorized Union leaves.
- c) President's leave shall be granted to the president to attend to union business during regular working hours. The president shall be granted leave as per Section 10 #1 v) of these Bylaws. The Union will reimburse the Employer for such leave.

## **SECTION 12 – RETIREMENT**

Members reaching retirement age or becoming incapacitated, whether in receipt of a pension or not, and providing they are in good standing and free from delinquency in the Union can, on leaving employment, make application to the Treasurer of the Union for an honorary retiring card. The application for a honorary retiring card shall be voted on at a regular meeting of the Union and if passed as favourable the Treasurer shall forward the name of the retiring member, his address and necessary particulars to the National Secretary-Treasurer of the Canadian Union of Public Employees who will issue the retiring card. Should a member in possession of an honorary retiring card resume his employment for any reason, they will immediately deposit or forward their retiring card to the Treasurer of his Union. A member while holding such retiring card shall be exempt from all dues to the Union and per capita tax to the National Office of the Canadian Union. A member possessing a retiring card is entitled to voice but not vote at Union and convention meetings.

## **SECTION 13 – FEES, DUES, and ASSESSMENTS**

### 1. Initiation Fee

Each application for membership in the Local shall be directed to the Treasurer and shall be accompanied by an initiation fee of \$1.00, which shall be in addition to monthly dues. If the application is rejected the fee shall be returned.

### 2. Re-admittance Fee

The re-admittance fee shall be \$1.00.

### 3. Monthly Dues

- a) The monthly dues are 1.75% of regular earnings. Changes in the levels of the monthly dues can be effected only by following the procedure for amendment of this Bylaw.
- b) Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established, these by-laws will be deemed to have been automatically amended to conform to the new CUPE minima.
- c) All dues are recovered through payroll deduction coinciding with monthly pay periods and are paid to the Treasurer of the CUPE Local.

Employees terminating their service with the Saskatchewan Rivers Public School Division are subject to dues deduction up to and including the date

of termination.

- d) Employees granted leave of absence under the terms of the Union agreement shall maintain full membership in the Union during their period of absence as outlined in the collective agreement.

Dues are not collected from employees on maternity leave, unpaid leave of absence, Long Term Disability. Dues are collected from employees on paid leave of absence and Workers' Compensation contributions made by the Employer.

#### 4. 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 sixty (60) days in writing must be given.

#### 5. 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.

### **SECTION 14 – OUT-OF-POCKET**

The expense allowance shall be provided according to Appendix C & D of these Bylaws.

### **SECTION 15 – VOTING OF FUNDS**

- 1.
  - a) Expenditures are made only for the purposes of the Local, and in all cases, are paid by cheque or the Debit MasterCard signed by the Treasurer and one of either of the following: the President or the Recording-Secretary.
  - b) All expenditures are approved by the membership at a membership meeting or as deemed necessary by the Executive Board.
  - c) In the case of regular monthly per capita taxes or affiliation fees, the Treasurer pays such per capita taxes or affiliation fees without obtaining prior approval by the membership, providing such approval by the membership for such affiliation or per capita taxes was given at time of affiliation to the particular organization.

2. The Local may, from time to time, establish policies pertaining to monetary or non-monetary items. These policies shall not be amended, added to, or suspended except upon a simple majority vote of those present and voting at a membership meeting following written intent on the membership meeting notice.
3. At all times when meetings are cancelled for lack of a quorum or unavoidable cause, the Executive Board is empowered to conduct the normal business and to make payments of the normal and necessary bills and report to the following membership meeting.
4. Any purchases over five-hundred (\$500.00) dollars in value must have the membership's prior approval.
5. Except for ordinary expenses and bills as approved at membership meetings, no sum over one-hundred (\$100.00) 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.

## **SECTION 16 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

### 1. Nomination

Nominations shall be received at the regular membership meeting held in the month of March. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting his consent in writing, duly witnessed by another member. At the regular membership meeting in May, nominations from the floor will be accepted and voting will take place.

The Union executive are elected at large in the month of May in accordance with Section 9(i).

### 2. Elections

- a) The President shall appoint an Elections Committee consisting of a Returning Officer and assistant(s). The committee consists of members of the Local who are neither officers nor candidates for office. It has full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
- b) The Executive Board determines the form of the ballot and ensures that sufficient quantities are made available in good time to the Returning Officer.
- c) The Returning Officer shall be responsible for issuing, collecting, and counting ballots. The Elections Committee must act in a fair and impartial

manner, and ensures that all arrangements are unquestionably democratic.

- d) The voting takes place by secret ballot.
- e) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- f) A majority (50% + 1) of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall 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 shall be dropped.
- g) 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 ballot will be declared spoiled.
- h) Any member may request a recount of the votes for any election and a recount is conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Section 5.
- i) Each candidate may appoint a scrutineer for the purpose of vote counting.
- j) 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, the Elections Committee and Returning Officer shall defer the vote to the next membership meeting.

### 3. Installation

- a) All duly elected Executive Board members shall be adopted and installed at the membership meeting at which elections are held.
- b) The terms of office for Trustees shall be as laid down in Article B.2.4 of the CUPE Constitution.

At the first election of officers in a Local Union the Trustees shall be elected so that one shall serve a period of three years, one for two years and one for one year. Each year thereafter the Local shall elect one Trustee for a three year period, or in the case of vacancies occurring, elect Trustees to fill only the unexpired terms in order to preserve the overlapping terms of office.

#### 4. By-Election

- a) Should an office fall vacant pursuant to Section 9 of these Bylaws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section.
- b) When vacancies occur between the annual elections or when there are insufficient nominees for the various elected positions, the following procedure takes place:
  - i) The Vice-President, as appointed by the Executive Board, is Acting President until the next meeting where elections for a new President takes place.
  - ii) If a vacancy occurs on the Executive Board, the Board is empowered to appoint members to fill the vacancy until the next meeting where elections take place.
  - iii) All appointed positions or offices are subject to adoption by the members at the following membership meeting.

#### 5. Returning Officer

The Returning Officer is present at the meetings where election of officers are held and the months immediately following, and ensures the proper procedures of the nominations for election. The Returning Officer also oversees all proceedings of the election to ensure compliance with procedure and protocol. It also is the Returning Officer's duty to report to the general membership the results of the election under Section 17(2) or any other election where a Returning Officer is required.

### **SECTION 17 – DELEGATES TO CONVENTIONS, SCHOOLS, CONFERENCES**

- a) Except for the President's option [Section 10(1.)(q)], delegates to conventions, schools and conferences are on the approval of the Executive.
- b) That the allowable delegates entitled to conventions, schools and conferences shall be set out by the formulas provided by such affiliations in our Bylaws.
- c) All delegates elected to the conventions, schools, and conferences shall be paid expenses according to Appendix "C".

## **SECTION 18 – AGREEMENTS**

Members must at all times adhere to the terms of the Collective Agreement, and Letters of Understanding signed by the Local on behalf of its members. No agreement shall be signed until it has been approved by a meeting of the general membership, except in extenuating circumstances.

## **SECTION 19 – TRIALS**

The trial procedure laid out in the National Constitution is used if necessary.

## **SECTION 20 – RULES OF ORDER**

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these Bylaws as Appendix “B”. 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 “B”, the CUPE Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot’s Rules of Order shall be consulted and applied.

## **SECTION 21 – AMENDMENT**

- a) These Bylaws are always subordinate to the CUPE Constitution (including Appendix “B”) as it now exists or may be amended from time to time, and in the event of any conflict between these Bylaws and the CUPE Constitution the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President. (Articles 9.2(c), 13.3 & B.5.1)
- 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 days notice at a previous meeting or at least sixty (60) days written notice. (Article 13.3 & B.5.1)
- c) No change in these Bylaws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President. (Articles 13.3 & B.5.1)

## **SECTION 22 – SCHOLARSHIPS**

1. A scholarship fund of \$15,000.00 per year shall be established and distributed as follows:
  - Each eligible applicant up to a maximum of twenty (20) shall receive \$750.00;
  - If more than twenty (20) applications are received, the \$15,000.00 will be divided equally among all eligible applicants;
  - The maximum amount given out is \$750.00 per applicant, per year;
2. Applicants must have a parent, grandparent or legal guardian with a minimum of two years continuous membership, and be presently a member in good standing with CUPE Local 4195 to be eligible.
3. Applicants are to be enrolled in the first year of any course at a recognized college, university or technical school.
4. The decision of the executive is final.
5. The applicants are to include the name of their parent/grandparent/guardian, a copy of the letter of acceptance from the school in which enrolment has been obtained, copy of marks from the highest grade completed.
6. Application forms may be obtained from the Recording Secretary.
7. All applications are to be in to the Recording Secretary by March 15.
8. Scholarships will be awarded during the applicant's school graduation ceremony.

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# Equality Statement

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Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

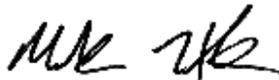
As unionists, mutual respect, cooperation and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic or homophobic hurts and thereby divides us. So too, does discrimination on the basis of ability, age, class, religion, language and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff and elected officers must be mindful that all persons deserve dignity, equality and respect.



MARK HANCOCK  
National President



CHARLES FLEURY  
National Secretary-Treasurer

## **APPENDIX “B” – RULES OF ORDER**

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

11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
13. The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
15. A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
16. Religious discussion of any kind is not permitted.
17. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
18. The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
19. When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.
20. The Chairperson will ask "Will the main question be now put?" where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.

21. A motion to adjourn is in order except when a member is speaking or when members are voting.
22. A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
24. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, "Will the decision of the chair be upheld?" A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
25. At a membership meeting where a question has been decided any two members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds majority of members who vote. If two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.
26. Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
27. The Local Union's business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.

## **APPENDIX “C” – OUT-OF-POCKET EXPENSES**

### **To be paid quarterly (September, December, March, June):**

President	\$550.00 / quarter
Vice-President	\$350.00 / quarter
Recording-Secretary	\$300.00 / quarter
Treasurer	\$350.00 / quarter
Shop Stewards	\$300.00 / quarter

### **To be paid annually:**

Trustees	\$150.00 / budget year (September 1 – August 31) (Provided an audit has been completed.)
Negotiation Committee Members	\$10.00 per meeting

## **APPENDIX “D” – EXPENSES**

Expense vouchers must be submitted to the Secretary-Treasurer of the Local for reimbursement.

### 1. Registration Fee

The Local will pay the actual amount required.

### 2. Travel

- a) Mileage shall be paid for all out of city travel except for General Membership Meetings as per the CUPE Saskatchewan rate, whenever feasible car pooling is favourable.
- b) Out of city Executive members shall be reimbursed as follows to attend Union business other than General Membership Meetings:
  - i) Union Business all day - out of city mileage as per Appendix “C” 2. a)
  - ii) Union Business during regular working hours but at work at the beginning of the work day and at the end of the work day - mileage as per Appendix “C” 2. c)
  - iii) Union Business that starts before their regular working hours or extends beyond their regular working hours - out of city mileage as per Appendix “C” 2. a) for one way.
  - iv) Union Business outside of regular working hours - out of city mileage as per Appendix “C” 2. a) for both ways.
- c) For mileage within the city, the rate is \$10.00 per day
- d) Bus, taxi and airplane – actual amount required – receipt must be provided. Whenever possible, the Secretary-Treasurer of the Local will reserve and pay for transportation costs.
- e) Parking – actual cost - receipts must be provided.

### 3. Accommodation

Within province & out-of-province – actual cost – receipts must be provided. Whenever possible the Secretary-Treasurer of the Local will reserve and pay for accommodation costs.

Private Accommodation Allowance: In lieu of hotel costs, those wishing to stay with friends or family will be provided with an additional \$35.00 per night that could have been spent in a hotel.

4. Per Diem

- a) Schools, workshops, conventions, conferences, etc., held:
  - i) Within Saskatchewan Rivers Public School Division:
    - \$50.00 per day
    - \$12.00/breakfast (if breakfast is not provided)
    - \$15.00/lunch (if lunch is not provided)
    - \$23.00/supper (if supper is not provided)
  - ii) Within province and out-of-province:
    - \$75.00/day
    - \$18.00/breakfast (if breakfast is not provided)
    - \$22.00/lunch (if lunch is not provided)
    - \$35.00/supper (if supper is not provided)
- b) Week-long school (where accommodation and meals are included in registration)
  - \$15.00/day
- c) Child care – receipts required

5. President's cell phone – the President shall be paid \$ 50.00/month for cell phone expenses.

## APPENDIX “E” – OATH OF OFFICE AND NEW MEMBER’S OATH

### OATH OF OFFICE

“I, \_\_\_\_\_, do most sincerely promise that I will truly and faithfully, to the best of my ability, perform the duties of my office, for the ensuing term, as prescribed in the Constitution and laws of the Canadian Union of Public Employees, and as an officer of this Union will at all times endeavour, both by counsel and example, to promote the harmony and preserve the dignity of its sessions.

I further promise, that at the close of my official term, I will promptly deliver all monies, books, papers, or other property of this Union in my possession to my duly elected successor in office.”

### NEW MEMBER’S OATH

“I solemnly promise and declare that I will support and obey the Constitution of this Union; that I will strive to improve economic and social conditions for my fellow members and for working people generally; that I defend and strive to extend the democratic rights and liberties of all working people; that I will not purposely or knowingly wrong, or assist others in wronging a member of the Union.”

## APPENDIX “F” – CODE OF CONDUCT

### **CUPE•SCFP**

#### CODE OF CONDUCT

Local 4195 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

Local 4195 strives to promote core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

Local 4195 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 4195 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 4195 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 4195 sets out standards of behaviour for members at meetings, and all other events organized by Local 4195. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these Bylaws. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As members of Local 4195 we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement;
- Respect the views of others, even when we disagree;
- Recognize and value individual differences;
- Communicate openly;
- Support and encourage each other;
- Make sure that we do not harass or discriminate against each other;
- Commit to not engaging in offensive comment or conduct;
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating; and
- Take responsibility for not engaging in inappropriate behaviour due to abuse of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding this Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking the person to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Local Union shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of Local 4195, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

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

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