
Bylaws

Local Union 5050

CAPE BRETON-VICTORIA REGIONAL SCHOOL BOARD



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INTRODUCTION

Local 5050 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 5050 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 5050 – Cape Breton Victoria Regional School Board.

SECTION 2 – OBJECTIVES

The objectives of Local 5050 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 – REFERENCES

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

SECTION 4 – MEMBERSHIP

(a) Membership

An individual employed within the jurisdiction of Local 5050 can apply for membership in Local 5050 by signing an application and paying the initiation fee set out in Section 10 (a) of these bylaws.

(Article B.8.1)

(b) Approval of Membership

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

(Article B.8.2)

(c) Oath of Membership

New members will take this oath:

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

(Article B.8.4)

(d) **Continuation of Membership**

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

(Article B.8.3)

(e) **Member Obligations**

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

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 Nova Scotia. The purpose of sharing this telephone contact information with CUPE National or CUPE Nova Scotia is so that the National Union or Provincial Division can conduct a telephone town hall with members on important matters.

SECTION 5 – MEMBERSHIP MEETINGS

(a) **Regular Membership Meetings**

Regular membership meetings of Local 5050 shall be held on the third (3rd) Sunday of October, February and April and the second (2nd) Sunday of December and June. If that Sunday falls on a holiday weekend, the meeting will be held another Sunday in that month. All meetings will rotate between the North and South side and will be held at two (2) p.m. Notice of each regular membership meeting outlining the date, time and location shall be given to members at least seven (7) days in advance of the meeting.

(b) **Special Membership Meetings**

Special membership meetings of Local 5050 may be required and shall be called by the Executive Board or may be requested in writing by no fewer than fifteen (15) 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 fifteen (15) members, including at least three (3) members of the Executive Board.

(d) **Membership Meeting Agenda**

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

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

(Article B.6.1)

(e) Work completed for the Union shall be paid the following month.

SECTION 6 – OFFICERS

All Table Officers are to be elected at large.

The Officers of Local 5050 shall be the President, 1st. Vice-President, 2nd Vice-President, Secretary-Treasurer, Recording Secretary, Membership Officer.

Other officers include three (3) Trustees.

(Articles B.2.1 and B.2.2)

SECTION 7 – EXECUTIVE BOARD

- (a) The Executive Board shall consist of all Table Officers plus the Chairperson of the Good of the Union Committee and the Communications & Educational Person.

The Executive Board shall include all Officers except Trustees.

(Article B.2.2)

- (b) The Executive Board shall meet at least ten (10) times per year and shall meet every Second (2nd) Monday of the month from September to June. This may be changed to another day as the circumstances dictate, with approval of the majority of the Board Members.

(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 and assets 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 by two-thirds (2/3) majority of the members present.

- (e) All charges against Members or Officers shall be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.

- (f) 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.

- (g) The Executive Board of Local 5050 has the power to act on behalf of Local 5050 when a meeting has been cancelled due to weather or no quorum and during July and August in such matters as sending members to schools, seminars, meetings and/or conferences/conventions. This includes wage loss and expenses of those functions. All such Executive Board rulings/decisions must be a democratic vote of the Executive Board and with majority rule governing in all cases. All decisions taken under such circumstances shall be ratified by the Membership at the first opportunity following each decision.

- (h) If an Officer fails to attend three (3) consecutive Membership meetings or three (3) consecutive Executive meetings without good and sufficient reason, their office will be declared vacant and filled at the next regular meeting.

(Article B.2.5)

SECTION 8 – DUTIES OF OFFICERS

Each Officer of Local 5050 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 5050 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:

- 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 conduct them through the initiation ceremony.
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership.
- Have first preference as a delegate to all conventions, conferences, weeklong school and educationals.
- Chair Labour Management Committee with no additional stipend.
- Attend all regular, special and Executive meetings.
- Sit on the Nova Scotia School Board Council of Unions Executive as the Local's representative.
- Be responsible to compose and send all correspondence with the exception of correspondence pertaining to committees.

(Article B.3.1)

- Be responsible to approve all correspondence pertaining committees prior to it being sent.
- Attend the Joint Benefits Committee Meetings.
- Pick up mail.
- On termination of office, surrender all properties of the Local to his/her successor.

(b) 1st. Vice-President

The 1st. Vice-President shall:

- If the President is absent or incapacitated, 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.
- Shall be the chair of the Occupational Health & Safety Committee with no additional stipend. (Article B.3)
- On termination of office surrender all properties of the Local to his/her successor.

(c) 2nd Vice President

The 2nd Vice President shall:

- If the 1st Vice President is absent or incapacitated, perform all duties of the 1st Vice President.
- If the office of 1st Vice President fall vacant, be acting 1st Vice President until a 1st. Vice President is elected.
- Render any assistance to any member of the Board as directed by the Board.
- Shall be chair of the grievance committee with no additional stipend.
- Attend all regular, special and executive meetings.
- On termination of office, surrender all property of the Local to his/her successor.

(d) 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 and keep a record of all written reports.
- Record all amendments and/or additions in the bylaws.
- Shall keep all motions passed at a regular membership meeting on file in a binder to be available at all executive and regular meetings.
- Have all records ready on reasonable notice for the Trustees and auditors.
- Shall render assistance to any member of the Executive Board as directed by the Board.
- Keep full, accurate and impartial accounts of 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 Trustee Reports.
- Fulfill secretarial duties as directed by the Executive Board.
- File a copy of all letters and keep on file all communications.
- Be empowered with the approval of the Membership to employ necessary stenographic and other assistance to be paid out of the Local's funds.
- Pass out copies of correspondence report at regular monthly meeting.
- On termination of office, surrender all books, seals, and other property of the Local to his/her successor with two (2) weeks.

(Article B.3.3)

(e) 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.
- 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.
- Shall render assistance to any member of the Executive Board as directed by the Board.
- Attend all regular, special and executive meetings.
- Prepare out of pocket expense forms and vouchers monthly.
- Chair Membership and Executive Board meetings in the absence of the President, 1st. and 2nd. Vice President.

- Be empowered with the approval of the Membership to employ necessary administrative assistance to be paid out of the Local Union funds.
- On termination of office, surrender all books, records and other properties of the local

(Articles B.3.4 to B.3.8)

(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 semi-annually.
- Ensure that proper financial reports are made to the Membership by attending regular membership meetings.
- Make a written report of their findings to the first Executive and the first membership meeting following the completion of each audit.
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- Audit the record of attendance.
- Inspect at least twice 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.
- Shall render assistance to any member of the Executive Board as directed by the Board.
- Shall, on a rotation basis, attend the Executive meetings to approve the expense vouchers.
- Shall attend all regular and special meetings.
- 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 funds, records and accounts are being maintained by the Secretary Treasurer in an organized, correct and proper manner.
- 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 of the Local Union
- v Secretary-Treasurer's response to recommendations
- vi Concerns that have not been addressed by the Local Union Executive Board.

(Articles B.3.10 to B.3.12)

- On termination of office, surrender all property of the Local to his/her successor.

(g) Membership Officer

The Membership Officer shall:

- Guard the inner door at membership meetings and admit no one but members in good standing or Officers and officials of CUPE, except on the order of the President and with consent of the members present.
- Maintain the record of membership attendance at meetings and keep a current running tally sheet of membership attendance for the previous two (2) years. Carry ballots for all regular and special meetings.
- Shall maintain the proper order of questions from the floor at membership meetings.
- Shall assist the Nominations and Election Committees as directed by the Board.
- Shall render assistance to any member of the Executive Board as directed by the Board.
- Perform such other duties as may be assigned by the Executive Board from time to time.
- Attend all regular, special and executive meetings.
 - Shall on termination of office surrender all property of the Local to his/her successor.

SECTION 9 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

At the regular meeting in October, there shall be a nomination committee elected from the floor. This committee shall consist of three (3) members elected at large. These members who are on the committee must not be seeking any executive office.

(a) Nominations

1. Nominations will be received at the regular membership meeting held in the month of October. No nominations will be accepted after this date.
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. Cancelled meetings do not qualify for eligibility.

(Articles B.8.1, B.8.2 and B.8.3)
4. If there are no nominations for an office at the October meeting, then the election for this office shall be held at the next regular meeting after the election meeting.

(b) Elections

At a membership meeting in October, the President will, subject to the approval Members present, appoint an Elections Committee consisting of a Chief Returning Officer, three (3) poll clerks and three (3) Deputy Returning Officers. 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.

Elections of officers and committees shall be staggered yearly.

1. Officers elected in even years are:

The President, 2nd Vice President, Membership Officer and Communication & Educational Person.

Committees elected in even years are:

Labour/Management and Grievance.

Officers elected in odd years are:

1st Vice President, Secretary Treasurer, Recording Secretary

Committees and Delegates elected in odd years are:

Good of the Union, Occupational Health and Safety, Delegates to Labour Council (when affiliated)

2. At a membership meeting in October the President will, subject to the approval of the members present, appoint an Elections Committee consisting of a Chief Returning Officer, three (3) Poll Clerks and three (3) Deputy Returning Officers. The committee will include members of the Local Union who are neither Officers nor candidates for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union.
3. The Elections Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Chief Returning Officer.
4. The Chief Returning Officer will be responsible for issuing, collecting, and counting ballots. The Chief Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
5. The voting will take place at a special membership meeting in November. The vote will be by secret ballot. This will start November 2019 with 1st Vice-President, Secretary-Treasurer, Recording Secretary, Good of the Union Committee and OHS Committee.
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. 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 5 (c).

10. Elections of officers and committees are to be held for two (2) consecutive years in Sydney and two (2) consecutive years on the North Side, starting in Sydney in 2012.
11. If a committee member is elected to a new committee, leaving a vacancy in the previous committee and the number of members falls below the minimum number of members required, an election to fill this vacancy will be held at the next general meeting. This begins with the election of committees in May 2012.
12. In a ballot to fill more than one position, each delegate must vote for the full number of positions to be filled or the ballot is spoiled.
13. All election complaints by members will be submitted in writing to the Chief Returning Officer as soon as possible, but in no circumstance, will a complaint be valid if it is filed later than seven (7) 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 two (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. The election of officers shall be alternated between the South Side and North Side meeting places.
(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 11.6(b))

(d) **By-elections**

Should an Executive Table Officer position become vacant for any reason, the resulting by-election shall be conducted at the next regular membership meeting. The term of office for any position filled through a by-election will be the term the vacated position was initially elected to fulfil.

SECTION 10 – FEES, DUES AND ASSESSMENTS

(a) **Initiation Fee**

Each application for membership in the Local Union will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of two (\$2.00) dollars which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

(Articles B.4.1 and B.8.2)

(b) **Readmission Fee**

The readmission fee shall be two (\$2.00) dollars paid to the Treasurer.

(Article B.4.1)

(c) **Monthly Dues**

The monthly dues shall be 1.8% of regular wages.

(Article B.4.3)

(d) **Amending Monthly Dues**

Only following the procedure for amendment of the Bylaws can effect changes in the level of the initiation fee, re-admission fee or the monthly dues.

If the CUPE Constitution raises minimum fees and/or does above the level hereinafter established, these Bylaws would be deemed to have been automatically amended to conform to the new CUPE minimum.

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.

Special assessments may be levied in accordance with Article 4.2 of the CUPE Constitution.

(Article B.4.3)

SECTION 11 – NON PAYMENT OF DUES AND ASSESSMENTS

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by

the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union.

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

(Article B.8.6)

SECTION 12 – OUT-OF-POCKET EXPENSES

Local Union Officers and committee members shall be provided an out-of-pocket expense allowance paid on November 1st and May 1st of each year as follows:

President	\$1,900 biannually
1 st Vice President	\$1,400 biannually
2 nd Vice President	\$1,400 biannually
Treasurer	\$1,650 biannually
Recording Secretary	\$ 900 biannually
Membership Officer	\$ 500 biannually
Committee Chair	\$ 500 biannually
Trustee	\$ 400 biannually

Ad Hoc Committee Chairs shall be pro-rated at \$83.30 per active month until the Committee is disbanded.

Meals

Meetings not covered in Section 14, requiring a meal shall be reimbursed as follows:

Breakfast – 6:30 a.m. to 7:30 a.m.	- \$12.00
Lunch - 12:00 p.m. to 1:00 p.m.	- \$18.00
Supper - 4:30 p.m. to 5:30 p.m.	- \$18.00

Mileage

Mileage will be paid at the same rate per kilometer as CUPE Nova Scotia and CUPE National, when on Union Business. If on release time, mileage will be paid from place of work or permanent year-round residence, whichever is less. This is to be supported by a log sheet or \$20.00 per meeting unless two (2) meetings are held on the same day, with the second meeting beginning more than two (2) hours after the first meeting, then \$15.00 will be paid for each meeting thereafter.

Members of the Executive Board must attend all executive meetings and regular meetings during their term of office without compensation.

Donation

When a tragedy occurs at any work site that employs members of CUPE Local 5050, the Local will make a donation of \$25 to a related charity.

SECTION 13 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

- (a) Except for the President's option [Section 8 (a)], all delegates to conventions, conferences, and educationals shall be chosen by election at membership meetings. Delegates must give a report at the next regular meeting.
- (b) Two (2) delegates to the Cape Breton CLC District Labour Council shall be elected for a period of one (1) year effective elections in May 2018. The Term of the Delegates to the Cape Breton District Labour Council is for the purpose of the Bylaw change only. Two (2) Delegates will be elected at May 2018 elections for a one (1) year term and will revert back to a two (2) year term at May 2019 elections. A member responsible for reporting back to the Local Union membership shall be appointed by the President from among these delegates, and the member appointed shall make a written report at each Local Union membership meeting on proceedings at recent meetings of the Council. The Local Union will reimburse the member's employer for any loss of wages.
- (c) All delegates attending conventions, conferences, or educationals held outside the district shall be paid a daily allowance of \$75.00 for meals and an amount equal to any loss of salary incurred by attendance, plus the actual accommodation cost shall be paid. If meals are included, then an allowance of \$35.00 will be paid instead of \$75.00. If the event is held out of Province than a daily allowance of \$100.00 shall be provided instead of \$75.00.
- (d) Delegates to conventions, conferences, and educationals held within the District will be entitled to mileage or a meeting fee plus a meal allowance of \$18.00 per meal as per Article 13, should it run into meal times. This also pertains to meetings and arbitrations. The Local Union will reimburse the member's employer for any loss of wages.
- (e) The delegates elected to conventions and conferences held outside the School Board District shall be provided with a rental vehicle (4 delegates to a full size car or 5 to 6 delegates to a van.

Rentals must be arranged by the Treasurer with the assistance of the Executive Officers as required.
- (f) In the event of an emergency return home of a delegate who is a passenger in a car pool, he/she will be returned home the quickest and safest way at the expense of the Local.

- (g) At conventions, schools, conferences or meetings where members travel by air, ground transportation costs in the sum of \$200 will be given to each member. Receipts and any remaining monies are to be returned to the treasurer. If the costs exceed \$200, the member will be reimbursed.
- (h) Representation at educational institutes and seminars shall be on the recommendation of the Education Committee, subject to the final approval of the Membership. An allotment for expenses for conventions and conferences is to be paid by cheque issued to each individual delegate by the Treasurer, no less than two (2) banking days in advance. Any educational that is requested by the Executive Board is to be paid from general funds.
- (i) Local 5050 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.

SECTION 14 – COMMITTEES

Committees are to be elected at the elections meeting in November. The term of the committees shall be two (2) years. If a minimum number of Members for a committee is met, they shall elect their chair at that meeting. The person with the most votes will be declared the chair. If that person doesn't want the chair it will go to the next person and so on until a chair is determined. The committees shall not take effect till December 1st.

For any courses, schools or conferences pertaining to any committee with Local 5050, with the exception of the President's option, Committee Members shall have first option to attend. Remaining openings are to be filled by the Executive then from the Floor.

(a) Special Committees

A special committee may be established for a specified purpose for up to six (6) months and to be reviewed as needed 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 Executive Board. The Chair is to submit a written report to the Executive at their monthly meetings.

1. Negotiating Committee

This will be a special committee established at least twelve (12) 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 following condition must comply with the Collective Agreement. The committee shall consist of President and six (6) members who all elected at a membership meeting, one of which shall be the alternate and shall be determined by vote. The Committee shall be reflective of the varied occupations within the local. A chairperson and a secretary shall be elected from the committee 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 from formulating proposals, through negotiations, to contract ratification by the membership.

Members will be provided with relevant documents to review by way of hard copy or through the web page three (3) days prior to a vote being taken for a strike mandate.

Members will be provided with a copy of the tentative agreement by way of hard copy or web page as soon as possible prior to a vote being held for ratification.

All members of Local 5050's negotiating committee shall attend Level 1 and Level 2 of CUPE's collective bargaining educationals.

(b) Permanent Committees

Table officers will not chair any of the committees with the exception of Labour/Management, Grievance and OHS unless no other committee member can be found to take the chair. The Chair of a permanent committee, except for those mentioned above, shall be the person receiving the most votes when the committee is elected. The Executive Board may, with concurrence of the membership, jointly appoint other members to serve on the committee. Notice of Motion to amend any numbering that may change because of Bylaw changes.

Permanent committees will have a term of two (2) years. Committees will provide written reports to each regular membership meeting. The President shall be a member, ex-officio, of each committee.

No member shall sit on more than one (1) committee unless there are not enough nominees to fill the minimum number of seats. In the event that the committee seats remain open, members who are already on other committees can be nominated and an election will be held for the remaining positions. This election will only be to elect members who are on other committees to fill open seats.

There shall be five (5) permanent committees as follows:

1. Grievance Committee

This committee will:

- Oversee the handling of all local grievances.
- Receive copies of all grievances.
- Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting.

- 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.
- If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board.

The committee shall be comprised of five (5) members including the Chair. 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.

2. Communications and Education Person

The term of this Committee will be reduced to 1 year until May elections, 2017 and then the term of this Committee will revert back to a two (2) year term.

This committee will:

- Arrange for a presentation of the Local at any appropriate and available educational seminar and submit recommendations accordingly to the Executive Board.
- Implement the Bursary process. Bursaries to be paid from general funds. One (1) Bursary of \$250 to be awarded in each high school with the CBVRSB and one (1) Bursary of \$250 awarded outside the district.
- Education funding to be maintained at \$10,000 yearly from EI rebate.
- Inform the members of meetings.
- Establish a “contact” network” for distributing newsletters etc., to the Membership. Pass on any information, circulars or notices as requested by the Executive. Members requested to contact their “call person” with information re serious illness or death, etc.
- Newsletter will be published annually and website and face book page will be maintained.
- A written report is to be presented to the Executive monthly and all cheques will be written from the general fund.

The committee shall be comprised of (5) members. The committee shall appoint its secretary from among its members. The Chair shall be the person with the highest number of votes, if they don't want it, it shall fall down to the next person with the highest votes and so on.

3 The Good of the Union

- Arrange and conduct all social, cultural and recreational activities of the Local Union, either on the Committee's own initiative or as a result of decisions taken at Membership Meetings. The Committee shall submit written reports and proposals first to the Executive Board and then to the Membership.
- If a Member is ill for more than two (2) weeks at home, send them a get-well card to show the Local's concern and the desire to help. If the Member is hospitalized for more than two (2) days, the Local shall send a get-well card.
- Extend the Local's condolences in the death of a Member and send a donation of \$100 to the family. In the event of a death in the Member's immediate family (definition of immediate family as per Article 24.01 (1) of the Collective Agreement, if this article # changes the bylaw will still be in effect) send a \$50 donation to the Member.
- Whenever possible, upon the death of a retired Member, the Local will send a sympathy card to the family.
- Look for the best possible benefits for the Members.
- A record of all condolences and get well and thinking of you cards must be kept.

The committee shall be comprised of five (5) Members and shall elect a secretary from among it's Members. The Chair and the President shall be part of the Joint Benefits Committee. The Chair shall be the person with the highest number of votes, if they don't want it, then the position shall fall down to the next person with the highest number of votes and so on.

This Committee becomes effective May 2017 Election.

4 Occupational Health and Safety Committee

This committee will:

- Represent the Union on the Joint Health and Safety Committee as called for in the Nova Scotia Health and Safety Act.
- Deal with all matters affecting the Health and Safety of the members in the workplace.

Members of this committee should be designated as a “Certified Worker Representative” in accordance with the legislation in their respective jurisdictions (provincial, federal).

The Term of this Committee shall be reduced to one (1) year until Elections in May 2017.

The Committee shall be comprised of five (5) members including the Chair and shall elect a secretary. The Members, including the Chair, shall be on a rotating schedule when attending the Joint Occupational Health and Safety Committee Meetings.

5 Labour Management

This committee shall consist of four (4) members.

SECTION 15 – 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 16 – AMENDMENTS

(a) **CUPE Constitution**

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

(Articles 9.2(c), 13.3 and B.5.1)

(b) **Additional Bylaws**

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

- (i) the amended or additional bylaws do not conflict with the CUPE Constitution;
- (ii) the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and

(iii) notice of the intention to propose the amended or additional bylaws was given at least seven days before at a previous membership meeting or 60 days before in writing.

(Articles 13.3 and B.5.1)

(c) Effective Date of Amended or Additional Bylaws

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

(Articles 13.3 and B.5.1)

Appendix A

CUPE NATIONAL EQUALITY STATEMENT

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

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

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

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

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

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

Appendix B

CODE OF CONDUCT

Local 5050 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 5050 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 5050 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 5050 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 5050 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 5050 sets out standards of behaviour for members at meetings, and all other events organized by Local 5050. 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 5050 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 5050, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

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

Appendix C

RULES OF ORDER

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

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

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

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