



**CUPE 4797**

**BYLAWS**

**NORTHWEST SCHOOL  
DIVISION #203**

**APPROVED BY CUPE**

**NOVEMBER 19, 2024**

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## EQUALITY STATEMENT



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# 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, 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.

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MARK HANCOCK  
National President

  
CANDACE RENNICK  
National Secretary-Treasurer



## **PREAMBLE**

In order to improve the social and economic welfare of its members without regard to age, sex, colour, race or creed, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, this Local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

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

## **SECTION 1 – NAME**

The name of this Local shall be: Canadian Union of Public Employees, Local 4797 (Northwest School Division #203).

## **SECTION 2 – OBJECTIVES**

The objectives of the Local are to:

- a) Secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- b) Support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- c) provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- d) encourage the settlement by negotiation and mediation of all disputes between the members and their employers.

## **SECTION 3 – INTERPRETATION and DEFINITIONS**

- a) **Pronouns (they/them/their) shall be understood to include all genders.**
- b) Numbers of Articles at the end of sections or subsections refer to relevant articles of the CUPE Constitution which should be read in conjunction with these Bylaws.

#### **SECTION 4 – MEMBERSHIP MEETINGS – Regular and Special**

1. Regular membership meetings shall be called by the Executive Board as needed and an Annual General **Membership** Meeting will be held each year **no later than November 15 with a minimum of two (2) weeks' notice to the membership.**
2. Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than ten percent (10%) of the membership. 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 five percent (5%) of the membership, including at least two (2) members of the Executive Board.
4. The order of business at regular membership meetings is as follows:
  1. **Acknowledgement of Indigenous Territory**
  2. Roll Call of Officers
  3. Reading of the Equality Statement
  4. Voting on New Members and Initiation
  5. Reading of Minutes
  6. Matters Arising
  7. Treasurer's Report
  8. Communications and Bills
  9. Executive **Board** Report
  10. Reports of Committees and Delegates
  11. Nominations, Elections or Installations
  12. Unfinished Business
  13. New business
  14. Good of the Union
  15. Adjournment

(Article B.6.1)

#### **SECTION 5 – VOTING OF FUNDS**

Except for ordinary expenses and bills as approved at membership meetings, no sum over **two hundred and fifty dollars (\$250.00)** 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.

(Article B.4.4)

## SECTION 6 – OFFICERS

The Officers of the Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, **Communications Officers**, three (3) Trustees and a Shop Steward for each facility in the School Division but not necessarily in facilities that already have another Officer of the Local.

(Articles B.2.1 and **B.2.2**)

## SECTION 7 – EXECUTIVE BOARD

- a) The Executive Board shall be comprised of the President, Vice President, Secretary-Treasurer and Recording Secretary.  
(Article B.2.2)
- b) The Board shall meet at least eight (8) times per year between September and June.  
(Article B.3.14)
- c) A majority of the 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 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.  
(Appendix F)
- g) Should any Board member fail to answer the roll call for three (3) consecutive regular membership meetings or **three (3) consecutive** regular Board meetings without having submitted good reasons for those failures, their office shall be declared vacant and shall be filled by an election at the following membership meeting.  
(Article B.2.5)
- h) The Executive Board shall conduct all business of the Local deemed necessary between membership meetings.
- i) The Executive Board may fill vacancies on an interim basis until the next membership meeting.

## SECTION 8 – 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 CUPE 4797 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 and these Bylaws.
  - 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 their rulings). In case of a tie, the membership will have a revote.
  - e) **act as Chief Shop Steward for the Local and act as chairperson of the Grievance Committee.**
  - f) ensure that all Officers perform their assigned duties.
  - g) fill committee vacancies where elections are not provided for.
  - h) introduce new members and conduct them through the initiation ceremony.
  - i) 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.
  - j) be allowed necessary funds, not to exceed **one hundred dollars (\$100.00)** monthly, to reimburse **themselves** or any Officers for expenses supported by vouchers, incurred on behalf of the Local.
  - k) have first preference as a delegate to the CUPE National Convention.

(Article B.3.1)

2. The **Vice-President** shall:

- a) if the President is absent or incapacitated, perform all duties of the President.
- b) if the office of President falls vacant, be Acting President until a new President is elected.
- c) **ensure that all Officers perform their assigned duties.**
- d) **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.**
- e) render assistance to any member of the Board as directed by the Board.
- f) **act as a member of the Grievance Committee and in the absence of the President act as chairperson of the Committee.**

(Article B.3.2)

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. **These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (Membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.**
- b) record all alterations in the Bylaws.
- c) answer correspondence and fulfil other secretarial duties as directed by the Board.
- d) file a copy of all letters sent out and keep on file all communications.
- e) prepare and distribute all circulars and notices to members.
- f) have all records ready on reasonable notice for auditors and Trustees.
- g) preside over membership and Board meetings in the absence of both the President and the Vice-President.
- h) be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out to the Local's funds.

(Article B.3.3)

4. The Secretary-Treasurer shall:

- a) **sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union Bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing Officer during prolonged absences.**  
**(Articles B.3.4 to B.3.8)**
- b) 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.
- c) prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month.
- d) throughout their term, and on behalf of the Local Union membership, be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE headquarters, as well as records and supporting documents for all income received by the Local Union.
- e) record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices.
- f) make a full written financial report to meetings of the Local's Executive Board, as well as a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- g) be bonded through the master bond held by the National Office. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
- h) pay no money unless supported by a voucher duly signed by the President and one (1) other member of the Board or any two (2) other members of the Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated.
- i) make all books available for inspection by the auditors and/or Trustees on reasonable notice and have the books audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- j) provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE.

- k) not later than February 28 each year, furnish each member, on the forms supplied by the National Office, with a statement showing the net amount of tax-deductible dues paid by the member during the preceding calendar year.
- l) be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds.
- m) notify all members who are one month in arrears and report to the Board all members two or more months in arrears in the payment of Union dues.

(Article B.3.4 and **B.3.8**)

5. The **Trustees** shall:

- a) act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary and the Standing Committees at least once every 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 Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records and accounts are being maintained by the Secretary-Treasurer in an organized, correct and proper manner.
- 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) audit the record of attendance.
- g) 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.
- h) send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their report to the Local Union membership along with a copy of their recommendations and/or concerns to the President and the Secretary-Treasurer and the Secretary-Treasurer's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative.

(Articles B.3.10 to B.3.12)

6. The **Shop Stewards** shall:

- a) detect, define, prepare and present grievances at the initial level.
- b) attend all grievance meetings between Union and Management when dealing with grievances from their appointed area.
- c) act as representatives for their area and bring the opinions and concerns of their members to the Officers of the Local.
- d) generally know and police the Collective Agreement and provincial or federal legislation affecting labour and particular jobs.
- e) greet and ensure new employees are signed up, and encourage the participation of all members in union activity.
- f) maintain contact with the members to provide ongoing union awareness and education.
- g) perform such other duties as may be assigned by the Executive Board or membership.

7. The **Communications Officers** shall:

- a) **be the liaison between the members at the workplace and the Vice-Presidents of the Local.**
- b) **provide new members with a copy of the collective agreement.**
- c) **maintain the Union bulletin board in their workplace.**
- d) **prepare and distribute all circulars and notices to members.**
- e) **post notices and all circulars for all Union activities and meetings endorsed by the Local according to accepted practices.**
- f) **greet new employees and encourage the participation of all members of the school in union activities.**
- g) **notify all new members of their obligation to be sworn in at a membership meeting.**
- h) **maintain contact with members and provide on-going Union awareness and education.**

- i) perform any other duties assigned by the Executive Board or membership.
- j) represent their school with respect to general concerns of the membership and forward these concerns to the Executive where required.
- k) render assistance to any member of the Executive as directed by the Executive.
- l) promote communication between the members of the Local and the Executive.
- m) carry out all duties not specified in these Bylaws in accordance with the National Constitution.

### **SECTION 9 – EXPENSES**

Expenses shall be paid to members for doing the business of the Local as per Appendix "C".

### **SECTION 10 – FEES, DUES and ASSESSMENTS**

#### 1. Initiation Fee

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

(Articles B.4.1 & B.8.2)

#### 2. Re-admittance Fee

The re-admittance fee shall be \$1.00.

(Articles B.4.1)

#### 3. Monthly Dues

The monthly dues shall be 1.50% **of gross wages**.

(Article B.4.3)

Changes in the levels of the Initiation Fee, the Readmittance Fee or the Monthly Dues can be effected only by following the procedure for amendment of these Bylaws (see Section 18), with the additional provision that the vote must be by secret ballot.

(Articles B.4.1 and B.4.3)

Notwithstanding the above provisions, if the CUPE Convention raises minimum fees

and/or dues above the level herein established, these Bylaws will be deemed to have been automatically amended to conform to the new CUPE minima.

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

### **SECTION 11 – NON-PAYMENT OF DUES AND ASSESSMENTS**

Any member in arrears for a period of three months or more shall be automatically suspended and their suspension shall be reported to the Executive Board by the Secretary-Treasurer. The Executive Board shall report to the next membership meeting with a recommendation. Any member under suspension wishing to be reinstated shall, upon application, pay the readmittance fee, plus any dues and assessments in arrears. This money will be returned if the application is rejected. If a member has been unemployed or unable to work because of sickness, they shall pay the readmittance fee but may not be required to pay their arrears.

(Article B.8.6)

### **SECTION 12 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

#### 1. Nomination

Nominations shall be received at the Annual General Membership Meeting held in either the month of October or November. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting their consent in writing, duly witnessed by another member. No member shall be eligible for nomination if they are in arrears of dues and/or assessments.

#### 2. Elections

- a) At a meeting at least one month prior to election day, the President shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee shall include members of the Local who are neither Officers nor candidates for office. It shall have the 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 Returning Officer must be fair and impartial, and see that all arrangements are unquestionably democratic.

- d) The voting shall take place at the Annual General Membership Meeting in October or November. The vote shall be 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 (**more than 50%**) 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.

**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.**

- 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 **4.3**.

### 3. Installation

- a) All duly elected Officers shall be installed at the membership meeting at which elections are held and shall continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three (3) years.

**Election of office for President and Secretary-Treasurer and will be in odd years.**

**Election of office for Vice-President and Recording Secretary will be in even years.**

**Shop Stewards shall be on alternating terms from elections for Vice-President and Recording Secretary.**

**Communications Officers shall be elected in odd years.**

- b) The terms of office for Trustees shall be as laid down in Article B.2.4 of the CUPE Constitution.

4. By-Election

Should an office fall vacant pursuant to Section 7 g) of these Bylaws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section.

**SECTION 13 – DELEGATES TO CONVENTIONS CONFERENCES AND SEMINARS**

Except for the President's option [Section 8.1 k)], delegates to conventions, representation at educational institutes and seminars shall be on the recommendation of the Executive.

Expenses shall be paid as per Appendix "C".

**SECTION 14 – SCHOLARSHIPS**

1. Up to a maximum of four (4) scholarships of \$500.00 each per academic year.
2. Should a scholarship not be awarded in the current academic year, the applicant may reapply the next year. Students will only be eligible to receive the scholarship once.
3. Applicants must either be a member or a member of the immediate family of a CUPE 4797 member. For the applicant to be eligible to apply, the CUPE 4797 member must have a minimum of two (2) years continuous membership in CUPE 4797.
4. Applicants are to be enrolled in a course at a recognized college, university or technical school.
5. The decision of the Executive is final.
6. All applicants are to include the name of their CUPE 4797 family member and their relationship to that family member, a copy of their letter of acceptance from the school in which enrolment has been obtained and a copy of their transcript of marks from the highest grade completed.
7. Application forms may be obtained from the CUPE 4797 Executive.
8. All applications are to be received by the Recording Secretary by April 15.
9. Scholarships will be awarded at the Scholarship Committee Meeting held in May.
10. Scholarships will be paid out of the general operating fund.

## **SECTION 15 – COMMITTEES**

### **1. Negotiating Committee**

This shall be a special ad hoc committee established at least one (1) month 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 six (6) members, that include two (2) Executive Board members **who will fill the position of their own classification plus four (4) additional members**, one (1) member for each **of four** of the **remaining** employee groups:

- Bus Drivers
- Caretakers
- Educational Assistants/**PreK Interventionists**
- **Administrative Assistants**
- **Library Technicians**
- **Wellness Coordinators**

The two (2) remaining Executive Board members will act as alternates for the whole Committee.

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.

### **2. 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. Two members of the Board may sit on any special committee as ex-officio members.

### **3. Grievance Committee**

**The Grievance Committee shall consist of the President and at least two (2) Executive members.**

**This Committee will:**

- 1. Oversee the handling of all local grievances.**

2. **Receive copies of all grievances.**
3. **Prepare a report on the status of all grievances to be submitted to the Executive, the National Representative and to the General Membership Meeting.**
4. **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.**
5. **If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive.**

**The Committee members will be the President – Chief Shop Steward and two (2) Executive members. The Committee shall appoint its secretary 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.**

## **SECTION 16 – AFFILIATIONS**

The Local affiliates to the following labour organizations:

CUPE Saskatchewan  
CUPE Saskatchewan Education Workers' Steering Committee  
Saskatchewan Federation of Labour

## **SECTION 17 – 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 "A". 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 "A", 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 18 – 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 **8.2 (c)**, **12.3** and 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 (7) days' notice at a previous meeting or at least sixty days' written notice.

(Articles **12.3** and 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 **12.3** and B.5.1)

**APPENDIX "A"**  
**TO THE BYLAWS OF CUPE 4797**  
**- 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 "B"**  
**TO THE BYLAWS OF CUPE 4797**  
**– CUPE CODE OF CONDUCT**

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

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

This Code of Conduct sets out standards of behaviour for participants at national convention, conferences, schools, meetings, and any other union events organized by CUPE National, CUPE 4797, or any other CUPE chartered body. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National and at events, meetings, and activities by other CUPE bodies. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As CUPE members, staff, and elected officers, we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

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

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which

**targets an individual or group and which threatens that person or persons' mental and/or physical well-being.**

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

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

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

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

**APPENDIX "C"**  
**EXPENSES**

1. **Registration Fee**

The Local will pay the actual amount required.

2. **Travel**

- a) Mileage as per Board Policy
- b) Bus and airplane – actual amount required – receipt must be provided
- c) Taxi – actual amount – receipt must be provided
- d) Parking – actual amount – receipt must be provided
- e) The President, Vice President, Recording Secretary and Treasurer shall receive and out-of-pocket expense (Honorarium) of \$124.00 payable quarterly.

3. **Accommodation**

Actual cost – receipts must be provided

4. **Meals**

- a) Breakfast – **\$20.00/day**
- b) Lunch – **\$25.00/day**
- c) Dinner – **\$30.00/day**

5. Child care – if needed, shall be entitled to \$10.00 an hour up to a max of \$50.00 per day substantiated by receipts. **Claims should not be paid for a spouse, partner or a family member who normally provides care without charge, or for periods of time where a member would normally have paid for care such as during normal hours of work at their job.**

6. Office Supplies – The Local will pay actual cost – receipts required

## APPENDIX "D" – OATH OF OFFICE AND NEW MEMBERS' OATH

### Oath of Office

"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."

### New Member's Oath

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

**(Article B.8.4)**