

CUPE 2010

Whistler | Pemberton

Local Union Bylaws



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PREAMBLE

Local 2010 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 2010 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.

The CUPE National Equality Statement can be found in Appendix 'B' and the Local Union Code of Conduct can be found in Appendix 'C' to these bylaws. Both shall be respected and applied in all activities and functions of the Local.

Members and elected officials shall abide by the Equality Statement and Code of Conduct at all times.

SECTION 1 – NAME

The name of this Local Union shall be Canadian Union of Public Employees, Local 2010 (Employees of the Resort Municipality of Whistler)

Local 2010 consists of the following bargaining units:

- 2010 - Resort Municipality of Whistler
- 2010-01 - The Corporation of the Village of Pemberton

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;
- e) Establish strong working relationships with the public we serve and the communities in which we work and live.

SECTION 3 – REFERENCES

- a) Numbers of Articles at the end of section or sub-sections refer to relevant articles of the CUPE Constitution which should be read in conjunction with these bylaws.

SECTION 4 – MEMBERSHIP MEETINGS – Regular and Special

- a) Regular membership meetings shall be held in January, April, July and October on the 2nd Thursday of the month. The membership shall be given reasonable advance notice via union boards and email. If a statutory holiday intervenes the Executive Board shall give a week's notice of any change in the date of the regular meeting.

- b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than nine (9) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours' notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- c) A quorum for the transaction of business at any regular or special meeting shall be nine (9) members, including at least three (3) members of the Executive Board.
- d) 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 from the minutes
 - 7) Secretary-Treasurer's Report
 - 8) Communications and bills
 - 9) Executive Board Report
 - 10) Reports of committees and delegates
 - 11) Nominations, Elections, or Installations
 - 12) Unfinished business
 - 13) New business
 - 14) Good of the Union
 - 15) Adjournment

(Article B.6.1)

e) Bargaining Unit Meetings

Bargaining Unit meetings may be called to deal with matters that affect only members of one bargaining unit. Such meetings are not to be used to replace regular membership meetings and will not make decisions that affect the Local Union as a whole or another bargaining unit.

The President shall advise members of the bargaining unit seven days in advance of the meeting providing the time and location and an agenda.

The minimum number of members required to be in attendance for the transaction of business at any bargaining unit meeting shall be either three bargaining unit members, or twenty percent (20%) of the bargaining unit membership, whichever is greater, plus at least two members of the

Executive Board. Members from other bargaining units in the Local Union may attend these meetings without vote but with voice and are not counted as part of quorum.

f) In Person or Virtual Meetings

The Local may elect to hold membership meetings in person and/or virtually. Where virtual meetings are held, all voting will be conducted electronically provided secrecy can be maintained, where mandated.

(Article B.6.2)

If the Local establishes a meeting where members may attend both in-person and virtually, all voting shall be conducted electronically. Members shall be provided notice in advance of the meeting indicating the requirement of a digital device to participate in voting for the meeting and, where possible, the Local will accommodate members who do not have a device allowing their participation. No hybrid voting shall be permitted.

Notice of the time, format, location (online or in-person), and method of voting (if members may attend both online or in-person) for any regular or special membership meeting shall be communicated to the membership no less than one (1) week prior to the meeting.

SECTION 5 – VOTING OF FUNDS

Except for ordinary expenses and bills as approved at membership meetings, no sum over one-hundred dollars (\$100.00) 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 member meeting.

SECTION 6 – OFFICERS

The officers of the Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, Sergeant-at-Arms, shop stewards, and three (3) Trustees. All Officers shall be elected by the membership.

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.

(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.

g) Should any Board member fail to answer the roll call for three consecutive regular membership meetings or three consecutive Executive 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)

SECTION 8 – DUTIES OF OFFICERS

Each Officer of Local 2010 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 2010 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) 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 a vote on all matters
- 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's funds are used only as authorized or directed by the Constitution, bylaws, or vote of the members.
- Have first preference as a delegate to the CUPE National Convention and the CUPE BC Convention.

b) The Vice-President shall:

- If the President is absent or incapacitated, perform all duties of the President;
- If the office of President falls vacant, be Acting President until a new President is elected;
- Render assistance to any member of the Board as directed by the Board.

(Article B.3.2)

c) The Recording Secretary shall:

- Keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (Membership Meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.

(Article B.3.3)

- Record all alterations in the bylaws;
- Answer correspondence and fulfil other secretarial duties as directed by the Board;
- File a copy of all letters sent out and keep on file all communications;
- Prepare and distribute all circulars and notices to members;
- Have all records ready on reasonable notice for auditors and Trustees;
- Preside over membership and Board meetings in the absence of both the President and the Vice-President;
- Be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid out of the Local's funds;
- On termination of office, surrender all books, seals and other properties of the Local to their successor.

d) 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;
- Prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month;
- 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.
- 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.

(Articles B.3.4 to B.3.8)

- 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;

- Record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- Make a full financial report to meetings of the Local's Executive Board, as well as a written financial report to each regular membership meeting, detailing all income and expenditures for the period;
- Be bonded through the master bond held by the National Office; any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from this office;
- Pay no money unless supported by a voucher duly signed by the President and one other member of the Board or any two 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;
- Make all books available for inspection by the auditors and/or Trustees and/or a CUPE National Representative on reasonable notice, and have the books audited at least once each calendar year;
- Provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- Within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees;
- Be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds;
- 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;
- On termination of office, surrender all books, records and other properties of the Local to their successor.

e) The Trustees shall:

- Act as 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;

- Make a written report of their findings to the first membership meeting following the completion of each audit;
 - Submit in writing to the President and Secretary-Treasurer and CUPE National Representative any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct and proper manner;
 - Be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
 - Ensure that proper financial reports are made to the membership
 - Audit the record of attendance;
 - Inspect at least once a year any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership;
 - Send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their report to the Local Union membership along with a copy of their recommendations and/or concerns to the President and Secretary-Treasurer and the Secretary-Treasurer's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned CUPE National servicing representative.
 - Be elected in accordance with the CUPE Constitution.
- f) The Sergeant-at-Arms 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 by consent of the members present;
 - Assist in maintaining the record of membership attendance at meetings;
 - Perform such other duties as may be assigned by the Board from time to time;
 - Be elected by the membership for a term of two (2) years.
- g) Shop Stewards

- Each Department (e.g. Utility, Waste Water) will elect a Shop Steward in April for a term of one (1) year. Elections will be conducted by secret ballot.
- Only those members working in the Department will be eligible to vote for Shop Steward. In the event of a tie, run-off votes shall be held until one candidate receives the majority.
- Names of Shop Stewards elected by the Department will be put before the April membership meeting for ratification by the whole membership, and the names of those elected will be included in the minutes of the meeting.
- Shop Stewards will undertake education courses as recommended by the Executive.
- Shop Stewards will perform any duties as assigned by the Executive.

SECTION 9 – OUT-OF-POCKET EXPENSES

Members authorized by the membership or Executive Board to conduct Union business, including attending educational seminars, courses, conventions, or meetings on behalf of the members will be entitled to the following:

- a) For any business either inside or outside of the Pemberton, Whistler, Squamish corridor which does not require an overnight stay, actual expenses supported by receipts to a maximum of fifty dollars (\$50.00) per day.
- b) For business conducted within the Pemberton, Whistler, Squamish corridor that requires an over-night stay a per diem of seventy-five dollars (\$75.00) per day will be allowed.
- c) For business conducted outside the Pemberton, Whistler, Squamish corridor that requires an over-night stay a per diem reimbursement in accordance with the current CUPE BC expense policy.
- d) Under no circumstance will the cost of alcoholic beverages be reimbursed.
- e) Receipted parking fees will be reimbursed in addition to the amounts stated above.
- f) Where members drive their own vehicle for the conduct of out-of-town Union business, the Local shall reimburse them at the current mileage rates

- g) Members attending Union sponsored functions or performing authorized Union business on behalf of the Local where meals are provided (e.g. residential schools, education course, conventions etc) will receive a per diem of forty dollars (\$40.00) without receipts per day.

SECTION 10 – CELL PHONE POLICY

- a) The President shall be entitled to the provision of a cell phone paid for by the Local for the conduct of regular Union business.
- b) Where the President opts to use their own cell phone instead, they shall be entitled to reimbursement of the cost of their cell phone plan, inclusive of device amortization, up to a total of one-hundred and twenty-five dollars (\$150.00) per month, upon submission of receipts to the Secretary-Treasurer.
- c) Upon vacating the office of President, the outgoing President shall turn over their Union cell phone to their successor.

SECTION 11 – FEES, DUES and ASSESSMENTS

- a) 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 one (\$1.00) dollar, 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.

- b) Readmittance Fee

The readmittance fee shall be ten dollars (\$10.00).

- c) Monthly Dues

The monthly dues shall be one point eight percent (1.8%) of regular monthly earnings.

Changes in the levels of the Initiation Fee, the Readmittance Fee, or the Monthly Dues can be affected only by following the procedure for amendment of these bylaws, with the additional provision that the vote must be by secret ballot. Notice of at least seven days at a previous meeting or 60 days in writing must be given.

(Article 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.

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

(Article B.4.2)

SECTION 12 – NON-PAYMENT OF DUES and ASSESSMENTS

Any member in arrears for a period of three months or more shall be automatically suspended from membership in accordance with Article B.8.6 of the CUPE National Constitution and their suspension shall be reported to the Executive Board by the Secretary-Treasurer.

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 13 – NOMINATION, ELECTION, and INSTALLATION OF OFFICERS

a) Nomination

Nominations shall be received at the regular membership meeting held in the month of January.

To be eligible for nomination a member shall have attended at least fifty percent of the membership meetings held in the previous twelve months or in the period they were a member, if less than a year, unless a valid reason acceptable to the Local is given for non-attendance by the next membership meeting.

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.

b) Election

- 1) At the January membership meeting the President shall, subject to the approval of the members present, appoint an Election Committee consisting of a Returning Officer and assistants. The committee shall include members of the Local who are neither officers nor candidates for office; it shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
- 2) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- 3) The Returning Officer and their assistants shall be responsible for issuing, collecting, and counting ballots. They must be fair and impartial and see that all arrangements are unquestionably democratic. The CUPE National Servicing Representative assigned to the Local, or their designated representative, will be invited to assist in the counting of the ballots.
- 4) The voting shall take place at the regular membership meeting in April. The vote shall be by secret ballot.
- 5) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- 6) A majority of votes cast shall be required before any candidate can be declared elected. 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.
- 7) 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.
- 8) Any candidate may appoint a scrutineer to observe counting of the votes, and any member may request a recount of the votes for any election. A recount shall 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 laid down in Section 4(c).

c) Installation

- 1) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office as follows:
 - i. The President and Secretary-Treasurer shall be elected in even years for a term of two (2) years.
 - ii. The Vice-President, ~~and~~ Recording-Secretary, and Sergeant-at-Arms shall be elected in odd years for a term of two (2) years.
- 2) The terms of office for Trustees shall be three-years. Terms of office for Trustees shall be offset to preserve overlapping terms, such that one Trustee is elected each year.

(Article B.2.4)

- 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))

4) By-Election

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

SECTION 14 – DELEGATES TO CONVENTIONS

- a) Except for the President’s option as per Sec. 8(a) of these bylaws, all delegates to conventions shall be chosen by election at membership meetings.

- b) Delegates to the Squamish & District Labour Council be elected annually. An official reporter for these delegates shall be appointed annually by the President from among these delegates, and they shall be required to report at each membership meeting of the Local on proceedings at recent meetings of the Council.
- c) All delegates elected to conventions held outside the Pemberton, Whistler, Squamish corridor shall be paid transportation expenses at economy, tourist or coach rates, economy accommodation for each delegate, and a per diem allowance as stated in Section 9 of these bylaws, and an amount equal to any loss of regular salary incurred by attendance at the convention.
- d) Delegates to conventions held within the Pemberton, Whistler, and Squamish corridor shall have no travel allowance. There shall be a per diem allowance as stated in Section 9 of these bylaws.
- e) Representation at educational institutes and seminars shall be on the recommendation of the Executive Board, subject to final approval by the membership.
- f) The Local is committed to representation at conventions and other Union events by delegations reflective of its membership and will endeavour to put forward delegations which are gender-balanced and have representation from members of equity-seeking groups.

SECTION 15 – COMMITTEES

a) Negotiating Committee

This shall be a special ad hoc committee established at least three (3) months prior to the expiry of the Local's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of the President and two (2) members elected at a membership meeting. An alternate to the committee will also be elected.

The CUPE National Representative assigned to the Local shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership. The President shall be the Chair of the Committee. The CUPE National Representative shall be the spokesperson of the Committee.

b) Special Committees

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

c) Standing Committees

The Chairperson of each standing committee shall be elected by the members at a membership meeting. The Chairperson and the Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a committee. The Vice-President shall be a member, ex-officio, of each committee. There shall be three standing committees as follows:

1) Grievance Committee

This committee will:

- Oversee the handling of and receive copies of all grievances.
- Prepare a report on the status of all grievances to be submitted to the Executive Board, with a copy to the CUPE National Representative, and then to a membership meeting.
- Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement.
- The committee shall be comprised of the President and the shop stewards, one of which will be elected by the shop stewards as Head Grievance Officer to a term of one (1) year. The committee shall appoint its secretary from among its members.

2) Education Committee

This committee will:

- Arrange for representation of the Local at any appropriate and available educational seminar or conference and submit recommendations accordingly to the Executive Board;
- Instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports;

- Cooperate with the Executive Board in preparing press releases and other publicity material;
- Cooperate with the Union Development Department (Education) and Communications Branch of CUPE, and with the regional education representative, in implementing both the Local's and CUPE's policies in these fields. The committee shall comprise between one (1) and three (3) members and shall appoint its secretary from among its members.

3) Social & Outreach Committee

This committee may:

- Visit members who are ill;
- If a member is ill for more than a week, have sent some token of the Local's concern and desire to help, whether the member is at home or in hospital;
- Extend the Local's condolences in the event of the death of a member or one of his/her immediate family and make other appropriate gestures in accordance with custom or the wishes of the family concerned;
- 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 reports and proposals to the Executive Board or to the membership as required.
- A budget for the committee will be fixed annually by the membership but, other than that or a motion passed by the membership, all social, cultural, and recreational events and activities shall be self-supporting.
- The committee shall comprise at least one (1) member of the Executive Board, appointed from time to time at sole discretion of the Board, and up to three (3) regular members.
- Members of the committee shall be reimbursed by the Executive Board for reasonable expenses incurred in the performance of its duties.

SECTION 16 – ARBITRATION

- a) The Grievance Committee shall have handling and oversight of all grievances up to and including Step 3 of the Grievance Procedure.
- b) Grievances which are not able to be resolved through the grievance procedure shall be referred to the Executive Board by the Grievance Committee. The Grievance Committee shall provide all relevant information, notes, and inter alia for the Executive Board to conduct a fulsome review of the file.
- c) The Executive Board shall be empowered to review all relevant information related to the grievance and investigate to the extent necessary to support making a decision on proceeding to arbitration.
- d) Final decisions on arbitration shall be by majority vote of the Executive Board.
- e) Where the Executive Board declines to pursue a grievance to arbitration, the aggrieved member may appeal the decision in writing within thirty (30) days.
- f) Upon appeal, a meeting shall be convened with the Executive Board and the member in which the member may present any relevant facts, information, or evidence which they believe ought to be considered by the Executive Board.
- g) After the member's presentation, the Executive Board shall meet within seven (7) days to make a final decision on proceeding. The final decision of the Board shall be communicated in writing to the aggrieved member.
- h) Throughout the decision-making process, the Executive Board will consult with the assigned CUPE National Servicing Representative. The Board may request from the assigned National Representative at any point a Grievance Assessment Report to support rendering an informed decision.

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) 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

These bylaws shall be amended or added to only if:

- 1) the amended or additional bylaws do not conflict with the CUPE Constitution;
- 2) 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
- 3) 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

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)

SECTION 19 – COMPLAINTS AND TRIALS

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

(Appendix F)

SECTION 20 – PRINTING AND DISTRIBUTION OF BYLAWS

Members shall have access to these bylaws via the Local Union website at 2010.cupe.ca. Paper copies will be made available upon request. The Local shall endeavour to provide copies of these bylaws in either French or English, or with accessibility modifications (e.g., larger text) when requested.

APPENDIX “A” TO THE BYLAWS OF CUPE LOCAL 2010

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 LOCAL 2010

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.

APPENDIX “C” TO THE BYLAWS OF CUPE LOCAL 2010

CODE OF CONDUCT

Local 2010 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 2010 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 2010 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 2010 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 2010 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 2010 sets out standards of behaviour for members at meetings, and all other events organized by Local 2010. 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 2010 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:

- a) 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.
- b) Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.
- c) If this fails to resolve the matter, the designated Officer of the Local Union shall report the matter to the President, who shall determine whether there is need to remove the member. The President 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 2010, 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.