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# Bylaws

## Local Union 3166

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***CUPE***  ***3166***

***Clerical, Technical, Custodial & Maintenance***

<https://3166.cupe.ca/>

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## **INTRODUCTION**

Local 3166 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 3166 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 3166.

(Halton Catholic District School Board (HCDSB) Clerical, Technical, Custodial and Maintenance Employees) Chartered on March 20, 2003.

Local 3166 consists of the following bargaining units:

- 3166.00 (Unit A) - Clerical & Technical
- 3166.01 (Unit B) - Custodial & Maintenance

## **SECTION 2 – OBJECTIVES**

The objectives of Local 3166 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 3166 can apply for membership in Local 3166 by signing an application and paying the initiation fee set out in Section 11(a) of these bylaws.

(Article B.8.1)

(b) **Approval of Membership**

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

(Article B.8.2)

(c) **Oath of Membership**

New members will take this oath:

*“I, \_\_\_\_\_, promise to support and 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) **Withdrawal and Transfer of Membership**

Local 3166 will issue a withdrawal card to any member in good standing who leaves employment in the jurisdiction of the Local Union to work in the jurisdiction of another union that is chartered by or affiliated to a central labour body and approved by the National Executive Board. If the member returns to employment within the jurisdiction of the Local Union, the member will not be required to pay an initiation fee.

Local 3166 will issue a transfer card to any member in good standing who leaves employment in the jurisdiction of the Local Union to work in the jurisdiction of another Local Union. Local 3166 will recognize transfer cards issued by other Local Unions if the card is on the form provided by the National Union. A member with a transfer card is not required to pay an initiation fee when they take up employment in the jurisdiction of the Local Union. Local 3166 can accept transfer cards from other unions, if the union has been approved by the National Executive Board.

(Articles B.9.1 and B.9.2)

(f) **Retired Members**

A member who has reached retirement age or is unable to work can apply to the Secretary-Treasurer of Local 3166 for an Honorary Retiring Card when they leave employment. If the member is in good standing, members of the Local Union will vote on the application at a regular membership meeting. If a majority of members vote in favour of the application, the Secretary-Treasurer will send the name and address of the retiring member to the National Secretary-Treasurer who will issue the Retiring Card.

A member who holds an Honorary Retiring Card is not required to pay dues to the Local Union nor per capita tax to the National Union and can attend and speak at membership meetings of Local 3166, but cannot vote. All members of Local 3166 who hold an Honorary Retiring Card can join a Retired Members' Association in the area.

(Articles B.7.1 and B.10.1)

(g) **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 employee number, current address, home or mobile 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, social media, video conferencing 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, CUPE Ontario or OSBCU. The purpose of sharing this telephone contact information with CUPE National, CUPE Ontario or OSBCU is so that the National Union or Provincial Division can conduct a telephone town hall with members on important matters.

**(h) Conduct of Members and Officers**

All members must uphold the oath of membership and all officers must uphold the oath of office. Conduct that violates the oath of membership or oath of office is an offence against the Bylaws of Local 3166 and the CUPE Constitution and punishable under the Trial Procedure.

(Articles B.1.4, B11.1 and Appendix F)

## **SECTION 5 – AFFILIATIONS**

In order to strengthen the labour movement and work toward common goals and objectives, Local 3166 shall have the option to be affiliated to and pay per capita tax to the following organization(s):

- The CUPE Ontario Provincial Division
- The Halton & District CUPE Council
- The Ontario Federation of Labour (OFL)
- The Oakville & District Labour Council (ODLC)
- The Ontario School Board Council of Unions (OSBCU)

## **SECTION 6 – MEMBERSHIP MEETINGS**

**(a) Regular Membership Meetings**

Regular membership meetings of Local 3166 shall be held on a Saturday in January, May and October at a central location within Halton Region. Notice of each

regular membership meeting outlining the date, time, location and agenda shall be given to members at least seven days in advance of the meeting. The Executive Board shall have the right to hold virtual meetings, using a secure telephone or video conferencing platform and telephone or online voting platform, in place of in-person meetings when deemed necessary.

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

(b) **Special Membership Meetings**

Special membership meetings of Local 3166 may be required, and shall be called by the Executive Board or may be requested in writing by no fewer than fifty (50) 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. The Executive Board shall have the right to hold virtual meetings, using a secure telephone or video conferencing platform and telephone or online voting platform, in place of in-person meetings when deemed necessary. The minimum number of members required to be in attendance for the transaction of business at any special meeting shall be five (5) members, plus two (2) members of the Executive Board.

(c) **Quorum**

The minimum number of members required to be in attendance for the transaction of business at any regular meeting shall be ten (10) members, plus three (3) members of the Executive Board.

(d) **Membership Meeting Agenda**

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

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

13. New business
14. Good of the Union
15. Adjournment

(Article B.6.1)

(e) **Bargaining Unit Meetings**

Bargaining Unit meetings may be called to deal with matters that affect only members of the 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 and the National Representative assigned to the Local Union at least seven days in advance of the meeting providing the time and location and an agenda. The Executive Board shall have the right to hold virtual meetings, using a secure telephone or video conferencing platform and telephone or online voting platform, in place of in-person meetings when deemed necessary.

The minimum number of members required to be in attendance for the transaction of business at any bargaining unit meeting shall be five (5) bargaining unit members plus two (2) 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) **Ratification Meetings**

Once there is a tentative collective agreement in bargaining a ratification meeting will be held. The proposed agreement will be distributed to all members prior to or at the meeting where it will be discussed in detail. The President shall advise members of the bargaining unit and the National Representative assigned to the Local Union at least twenty-four (24) hours in advance of the meeting, providing the time and location.

The Executive Board will, subject to the approval of the members present, appoint members of the Local Union who are not on the Negotiating Committee to act as scrutineers. These members 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.

The Executive Board shall have the right to hold virtual ratification votes using a secure video conferencing platform and online voting platform in place of in-person ratification votes when deemed necessary. The Executive Board will determine the form of the ballot and ensure that sufficient quantities are made available in good time. The Scrutineer Committee will be responsible for issuing, collecting, and counting ballots. The Chief Scrutineer must be fair and impartial and see that all arrangements are unquestionably democratic. The proposed collective agreement shall be deemed ratified when a majority of votes cast are in favour.



Upon ratification, the Local Union will send one signed copy of each collective agreement to the National Office at the end of negotiations. If possible, the collective agreement will be sent electronically.

(g) **Strike Vote Meetings**

Prior to or upon the commencement of central or local bargaining a strike vote meeting will be held. Information regarding the reasons for the strike vote will be distributed to all members prior to or at the meeting where it will be discussed in detail. The President shall advise members of the bargaining unit and the National Representative assigned to the Local Union at least twenty-four (24) hours in advance of the meeting, providing the time and location.

The Executive Board will, subject to the approval of the members present, appoint a Scrutineer Committee consisting of a Chief Scrutineer and assistant(s). The Scrutineer Committee will include members of the Local Union who are not on the Negotiating Committee. The Scrutineer 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.

The Executive Board shall have the right to hold virtual ratification votes using a secure telephone or video conferencing platform and telephone or online voting platform in place of in-person ratification votes when deemed necessary. The Executive Board will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Chief Scrutineer. The Scrutineer Committee will be responsible for issuing, collecting, and counting ballots. The Chief Scrutineer must be fair and impartial and see that all arrangements are unquestionably democratic. The strike vote shall be deemed approved when a majority of votes cast are in favour.

## **SECTION 7 – OFFICERS**

The Officers of Local 3166 shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, two (2) Unit Chairs, one from each of 3166.00 (Unit A) and 3166.01 (Unit B), up to two (2) Unit 3166.00 (Unit A) Stewards, up to two (2) Unit 3166.01 (Unit B) Stewards and three (3) Trustees.

(Articles B.2.1 and B.2.2)

(a) The Membership of CUPE Local 3166 shall grant the following release, as per the collective agreement, without loss of wages, benefits or seniority, for CUPE Local 3166 Officers to perform the duties of the Union:

- President - Full-time release up to 12 months, at the highest Local 3166 salary level, up to forty (40) hours per week, member numbers permitting:
  - Ten (10) months at up to twenty (20) hours per week for 200 to 299 members

- Ten (10) months at up to thirty-five (35) hours per week for 300 to 399 members
- Ten (10) months at up to forty (40) hours per week for 400 to 499 members
- Twelve (12) months at up to thirty-five (35) hours per week for 500 to 600 members
- Twelve (12) months at up to forty (40) hours per week for over 600 members

If the President cannot perform their duties due to an extended sick leave, they must return to their Board position and forfeit their release time.

- Vice-President - Up to one (1) complete day per week
- Secretary Treasurer - Up to one (1) complete day per month
- Recording Secretary - Up to one (1) complete day per month

(b) The Membership of CUPE Local 3166 shall grant all CUPE Local 3166 Officers the use of any of the above release days at the discretion of the Union President, as per the collective agreement, to perform the duties of the Union without loss of wages, benefits or seniority. Such release time must be taken in either half day or full day increments.

## **SECTION 8 – EXECUTIVE BOARD**

(a) The Executive Board shall include all Officers, except Stewards and Trustees.

(Article B.2.2)

(b) The Executive Board shall meet at least four (4) times per year. The President shall advise members of the Executive Board and the National Representative assigned to the Local Union at least twenty-four (24) hours in advance of the meeting, providing the time and location. The Executive Board shall have the right to hold virtual meetings, using a secure telephone or video conferencing platform and telephone or online voting platform, in place of in-person meetings when deemed necessary.

(Article B.3.14)

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

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

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

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

(Article B.2.5)

## **SECTION 9 – DUTIES OF OFFICERS**

Each Officer of Local 3166 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise. Executive Board Officers shall have preference as delegates to all CUPE conventions, conferences, leadership meetings, and educationals.

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 3166 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)

The Signing Officers shall be the Secretary-Treasurer, President and up to two (2) Executive Board Officers. Among these officers, there must be at least one representative from each bargaining unit.

### **(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.
- The President, or designate, shall be the only spokesperson for the Local with the communications media.

- Receive all communications to the Local and shall send out all communications from the Local in consultation with the Recording Secretary.
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership.
- Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.
- Be a signatory to all official documents.
- Develop and maintain Local 3166 website and social media in consultation with the Recording Secretary.
- Have first preference as a delegate to all CUPE conventions, conferences, leadership meetings, and educationals.
- Attend Local Executive Training, Health & Safety, Steward and any other Union training courses, as required.
- Render assistance to any member of the Executive as directed by the Executive Board.
- Perform other duties required by the Local Union, its bylaws or the National Constitution.

(Article B.3.1)

**(b) Vice-President**

The Vice-President shall:

- If the President is absent or not eligible, perform all duties of the President.
- Preside over membership and Executive Board meetings in the absence of the President.
- If the office of the President falls vacant, be Acting President until a new President is elected through a by-election.
- Render assistance to any member of the Executive as directed by the Executive Board.
- Attend Labour Management meetings, as required.
- Act as Chief Steward:

- i. Coordinate all grievances within each Unit in consultation with the President
  - ii. Process all grievances according to the Collective Agreement in consultation with the President
  - iii. Present grievances to Management, as required
  - iv. Attend grievance and disciplinary meetings and attend grievance mediation, as required
  - v. Assist with the preparation of documentation for arbitration and attend arbitration hearings, as required
  - vi. Assist the President and Recording Secretary in keeping accurate files on all grievances including recording and filing all correspondence relating to grievances
  - vii. Organize, assist and offer advice to Stewards in addressing Member concerns both within and outside of the grievance process
  - viii. Keep the Executive Board and Grievance Committee informed about the status of all grievances
- Act as Health & Safety / Return to Work Officer:
    - i. Inform the members of the Local of their rights and responsibilities and offer assistance in regards to their claims.
    - ii. Review all WSIB claims and reports in consultation with the President.
    - iii. Assist the President and Recording Secretary in keeping accurate files on all WSIB claims and reports and in preparing all forms for referral to a National WSIB representative.
    - iv. Assist the President and Recording Secretary in maintaining a current list of certified worker representatives of the Joint Health and Safety Committee at each Board location.
    - v. Review health and safety concerns and complaints in consultation with the President and carry issues forward to Labour Management.
  - Attend Local Executive Training, Health & Safety, Steward and any other Union training courses, as required.
  - Perform other duties required by the Local Union, its bylaws or the National Constitution.

(Article B.3.2)

**(c) Recording Secretary**

The Recording Secretary shall:

- Keep a full, accurate, and impartial account of the proceedings of all membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.
- Record and number all motions, resolutions and amendments as presented at all membership and Executive Board meetings with the names of all movers and seconders.
- Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval prior to implementing.
- Possess a master copy of the CUPE Constitution and Local Bylaws and have available at all membership and Executive Board meetings.
- Keep a record of all correspondence received and sent out.
- In consultation with the President:
  - i. Prepare and distribute all notices to members
  - ii. Receive and answer correspondence
  - iii. Maintain a record of contact information for all members
  - iv. Arrange for all bookings of halls and rooms for meetings
  - v. Develop and maintain Local 3166 website and social media
- Have all records ready on reasonable notice for the Trustees or auditors.
- Maintain the record of membership attendance at meetings.
- Be responsible for the Attendance Roll Call Book.
- Provide, prior to the next membership meeting, an accurate list of all members who were in attendance at the previous membership meeting.
- Record the names of new members attending meetings and advise the President at the commencement of the meeting.
- Be responsible, in consultation with the President and the Membership Committee, to implement the Orientation program, including sending each new member a Local Orientation Brochure and Welcome Letter.

- Be a signatory to all official documents when required.
- Attend Union Local Executive Training, Recording Secretaries and any other Union training courses, as required.
- Preside over membership and Executive Board meetings in the absence of both the President and Vice-President.
- Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union's funds.
- Render assistance to any member of the Executive as directed by the President.
- Fulfil other administrative duties as directed by the Executive Board.
- Perform other duties required by the Local Union, its bylaws or the National Constitution.
- Act as Membership Officer when required.

(Article B.3.3)

**(d) Secretary-Treasurer**

The Secretary-Treasurer shall:

- Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union.
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences.
- Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
- Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.

- Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by an expense form. 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.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union's funds.
- Notify all members who are one month in arrears and report to the Executive Board all members two or more months in arrears in the payment of union dues.
- Attend Union Local Executive Training, Financial Officers and any other Union training courses, as required
- Render assistance to any member of the Executive as directed by the President.
- Perform other duties required by the Local Union, its bylaws or the National Constitution.

(Articles B.3.4 to B.3.8)

**(e) Unit Chairs**

The Unit Chairs shall:

- Attend Labour Management and any Board Committees for their respective unit
- Attend Union Local Executive Training, Steward and any other Union training courses, as required
- Render assistance to any member of the Executive as directed by the Executive Board.
- Perform other duties required by the Local Union, its bylaws or the National Constitution.

(Article B.3.2)

**(f) Unit Stewards**



The Unit Stewards shall:

- Act as Membership Officer at all membership meetings.
- 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.
- Assist in maintaining the record of Membership attendance at meetings.
- Assist the Chief Steward with member concerns, complaints and grievances, as requested.
- Report to the Chief Steward regarding member concerns.
- Act as a mediator when members are in conflict with each other.
- Help the Local effectively lobby on behalf of the members.
- Attend Steward and any other Union training courses, as required.
- Render assistance to any member of the Executive as directed by the Executive Board.
- Perform other duties required by the Local Union, its bylaws or the National Constitution.

(g) **Trustees**

The Trustees shall:

- Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer.
- Make a written report of their findings following the completion of each audit. The written report will include:
  - i. The condition of the funds and accounts.
  - ii. The number of members in good standing, admitted, expelled, suspended or withdrawn.
  - iii. Any information that the Trustees find necessary for the honest and efficient administration of the Local Union.
  - iv. A copy of the written report made to the President and Secretary-Treasurer.
  - v. A copy of the written response of the Secretary-Treasurer.
- Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.

- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union, and report their findings to the membership.
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
  - i. Completed Trustee Audit Program
  - ii. Completed Trustees' Report
  - iii. Secretary-Treasurer Report to the Trustees
  - iv. Recommendations made to the President and Secretary-Treasurer of the Local Union
  - v. Secretary-Treasurer's response to recommendations
  - vi. Concerns that have not been addressed by the Local Union Executive Board.
- Attend Financial Officers and any other Union training courses, as required.
- Perform other duties required by the Local Union, its bylaws or the National Constitution.

(Articles B.3.10 to B.3.12)

## **SECTION 10 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

### **(a) Nominations**

1. Nominations will be received at the regular membership meeting held in the month of May. The Executive Board shall have the right to hold virtual nominations using a secure telephone or video conferencing platform and telephone or online voting platform in place of in-person nominations when deemed necessary.
2. Nominations will be accepted from members in attendance at the nomination meeting. Those nominated must be present at the meeting in which the Election is being held.
3. To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.
 

(Articles B.8.1, B.8.2 and B.8.3)
4. A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.

5. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

(b) **Elections**

1. The President, Vice-President, Recording Secretary and Secretary-Treasurer are elected every two years.
2. At the May membership meeting when elections take place, the President will, subject to the approval of the members present, appoint an Elections Committee consisting of a Chief Returning Officer and assistant(s). The committee will include members of the Local Union who are neither Officers nor candidates for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union. The Executive Board shall have the right to hold virtual elections using a secure telephone or video conferencing platform and telephone or online voting platform in place of in-person elections when deemed necessary.
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 the regular membership meeting in May. The vote will be by secret ballot.
6. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
7. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will be taken if necessary to obtain a majority. On the second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot will be dropped.
8. In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
9. When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

(Article 11.4)

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

(c) **Bargaining Unit Elections**

Nominations and elections for bargaining unit positions will take place after the elections outlined in Section 10(b). Bargaining unit nominations and elections will be conducted for the following positions:

- Unit A: Clerical & Technical - Unit Chair and up two(2) Unit Stewards
- Unit B: Custodial & Maintenance - Unit Chair and up to two(2) Unit Stewards

The voting will take place at a bargaining unit membership meeting by secret ballot. 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. The Executive Board shall have the right to hold virtual nominations and elections using a secure telephone or video conferencing platform and telephone or online voting platform in place of in-person nominations and elections when deemed necessary.

(d) **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.  
(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))

(e) **By-elections**

Should an office fall vacant for any reason, the resulting by-election should be conducted as closely as possible in conformity with this section. The term of office for any position filled through a by-election will be the term that the vacated position was initially elected to fulfill. The Executive Board shall have the right to hold virtual by-elections using a secure telephone or video conferencing platform and telephone or online voting platform in place of in-person by-elections when deemed necessary.

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

(a) **Initiation Fee**

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. Each application for membership in the Local Union will be directed to the Secretary-Treasurer and will 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.

(Articles B.4.1 and B.8.2)

(b) **Readmission Fee**

The readmission fee shall be one (\$1.00) dollar.

(Article B.4.1)

(c) **Monthly Dues**

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

(Article B.4.3)

(d) **Amending Monthly Dues**

The regular monthly dues may be amended at a regular or special membership meeting. The vote must be by secret ballot. Notice of at least seven (7) days at a previous meeting or sixty (60) days in writing must be given. Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above 0.94%, these bylaws will be deemed to have been automatically amended by an equal amount.

(Article B.4.3)

**(e) Assessments**

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

(Article B.4.2)

**(f) Local Strike Fund**

Local 3166 shall have the option to place a percentage of dues into a Local Strike Fund for strike benefits and campaigns to avert strikes. The percentage of dues directed to the Strike Fund will be re-assessed by the Executive Board on a yearly basis. The Strike Fund dues percentage 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.

**(g) Long-Term Disability Plan**

Local 3166 shall have the option, as per the collective agreement, to maintain mandatory member enrollment in a Long-Term Disability (LTD) plan. The Executive Board will assess the viability of the plan and review other LTD plan options on a yearly basis. Members may be required to provide their age to be used anonymously for pricing estimates of alternative plans. The LTD plan 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.

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

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying 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 13 – EXPENDITURES**

**(a) Payment of Local Union Funds**

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

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

(Article B.4.4)

**(b) Payment of Per Capita Tax and Affiliation Fees**

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

**(c) Payment of Local Union Funds to Members or Causes Outside of CUPE**

In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than \$100, a notice of motion must be made at a regular membership meeting and then approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven days after the meeting where notice of motion has been given.

- (d) No Officer or member of Local 3166 will be allowed to spend any Local Union funds without first having received authorization under Section 13(a) of these bylaws.

**SECTION 14 – OUT-OF-POCKET EXPENSES**

Local Union Officers and committee members shall be provided an out-of-pocket expense allowance as follows:

- (a) All out of pocket expenses incurred for the transaction of Union business, including mileage, must be submitted using the official CUPE Expense Voucher with original receipts, verified by the Secretary Treasurer and reported to the Membership.

All out of pocket expenses are to be submitted monthly and will be paid monthly. It is the expectation of the Local Union that Officers and committee members will deposit their reimbursements in a timely manner.

- (b) Mileage will be paid as per the Canadian Revenue Agency (CRA) car fixed rate for all mileage and operating costs to Officers and Committee Members performing Union business
- (c) The Local Union shall have a credit card, to be utilized for union business only, with a maximum limit not to exceed seven thousand five hundred (\$7,500.00) dollars (to be reviewed annually in the Trustee Report). This credit card will be held by the President who must submit any receipt attached to an expense voucher to the Secretary-Treasurer each month. The credit card must not have a cash advance option activated. All expenses must be approved by membership.



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

Caring for children, dependents or the elderly are barriers to attending membership meetings, not including virtual meetings. Local 3166 is committed to removing barriers within its control so that all members have equal access to participation.

- (a) When it is practical and demand warrants, Local 3166 will provide on-site child care at Local Union membership meetings. Where on-site child care is not provided, and in the case of dependent care or elder care, members will be reimbursed to a maximum of the living wage for the area for each hour of required care. Reimbursement will be provided upon proof of payment.
- (b) Any member who is on authorized Local 3166 business shall be eligible for child care, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of the living wage for the area for each hour of care required.
- (c) Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

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

- (a) Except for the President's option [Section 9(a)] and one (1) appointed member from each bargaining unit agreed to by the executive, all delegates to conventions, conferences, and leadership meetings shall be chosen by election at membership meetings.

Prior to any election, the Executive Board shall make recommendations to the membership regarding attendance at all conventions, conferences and leadership meetings. This recommendation will include whether or not to attend, how many attendees and which members should attend. The Executive Board will provide the full expected cost of their recommendation.

In the case of rejection of the Executive Board's recommendation, the membership shall nominate and elect the required number of delegates, but not more than the maximum allotted delegates.

- (b) If the Union chooses to be a member of a District CUPE Council, delegates shall be appointed annually. 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) If the Union chooses to be a member of a District Labour Council shall be appointed annually. 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 report at each Local Union membership on proceedings at recent meetings of the Council. The Local Union will reimburse the member's employer for any loss of wages.
- (d) All delegates attending conventions, conferences, leadership meetings or educationals held outside the Region of Halton shall be paid transportation expenses (at economy, tourist or coach rates) as determined by the Secretary-Treasurer or mileage as per Section 14, and a per diem allowance of up to ninety (\$90.00 per day) dollars for meals and expenses. The Local Union will reimburse the member's employer for any loss of wages. It is understood that unforeseen expenses may occur and can be reimbursed upon membership approval.
- Any delegate attending conventions, conferences, leadership meetings and educationals outside of the Region of Halton shall have reasonable accommodation made on their behalf, when deemed necessary by the Executive Board and approved by the membership. Whenever possible, shared accommodation should be encouraged.
- (e) Delegates to conventions, conferences, leadership meetings and educationals held locally shall have no travel allowance. All meal and mileage expenses incurred by attendance at the convention, conference, leadership meeting or educational shall be submitted with original receipts. The Local Union will reimburse the member's employer for any loss of wages.
- (f) Local 3166 will provide members with their per diem allowance prior to their attending the convention, conference, leadership meeting or educational.
- (g) Local 3166 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.
- (h) When traveling to conventions, conferences, leadership meetings and educationals, delegates should car-pool whenever possible.

All mileage for delegates attending conventions, conferences, leadership meetings and educationals shall be paid, as per section 14.

## **SECTION 17 – COMMITTEES**

### **(a) Special Committees**

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

## **Negotiating Committee**

This will be a special committee established for each bargaining unit 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 Negotiating Committee shall develop a survey for each bargaining unit to gather input from members for bargaining. This survey shall take place in each Unit and the committee shall present a report on the Local Union's bargaining priorities for each Unit, based on all surveys gathered. The Negotiating Committee shall meet at least monthly to develop proposals and prepare for bargaining.

The committee shall consist of the President as Chairperson, one (1) appointed member of the Executive Board, the Unit Chair, and two (2) members of the unit elected at a membership meeting. 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.

All members of Local 3166's negotiating committee shall attend Level 1 and Level 2 of CUPE's collective bargaining educationals and any other Union bargaining training, as required.

## **Mobilizing Committee**

This will be a special committee established for each bargaining unit 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 engage members before bargaining begins, and throughout the bargaining process. The Mobilizing Committee shall keep members informed during bargaining, recruit and organize strike captains and develop and implement strike actions.

The committee shall consist of the elected Chairperson, appointed members of the Executive Board not on the Negotiating Committee, and members of the unit elected at a membership meeting. The President shall be a member, ex-officio, of each committee. 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. All members of Local 3166's mobilizing committee shall attend Union bargaining and mobilizing training, as required.

### **(a) Permanent Committees**

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

provide written reports to each regular membership meeting. The President shall be a member, ex-officio, of each committee.

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 members will be the Vice President as chairperson, the Unit Chairs and two (2) stewards, one (1) from Unit A and one (1) from Unit B. 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. All members of Local 3166's grievance committee shall attend CUPE's Introduction to Stewarding training course and any other Union steward training, as required.

### **2. Bylaw Committee**

This committee will:

- Review the bylaws every two (2) years if warranted and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.
- Ensure that the Local Union's bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.

The committee members will be the Secretary Treasurer, the Unit Chairs and two (2) members, one (1) from Unit A and one (1) from Unit B. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process. All members of Local 3166's bylaw committee shall attend CUPE's bylaw educationals and any other Union training courses, as required.

### 3. **Workplace Committee**

This committee will:

- Review and address all issues related to the workplace, bring concerns forward to Labour Management and work to correct conditions causing grievances and misunderstandings.
- Review job descriptions for newly created and existing positions and address any issues related to employee workloads.
- Work to educate members on the importance of workplace health and safety, promote safe work procedures and environments to prevent illness and injury and advocate for the elimination of all workplace hazards, be they physical, environmental, or social.
- Immediately bring to the attention of the employer any workplace hazard that has the potential to cause members' illness or injury.
- Advocate for a central Joint Workplace Health & Safety Committee to oversee all site based health and safety committees in HCDSB.
- Review Sick Leave and Attendance Support Program processes and address any issues related to Sick Leave, Attendance Support and Leaves of Absence.
- Review types of employee assistance and wellness services needed by members and address any issues related to employee assistance and wellness programs.
- Review types of professional development needed for each job classification in the Local Union and address any issues related to training and PD.
- Review the agendas for Custodial & Maintenance PD Day Training days and advocate for PD Day Training for all Clerical and Technical members.
- Review and address Pensions and Employee Benefits issues, including Long Term Disability (LTD) plan issues.
- Review retirement orientation, OMERS presentations and address any retirement related issues.

- Advocate for improvements to uniforms and personal protective equipment (PPE).
- Prepare and present reports to the regular membership meetings

The committee members for each bargaining unit will be the President as chairperson, two (2) appointed members of the Executive Board, the Unit Chair and one (1) Unit Steward. The committee shall appoint its secretary from among its members. All members of Local 3166's workplace committee shall attend any Union training courses, as required.

#### 4. **Membership Committee**

This committee will:

- Gather information about appropriate courses, the availability of courses, and make recommendations to the Local Union on whether or not members should be attending.
- Assist delegates in the preparation of reports to the membership on conventions, conferences, leadership meetings and educationals, and assist the Recording Secretary in maintaining a reference file of these reports.
- Maintain a record of all retirees in consultation with the Recording Secretary
- Assist the Recording Secretary in preparing and distributing all required notices to retirees.
- Extend the Local Union's support to any member or one of their immediate family who has fallen ill or is in need and compose personal appeals, when appropriate, in consultation with the Recording Secretary
- Extend the Local Union's condolences in the event of the death of a member or one of their immediate family, and make other appropriate gestures in accordance with custom or the wishes of the family concerned. This will be carried out in consultation with the President and Recording Secretary.
- Prepare and present reports to the regular membership meetings.
- 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 for all social, cultural, and recreational events and activities shall be self-supporting.

The committee members will be the Unit Chairs and three (3) members with at least one (1) member from Unit A and one (1) from Unit B. The committee shall appoint its chairperson and secretary from among its members. All members of Local 3166's membership committee shall attend any Union training courses, as required.

## 5. Political Action Committee

This committee will:

- Advise and give guidance to Officers, committee members, and the general membership on all issues that affect all equity-seeking groups, including women, Indigenous peoples, racialized people, and people with disabilities in the workplace and the union movement.
- Support the active participation and promote the leadership of equity-seeking workers at the Local Union level and in the broader labour movement.
- Strive to eliminate all forms of intolerance, discrimination and violence in the workplace, Local Union, broader labour movement, and society through education and participation in activities such as human rights and anti-racism campaigns both in and outside of the labour movement.
- Advise and give guidance to Officers, committee members and the general membership on all issues that affect women in the workplace and the union movement.
- Plan and organize political action campaigns in consultation with the President and encourage member activism in joining and supporting existing campaigns around worker rights and human rights.
- Prepare and present reports to the regular membership meetings.

The committee members will be the elected chairperson, the Unit Chairs and two (2) Unit Stewards. The committee shall appoint its chairperson and secretary from among its members. All members of Local 3166's political action committee shall attend any Union training courses, as required.

## **SECTION 18 – COMPLAINTS AND TRIALS**

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

(Articles B.11.1 to B.11.5 and Appendix F)

## **SECTION 19 – RULES OF ORDER**

All meetings of the Local Union will be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and

fair debate are appended to these bylaws as Appendix C. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

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

## **SECTION 20 – AMENDMENTS**

### **(a) CUPE Constitution**

These bylaws are always subordinate to the CUPE Constitution (including Appendix B) as it now exists or may be amended 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)

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

Members will receive a copy of Local 3166 bylaws, either in paper format, as an electronic document via e-mail or via the Local Union website. Members requesting a copy of these bylaws will be provided a copy in English as requested. Members with special needs may request a copy of the bylaws in larger font.

# 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 3166 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 3166 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 3166 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 3166 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 3166 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 3166 sets out standards of behaviour for members at meetings, and all other events organized by Local 3166. 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 3166 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 3166, 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.

# Appendix D

## ACKNOWLEDGEMENT OF INDIGENOUS TERRITORY

Indigenous territory guide, interactive map and territorial acknowledgement guide:  
<https://native-land.ca/>

This acknowledgement was created with Elders and knowledge keepers from the Mississaugas of the Credit and with the Halton District School Board Instructional Program Lead for First Nations, Métis and Inuit education.

Remember that many, many bands and Nations traveled across the land we are on prior to the contact with European settlers who established colonies. In this acknowledgement we are honouring the Indigenous peoples who we know were present at the time and therefore is not inclusive of all the peoples who lived and traveled on these lands before first contact with Europeans.

All non-indigenous peoples are in fact newcomers to the land we are on and what we refer to as Canada.

The following Acknowledgement of the Land and Territory is to be read aloud at the beginning of all membership and executive meetings of CUPE Local 3166:

*"Halton as we know it today is rich in history and modern traditions of many First Nations and the Métis. From the Anishinabe (Aw-nishi-naw-bay) to the Attawandaron (At-tah-wahn-da-ron), the Haudenosaunee (Haw-den-oh-show-nee), and the Métis - these lands surrounding the Great Lakes are steeped in Indigenous history.*

*As we gather today on these treaty lands we have the responsibility to honour and respect the four directions, land, waters, plants, animals, ancestors that walked before us, and all the wonderful elements of creation that exist.*

*We would like to acknowledge and thank the Mississaugas of the Credit First Nation for sharing their traditional territory with us."*