



CANADIAN UNION OF PUBLIC EMPLOYEES

LOCAL 411

BY-LAWS

CUPE Local 411
(Chilliwack Schools District 33)
BY-LAWS

Introduction

This Local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed ~~in order~~ to:

- Improve the social and economic welfare of ~~it's~~ ~~its~~ members;
- Promote equality for all workers, regardless of belief, disability, gender, sex, colour, race, creed, or any other protected characteristic recognized by the CUPE National Constitution and applicable legislation.
- Advance fairness and to promote efficiency in public employment; and to manifest it's
- Affirm belief in the strength and value of the of unity and solidarity within organized labour,.

~~this Local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.~~

~~These~~ The following bylaws are adopted by the Local pursuant to in accordance with and as a to supplement to Appendix "B.V" of the CUPE constitution, to:

- To safeguard the rights of all members,;
- To provide for ensure effective, responsible, and transparent administration of the Local;
- and to involve as many members as possible encourage broad member participation through the equitable sharing of duties and responsibilities.

Section 1 - NAME

The name of this Local shall be: ~~Canadian Union of Public Employees, Local 411 Chilliwack Schools~~ CUPE 411 – Chilliwack School District #33.

Section 2 – OBJECTIVES

Secure the best possible pay, benefits, working conditions, job security, pensions, and retiree benefits for its members;

To promote ~~such~~ educational and other activities as may assist the members of the Local.

To abide by the National Constitution ~~which will safeguard and promote and uphold the~~ principles of free collective bargaining, ~~the rights of workers' rights,~~ and ~~the~~ security and welfare of all, through support of CUPE's ~~the overall programme~~ program of CUPE.

To protect the labour movement from any and all corrupt influences and totalitarian agencies which are opposed to the basic principles of our democracy and free democratic unionism.

Encourage the settlement by negotiation and mediation of all disputes between the members and their employers.

~~To secure adequate remuneration for work performed.~~

By all legal and proper means to elevate the moral, intellectual, economic and social conditions of all workers in general and of this membership in particular.

Section 3 **MEMBERSHIP**

(a) Membership

~~Any person who is employed within the jurisdiction of this union shall become a member.~~

An individual employed within the jurisdiction of Local 411 can apply for membership in Local 411 by signing an application and paying the initiation fee set out in Section 4(b) of these bylaws.

~~All employees shall be required to pay as a condition of continued employment his/her initiation fee.~~

(b) Approval of Membership

The names of applicants are read out at the first regular membership meeting after the application for membership has been submitted. Unless there is an objection supported by a majority of members present, the applicants are accepted. If an applicant is rejected, any fee will be returned to the applicant.

(c) Oath of Membership

New members will take this oath:

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

(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.

(e) Member Obligations

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

Members will provide the Recording Secretary with their current address, home telephone contact number and where available, an e-mail address. The member will advise the Recording Secretary of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of mail, e-mail blasts, or telephone town halls.

Section 4

INITIATION FEES AND DUES

a) Initiation Fee

The initiation fee shall be established from time to time at a Regular Membership meeting.

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 \$10.00 dollars which shall be in addition to monthly dues. ~~The fee is currently \$10.00.~~

~~Union Dues~~ The regular, regular part time and temporary Employees' Union Dues payable shall be established from time to time by a Regular Membership meeting; but in any event shall not be less than the per capita taxes levied. Monthly dues currently are 1.75%.

Upon receipt by the Treasurer of application for membership into the Local, the initiation fee will be deducted by payroll and forwarded to the Union. If application is rejected the fee shall be returned.

No initiation fee shall be charged ~~to~~ any applicant for membership in this Union if ~~said~~ ~~the~~ applicant: ~~has an honourable transfer from and is a paid up member of any other local which is affiliated with CUPE.~~

- Has an honourable transfer from another CUPE-affiliated Local; and
- Is a paid-up member in good standing of that Local.

b) ~~Re admittance~~ Readmission Fee

The ~~re admittance~~ readmission fee shall be the same as the initiation fee.

~~Changes in the levels of the Initiation Fee, the Re-admission Fee, or the Monthly Dues may be amended at a regular or special membership. 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.~~

c) Monthly Dues

The monthly dues shall be 2.00 % of gross wages.

d) Amending Monthly Dues

The regular monthly dues may be amended at a regular or special membership meeting or by referendum vote. Notice of at least seven days at a previous meeting or 60 days in writing must be given.

e) Honourary Life Memberships

~~The membership may confer an~~ A member who holds an Honourary Life Membership ~~upon a member who has rendered valued service to CUPE Local 411 this Union.~~ Such Honourary Life Membership ~~member~~ shall, after the member has ceased to become an Active Member, entitle the holder to ~~can~~ attend all meetings, functions, etc., ~~but shall not entitle the holder to~~ ~~but cannot speak, vote, or hold office.~~

Section 5 OFFICERS

The Officers of Local 411 shall be the President, Vice-President, Recording Secretary, Secretary-Treasurer, Membership Officer, two (2) Lead Shop Stewards, and three (3) Trustees.

Section 5 6 OFFICERS COMMITTEES DUTIES EXECUTIVE BOARD

- a) The Executive Board shall include all Officers, except Trustees and the Membership Officer.
- b) The Executive Board shall meet at least ten (10) times per year.
 - See section __ for more information about meetings.
- 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.

~~The Executive Board shall administer and carry out all work delegated to it by the Local and receive, consider and report on all grievances made by members as submitted by the Grievance Committee. Grievances must in all cases be in writing on the forms provided by the Canadian Union of Public Employees.~~

- 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.

Be available to attend courses or workshops that enhance your ability to perform your duties and support the membership.

Prepare reports for the executive and membership.

~~All charges against members or officials shall be made in writing and handled in accordance with Article B. 11.2 of the National Constitution.~~

~~The term of office for Executive Board members shall be not less than two years for both President (commencing May 2008) and 1st Vice President (commencing May 2009).~~

~~The term of office for Shop Stewards shall be not less than two years. In the case where there are two Shop Stewards in a Division, the positions will be elected alternately (commencing May 2014).~~

~~The term of office shall be not less than one year for the remaining executive members. One term of office for any executive member cannot exceed three years. A letter of resignation may be put forth by such member with at least one calendar month's notice of resignation.~~

No member may hold more than one elected position on the Executive Board.

The elected ~~Table Officers~~ Executive of the Local Union shall consist of:

- President – two-year term, even years
- ~~1st~~ Vice President – two-year term, odd years
- ~~2nd Vice President~~
- Recording Secretary – two-year term, even years
- Secretary-Treasurer – two-year term, odd years
- ~~Chief~~ Lead Shop Steward (Inside Workers: Assistants, Clerical) – two-year term, even years
- Lead Shop Steward (Outside Workers: Custodial, Maintenance, Transportation) – two-year term, odd years

The other elected Officers of the Local Union shall consist of:

- Trustees (3) – three-year term, alternating
- Membership Officer – two-year term, odd years

~~Shop Stewards:~~

- Assistants (2): ~~Education Assistant, Supervision Assistant, Chef Assistant and Aboriginal Education Assistant (2)~~
- Clerical (2)
- Custodial (2)
- Maintenance (1)
- Transportation (1)

Section 7 DUTIES OF OFFICERS

Each Officer of Local 411 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

Regularly attend ~~all~~ meetings of the executive.

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

All signing Officers of Local 411 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from signing authority.

a) PRESIDENT

~~It shall be the duty of~~ The President ~~shall~~ ~~to~~:

- Preside at ~~all~~ membership, executive, and special meetings and preserve order.
- ~~To preserve order and~~ Enforce the CUPE National Constitution, ~~and~~ these local bylaws and the Equality Statement.
- Introduce new members and conduct them through the initiation ceremony.
- Interpret these bylaws as required.
- ~~To see~~ Ensure that all officers perform their ~~respective~~ assigned duties.
- ~~To fill~~ committee vacancies ~~on committees~~ where elections are not provided for. ~~and to~~
- Decide all ~~questions~~ points of order and procedure, (subject always to an appeal to the by a membership). ~~of the Local (but shall not vote on such appeal)~~
- Announce the results of all votes.
- ~~Have the power to call special meetings when requested in writing by the executive board.~~
- Have ~~a~~ the same right to vote as others. ~~on all matters, and in the case of a tie vote he or she also has the right to cast the deciding ballot.~~ 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.
- ~~Sign all orders on the Treasury for such money as shall, by the Constitution and By Laws, or by vote of the Local, be ordered paid.~~
- Sign all cheques and ensure 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.
- ~~Sign all cheques and drafts on bank or credit union.~~
- Perform ~~such~~ other duties as the Constitution and/or local bylaws of the Local may require.
- ~~The President shall~~ Have first preference as a delegate to the CUPE National Convention, CUPE BC Convention, and BC Federation of Labour Convention.

Compensation and Job Evaluation

The President shall be compensated for eight (8) hours per day, 12-months per year, at the rate aligned with Band 13 of the CUPE 411 wage grid.

A formal job evaluation of the President's role shall be conducted by the Table Officers at least once every five (5) years. The evaluation shall assess the scope of responsibilities, time commitment, and compensation. Recommendations from the evaluation shall be submitted to the Executive Board for approval. Any changes to the President's rate of pay shall be reflected in the annual budget and presented to the membership for ratification as part of the annual budget process.

b) 1st VICE PRESIDENT

The Vice-President shall:

~~have signing authority. The 1st Vice President shall Perform the duties of the President in the absence of that officer, and in case of the resignation or death of the President shall perform the duties of the President until such position is filled at the next Regular Meeting, or at the Annual Election in May. Additional duties will be assigned by the President and/or Executive.~~

- Have signing authority.
- If the President is absent or not eligible, perform all duties of the President.
- Preside over 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 President and/or Executive Board.

2nd VICE PRESIDENT

~~The 2nd Vice President shall perform the duties of the 1st Vice President in the absence of that officer. Additional duties will be assigned by the President and /or the Executive.~~

c) RECORDING-SECRETARY

The Recording-Secretary shall:

- Have signing authority.
- Keep full, accurate, and impartial account of the proceedings of all regular or special membership Table Officer 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 when available.
- 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.
- Attend to all union correspondence-and fulfil other administrative duties as directed by the Executive Board.
- Be responsible for the maintenance and safe preservation of the meeting Minutes.
- Make meeting notices and send to members.
- Prepare and distribute all notices to members.
- Have all records ready on reasonable notice for the Trustees or auditors.
- Preside over membership and Executive Board meetings in the absence of both the President and Vice-President.
- Assist the President in preparing order of business for all meetings
- The Secretary may Be empowered, with the approval of the Executive Board membership, to employ necessary clerical assistance administrative assistance to be paid for out of the local's funds.
- Performs other duties required by the Local Union, its bylaws or the National Constitution.

d) SECRETARY-TREASURER

The ~~Secretary~~-Treasurer shall:

- Have signing authority. ~~Sign all cheques and~~
- Receive all revenue, initiation fees, dues and assessments.
- Keep a record of each member's payments.
- Deposit promptly all money with a bank or credit union.
- 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.
- Prepare all CUPE per capita tax forms and remit payment by 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 in accordance with good accounting practices.
- Make a written financial report to each executive and regular membership meeting, detailing all income and expenditures for the period.
- ~~Be bonded with a faithful performance of duty bond. Such bond shall not be for less than \$500.00 and shall be approved by the National Secretary-Treasurer of the Canadian Union in accordance with the Constitution. Any Treasurer who cannot qualify for the bond shall be disqualified from office.~~
- ~~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 voucher duly signed by two table officers or two trustees. No voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated.~~
- ~~Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.~~
- 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.
- ~~Make all books available for inspection by the Trustees and/or auditors on reasonable notice~~
- Provide the Trustees with any information they ~~may need~~ require to complete the audit report, ~~including the forms supplied provided~~ by CUPE National.
- Compile ~~the~~ annual budget for monies to be spent, by ~~February's~~ ~~January's~~ regular meeting
- Ensure that not later than February 28th each year, the employer furnish each member with a statement showing the net amount of tax-deductible dues paid by ~~him/her~~ ~~them~~ during the preceding calendar year.
- ~~The Treasurer shall~~ Be empowered, with the approval of the ~~Executive Board~~ ~~membership~~, to employ necessary ~~clerical~~ ~~administrative~~ assistance to be paid ~~for~~ out of the Local's funds.
- Under the direction of the executive, upon election of a new Treasurer, the books shall be audited by a certified auditor. The executive, in consultation with the trustees, may

recommend an audit every two years.

- ~~Regularly attend meetings of the executive~~

D.1 BOOKKEEPER EMPLOYMENT

The Local may employ a bookkeeper to assist with financial record-keeping and reporting.

- The expense of employing a bookkeeper must be approved by the membership at the Annual Budget Meeting.
- The bookkeeper shall be selected by the Executive Board following membership approval.
- The bookkeeper shall work under the direction of the Secretary-Treasurer and Executive Board.
- Compensation and duties shall be determined by the Executive Board and included in the approved annual budget.
- The bookkeeper shall not have signing authority on any union accounts.

e) LEAD SHOP STEWARD

The Lead Shop Stewards shall:

- Attend Executive, General and Special Membership meetings.
- Report monthly to the Executive Board on activities and grievances.
- Attend approved courses and training.
- The Lead Shop Steward (Inside Workers) will provide assistance to members of the Assistants and Clerical divisions, by acting as a Lead to the Stewards in those divisions.
- The Lead Shop Steward (Outside Workers) will provide assistance to members of the Custodial, Maintenance and Transportation divisions, by acting as a Lead to the Stewards in those divisions.
- Lead Shop Stewards will provide assistance during the processing of all grievances including regular updates of all Grievance Committee meetings for their respective divisions.
- Be responsible to ensure grievances are submitted in accordance with the grievance procedure, as outlined in the Collective Agreement.
- Be responsible for overseeing and tracking of all grievances for their respective divisions.
- Act as Chairperson of the Grievance Committee.
- Participate on other local and joint committees where available.
- Attend Member Engagement events to become familiar with the membership.
- Perform other duties required by CUPE Local 411, its bylaws, and/or the National Constitution.

f) TRUSTEES

The Trustees shall:

- Act as an auditing committee on behalf of the members and audit the books and accounts of the ~~Secretary~~-Treasurer, the ~~Recording~~-Secretary, and the committees 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 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 without proper constitutional and membership authorization.

- Ensure the 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) to the National Secretary Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative. They shall also send a copy of their report to the Local Union membership, along with a copy of their recommendations and/or concerns and the Treasurer's response to the President, Secretary and Treasurer.~~
- ~~Accredited representation of the Canadian Union with signed instructions from the National President or National Secretary Treasurer of the Canadian Union, shall have the power to examine all books and records of a local Union to ascertain the proper bookkeeping and accounting system of a Local Union and the general conduct of a Local Union.~~
- ~~Serve for three years; each year the Local shall elect one Trustee for a three year period (or in the case of vacancies occurring elect Trustees to fill only the unexpired terms in order to preserve overlapping terms of office).~~
- 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.

g) **SERGEANT AT ARMS MEMBERSHIP OFFICER**

The ~~Sergeant at Arms~~ Membership Officer shall:

- Guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the President and by consent of the members present.
- ~~Assist in maintaining~~ **Maintain** the record of membership attendance at meetings.
- Perform such other duties as may be assigned by the Executive Board from time to time.

Section 8

SHOP STEWARDS

The elected Shop Stewards of the Local Union shall consist of:

- Assistants (3) – three-year term, alternating
- Clerical (1) – two-year term, even years
- Custodial (1) – two-year term, odd years
- Maintenance (1) – two-year term, even years
- Transportation (1) – two-year term, odd years
- Member at Large (1) – two-year term, even years

Shop Stewards shall:

- Attend bi-monthly meetings with the executive.
- ~~The Shop Stewards shall~~ Attend approved Shop Steward training courses.
- Be the first point of contact for the membership regarding any individual or local issues.
- ~~The Shop Stewards shall~~ Adhere to the established policies of the Union.
- Gather all ~~pertinent~~ information relative to a grievance and process the grievance through the initial stages of the procedure contained in the appropriate Collective Agreement.
- Attend meetings with the employer regarding members, grievances, investigations, etc.
- Take those measures necessary to ensure that the provisions and conditions of the Collective Agreement are upheld and notify the Executive Board of any apparent violations.
- Familiarize the members of their rights, privileges and obligations, as such matters relate both to the Constitution and these Bylaws and the Collective Agreement.
- Know thoroughly, the Collective Agreement, the Constitution, the Bylaws, Rules of Order and work for their enforcement both on the job and at meetings of the Union.
- Whenever possible meet with all new members in their department or section and keep all members advised of the time, date and place of all Union meetings.
- Actively encourage all members to attend meetings of the Union.

B. SHOP STEWARD BOOK OFF

- Shop Stewards shall have a book off allocation of one (1) day per month.
- With permission from the President, Shop Stewards can split the one (1) day into two (2) half days in a month.

Section 9 Delegates to Conferences and Conventions

Eligibility for Executive Members:

- Executive members must attend 8 out of 10 Executive Meetings and 3 out of 5 Regular Membership Meetings to be considered for attendance at events.
- Consideration will be given for absences due to good and sufficient cause (e.g., illness, family emergency, approved leave).

Allocation of Remaining Spots:

- Any remaining delegate spots will be offered to the members at a General Membership Meeting.
- Members must attend 3 out of 5 General Membership Meetings to be considered for attendance at events.
- Delegates shall be elected by a majority vote of the membership.

Membership Requirements:

- Members must be in good standing and hold a permanent position in the district.
- Casual employees are not eligible to attend conventions as delegates.

Post-Convention Reporting:

- All delegates must provide a written report to the membership following the event.

Section 10 **COMMITTEES**

(a) Special Committees

A special committee may be established by the membership at a regular or special meeting for a specific purpose and a defined period of time.

Members of a special committee shall be selected in one of the following ways:

- Elected by the membership at a meeting;
- Appointed by the President or the Executive Board, with specific authorization from the membership; or
- Appointed through an expression of interest process, reviewed and approved by the Table Officers, and confirmed by the membership.

1. Negotiating Committee

~~The Negotiating Committee will be a special committee established at least a minimum of 3 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 be comprised of the President and a representative from each Division recommended and approved by the Division's membership.~~

~~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 411's Negotiating Committee shall attend Level 1 and Level 2 of CUPE's Collective Bargaining education sessions.~~

The Negotiating Committee shall be a special committee established at least three (3) months prior to the expiry of the Local Union's collective agreement. The committee shall automatically disband upon the signing of a new collective agreement.

Purpose:

- To prepare collective bargaining proposals.
- To negotiate a renewed collective agreement on behalf of the membership.

Requirements:

- All members of Local 411's Negotiating Committee shall attend CUPE's Collective Bargaining educational sessions.

Composition:

- The committee shall consist of the President and one representative from each Division, as recommended and approved by the respective Division's membership.
- The CUPE National Representative assigned to the Local shall serve as a non-voting member and be consulted at all stages of the bargaining process, from proposal development through to contract ratification.

2. Budget Committee

The Budget Committee shall be established annually to support the development of the Local's proposed budget for the upcoming fiscal year.

Term:

- The committee shall commence on or around October 1 each year and conclude by March 1, or upon final approval of the annual budget by the general membership, whichever comes first.

Responsibilities:

- Review financial priorities and assist in the development of the annual budget.
- Provide input and recommendations to ensure the budget reflects the needs and values of the membership.
- Attend 2-4 meetings, as determined by the committee's work plan.
- Review the Financial Policy and other information to support the budget.
- Submit a draft budget to the Executive Board for review and to the membership for approval.

Composition:

- The committee shall be chaired by the Treasurer.
- Up to five (5) additional members may be appointed, ideally with representation from each of the Local's divisions.

3. Social Committee

The Social Committee shall be responsible for organizing and coordinating the social, cultural, and recreational activities of the Local.

Responsibilities:

- Plan and conduct events either on the committee's own initiative or as directed by the membership.
- Submit reports and proposals to the Executive Board or the membership as required.

Composition:

- The committee shall consist of an elected Chairperson and a minimum of two (2) additional members.
- The committee shall appoint a Secretary from among its members.

Budget and Funding:

- The committee's annual budget shall be approved by the membership.
- All events and activities, aside from the approved budget, shall be self-supporting.

(b) Permanent Committees

The Chairperson of each permanent committee shall be a member of the Executive Board.

Additional members may be appointed through an expression of interest process, subject to approval by the Executive Board and with the support of the membership, unless otherwise specified in these Bylaws.

Permanent committees shall serve a two-year term.

Committees shall provide written reports at each regular membership meeting.

There shall be six (6) permanent committees as follows:

1. Grievance Committee

~~There shall be a Grievance Committee comprised of the Chief Shop Steward and of such persons appointed by the President and approved by the Executive Board to administer the Grievance(s) concerned and shall consist of no less than three (3) members. This committee shall process all grievances not settled at the initial stage. Grievances must be in writing on the grievance forms provided by shop stewards and signed by the grievor. The National Representative shall receive copies of all grievance reports. The Grievance procedure shall be carried out as per the current Collective Agreement. Grievance reports will be presented to the Executive Board as well as to the membership.~~

Purpose:

- Oversee the handling of all Local grievances.
- Receive and review copies of all grievances.
- Prepare and submit regular grievance status reports to the Executive, the National Representative, and the membership.

Responsibilities:

- Determine whether unresolved grievances should proceed to arbitration.
- If the committee decides not to proceed, the grievor(s) may appeal the decision to the Executive.

Composition:

- The committee shall consist of the Lead Shop Stewards and additional members appointed by the President and approved by the Executive, with a minimum of three (3) members.
- The CUPE National Representative shall serve as a non-voting member and be consulted at all stages.
- The committee shall appoint a Secretary from among its members.

Education Committee

~~The Education Committee shall be comprised of the 2nd Vice President as chair and two other members. It shall be the duty of this committee to:~~

~~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 Education and Public Relations Department of CUPE and with the regional Educational Representatives, in implementing both the Local's and CUPE's policies in these fields.~~

2. Education Committee

Purpose:

- Promote and support educational opportunities for members.

Responsibilities:

- Gather and share information about available courses and make recommendations on member participation.
- Assist delegates in preparing reports on seminars, conferences, and conventions.
- Maintain a reference file of delegate reports.
- Collaborate with CUPE's National Education Department to suggest and implement education offerings.

Composition:

- The committee shall consist of an elected Chairperson and a minimum of two (2) additional members.
- The committee shall appoint a Secretary from among its members.

3. Health and Safety Committee

Purpose:

- Promote safe and healthy working conditions for all members.

Responsibilities:

- Educate members on workplace health and safety.
- Present regular reports at membership meetings.
- Ensure the Chairperson, or an alternate, participates on the District Joint Health and Safety Committee.
- Support worker representatives on the Joint Occupational Health and Safety Committees (JOHSC) at worksites.
- Meet with JOHSC reps independently for training and preparation.
- Advocate for safe work procedures and environments to prevent illness and injury.
- Promptly report workplace hazards to the employer.
- Work to eliminate all physical, environmental, and social workplace hazards.

- Attend CUPE and other educational around Health and Safety.

Composition:

- The committee shall consist of an elected Chairperson and a minimum of two (2) additional members.
- The committee shall appoint a Secretary from among its members.

4. Bylaw Committee

Purpose:

- Maintain and improve the Local's bylaws to ensure clarity, compliance, and relevance.

Responsibilities:

- Review the bylaws bi-annually and recommend amendments to the Executive.
- Review proposed amendments from the Executive or membership to ensure consistency with existing bylaws and the CUPE National Constitution.
- Ensure bylaws are written in clear language without altering their intent.

Composition:

- The committee shall consist of an elected Chairperson and a minimum of two (2) additional members.
- The CUPE National Representative shall serve as a non-voting member and be consulted during the review process.
- The committee shall appoint a Secretary from among its members.

5. Membership Support Committee

Purpose:

- Provide compassionate outreach and support to CUPE 411.

Responsibilities:

- Follow the guidelines and procedures outlined by the committee.
- Coordinate appropriate gestures of support on behalf of the Local, including:
 - Sending tokens of care or concern.
 - Extending condolences in the event of a member or family member's passing.
 - Taking other actions as outlined in the policy.

Composition:

- The committee shall consist of an elected Chairperson and a minimum of two (2) additional members.
- The committee shall appoint a Secretary from among its members.

6. Bursary Committee

Purpose:

- Support the continued education and development of students whose parent or legal guardian is a CUPE 411 member.

Responsibilities:

- Recommend the total annual bursary allocation to the membership for approval through the Local's budget process.
- Recommend individual bursary award amounts to the Executive for review and approval.
- Distribute bursaries based on the following structure:
 - 1 bursary for schools with a graduating class of 1–250 students.
 - 2 bursaries for schools with a graduating class of 251–500 students.
 - 3 bursaries for schools with a graduating class of more than 500 students.
- Allocate any additional approved bursary funds through alternative methods, with Executive approval.
 - Examples include random draws among eligible applicants or other creative approaches aligned with the spirit of the bursary program.
- Ensure that the years of service of the CUPE 411 member (parent or legal guardian) is considered as a standard criterion in all bursary evaluations.
- **Verify that the member has been a dues-paying CUPE 411 member for a minimum of 24 months prior to the bursary application deadline for their student to be eligible.**

Composition:

- The committee shall consist of three (3) members of the Union.

Bursary Committee

~~The Bursary Committee shall be comprised of three Union members. Bursaries are intended to further the education of a student, whose parent, or legal guardian, is a member of this Local and shall be awarded annually as follows:~~

~~1 bursary to schools with a graduating class of 1 to 250 students~~

~~2 bursaries to schools with a graduating class of 251 to 500 students~~

~~3 bursaries to schools with a graduating class of more than 500 students~~

Special Committee

~~A Special Ad Hoc 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 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.~~

Section 7 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.

Add:

Grievance Appeal Process

Collective Agreement grievance steps:

The grievance process will follow the steps as outlined in the Collective Agreement. At Step 3 if the Employer and the Union are unable to settle the grievance then either party may give written notice of arbitration to the other.

File Review:

The President and CUPE National Representative will review the grievance file to decide if arbitration is warranted. If arbitration is recommended or declined, the file goes to the Grievance Committee for a final decision.

Grievance Committee:

The Committee reviews the file and considers input from the President and CUPE National Representative before deciding whether to proceed.

Arbitration:

If arbitration is approved, the Local will notify the Employer, and the CUPE National Representative will assume responsibility for the file.

Appeal Process:

The Local Union, not individual members, decides whether to file a grievance or proceed to arbitration. To ensure fairness, members may appeal decisions. Members must first discuss concerns with their Steward, who will consult the President. If the decision is not to proceed, the member may initiate the appeal process.

First Appeal

A member who wishes to appeal a decision must notify the President in writing within seven (7) days of receiving the decision from their Steward.

The steward and the member will submit all documentation to the President. This information will be forwarded to both the National Representative and the Grievance Committee for review.

The President will add the matter to the agenda of the next Executive meeting.

The President will ensure grievance timelines are protected by communicating with the employer.

The President shall request the opinion of the National Representative.

In the matter of not advancing to grievance, the assigned Steward will present their reasons for not advancing the matter to grievance.

In the matter of not advancing to arbitration, the President or Lead Shop Stewards will present their rational for not proceeding.

The member will need to be at the Executive Meeting to present their case.

The member shall then be excused from the meeting.

The Grievance committee will conduct a secret ballot vote.

Member is notified of the decision and informed of their right to a final appeal.

Final Appeal

Member may request a final appeal only if new information is available. Without new information, the appeal will not continue.

To do so they must notify the President in writing within seven (7) days of receiving the decision on the first appeal and include the new information.

The President will add the matter to the agenda of the next Executive meeting.

The President will ensure grievance timelines are protected by communicating with the employer.

The President shall request the opinion of the National Representative.

At that meeting the President will present the Grievance Committees' reasons for not advancing the matter to grievance, or arbitration.

The member will need to be at the Executive Meeting to present their case, including the new information they feel is relevant.

The member shall then be excused from the meeting.

The Grievance committee will conduct a secret ballot vote.

The member will be notified of the decision by the President.

The decision of the Grievance Committee is final. The appeal process is exhausted unless new and significant evidence arises.

Section 7 **RULES OF ORDER**

R1 ~~Any member addressing an officer or other member of this Union shall use the term Brother or Sister.~~

R2 ~~The President shall state every question coming before the meeting, and before allowing debate thereon, and immediately before putting it to a vote, shall ask: Are you ready for the Question? Should no member rise to speak, the Question shall then be put.~~

R3 ~~Every member wishing to obtain the floor shall rise and state Chairperson: and when the member is recognized by the Chair, the member shall then state his or her name and the name of the Department in which he or she is employed.~~

R4 ~~A motion to be entertained by the Presiding Officer must be seconded and the mover and the seconder must rise and be recognized by the chair.~~

R5 ~~A motion to amend, or amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment or amendment to an amendment shall be in order which is a direct negative to the resolution.~~

R6 ~~On motion, the regular order of business may be suspended to deal with any urgent business. Such motion shall require a two thirds (2/3) vote of those present.~~

R7 ~~All resolutions and motions other than those named in R18, or to accept or adopt the report of a committee shall, if requested by the Presiding Officer,~~

~~be presented in writing before being put to the meeting.~~

R8 ~~Any member having made a motion can withdraw it, with the consent of the seconder, but a motion once debated cannot be withdrawn except by a majority of those present.~~

R9 ~~When a member desires to speak on a question, or offer a motion, he or she shall rise in his or her place and respectfully address the Presiding Officer, but shall not proceed further until recognized by the Chair, except to state that he or she rises to a point of order, or on a question of privilege.~~

R10 ~~When two or more members rise at the same time to speak, the Presiding Officer shall decide which one is entitled to the floor.~~

R11 ~~Every member, while speaking, shall adhere to the question under debate, avoid all personal, indecorous or offensive language, as well as any reflection on the Union or any member thereof.~~

R12 ~~If a member while speaking, is called to order, he or she shall cease speaking until the point is determined, when, if decided in order, he or she may proceed.~~

R13 ~~No sectarian discussion shall be permitted in the meeting at any time.~~

R14 ~~No member, except the chairman of a committee, or the mover or seconder of a resolution, shall speak more than ten minutes at any one time, or more than once on the same question, until all members wishing to speak have had an opportunity to do so, when he or she may be allowed to speak a second time by permission of the Chair.~~

R15 ~~The Chairman shall take no part in debate while presiding, but may yield the chair to the Vice President, in order to speak on any question before the meeting, or to introduce a new question.~~

R16 ~~The Presiding Officer shall have the same rights as other members to vote on any question. In the case of a tie vote, he or she shall refrain from voting, in which case the motion does not prevail and the decision is in the negative.~~

R17 ~~When a question has been put, no motion shall be in order except (1) to adjourn; (2) the previous question; (3) to lay on the table; (4) to postpone to a definite time; (5) to refer; (6) to divide or amend; which motion shall have precedence in the order named. The first three and fifth of these shall be decided without debate.~~

R18 ~~A motion for the previous question, when regularly moved or seconded, shall be put in this form, 'Shall the main question now be put?' If adopted, the Chairman shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an~~

~~amendment to an amendment is adopted, the original resolution shall be put to the meeting.~~

~~R19 A motion to adjourn is in order except (1) when a member has the floor; (2) when members are voting.~~

~~R20 A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the meeting, until fifteen (15) minutes have elapsed.~~

~~R21 Before the Presiding Officer declares the vote on a question, or after a vote has been declared lost or carried, and before the meeting proceeds to another order of business, any member may ask for a recount. A standing vote shall then be taken and the Secretary shall count same.~~

~~R22 If any member shall feel personally aggrieved by the decision of the Chair, he or she may appeal to the meeting from such decision.~~

~~R23 When the decision of the Chair is appealed, the Chair shall state his or her decision and the reason therefore, the appealing member shall also briefly state the reason for the appeal, after which without further debate, the question shall be put thus: 'Shall the decision of the Chair stand as the decision of the meeting?' It shall require a majority vote to sustain each appeal.~~

~~R24 No member shall enter or leave the meeting during the reading of the minutes, initiation of new members, installation of officers or the taking of a vote. No member shall be allowed to leave without permission of the chair.~~

~~R25 ALL BUSINESS DONE AT UNION MEETINGS SHALL BE STRICTLY SECRET TO ALL OUTSIDE THE UNION.~~

~~R26 All rules and proceedings of debate not herein provided for, shall be in accordance with the Bourinot's Rules of Order.~~

Section 8 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 issue remains unaddressed, *Bourinot's Rules of Order* shall be consulted and applied.

Section 8

REIMBURSEMENTS - OUT OF POCKET EXPENSES, ETC.

~~The Executive Board shall cause a Policy Paper to exist wherein shall be contained among other policy items be determined by the Local from time to time, reimbursements to committees and members and out of pocket expenses, etc. These shall be subject to review and revision as required. Such expenses shall be recorded on an approved expense voucher, with receipts attached, and will be paid at a Regular meeting after being signed by any of the trustees in attendance or two table officers in lieu.~~

~~Any member absent from work on authorized Union business shall be fully compensated by the Union for loss of wages and for any other expenses properly incurred for the good of the Union.~~

The Executive Board shall maintain procedures and entitlements for reimbursements to Executive members, general members, and committees, including out-of-pocket expenses. These shall be reviewed annually by the Executive Board prior to the membership meeting at which the annual budget is approved.

All expenses must be submitted using the approved expense form, with original receipts attached where required.

Any member who is absent from work while on authorized Union business shall be fully compensated by the Union for lost wages and for any other reasonable expenses incurred in the performance of their duties on behalf of the Union.

Section 9 **GENERAL MEMBERSHIP MEETING ORDER OF BUSINESS**

1. ~~Opening~~
2. ~~Reading of Equality Statement~~
3. ~~Roll Call of Officers~~
4. ~~Application for membership~~
5. ~~Voting for candidates for membership~~
6. ~~Initiation~~
7. ~~Reading of the Minutes~~
8. ~~Treasurer's Report~~
9. ~~Communications and Bills~~
10. ~~Report to Committees~~
11. ~~Nomination, election and installation of Officer~~
12. ~~Unfinished Business~~
13. ~~New Business~~
14. ~~Good and Welfare~~
15. ~~Adjournment~~

1. Call Meeting to Order
2. Territory Acknowledgement
3. Roll Call of Officers
4. Equality Statement
5. Adopt the Agenda
6. New Member Initiation
7. Read and Adopt Previous Meeting Minutes
8. Matters Arising
9. Secretary-Treasurer's Report
10. Correspondence (Communications)
11. Local Executive Reports
12. Committee Reports
13. Nominations and Elections (if elections are to occur at the meeting)
14. Unfinished business
15. New Business
16. Good of the Union
17. Adjournment

Section 10 14 **MEETINGS**

The Executive Board shall meet at least ten (10) times a year

~~The Shop Stewards shall meet with the Executive Board at least five (5) times per year.~~

There shall be five (5) Regular Membership meetings ~~per year~~ annually, excluding the months of July and August. During ~~the months of~~ July and August, the Executive Board shall have the ~~power to transact regular Union business which transpires~~ conduct regular Union business as needed. Any decision made ~~by the Executive Board during the months of July and August~~ during this period shall be reported back to the membership for ratification at the next Regular Membership Meeting.

~~The Regular Meetings shall be held on the third (3rd) Saturday of January, May, and September at 9:30 A.M. and on the Thursday prior to the 3rd Saturday of March and November at 7:00 P.M. The Executive Board shall meet on the Monday prior to the 3rd Saturday of every month at 5:00 P.M.~~

~~Regular Meeting notices will be posted at all sites two weeks prior to the meeting. Meetings shall normally be adjourned after two hours unless otherwise specified by the membership.~~

Meeting Scheduling and Notice:

- The dates and times of Regular Membership Meetings shall be determined by the Executive Board and communicated to the membership in advance.
- Notice of all Regular and Special Meetings shall be provided in accordance with the CUPE Constitution and may be distributed through written postings at worksites, the Local Union website, and/or email communication to members.

~~Special meetings may be called by the order of the Executive Board, provided however, that no business shall be transacted at such special meetings other than that for which the special meeting has been called. At least forty eight (48) hours notice of all special meetings must be given in writing by the Secretary to all members. Notice of regular and special meetings shall be posted in a conspicuous manner for all members to see.~~

~~Special meetings may be also be requested through petition to the Executive Board. Such petition must be signed by a minimum of 5% of the dues paying members.~~

Meeting Duration:

- Meetings shall normally be adjourned after two (2) hours unless otherwise determined by the membership.

Special Meetings:

- Special Membership Meetings may be called by the Executive Board.
- No business shall be transacted at a Special Meeting other than that for which the meeting was called.
- Members shall receive at least forty-eight (48) hours' notice of any Special Meeting, delivered in writing and communicated through appropriate channels, including online and email.

- A Special Meeting may also be requested by petition to the Executive, signed by at least five percent (5%) of dues-paying members.

Meetings Formats:

- CUPE Local 411 may 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.

Section 11 **QUORUMS**

~~A quorum for regular and special meetings shall consist of not less than fifteen (15) members, (including a minimum of 3 Executive members), in good standing.~~

~~A quorum for the Executive Board meeting shall not be less than eight (8) of the Executive members.~~

~~In the absence of a quorum at any Regular meeting, the Executive shall be empowered to process routine administrative business including regular payments for which the Local is liable.~~

Section 16 – Quorums

A quorum for Regular and Special Membership Meetings shall consist of no fewer than fifteen (15) members in good standing, including a minimum of three (3) Executive Board members.

A quorum for Executive meetings shall consist of a majority of the current Executive members.

In the absence of a quorum at any Regular Membership Meeting, the Executive Board shall be empowered to carry out routine administrative business, including regular payments for which the Local is liable.

Section 12 ELECTIONS

~~The annual election of Officers shall be held in May each year at the Regular Meeting. Elections for the positions of President and 1st Vice President shall occur on alternate years.~~

~~Should any vacancies arise during the term of office such position will be filled at the next Regular Meeting. The newly elected officer shall fill the position for the balance of the term.~~

Section 13 VOTING

~~Voting during Elections shall be by a ballot, and the successful candidate must receive a majority of the votes cast. 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.~~

- ~~(a) When three (3) or more candidates are nominated for the same office and no candidate on the first ballot receives a majority of the votes cast, the candidate receiving the lowest number of votes shall drop out; a second ballot shall be taken and the same procedure followed; if necessary, until one candidate, having received a majority of the votes cast, shall be elected.~~
- ~~(b) When only two (2) candidates are nominated for the same office, the candidate receiving the higher number of votes cast shall be duly declared elected to the office.~~
- ~~(c) Where only one (1) candidate is nominated for an office, the Presiding Officer shall declare such candidate elected by acclamation.~~
- ~~(d) For the purpose of clarification, a candidate must be in good standing (one who is employed within the jurisdiction covered by the charter of the Local or if he/she retains the office or employ which determines membership and provided he/she does not lose his/her standing by virtue of the application of other relevant sections of the Constitution) and be nominated for an office and indicate either in writing or by voice, a willingness to stand for election to each office. Nominations will also be accepted from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member.~~

Section 17 – Nomination, Election, and Installation of Officers

NOMINATION, ELECTIONS, AND INSTALLATION OF OFFICERS

A. Nominations

1. Nominations will be accepted from members in attendance at the meeting or from members who have submitted their name in writing, witnessed by another member.
2. To be eligible for nomination, a member must:
 - o Be accepted into membership.
 - o Remain in good standing at the time of nomination.
3. A member may accept nomination for a new position while currently holding office. If elected, their resignation from the current position shall take effect immediately upon installation into the new role.
4. No member shall be eligible for nomination if they are in arrears of dues and/or assessments.

B. Election Schedule

Elections for CUPE Local 411 shall be held annually at the May Regular Membership Meeting.

Executive (6 positions):

Elected in **even**-numbered years:

- President
- Recording Secretary
- Lead Shop Steward – Inside Workers (Assistants, Clerical)

Elected in **odd**-numbered years:

- Vice President
- Secretary-Treasurer
- Lead Shop Steward – Outside Workers (Custodial, Maintenance, Transportation)

Other Elected Officers:

- Trustees (3 positions): Three-year term, elected on a rotating basis
- Membership Officer: Two-year term, elected in odd-numbered years

Shop Stewards (7 positions):

- Assistants (3 positions): Three-year term, elected on a rotating basis
- Clerical (1 position): Two-year term, elected in even-numbered years
- Custodial (1 position): Two-year term, elected in odd-numbered years
- Maintenance (1 position): Two-year term, elected in even-numbered years
- Transportation (1 position): Two-year term, elected in odd-numbered years

C. Elections Committee

At least one month prior to Election Day, the President shall appoint an Elections Committee, subject to membership approval. The committee shall include:

- A Chief Returning Officer and assistant(s)
- Members who are neither Officers nor candidates for office
- The Returning Officer shall be fair and impartial and see that all arrangements are unquestionably democratic.
- The CUPE National Representative may serve as an advisor if requested

The Elections Committee shall:

- Determine the form of the ballot

- Ensure sufficient ballots are available
- Oversee voting arrangements and maintain confidentiality

D. Voting Procedures

Voting shall be conducted by secret ballot.

- A majority of votes cast is required to declare a candidate elected.

- If no candidate receives a majority:

The candidate with the fewest votes shall be dropped

Subsequent ballots shall be held until a majority is achieved

- In the event of a tie vote, additional ballots shall be held. If the tie persists, voting may be deferred to the next membership meeting.

- When electing multiple candidates to a position, members must vote for the full number of candidates required. Incomplete ballots will be declared spoiled.

- Any member may request a recount, which will be conducted if supported by a vote of at least the number of members equal to quorum.

- Election complaints must be submitted in writing to the Chief Returning Officer within seven (7) days of the election. The Elections Committee will investigate and report findings at the next membership meeting.

E. Installation of Officers

- All elected Officers shall be installed at the meeting where elections are held.
- Officers shall serve for the term specified or until a successor is elected and installed.
- Trustees shall serve staggered terms: one (1) for three (3) years, one (1) for two (2) years, and one (1) for one (1) year.
- Thereafter, one (1) Trustee shall be elected annually for a three (3) year term.
- No member who has served as a signing officer may run for Trustee until one full term has elapsed.
- Outgoing Officers shall remain available in an advisory capacity for a period not exceeding thirty (30) days following installation of new Officers, for the purpose of ensuring a smooth transition.
- The Oath of Office shall be read aloud by all newly elected Officers.

“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.”

F. By-Elections

- If a position becomes vacant, a by-election shall be held at the next Regular Membership Meeting.
- The elected member shall serve the remainder of the original term.

Section 14 APPROVAL AND EFFECT

These By-Laws shall come into full force and effect upon the adoption by the Canadian Union of Public Employees, Local 411 and the approval of the National President of the Canadian Union of Public Employees.

Section 15 AMENDMENTS OF THE BY LAWS

- (a) ~~Amendments shall only be made to these By Laws by a Notice of Motion made at a regular meeting, posted at least 7 days prior to the next regular meeting, or with at least 60 days written notice and adopted by a two thirds majority of the Union membership in attendance.~~
- (b) ~~A Notice of Motion shall be processed in the following manner:~~
 - (i) ~~The presentation of the Notice of Motion as contained in subsection (a), shall constitute the first reading. No discussion or debate shall be permitted at this reading.~~
 - (ii) ~~Such Notice of Motion to amend these By Laws shall be considered at the meeting specified, and shall be subject to debate, but no amendment shall be entertained without the two thirds (2/3) majority consent of the members present.~~

Section ___ Amendments

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.

Additional Bylaws

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

- the amended or additional bylaws do not conflict with the CUPE Constitution;
- 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
- notice of the intention to propose the amended or additional bylaws is provided in accordance with the notice provisions outlined in the CUPE Constitution.

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.~~

Section 16 A. ADDITIONAL BY LAWS

~~The Local may, by a two thirds (2/3) majority vote of those in attendance at a special meeting called for that purpose, make such additional By Laws as it may deem advisable, provided they do not conflict with the Constitution. The same shall not become effective until approved by the National President of the CUPE.~~

B. REVIEWING AND UPDATING OF BY LAWS

~~These by laws shall be reviewed by a committee consisting of: President, Chief Shop Stewards, and one other elected officer of the Local. The review shall be done biennially following the updating of the Constitution at the National Convention.~~

Printing and Distribution of Bylaws

Members will receive a copy of the CUPE Local 411 Bylaws either in paper format or via the Local Union website at <https://411.cupe.ca>.

Members requiring an accessible format of the Bylaws may request one from the Secretary of the Union.

Section 17 **WITHDRAWAL AND TRANSFER CARDS- DELETE**

Withdrawal Card

~~Local 411 shall grant a withdrawal card to members when leaving their place of employment to take up an occupation elsewhere or in another shop or industry in the jurisdiction of another affiliate or chartered Union of the Canadian Labour Congress. Such withdraw card shall be evidence of the fact that the holder was in good standing in the local Union when he or she transferred his or her employment from the jurisdiction of the Local, and shall entitle him or her to take up membership in the same Local at a future date should he or she again work within its jurisdiction, without the payment of a new initiation fee.~~

Transfer Card

~~Local 411 shall issue a transfer card to members who transfer their employment from the jurisdiction of one local to the jurisdiction of another. Such transfer cards shall be issued only to a member in good standing at the time the transfer is made; it shall immediately be deposited with the Secretary of the Local embracing the worker in the locality or the industry, etc. wherein the holder takes up employment.~~

~~Local 411 shall recognize the transfer cards issued by other CUPE locals when the transfer card is issued on the Canadian Union form, provided that the Local Union seal has been affixed. The holders of such transfer cards shall not be required to pay an initiation fee into their new Local.~~

Section 18 **RITUALS AND OBLIGATIONS**

The Rituals and Obligations to be followed by this Local Union shall be those authorized and distributed by the Canadian Union of Public Employees.

Revised: November 29, 2008

Revised: May, 2013; March 2015; March 2016