



**CANADIAN UNION OF PUBLIC EMPLOYEES**  
**LOCAL 411**  
**BYLAWS**

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# TABLE OF CONTENTS

INTRODUCTION.....	3
NAME.....	4
OBJECTIVES.....	5
MEMBERSHIP.....	6
FEES AND DUES.....	7
OFFICERS.....	8
EXECUTIVE BOARD.....	9
DUTIES OF OFFICERS.....	10
SHOP STEWARDS.....	15
DELEGATES TO CONFERENCES AND CONVENTIONS.....	16
COMMITTEES.....	17
COMPLAINTS AND TRIALS.....	23
GRIEVANCE APPEAL PROCESS.....	24
RULES OF ORDER.....	26
REIMBURSEMENTS: OUT-OF-POCKET EXPENSES, ETC.....	27
GENERAL MEMBERSHIP MEETING ORDER OF BUSINESS.....	28
MEETINGS.....	29
QUORUMS.....	30
NOMINATION, ELECTIONS, AND INSTALLATION OF OFFICERS.....	31
APPROVAL, AMENDMENTS, AND DISTRIBUTION OF BYLAWS.....	34
RITUALS AND OBLIGATIONS.....	35
APPENDIX A.....	36
CUPE NATIONAL EQUALITY STATEMENT.....	36
APPENDIX B.....	37
CODE OF CONDUCT.....	37
APPENDIX C.....	39
RULES OF ORDER.....	39

CUPE Local 411  
(Chilliwack Schools District 33)  
BYLAWS

## INTRODUCTION

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

- **Improve** the social and economic welfare of 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 efficiency in public employment.
- **Affirm** the strength and value of unity and solidarity within organized labour.

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

- **Safeguard** the rights of all members.
- **Ensure** effective, responsible, and transparent administration of the Local.
- **Encourage** broad member participation through the equitable sharing of duties and responsibilities.

SECTION 1  
**NAME**

The name of this Local shall be: **CUPE 411 – Chilliwack School District #33.**  
(hereinafter referred to as CUPE Local 411)

## 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 and uphold the principles of free collective bargaining, workers' rights, and the security and welfare of all, through support of CUPE's overall program.

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.

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**

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(A) of these bylaws.

### **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 email 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, email blasts, or telephone town halls.

SECTION 4  
**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 CUPE Local 411 and the Canadian Union of Public Employees.
- Each application for membership will be directed to the Secretary-Treasurer and must be accompanied by an initiation fee of \$10.00, which is in addition to monthly dues.
- Upon receipt of the application, the initiation fee will be deducted by payroll and forwarded to the Union. If the application is rejected, the fee shall be returned.

**B. Readmission Fee**

- The readmission fee shall be the same as the initiation fee.

**C. Monthly Dues**

- The monthly dues shall be 2.00% of gross wages.

**D. Amending Monthly Dues**

- Monthly dues may be amended at a regular or special membership meeting, or by referendum vote.
- Notice of the proposed amendment must be given:
  - At least **seven (7)** days at a previous meeting; or
  - **Sixty (60)** days in writing.

**E. Honourary Life Memberships**

- A member who holds an Honourary Life Membership has rendered valued service to CUPE Local 411.
- Such members may attend all meetings and functions, 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 6 EXECUTIVE BOARD

- The Executive Board shall include all Officers, except Trustees and the Membership Officer.
- The Executive Board shall meet at least ten (10) times per year.
  - See **Section 15** for more information about meetings.
- A majority of the Executive Board constitutes a quorum.
- 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 do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.
- 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 Board and membership.

No member may hold more than one (1) elected position on the Executive Board.

The elected Executive Board of the Local Union shall consist of:

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

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

- **Trustees (3)** – three (3) year term, alternating
- **Membership Officer** – two (2) year term, odd years

## 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.

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 Officers shall sign a confidentiality agreement upon assuming office and adhere to its terms throughout their tenure.

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

The President shall:

- Preside at membership, executive, and special meetings and preserve order.
- Enforce the CUPE National Constitution, these local bylaws and the Equality Statement.
- Introduce new members and conduct them through the initiation ceremony.
- Interpret these bylaws as required.
- Ensure that all Officers perform their assigned duties.
- Fill committee vacancies where elections are not provided for.
- Decide all points of order and procedure (subject always to appeal to the membership).
- Announce the results of all votes.
- Have the same right to vote as others. 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 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.
- Perform such other duties as the Constitution and/or local bylaws may require.
- 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, **twelve (12) months** per year, at the rate aligned with **Band 13** of the CUPE Local 411 wage grid.

A formal job evaluation of the President's role shall be conducted by the Executive Board 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. VICE PRESIDENT**

The Vice President shall:

- 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.

## **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 and executive 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 safe preservation of meeting Minutes.
- 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.
- Be empowered, with the approval of the membership, to employ administrative assistance to be paid 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.
- 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 through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one (1) 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.
- Provide the Trustees with any information they require to complete the audit report, including the forms provided by CUPE National.
- Compile the annual budget for monies to be spent, by 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 them during the preceding calendar year.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid out of the Local's funds (see *D.1 Bookkeeper Employment*).
- Under the direction of the Executive Board, upon election of a new Treasurer, the books shall be audited by a certified auditor. The Executive Board, in consultation with the trustees, may recommend an audit every two (2) years.

## **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 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. MEMBERSHIP OFFICER

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.
- Provide the President with the number of new members present.
- Maintain the record of membership attendance at meetings.
- Perform such other duties as may be assigned by the Executive Board from time to time.

## H. EXECUTIVE BOARD BOOK OFF

All book-offs, except those listed below, shall be approved in advance by the President. The Executive Board shall be allowed the following book-off allocations to perform their duties:

- **President** – five (5) days per week
- **Vice President** – one (1) day per week
- **Secretary-Treasurer** – one (1) day per week
- **Recording Secretary** – one (1) day per week
- **Lead Shop Stewards (2)** – one (1) day per week, each

## SECTION 8 SHOP STEWARDS

All Shop Stewards shall sign a confidentiality agreement upon assuming office and adhere to its terms throughout their tenure.

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

- **Assistants** (3) – three (3) year term, alternating
- **Clerical** (1) – two (2) year term, even years
- **Custodial** (1) – two (2) year term, odd years
- **Maintenance** (1) – two (2) year term, even years
- **Transportation** (1) – two (2) year term, odd years
- **Member at Large** (1) – two (2) year term, even years

### A. SHOP STEWARDS

Shop Stewards shall:

- Attend bi-monthly meetings with the Executive Board.
- Attend approved Shop Steward training courses.
- Be the first point of contact for the membership regarding any individual or local issues.
- Adhere to the established policies of the Union.
- Gather all 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 Board Members:**

- Executive Board members must attend **eight (8) out of ten (10) Executive Meetings** and **three (3) out of five (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 **three (3) out of five (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 Executive Board, and confirmed by the membership.

Each special committee shall include at least one (1) member of the Executive Board, who shall serve as an ex-officio member.

#### 1. Negotiating Committee

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 educationals.

#### Composition:

- The committee shall consist of the President and one (1) 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 any financial policies, forms, 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 (2) year term and provide written reports at each regular membership meeting.

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

### **1. Grievance Committee**

#### **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 Board, 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 Board.

#### **Composition:**

- The committee shall consist of the Lead Shop Stewards and additional members appointed by the President and approved by the Executive Board, 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.

## 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 educationals 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 Board.
- Review proposed amendments from the Executive Board 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 Local 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 Local 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 Board 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 Board 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 Local 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 Local 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.

SECTION 11  
**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.

## SECTION 12 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.

#### **A. 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.

#### **B. Grievance Committee:**

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

#### **C. Arbitration:**

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

#### **D. 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.
- **The member will attend the Executive Meeting** to present their case.
- **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 rationale for not proceeding.
- 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.
- **The member will attend the Executive Meeting** to present their case, including the new information they feel is relevant.
- At that meeting the President will present the Grievance Committees' reasons for not advancing the matter to grievance, or arbitration.
- 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 13  
**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 debates 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 14  
**REIMBURSEMENTS: OUT-OF-POCKET EXPENSES, ETC.**

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 (e.g., travel, meals, accommodation, etc.) incurred in the performance of their duties on behalf of the Union.

SECTION 15  
**GENERAL MEMBERSHIP MEETING ORDER OF BUSINESS**

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 16 MEETINGS

The Executive Board shall meet at least **ten (10)** times per year.

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

There shall be a minimum of **five (5) regular membership meetings** annually, excluding the months of July and August. During July and August, the Executive Board shall have the authority to conduct regular Union business as needed. Any decisions made during this period shall be reported to the membership for ratification at the next regular membership meeting.

### **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.

### **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 Board, 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 17  
**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 Board 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 18  
**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 Board** (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 (3) year term, elected on a rotating basis
- **Membership Officer:** Two (2) year term, elected in odd-numbered years

**Shop Stewards** (7 positions):

- Assistants (3 positions): Three (3) year term, elected on a rotating basis
- Clerical (1 position): Two (2) year term, elected in even-numbered years
- Custodial (1 position): Two (2) year term, elected in odd-numbered years
- Maintenance (1 position): Two (2) year term, elected in even-numbered years
- Transportation (1 position): Two (2) year term, elected in odd-numbered years
- Member at Large (1 position): Two (2) year term, elected in in even-numbered years

### C. Elections Committee

At least one (1) 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.
- A candidate who is elected to office must clearly communicate or affirm this oath.

*"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 19

### APPROVAL, AMENDMENTS, AND DISTRIBUTION OF BYLAWS

#### A. Subordination to CUPE Constitution

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

#### B. Amendments to Bylaws

Amendments or additions to these bylaws may be made provided that:

- The proposed changes do not conflict with the CUPE Constitution.
- The proposed changes are approved by a majority vote at a regular membership meeting or a special membership meeting called for that purpose.
- Notice of intention to propose amendments or additions is provided in accordance with the notice provisions outlined in the CUPE Constitution.

#### C. Approval and Implementation

These bylaws, including any amendments or additions, shall come into full force and effect upon adoption by the membership of CUPE Local 411 and subsequent approval by the National President of the Canadian Union of Public Employees.

#### D. Printing and Distribution

- 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 20

**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.

## 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

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

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

The Code of Conduct sets out standards of behaviour for participants at national convention, national conferences, schools, meetings, and all other events organized by CUPE National. It is also applicable to structures of CUPE – locals, Provincial and Service Divisions, District Councils, Provincial Unions, Councils of Unions, Provincial Councils of Unions, and Provincial Sectoral Groups. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

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

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

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

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

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

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. At national convention, national conferences, schools, meetings, and all other events organized by CUPE National, a complaint shall be brought to the attention of an ombudsperson.
3. At a meeting, event, or activity held by a structure of CUPE, should an ombudsperson be available, the same process would be used. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
4. If the complaint involves a staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another part of CUPE, the person responsible for their employment will be the one to whom a complaint is referred and the relevant collective agreement, should it exist, would be applicable.
5. Once a complaint is received where an ombudsperson is being used, the ombudsperson will work to seek a resolution.
6. If this fails to resolve the matter, the ombudsperson 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.
7. At CUPE National events where an ombudsperson is not available, a person properly appointed and designated to be in charge shall receive the complaint. Depending on the nature of the problem, the person in charge may attempt to resolve it through conflict resolution. If this fails to resolve the matter, the person in charge shall determine whether there is a need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses. The same process is to be used for other parts of CUPE where an ombudsperson is not available.
8. For National events, if the person in charge is a party to the complaint, the director or designate shall assume that role. For all other parts of CUPE, an alternate will be designated to assume the role.
9. In a case where a member has been expelled from an event, the National President shall receive a report on the matter. For all other structures of CUPE, the presiding officer shall receive a report on the matter.
10. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. A similar process may be applicable to the other parts of CUPE, done in consultation with the National President.

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

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

## APPENDIX C

### 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. In the absence of both, the Recording Secretary will chair. If all are absent, members will select a Chairperson by majority vote, provided quorum is met.
2. Members may speak on an issue for no more than three (3) minutes and only once, unless agreed upon by the membership or after all others have spoken.
3. Committee Chairs presenting reports or movers of motions may speak for up to ten (10) minutes. This may be extended with membership approval.
4. The Chairperson shall state each motion before debate and ask, "Is the Local ready for the motion?" before calling a vote.
5. Motions must be moved and seconded by members who rise and are recognized by the Chairperson.
6. Amendments to motions and amendments to amendments are allowed. Amendments to amendments of amendments are not permitted. Direct negatives to the main motion are not allowed.
7. The regular order of business may be suspended by a two-thirds (2/3) vote to address urgent matters.
8. Motions (except those listed in Rule 19 or committee reports) must be submitted in writing if requested by the Chairperson.
9. A motion with multiple actions or issues may be divided upon request and majority vote.
10. A mover may withdraw a motion with the seconder's consent before debate ends. After debate, unanimous consent is required.
11. Members must rise and address the Chairperson respectfully to speak or move a motion, and wait to be recognized unless raising a point of order or privilege.
12. The Chairperson maintains a speakers list and determines speaking order.
13. Speakers must address the issue at hand, avoid personal attacks, offensive language, and conduct that reflects poorly on the Local or its members.
14. Members called to order must pause until the point of order is resolved. If ruled in order, they may continue speaking.
15. Religious discussion is not permitted.
16. The Chairperson shall not debate. To speak or move a motion, they must relinquish the chair as per Rule 1.
17. The Chairperson may vote. In a tie, they may cast a deciding vote or abstain, resulting in defeat of the motion.
18. When a motion is on the floor, only the following motions are in order: 1) adjourn, 2) previous question, 3) lay on the table, 4) postpone to a definite time, 5) refer, 6) divide or amend. These take precedence in listed order. Motions 1–3 are non-debatable.
19. When the previous question is moved and seconded, the Chairperson shall ask, "Will the main question be now put?" If approved, votes will be taken on amendments first, then the main motion as amended.
20. A motion to adjourn is in order unless a member is speaking or voting is underway.
21. If a motion to adjourn is defeated, it cannot be reintroduced until fifteen minutes have passed.

22. After announcing vote results, and before moving to the next item, any member may request a division. A standing vote will be taken and counted by the Recording Secretary.
23. Appeals of Chairperson decisions must be made immediately. If seconded, the appellant and Chairperson may briefly state their positions. The Chairperson will then ask, "Will the decision of the chair be upheld?" A majority vote decides. A tie upholds the Chairperson's decision.
24. After a decision, any two (2) members who voted with the majority may give notice of a motion to reconsider at the next meeting. Reconsideration requires a two-thirds (2/3) majority vote.
25. Members may leave a meeting with the Vice President's permission, but not during reading of minutes, initiation of new members, installation of Officers, or voting.
26. Local Union business and meeting proceedings shall not be disclosed outside CUPE Local 411 or the Canadian Union of Public Employees.