



CUPE LOCAL 4627 - VCCEU

**VANCOUVER COMMUNITY COLLEGE
EMPLOYEES UNION**

BYLAWS

Amended May 17, 2006

ARTICLE 1

NAME

This Local will be known as "The Canadian Union of Public Employees Local 4627 - Vancouver Community College Employees Union" or "CUPE Local 4627".

ARTICLE 2

CONSTITUTION

CUPE Local 4627 will be governed by the Constitution of the Canadian Union of Public Employees and by the Bylaws set out in Appendix "B" of the Constitution.

ARTICLE 3

OBJECTIVES

The Objectives of CUPE Local 4627 will be to:

- 3.1 Support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- 3.2 Organise and represent the clerical, technical, educational, administrative and support employees of Vancouver Community College;
- 3.3 Advance the social, economic and general welfare of active and retired members, and of all workers;
- 3.4 Defend and extend the civil rights and liberties of its members and preserve free democratic trade unionism;
- 3.5 Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- 3.6 Secure appropriate remuneration for work performed and improve the wages, working conditions, hours of work, job security and other conditions affecting all members including retirees pension benefits;
- 3.7 Establish co-operative relations between employers and members;
- 3.8 Encourage the settlement by negotiation, mediation or other appropriate methods, of all disputes between the members and their employers;
- 3.9 Eliminate harassment and discrimination of any sort or on any basis;
- 3.10 Support equality of treatment regardless of class, race, colour, nationality, age, sex/gender, sexual orientation, place of origin, ancestry, religious beliefs, or

mental and physical disability; and actively oppose discrimination of same wherever it occurs or appears;

- 3.11 Promote efficiency in public service generally;
- 3.12 Establish strong working relationship with the public its members serve and the communities in which its members work and live; and
- 3.13 Promote required desirable legislation.

ARTICLE 4

REGULAR MEMBERSHIP

- 4.1 Any person who is an employee of the category named in Article 3.2 and applies for membership in the form required, and pays the fees prescribed, including but not limited to those contained in Article 5, will be a member of CUPE Local 4627, subject to membership approval as outlined in Article 4.2.
- 4.2 Applicants for membership in CUPE Local 4627 will be accepted as members of the Local following the first Regular General Meeting after the date of application, unless a motion not to accept the applicant has been passed at that meeting.
- 4.3 In the case of an application for membership that is part of the organizing of a new bargaining unit or organizing of an addition to a current bargaining unit, the person applying for membership will become a member of CUPE Local 4627 upon acceptance by the Executive Board.
- 4.4 Members who cease to be employees within the jurisdiction of CUPE Local 4627 will automatically cease to be members of the Local except as provided in Article 4.5.
- 4.5 Members will not cease to be members in the case of permanent layoff if on a recall list, temporary layoff, or dismissal if in dispute by the Local.

ARTICLE 5

INITIATION FEES, MONTHLY DUES, ASSESSMENTS AND EXPENDITURES

- 5.1 The initiation fee will be two dollar (\$2.00).
- 5.2 The initiation fee will not be less than one dollar (\$1.00) nor more than ten dollars (\$10.00).
- 5.3 Notwithstanding Article 5.1, the initiation fee for any person becoming a member as a result of the organizing of a new bargaining unit or organizing of an addition to a current bargaining unit will be one dollar (\$1.00).

- 5.4 The initiation fee can only be established or altered if voted by a majority of the members present at a Regular General Meeting, or a Special General Meeting called for that purpose, and for which Notice of Motion of at least seven (7) calendar days at a previous General Meeting or written Notice of Motion of at least twenty-one (21) calendar days specifying the proposed initiation fee has been served.
- 5.5 The regular dues of each member will not be less than the national per capita tax.
- 5.6 The Local will institute and maintain an income-related dues structure sufficient to cover per capita tax, affiliation fees and funds necessary to operate the Local.
- 5.7 Monthly dues will be 1.95% of the regular monthly wages of each member of the Local.
- 5.8 The dues to be levied upon the general membership or portion thereof can only be established or altered if voted by a majority of the members present at a Regular General Meeting, or Special General Meeting called for that purpose, and for which Notice of Motion of at least seven (7) calendar days at a previous General Meeting or written Notice of Motion of at least sixty (60) calendar days specifying the proposed dues to be levied has been served.
- 5.9 No assessment of any kind can be made by CUPE Local 4627 unless voted by a majority of the members present at a Regular General Meeting, or Special General Meeting called for that purpose, and for which Notice of Motion of at least seven (7) calendar days at a previous General Meeting or written Notice of Motion of at least sixty (60) calendar days specifying the proposed assessment has been served or by a majority voting in a referendum of all members.
- 5.10 An assessment can be levied only for a specific purpose and for a specific period, and a continuing assessment, unless adopted by referendum, must be reviewed at a General Meeting at least every six (6) months. Any assessment voted by the membership must be approved by the National President in advance of being levied.
- 5.11 Under these Bylaws, an assessment does not refer to, or include, regular monthly union dues.
- 5.12 Voting on changes to initiation fees, dues or special assessments will be by secret ballot if so ordered by the members.
- 5.13 Polling stations will be available at King Edward/Broadway and City Centre/Downtown campuses in a general referendum vote of all members.
- 5.14 Expenditures of the Local will be only for the purposes of the Local, as authorised in the Bylaws of the Local, or as duly authorised by majority vote of the membership at a Regular General Meeting of the Local.

- 5.15 All expenditures will be made by cheque signed by the Secretary-Treasurer and countersigned by the President or such other Officer as the Local may designate; however, a petty cash fund may be authorised by the Local from which nominal expenditures can be made.

ARTICLE 6

OBLIGATION OF MEMBERS

- 6.1 New members will be obliged to take the Obligation of Members in Article 6.3.
- 6.2 Members who are attending their first membership meeting will be invited to introduce themselves. The Chair will then conduct the Initiation by leading the member(s) in reading, in unison, the Obligation of Members in Article 6.3.
- 6.3 The Obligation of Members is as follows:
- “I solemnly promise and declare that I will support and obey the Constitution of this Union and the Bylaws of this Local; that I will strive to improve economic and social conditions for my fellow members and working people generally; that I will defend and strive to extend the democratic rights and liberties of all working people; and that I will not purposely or knowingly wrong, or assist others in wronging a member of this Union.”
- 6.4 It will be the duty of members to uphold the Obligation.
- 6.5 Conduct contrary to the Obligation will be deemed to be an offence against CUPE Local 4627 and will be punishable as decided by a legally constituted Trial Committee under Article 23.

ARTICLE 7

MEETING NIGHTS AND QUORUMS

- 7.1 The Annual General Meeting will be held on the third Thursday of September and the other Regular General Meetings will be held on the third Tuesday of January and the third Wednesday of May unless designated by special notice to the members and subject to Regular General Meetings being suspended by a majority of the members present at any previous General Meeting.
- 7.2 Twenty (20) regular members at a meeting will constitute a quorum.
- 7.3 Special General Meetings may be held at the call of the President or upon the request of twenty members of good standing of CUPE Local 4627 or by majority decision of a Regular General Meeting.

ARTICLE 8

ORDER OF BUSINESS AT GENERAL MEETINGS

At the opening of the meeting the President will take the chair, subject to the provisions of Articles 15.2 a, 15.2 b, 15.2 c and 15.2 d, and will conduct the business in the following order:

1. Call to Order.
2. Roll Call of Officers.
3. New Members.
 - a) Applications for Membership.
 - b) Initiations.
4. Correction and Adoption of Previous Meeting Minutes.
5. Matters Arising from the Previous Meeting Minutes.
6. Secretary-Treasurer's Report.
7. Communications and Bills.
8. Other Reports.
 - a) Executive Board Report.
 - b) Chief Shop Steward's Report.
 - c) Committee Reports.
 - d) Delegate Reports.
9. Nominations, Election and Installation of Officers.
10. Unfinished Business.
11. New Business.
12. Good and Welfare.
13. Adjournment.

ARTICLE 9

NOTICE OF MOTION

- 9.1 Notice of Motion for General Meetings is required for the establishment or alteration of the initiation fee as per Article 5.4.
- 9.2 Notice of Motion for General Meetings is required for the establishment or alteration of the regular monthly dues as per Article 5.8.
- 9.3 Notice of Motion for General Meetings is required for the establishment or alteration of an assessment of any kind as per Article 5.9.
- 9.4 Notice of Motion for General Meetings is required for any changes to these Bylaws as per Article 24.
- 9.5 Notices of Motion of at least fourteen (14) calendar days for General Meetings are required under the following circumstances:
 - a) Amendments to member policies;
 - b) Any policy that requires membership vote (including expenditures);
 - c) Any expenditure over one thousand dollars (\$1000) not provided for in the budget approved by the membership;
 - d) Any motion brought forward at a Regular General Meeting where Notice is called will be submitted as a Notice of Motion to be dealt with at the subsequent Regular General Meeting; and
 - e) Any motion submitted at a Regular General Meeting, which the mover and seconder wish, will be submitted as a Notice of Motion to be dealt with at the subsequent Regular General Meeting.
- 9.6 Any motions that do not fit the above categories in Article 9 can be dealt with at the present meeting without Notice of Motion being served.

ARTICLE 10

RULES OF ORDER

All CUPE Local 4627 meetings 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 A. These rules will be considered as an integral part of the Bylaws and may be amended only by the same procedure used to amend the Bylaws.

In situations not covered by Appendix A, the CUPE Constitution may provide guidance, but, if the situation is not dealt with therein, *Bourinot's Rules of Order* will be consulted and applied.

ARTICLE 11

OFFICERS

- 11.1 The Officers of CUPE Local 4627 will be the President, Vice-President, Secretary-Treasurer, Recording Secretary, two (2) Directors-at-Large, Chief Shop Steward and three (3) Trustees.
- 11.2 The Executive Board of CUPE Local 4627 will consist of all the Officers except the Trustees.
- 11.3 The Table Officers of CUPE Local 4627 will be the President, Vice-President, Secretary-Treasurer and Recording Secretary.
- 11.4 The Executive Board will conduct the regular business of CUPE Local 4627 between General Meetings in accordance with policies and directives set by the membership.
- 11.5 Quorum for Executive Board Meetings will be one-half (50%) of the current elected Executive Board positions as stipulated in Article 11.2 of these Bylaws.
- 11.6 All Officers will comply with the Constitution, Bylaws, Policies, Directives, Oath of Office and Obligation of Members of CUPE National and CUPE Local 4627.
- 11.7 All Officers will comply with the training requirements as determined by the membership.
- 11.8 Any Officer not in compliance with one or more of the subjects in Articles 11.6 or 11.7 may be removed from Office by the Executive Board.
- 11.9 Should any Officer fail to answer the roll call for three (3) consecutive General Meetings or one-half (50%) or more General Meetings in any twelve (12) consecutive months without having good and sufficient cause, that office will be declared vacant and the position filled at the following General Meeting.
- 11.10 Should any Executive Board Member fail to answer the roll call for three (3) consecutive Executive Board Meetings or three (3) Executive Board Meetings in any twelve (12) consecutive months without having good and sufficient cause, that office will be declared vacant and the position filled at the next General Meeting.
- 11.11 Should the Chief Shop Steward fail to answer the roll call for three (3) consecutive Shop Stewards Meetings or three (3) Shop Stewards Meetings in any twelve (12) consecutive months without having good and sufficient cause, that office will be declared vacant and the position filled at the next Shop Stewards Meeting.
- 11.12 Any Officer, except the Chief Shop Steward and the Trustees, not in a second consecutive term and is removed from office by Articles 11.8, 11.9 or 11.10 will not be allowed to be nominated or stand for election for any Officer positions for the next two (2) calendar years.

- 11.13 Any Officer, except the Chief Shop Steward and the Trustees, in a second consecutive term who is removed from office by Articles 11.8, 11.9 or 11.10 will not be allowed to be nominated or stand for election for any Officer positions, other than the position she or he has been removed from, for the next two (2) calendar years and will also not be allowed to be nominated or stand for election for the Officer position he or she has been removed from for the next four (4) calendar years.
- 11.14 A Chief Shop Steward removed from office by Articles 11.8, 11.9, 11.10 or 11.11 will not be allowed to be nominated or stand for election for any Officer positions for the next two (2) calendar years.
- 11.15 Any Trustee not in a second consecutive term who is removed from office by Articles 11.8 or 11.9 will not be allowed to be nominated or stand for election for any Officer positions, other than the Trustees positions, for the next two (2) calendar years and will also not be allowed to be nominated or stand for election for a Trustee position for the next three (3) calendar years.
- 11.16 Any Trustee in a second consecutive term who is removed from office by Articles 11.8 or 11.9 will not be allowed to be nominated or stand for election for any Officer positions, other than the Trustees positions, for the next two (2) calendar years and will also not be allowed to be nominated or stand for election for a Trustee position for the next six (6) calendar years.
- 11.17 Any Officer removed from office by Articles 11.8, 11.9, 11.10 or 11.11 may seek redress in accordance with the provisions of Article 22 of these Bylaws.

ARTICLE 12

TERM OF OFFICE

- 12.1 The term of office of all Officers, except the Trustees, will be two (2) years.
- 12.2 The term of office of all Trustees will be three (3) years.
- 12.3 No member, except the Chief Shop Steward, will hold the same CUPE Local 4627 office for more than two (2) consecutive terms.
- 12.4 For the purpose of this Article, all Directors-at-Large positions are considered the same office and all Trustee positions are considered the same office.

ARTICLE 13

NOMINATIONS AND ELECTION OF OFFICERS

- 13.1 A nominee for any Officer position, must be a member in good standing of CUPE Local 4627 at the time of and for at least twelve (12) months immediately prior to the nomination and is not a subject under Articles 11.8, 11.9, 11.10 or 11.11.

- 13.2 The nominations of CUPE Local 4627 Officers, except the Chief Shop Steward, will commence on the first Thursday in September and close at the Annual General Meeting on the third Thursday in September.
- 13.3 The nominations of the Chief Shop Steward will be at the first Shop Stewards Meeting held no later than one (1) month after the Annual General Meeting in an odd-numbered year.
- 13.4 Only members present at the nominating meeting may be elected to any office unless written consent to serve in the office if elected is presented prior to the meeting to an Executive Board Member present at that meeting.
- 13.5 Only Shop Stewards present at the Chief Shop Steward nominating meeting may be elected to the office of the Chief Shop Steward unless written consent to serve in the office if elected is presented prior to the meeting to a Shop Steward present at that meeting.
- 13.6 The President, Recording Secretary and one Director-at-Large will be elected in odd-numbered years.
- 13.7 The Vice-President, Secretary-Treasurer and the other Director-at-Large will be elected in even-numbered years.
- 13.8 One (1) Trustee will be elected each year.
- 13.9 The Chief Shop Steward will be elected in odd-numbered years.
- 13.10 Election of Officers, except the Chief Shop Steward, will be by secret ballot of members present at the Annual General Meeting.
- 13.11 Election of the Chief Shop Steward will be by secret ballot of Shop Stewards present at the first Shop Stewards Meeting held no later than one (1) month after the Annual General Meeting in an odd-numbered year.
- 13.12 The Executive Board will appoint a Returning Officer to conduct the elections. No member running for office will be eligible to act as the Returning Officer.
- 13.13 Each nominee will be allowed one (1) scrutineer at the ballot count and at each polling station. The result of the vote will be announced as soon as possible after the election.
- 13.14 Each elected Officer, except the Chief Shop Steward, will succeed her or his predecessor in office upon installation at the General Meeting where the election was held by taking the Oath of Office set out in Article 14.
- 13.15 The Chief Shop Steward will succeed his or her predecessor in office upon installation at the Shop Stewards Meeting where the election was held by taking the Oath of Office set out in Article 14.

- 13.16 In the case of vacancies occurring, the Local will elect the Chief Shop Steward to fill only the remaining term at the next Shop Stewards Meeting, and elect all other Officers to fill only the remaining terms at the next General Meeting, in order to preserve overlapping terms of office.
- 13.17 Any protest on the election must be presented in writing to the Secretary-Treasurer in odd-numbered years and to the Recording Secretary in even-numbered years within seven (7) calendar days of the result of the vote being announced. Upon receipt of said protest the Local Executive Board will meet and if the protest is upheld another vote will be conducted. The Returning Officer will hold all ballots and voting list for a two-(2)-month period following the election.

ARTICLE 14

OATH OF OFFICE

Upon completion of an election, the newly elected Officers will come forward and in unison, declare the following:

"I, _____, do most sincerely promise, that I will truly and faithfully, to the best of my ability, perform the duties of my office, for the ensuing term, as prescribed in the Constitution and laws of the Canadian Union of Public Employees and the Bylaws of this Local, and as an Officer of this Local will at all times endeavour, both by counsel and example, to promote the harmony and preserve the dignity of its sessions. I further promise, that at the close of my official term, I will promptly deliver all monies, books, papers or other property of this Local in my possession to my duly elected successor in office."

It will be the duty of Officers to uphold the Oath of Office.

Conduct contrary to the Oath of Office will be deemed to be an offence against CUPE Local 4627 and will be punishable as decided by a legally constituted Trial Committee under Article 23.

ARTICLE 15

DUTIES OF OFFICERS

15.1 The **President** will:

- a) Enforce the CUPE Constitution and these Bylaws;
- b) Preside at all General and Executive Board Meetings and preserve order;
- c) Decide all points of order and procedure when presiding, subject always to appeal to membership;

- d) Have a vote on all matters at all General and Executive Board Meetings, except appeals against her or his rulings;
- e) Ensure that all Officers perform their assigned duties;
- f) Appoint members to fill vacant positions on committees where such vacant positions are not filled by election. Such appointments will be subject to approval by the Executive Board;
- g) Introduce new members and conduct them through the Initiation ceremony;
- h) Ensure that the Local's funds are used only as authorized or directed by the Constitution, Bylaws, or vote of the membership;
- i) Ensure each work site has adequate representation through recruitment and co-ordination of Shop Stewards and Committee members;
- j) Serve as ex-officio member, with voice but no vote, of all committees of the Local. Required book-off will be by Executive Board approval.
- k) Have first preference as a delegate to the CUPE National Convention;
- l) Transact such other business as may of right pertain to the office of the President, and which may be necessary for the proper functioning of the Local;
- m) Attend General and Executive Board Meetings;
- n) Render assistance to any member of the Executive Board as directed by the Executive Board; and
- o) Perform such other duties as the Local or Constitution may direct.

15.2 The **Vice-President** will:

- a) Perform the duties of the President in the absence of that Officer;
- b) Perform the duties of the President if the President is incapacitated;
- c) Perform the duties of the President in the case of the resignation or death of the President until such vacancy is filled as provided in these Bylaws;
- d) Preside when called upon by the President and at times when the President may be temporarily unable to discharge the duties of that office;
- e) Attend General and Executive Board Meetings;
- f) Render assistance to any member of the Executive Board as directed by the Executive Board; and

- g) Perform such other duties as the Local or Constitution may direct.

15.3 The **Secretary-Treasurer** will:

- a) Be responsible for all financial accounts of CUPE Local 4627 and ensure that correct and proper accounts of all its members are maintained. Maintenance of the financial accounts will require maintaining, organising, safe-guarding and keeping on file all supporting documents, authorisations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE Headquarters, as well as records and supporting documents for all income received by CUPE Local 4627;
- b) Regularly make a full financial report to meetings of the Executive Board, as well as a written financial report to each Regular General Meeting, detailing all income and expenditures for the period and to keep on file all receipts for money sent to the Canadian Union of Public Employees Headquarters during the year;
- c) Submit the Local's books and records to the Trustees for audit at least once each calendar year, and in addition to providing all books, records, invoices, other supporting documents, and original bank statements, must also furnish the Trustees with a letter from the financial institution(s) where the funds of the Local are deposited, attesting to the amount to the credit of the Local at such financial institution(s);
- d) Respond in writing, within a reasonable time, to any recommendations and concerns raised by the Trustees in accordance with Articles 15.7 c, 15.7 d, 15.7 e and 15.7 f;
- e) Completion of the audit by a qualified accountant or accounting firm will not relieve the Secretary-Treasurer of his or her obligation under Article 15.3 d;
- f) Forward to the National Secretary-Treasurer of the Canadian Union of Public Employees, on the official monthly report form provided, not later than the last day of each month, all financial obligations for the previous month owing to the Canadian Union of Public Employees;
- g) Forward one dollar (\$1.00) of each initiation fee on all members admitted (except for those named on the list forwarded with the application for a charter) along with the per capita tax on all dues received by the CUPE Local 4627. The report should also set out the number of those initiated, reinstated, suspended and expelled and the numbers on whom per capita is being paid;
- h) Ensure that, in the case of rejection of an application for membership, the fee accompanying such application is returned;
- i) Turn over to her or his successor, at the end of his or her term of office, all properties and assets, including funds, books and records belonging to CUPE Local 4627;

- j) Attend General and Executive Board Meetings;
- k) Render assistance to any member of the Executive Board as directed by the Executive Board; and
- l) Perform such other duties as the Local or Constitution may direct.

15.4 The **Recording Secretary** will:

- a) Keep a correct, full and impartial record of the proceedings of each meeting of CUPE Local 4627 and all the meetings of the Executive Board. Each record of proceedings will include a copy of the full financial report presented by the Secretary-Treasurer in accordance with these Bylaws;
- b) Attend to all correspondence of the Local as may be directed to him or her;
- c) Attend General and Executive Board Meetings;
- d) Render assistance to any member of the Executive Board as directed by the Executive Board; and
- e) Perform such other duties as the Local or Constitution may direct.

15.5 The **Directors-at-Large** will:

- a) Assist in the operation of CUPE Local 4627 as directed by the Executive Board;
- b) Attend General and Executive Board Meetings;
- c) Render assistance to any member of the Executive Board as directed by the Executive Board; and
- d) Perform such other duties as the Local or Constitution may direct.

15.6 The **Chief Shop Steward** will:

- a) Be the liaison between the Executive Board and the Shop Stewards;
- b) Report Shop Stewards activities to the Executive Board;
- c) Assign Shop Stewards as necessary;
- d) Act as resource person to Shop Stewards;
- e) Maintain records of all Grievances and related Shop Steward issues;
- f) Ensure timely processing of Grievances and other related Shop Stewards issues whenever possible;

- g) Report to the Executive Board and/or the Bargaining Committee on improvements and concerns of the Collective Agreement;
- h) Attend General, Executive Board and Shop Stewards Meetings;
- i) Render assistance to any member of the Executive Board as directed by the Executive Board; and
- j) Perform such other duties as the Local or Constitution may direct.

15.7 The **Trustees** will:

- a) Audit the books of the Secretary-Treasurer;
- b) Exercise general provision over the property of CUPE Local 4627. Such general provision will include, but not be limited to, ensuring that the Secretary-Treasurer complies with the provision of Articles 15.3 b, 15.3 c and 15.3 d;
- c) Examine the books and records of the Secretary-Treasurer and inspect or examine all properties, bonds, and all other assets of the Local at least once each calendar year;
- d) Submit in writing to the President and Secretary-Treasurer, at the completion of their audit, any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organised, correct, and proper manner;
- e) Make a written report to the next Regular General Meeting following the audit on the condition of the funds and accounts, the number of members in good standing, the number initiated, expelled or suspended, admitted or withdrawn, together with such other information they may deem necessary to the efficient and honest administration of the Local, along with a copy of the written recommendations and/or concerns submitted to the Secretary-Treasurer, and the Secretary-Treasurer's written response;
- f) Send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their report to the Local membership along with a copy of their recommendations and/or concerns to the President and Secretary-Treasurer and the Secretary-Treasurer's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative;
- g) When CUPE Local 4627 hires the services of a qualified accountant or accounting firm, the auditing of CUPE Local 4627's books and financial records will be done in accordance with the procedure outlined in Articles 15.7 c, 15.7 d, 15.7 e and 15.7 f;

- h) Completion of the audit by a qualified accountant or accounting firm will not relieve the Trustees of their ongoing obligation to exercise general supervision over the property of the Local, as set out in Articles 15.7 a and 15.7 b, or to make a written report to the membership as set out in Articles 15.7 d, 15.7 e and 15.7 f
- i) Attend General Meetings; and
- j) Perform such other duties as the Local or Constitution may direct.

15.8 The **Warden** is a member in good standing appointed by the Executive Board to take charge of the door and prevent any member not in good standing, or non-members from entering the meeting, unless permission is given by the Local for them to be in attendance. If the Warden is not present, the President will appoint a temporary replacement.

ARTICLE 16

SIGNING OFFICERS

- 16.1 The President, Vice-President, Secretary-Treasurer and Recording Secretary will be the signing Officers subject to provision of bonding under Article 16.2. Any two (2) of these four (4) may sign on behalf of CUPE Local 4627 except as specifically prohibited under Article 5.15.
- 16.2 The Secretary-Treasurer, and all other Officers authorised to sign on behalf of CUPE Local 4627, will be properly bonded with a faithful performance of duty bond. Bonding amounts will conform to the minimum guidelines as established by the National Secretary-Treasurer and distributed to CUPE Local 4627 annually. The amount of bonding for any position will be approved by the National Secretary-Treasurer in accordance with Article 9.3 (k) of the CUPE Constitution.
- 16.3 Any Secretary-Treasurer who cannot qualify for a bond will immediately be disqualified from office and the Local will proceed with the election of another Secretary-Treasurer.

ARTICLE 17

EXECUTIVE MEETING

- 17.1 The Executive Board will meet at least once a month, prior to the Regular General Meeting of the Local.
- 17.2 Any member in good standing of CUPE Local 4627 will have the right to attend any Executive Board Meeting or portion thereof that is not in-camera. The member will have voice but no vote.

ARTICLE 18

SHOP STEWARDS

- 18.1 Shop Stewards are official representatives of CUPE Local 4627 and are authorised to speak and act on behalf of CUPE Local 4627 while acting as an advocate for a member or as an officially-designated representative to a committee, subject always to:
- a) Selection by fellow members at the work site to serve a two-(2)-year term, these elections to be held annually;
 - b) Appointment by the Executive Board;
 - c) Membership in good standing;
- 18.2 All Shop Stewards will comply with the Constitution, Bylaws, Policies, Directives and Obligation of Members of CUPE National and CUPE Local 4627.
- 18.3 All Shop Stewards will comply with the training requirements as determined by the membership.
- 18.4 Shop Stewards, including the Chief Shop Steward, not in compliance with one or more of the subjects in Articles 18.1 a, 18.1 b, 18.1 c, 18.2 or 18.3 may be removed by the Executive Board.
- 18.5 Should any Shop Steward, including the Chief Shop Steward, fail to answer the roll call for three (3) consecutive Shop Stewards Meetings or three (3) Shop Stewards Meetings in any twelve (12) consecutive months without having good and sufficient cause, that person will be removed as Shop Steward.
- 18.6 Any Shop Steward, including the Chief Shop Steward, removed from office by Articles 18.4 or 18.5 will not be allowed to be nominated or stand for election for Shop Stewards for the next two (2) calendar years.
- 18.7 Any Shop Steward, including the Chief Shop Steward, removed from a Shop Steward or Chief Shop Steward position by Articles 18.4 or 18.5 may seek redress in accordance with the provisions of Article 22 of these Bylaws.

ARTICLE 19

BARGAINING COMMITTEE

- 19.1 Authority to conduct collective bargaining on behalf of all members is vested solely in CUPE Local 4627. Such authority will be exercised by a duly constituted

Bargaining Committee as defined in Article 19.2, on behalf of the Local, subject always to membership approval.

- 19.2 The Bargaining Committee will consist of six (6) members of good standing elected at a General Meeting. Two (2) of the six (6) members will be from the City Centre/Downtown Campus, another two (2) of the six (6) members will be from the King Edward/Broadway Campus and the final two (2) of the six (6) members will be College-wide at-large members.
- 19.3 If, through the regular election process, there is no member of the Executive Board on the Bargaining Committee, the Executive Board can appoint a liaison to sit on the Bargaining Committee with voice but no vote.
- 19.4 CUPE National Representative assigned to work with the Bargaining Committee will have voice but no vote.
- 19.5 The Bargaining Committee and Bargaining Committee members will comply with the Constitution, Bylaws, Policies, Directives and Obligation of Members of CUPE National and CUPE Local 4627 as well as the training requirements as determined by the membership. If in the opinion of the Executive Board, one or more members of a Bargaining Committee has not so complied, the Executive Board may declare, with immediate effect, one or more positions on the Bargaining Committee temporarily vacant and will report such action to the next General Meeting.
- 19.6 Should any Bargaining Committee member fail to answer the roll call for three consecutive Bargaining Committee Meetings without having good and sufficient cause, that person will be removed as Bargaining Committee member.
- 19.7 The President will be empowered to name an alternative to the Bargaining Committee to fill any temporary vacancy, if considered necessary.
- 19.8 Vacancies, temporary vacancies and vacancies filled by alternates will be filled by election at the next General Meeting.
- 19.9 Any Bargaining Committee members removed from office by Articles 19.5 or 19.6 will not be allowed to be nominated or stand for election for the current Bargaining Committee the person has been removed from, or any Bargaining Committee in the next twelve (12) months, whichever is longer.
- 19.9 Any Bargaining Committee member removed from the Bargaining Committee by Articles 19.5 or 19.6 may seek redress in accordance with the provisions of Article 22 of these Bylaws.

ARTICLE 20

GRIEVANCE COMMITTEE

- 20.1 The Grievance Committee is a standing committee of CUPE Local 4627 that meets as often as necessary to carry out its duties.
- 20.2 The Grievance Committee has the authority to decide, on behalf of Local 4627, whether or not to advance grievances to arbitration or any other dispute resolution forum.
- 20.3 The Grievance Committee will comprise of one (1) Table Officer, except the Recording Secretary, and two (2) experienced Shop Stewards, or former Shop Stewards, who will be ordinary members of good standing selected from the membership by the Executive Board. For the purpose of this Article, a Chief Shop Steward is considered a Shop Steward.
- 20.4 The National Representative(s) responsible for the grievance in question will, by written submission, provide the committee with a recommendation and all relevant information on the grievance no less than seven (7) calendar days prior to the date on which the committee is scheduled to meet to deal with the grievance. The National Representative(s) will further assist the committee in its deliberations, having voice but no vote.
- 20.5 The Grievor and the Grievor's Shop Steward will be invited to observe the deliberations of the committee and to provide information, as requested by the committee, and to address the committee should they so choose. For the purpose of this Article, a Chief Shop Steward is considered a Shop Steward.
- 20.6 The committee will have access to a legal opinion on the case in question, if they feel that it is necessary.
- 20.7 Should a member of the committee be directly involved in a grievance that is brought before the committee then that member will be temporarily replaced by the Executive Board until such time as the committee has rendered a decision on that grievance.
- 20.8 All decisions of the committee will be by a simple majority vote.
- 20.9 Decisions of the Grievance Committee will be reported in writing, usually by the Table Officer on the committee, to the Recording Secretary. The committee's submission will include the rationale for the decision.
- 20.10 The Recording Secretary will forward a copy of the committee's report to the Executive Board. If requested by the Executive Board, a representative of the Grievance Committee will be available to provide an accompanying verbal report.
- 20.11 The Recording Secretary will forward, by personal service or registered mail, a copy of the committee's report to the Grievor. Along with the report will be an explanation of the appeal process and relevant time limits.
- 20.12 Any Grievor who disagrees with the decision of the Grievance Committee with respect to the disposition of their grievance may, by written submission to the Recording Secretary within fourteen (14) calendar days of the receipt of

notification of the committee's decision, appeal that decision to the Local 4627 Executive Board.

- 20.13 Any grievance appeal brought before the Executive Board will be advanced to arbitration or any other dispute resolution forum save and except when two-thirds, or more, of the Executive Board votes in opposition to advancing the grievance to arbitration or any other dispute resolution forum.
- 20.14 The decision of the Executive Board with respect to the appeal will be final and binding.
- 20.15 When the Grievance Committee forwards a grievance to arbitration or any other dispute resolution forum, the employer has the right to make a settlement offer.
- 20.16 When a settlement offer is made to CUPE Local 4627 and the Grievor is not in agreement with such settlement offer, the National Representative(s) or lawyer will refer the settlement offer to the CUPE Local 4627 Executive Board for a decision by a simple majority vote at its next scheduled meeting.
- 20.17 If time limits do not permit the settlement offer to be presented to the next Executive Board meeting, then a decision can be made with the concurrence of a simple majority of the Executive Board and the decision will be reported to the next Executive Board Meeting
- 20.18 The decision of the Executive Board to accept or reject the offer is final and binding.
- 20.19 Any decision with respect to issues of whether or not to advance grievances to arbitration or any other dispute resolution forum made under Article 20 of these Bylaws is not subject to redress in accordance with the provisions of Article 22 of these Bylaws.
- 20.20 The Grievor will exhaust any remedy open to her or him under these Bylaws before seeking redress in civil courts.

ARTICLE 21

POSITION EVALUATION APPEAL COMMITTEE

- 21.1 The Position Evaluation Appeal Committee is a standing committee of CUPE Local 4627 that meets as often as necessary to carry out its duties.
- 21.2 The Position Evaluation Appeal Committee has the authority to decide, on behalf of Local 4627, whether or not to advance position evaluation appeals to investigation, arbitration or any other dispute resolution forum.
- 21.3 The Position Evaluation Appeal Committee will comprise of one (1) Table Officer, except the Recording Secretary, and two (2) experienced position evaluation Employee Representatives, or former position evaluation Employee

Representatives, who will be ordinary members of good standing selected from the membership by the Executive Board.

- 21.4 The National Representative(s) responsible for the position evaluation appeal in question will, by written submission, provide the committee with a recommendation and all relevant information on the position evaluation appeal no less than seven (7) calendar days prior to the date on which the committee is scheduled to meet to deal with the position evaluation appeal. The National Representative(s) will further assist the committee in its deliberations, having voice but no vote.
- 21.5 The Appellant and the Appellant's position evaluation Employee Representative will be invited to observe the deliberations of the committee and to provide information, as requested by the committee, and to address the committee should they so choose
- 21.6 The committee will have access to an expert opinion on the case in question, if they feel that it is necessary.
- 21.7 Should a member of the committee be directly involved in a position evaluation appeal that is brought before the committee then that member will be temporarily replaced by the Executive Board until such time as the committee has rendered a decision on that position evaluation appeal.
- 21.8 All decisions of the committee will be by a simple majority vote.
- 21.9 Decisions of the Position Evaluation Appeal Committee will be reported in writing, usually by the Table Officer on the committee, to the Recording Secretary. The committee's submission will include the rationale for the decision.
- 21.10 The Recording Secretary will forward a copy of the committee's report to the Executive Board. If requested by the Executive Board, a representative of the Position Evaluation Appeal Committee will be available to provide an accompanying verbal report.
- 21.11 The Recording Secretary will forward, by personal service or registered mail, a copy of the committee's report to the Appellant. Along with the report will be an explanation of the appeal process and relevant time limits.
- 21.12 Any Appellant who disagrees with the decision of the Position Evaluation Appeal Committee with respect to the disposition of their appeal may, by written submission to the Recording Secretary within fourteen (14) calendar days of the receipt of notification of the committee's decision, appeal that decision to the Local 4627 Executive Board.
- 21.13 Any position evaluation appeal brought before the Executive Board will be advanced to investigation, arbitration or any other dispute resolution forum save and except when two-thirds, or more, of the Executive Board votes in opposition to advancing the position evaluation to investigation, arbitration or any other dispute resolution forum.

- 21.14 The decision of the Executive Board with respect to the appeal will be final and binding.
- 21.15 When the Position Evaluation Appeal Committee forwards a position evaluation to investigation, arbitration or any other dispute resolution forum, the employer has the right to make a settlement offer.
- 21.16 When a settlement offer is made to CUPE Local 4627 and the Appellant is not in agreement with such settlement offer, the National Representative(s) or lawyer will refer the settlement offer to the CUPE Local 4627 Executive Board for a decision by a simple majority vote at its next scheduled meeting.
- 21.17 If time limits do not permit the settlement offer to be presented to the next Executive Board meeting, then a decision can be made with the concurrence of a simple majority of the Executive Board and the decision will be reported to the next Executive Board Meeting.
- 21.18 The decision of the Executive Board to accept or reject the offer is final and binding.
- 21.19 Any decision with respect to issues of whether or not to advance position evaluation appeals to investigation, arbitration or any other dispute resolution forum made under Article 21 of these Bylaws is not subject to redress in accordance with the provisions of Article 22 of these Bylaws.
- 21.20 The Appellant will exhaust any remedy open to him or her under these Bylaws before seeking redress in civil courts.

ARTICLE 22

COMMITTEES

- 22.1 Elected members serving on committees as CUPE Local 4627 representatives are subject to the following:
- a) Selection by fellow members at the work site to serve a two-(2)-year term, these elections to be held annually;
 - b) Appointment by the Executive Board;
 - c) Membership in good standing;
- 22.2 All elected committee members will comply with the Constitution, Bylaws, Policies, Directives and Obligation of Members of CUPE National and CUPE Local 4627.
- 22.3 All elected committee members will comply with the training requirements as determined by the membership.

- 22.4 Any elected committee member not in compliance with one or more of the subjects in Articles 22.1 a, 22.1 b, 22.1 c, 22.2 or 22.3 may be removed by the Executive Board.
- 22.5 Should any elected committee member fail to answer the roll call for three (3) consecutive Committee Meetings without having good and sufficient cause, that person will be removed as CUPE Local 4627 committee Member.
- 22.6 Any elected committee member removed from committee will not be allowed to be nominated or stand for election for any committees for the next two (2) calendar years.
- 22.7 Any elected committee member removed from a committee by Articles 22.4 or 22.5 may seek redress in accordance with the provisions of Article 23 of these Bylaws.

ARTICLE 23

REDRESS

- 23.1 Any decision with respect to issues of whether or not to advance grievances to arbitration or any other dispute resolution forum made under Article 20 of these Bylaws is not subject to redress under this Article.
- 23.2 Any decision with respect to issues of whether or not to advance position evaluation appeals to investigation, arbitration or any other dispute resolution forum made under Article 21 of these Bylaws is not subject to redress under this Article.
- 23.3 Any member who feels aggrieved by an action, other than those listed in Articles 22.1 and 22.2, of elected or appointed officials of CUPE Local 4627 will first appeal to the Executive Board.
- 23.4 Should the member still feel aggrieved after being informed of the decision of the Executive Board, the member will have the right to appear before a committee of three (3) ordinary members of good standing endorsed by the general membership.
- 23.5 This committee will hear the appeal.
- 23.6 The committee will first inform the aggrieved member in writing of their findings, including recommendation(s).
- 23.7 These findings will be reported to the next General Meeting.
- 23.8 Members at the General Meeting will make a decision on the disposition of the committee's recommendation(s).

23.9 The decision of the membership will be final and binding.

23.10 The aggrieved member will exhaust any remedy to her or him under these Bylaws before seeking redress in civil court.

ARTICLE 24

TRIALS

24.1 Every member of the Local is guilty of an offence against the Constitution who:

- a) Violates any provision of the Constitution;
- b) Obtains membership through fraudulent means or by misrepresentation;
- c) Institutes, urges or advocates that a member of any Local should institute action in a court of law against the Canadian Union of Public Employees or against the National Executive Board or any of its Officers or against a Local or any of its members, in respect of any matter concerning the affairs of the Canadian Union of Public Employees or any of its Local or chartered bodies, without first exhausting all remedies through the forms of appeal provided in the Constitution;
- d) Advocates or attempts to bring about the withdrawal from the Canadian Union of Public Employees of any Locals or any members or group of members;
- e) Publishes or circulates, either verbally or otherwise, among the membership false reports or misrepresentations concerning any member of the Canadian Union of Public Employees in respect to any matter connected with the affairs of the Canadian Union of Public Employees;
- f) Works in the interest of any organisation competing with the Canadian Union of Public Employees in a manner which is detrimental to the Canadian Union of Public Employees;
- g) Fraudulently receives or misappropriates any property of the Canadian Union of Public Employees;
- h) Uses, without proper authority, the name of the Canadian Union of Public Employees or of a Local for soliciting funds or advertising;
- i) Without receiving proper authority to do so furnishes a complete or a partial list of the membership of the Canadian Union of Public Employees or of any Local for to any person or persons other than those whose official position entitles them to have such a list;

- j) Wrongfully interferes with any Officer or any accredited representative of the Canadian Union of Public Employees in the discharge of that person's duties;
 - k) Circulates reports designed or calculated to injure or weaken the Canadian Union of Public Employees;
 - l) With a view to injuring the Canadian Union of Public Employees or a Local or with a view to impeding the implementation of any policy, constitutionally formed, of either the Canadian Union of Public Employees or a Local, does any act contrary to the Constitution or to the Bylaws of any chartered body or fails to do any act required of him or her by the said Constitution or Bylaws;
 - m) Fails to respect the Local's picket line, or works for the employer during a legal strike or a labour dispute, or engages in any strike-breaking activities; and
 - n) Engages in behaviour which constitutes sexual, racial or ethnic, or personal harassment, or harassment on the basis of sexual orientation.
- 24.2 a) If a member in good standing of the Canadian Union of Public Employees (hereinafter called the "accuser") alleges that a member or an Officer of the Local (hereinafter called the "accused") has committed an offence against the Constitution, the accuser may commence a complaint by sending a written statement of the conduct or action complained about, within ninety (90) days of the accuser becoming aware of the alleged offence, to the Recording Secretary of the Local. The accuser will refer to the provisions of Article 23.1 which the accused is alleged to have violated.
- b) Within ten (10) days of the receipt of the complaint from the accuser, the Recording Secretary will countersign the complaint and send a copy of the countersign complaint to the accused by either delivering it personally to the accused or by sending it by registered mail to the accused.
- 24.3 a) A Trail Panel and Trial Committee will then be selected in the following manner. Following the expiration of at least ten (10) days from the date of the delivery or the mailing of the complaint to the accused, a Trial Panel of eleven (11) members in good standing in the Local will be selected at a regularly scheduled or properly constituted General Meeting of the Local. The Recording Secretary will notify the accused and the accuser of the meeting at which the Trial Panel and Trial Committee will be selected by either delivering the notice to the accused and the accuser or by sending it by registered mail to the accused and the accuser.
- b) The chairperson of the meeting will conduct the election. To be eligible for election to the Trial Panel those members who are nominated for election to the Trial Panel must not be involved as a witness for either the accused or accuser and must permit their names to stand. The eleven (11) members

who receive the most votes, out of those members nominated, will be deemed to be elected to the Trial Panel.

- c) Once elected the names of the eleven (11) members of the Trial Panel will be placed in a ballot box by the Recording Secretary and the Vice-President will draw the names from the ballot box one at a time. As each name is drawn from the ballot box the Vice-President will call out the name drawn and the accused will be asked to declare first and the accuser second, whether they have any objection to the member sitting on the Trial Committee. If either the accused or accuser have an objection to the member then the member will stand down and the next name will be drawn. If both the accused and accuser fail to object then the member will become a member of the Trial Committee.
 - d) The accused and accuser will each be allowed to object to and remove up to a maximum of three (3) members each, those members of the elected Trial Panel whom they do not wish to sit on then trial Committee. If there is more than one (1) accused or accuser then the accused or accusers are entitled jointly to the removal of the maximum of three (3) members.
 - e) The Trial Committee will consist of the first five (5) members whose names have been drawn from the ballot box and who have not been prevented from sitting as described above. The chairperson of the Trial Committee will be chosen by the members of the Trial Committee from among their number.
 - f) If the complaint or complaints name two (2) or more accused and involve similar or related facts, issues or circumstances, one (1) Trial Committee may be elected to hear and decide whether the accused are guilty or innocent of the complaint or complaints submitted by the Recording Secretary.
 - g) If a complaint is submitted against the Recording Secretary, then the Recording Secretary's functions will be carried out by the President.
 - h) If a complaint is submitted which involves the President, Vice-President and Recording Secretary then the functions to be performed by them under this Article will be performed by such members of the Canadian Union of Public Employees as may be appointed for that purpose by the National President.
- 24.4
- a) The Trial Committee will proceed to hear the complaint or complaints against the accused, in private, within sixty (60) days of its election or appointment and will give the accuser and the accused at least fourteen (14) days notice, by personal service or registered mail, of the place and date set for the hearing of the complaint by the Trial Committee.
 - b) The Trial Committee will determine its own practice and procedure and may accept such oral or written evidence as the Trial Committee, in its discretion, considers proper, subject to the requirement that every member of the Local will be entitled to a fair and impartial hearing. The Trial Committee may, as a

preliminary matter, decide on any objection to proceeding with the trial, including dismissing the complaint. The Trial Committee may proceed, if necessary, with a quorum of four (4) members.

- c) The accuser has the responsibility of establishing that the accused has committed a violation or violations of the Constitution.
 - d) The accused and the accuser may be present and represented by a spokesperson of their own choosing, provided however, that the spokesperson is a member in good standing within the trade union movement, except where legislation requires otherwise, and each may call witness and cross-examine any witness called by the other.
 - e) If the accuser or the accused does not appear at the hearing of the complaint or complaints by the Trial Committee, then the Trial Committee may, in its discretion, dismiss the complaint or proceed to hear evidence and make a decision in the absence of either the accuser or the accused or adjourn the hearing on whatever terms it considers advisable.
 - f) The Trial Committee will determine whether the accused is guilty or not of the complaint or complaints by secret ballot and a finding of guilt may only be sustained when at least four (4) members of the Trial Committee cast their votes for a finding of guilt against the accused.
 - g) If the accused is found guilty the Trial Committee will recommend the appropriate penalty or punishment and it may determine what, if anything, the accused will do or refrain from doing with respect to the complaint or complaints. This determination, without limiting the generality of the foregoing, may include a reprimand, fine, expulsion, suspension or prohibition from holding membership or office; an order directing the member or members to cease doing the act or acts complained of; and an order directing the members to rectify the act or acts complained of.
 - h) The chairperson of the Committee will report the Trial Committee's decision, along with its recommendations for penalty or punishment if the accused is found guilty, first to the accused and the accuser and then to the next regularly scheduled or properly constituted General Meeting of the Local.
 - i) The finding of guilty or not guilty will be recorded in the minutes of the meeting. If the decision is guilty then the recommendation for penalty or punishment will be dealt with by the Local which may alter or confirm the penalty or punishment recommended by the Trial Committee.
- 24.5 a) The accused may appeal the finding of guilt and any penalty or punishment imposed upon her or him under Article 23.4 by appealing to the National President within thirty (30) days from the date when the decision of the Trial Committee was dealt with by the Local. No appeal may be taken by the accuser against a finding of not guilty or against any penalty or punishment imposed upon the accused.

- b) The accused will initiate the appeal by filing a written notice, by registered mail, with the office of the National President, with copies to the accuser and the Recording Secretary of the Local. This written notice will contain:
 - 1. The part or parts of the decision which are being appealed;
 - 2. The date on which the final decision was rendered;
 - 3. A statement of the reasons for the appeal;
 - 4. Whether the accused requests a hearing or whether the matter can be decided on the basis of written submissions;
 - 5. The desired location for the hearing of the appeal, if requested; and
 - 6. The remedy sought.
- c) Upon receipt of the notice of appeal the Recording Secretary of the Local will forward to the accuser, the accused, and the office of the National President, a copy of the record of the Trial Committee and the Local's final decision.
- d) Upon receipt of the notice of appeal, the National President will appoint an appeal panel of three (3) members of the National Executive Board (hereinafter called the Appeal Panel) which will proceed to hear and determine the appeal. The Appeal Panel will determine its own practice and procedure but will give full opportunity to the parties involved to present their evidence and to make submissions on the issues before it.
- e) If the accused requests a hearing, the Appeal Panel will notify the accused and the accuser, by registered mail, at least one (1) month before the date set for the hearing, of the time and place where the appeal will be heard.
- f) The decision on any appeal will be delivered by the Appeal Panel within thirty (30) days after the hearing of the appeal or the completion of written submissions. The Appeal Panel may confirm or set aside the finding of guilt, and may confirm, alter, or set aside any penalty or punishment imposed, and its decision will be final and binding.
- g) No penalty or punishment imposed under Article 23.4 will be enforced unless:
 - (i) The accused gives up the right to appeal or does not comply with the requirements of Articles 23.5 a or 23.5 b; or
 - (ii) The accused exercises the right to appeal and the Appeal Panel confirms the guilt.
- h) The travel and accommodation expenses of the accused required for his or her appearance before the Appeal Panel will be borne by the accused if the

Appeal Panel upholds the decision appealed against, or by the Local concerned if the appeal is allowed.

- i) The Appeal Panel's decision on the appeal will be reported to the Recording Secretary of the Local. If the appeal has been allowed, the records of the Local will be amended to conform to the Appeal Panel's decision.

ARTICLE 25

AMENDING THE BYLAWS

- 25.1 The members of CUPE Local 4627 may by resolution passed by two-thirds of those voting at any General Meeting, add to, amend, alter, suspend or repeal any of the provisions of these Bylaws, provided that Notice of Motion of at least seven (7) calendar days at a previous meeting or written Notice of Motion of at least sixty (60) calendar days specifying the proposal(s) has been served.
- 25.2 Any new or amended Bylaws will not become effective until approved by the National President of the Canadian Union of Public Employees. Approval will not be withheld unless there is conflict with the National Constitution. A decision on the amendments will be rendered within ninety (90) days.

ARTICLE 26

COLLECTIVE AGREEMENT

Any collective agreement and revisions thereof must be approved by the membership. This can be a simple majority vote, or if requested, a simple majority of unspoiled ballots cast in a secret ballot vote of the membership.

ARTICLE 27

WITHDRAWAL OF SERVICES

Any withdrawal of services must be approved by the membership. This can be a simple majority vote, or if requested, a simple majority of unspoiled ballots cast in a secret ballot vote of the membership.

APPENDIX A

RULES OF ORDER

1. The President, or in her or his absence the Vice-President, will take the Chair at all General Meetings. In the absence of both the President and the Vice-President, the Secretary-Treasurer will act as Chair. In the absence of the above three Officers, the Executive Board will choose a Chair.

2. No member will enter or leave a meeting during the Initiation of new members, the Installation of Officers, or the taking of a vote.
3. No question of a sectarian character will be discussed.
4. When a member wishes to speak on a question or to make a motion, the member will rise and respectfully address the Chair, but, except to state that he or she rises to a point of order or on a question of privilege, will not proceed further until recognised by the Chair.
5. When two or more members rise to speak at the same time, the Chair will decide which one is entitled to the floor.
6. When recognised by the Chair, the member will state her or his name and will confine all remarks to the question at issue.
7. Every member, while speaking, will adhere to the question under debate and avoid all personal, indecorous or offensive language, as well as any poor reflection on the Local or member thereof.
8. If a member, while speaking, is called to order, he or she will cease speaking until the point is determined; if it is decided she or he is in order, he or she may again proceed.
9. A member will not interrupt another except it be to call to a point of order.
10. Should a member persist in unparliamentary conduct, the Chair will be compelled to name the member and submit her or his conduct to the judgement of the Membership. In such cases the member whose conduct is in question should explain and then withdraw, and the Membership will determine what course to pursue.
11. The Chair will take no part in debate while presiding, but may yield the Chair in order to speak on any question before the Local, or to introduce a new question.
12. No member, except the Chair of a Committee making a report, or the mover of a resolution, will speak more than five minutes, or more than once on the same question, without the consent of the meeting, or until all who wish to speak have had an opportunity. Chairs and movers of a resolution will be limited to fifteen minutes, except with the consent of the meeting.
13. A motion to be entertained by the Chair must be moved and seconded; the Chair must recognise both mover and seconder.
14. All resolutions and motions other than those named in Rule 21, or those to accept or adopt the report of a committee, will, if requested by the Chair, be presented in writing before being put to the membership.

15. A motion to adjourn is in order except when a member has the floor or when members are voting. A motion to adjourn having been put and lost, will not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.
16. The Chair of the meeting will state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, will ask: "Are you ready for the question?" Should no member rise to speak, the question will then be put.
17. On motion, the regular business may be suspended by a two-thirds vote of those present, to deal with urgent business.
18. A motion to amend, or to amend an amendment, will be in order but no motion to amend an amendment to an amendment will be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution will be in order.
19. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will allow it.
20. Any member having made a motion can withdraw it with the consent of the seconder, except that any motion once debated, cannot be withdrawn except by a majority vote of those present.
21. When a motion is before the Local, no other motion will be in order except the following with precedence in the order named:
 - To adjourn
 - To put the previous question
 - To lay on the table
 - To postpone for an indefinite time
 - To refer
 - To divide or amendThe first three will be decided without debate.
22. A motion for the previous question, when regularly moved and seconded, will be put in this form: "Will the main motion now be put?" If it is adopted, the Chair will 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, as amended, will be put to the Local.
23. The Chair will have the same rights as other members to vote on any question (except a challenge under Rule 25). In case of a tie vote, the Chair may cast the

deciding vote if he or she has not already voted. If she or he chooses to refrain from breaking the tie, the motion is lost.

24. After the Chair declares the vote on a question and before the Local proceeds to another order of business, any member may ask for a vote verification. A standing vote will then be taken and the Vice-President will count same.
25. If any member wishes to challenge (appeal) a decision of the Chair, the member must do so at the time the decision is made. If the challenge is seconded, the member will be asked to state briefly the basis for the challenge. The Chair may then state briefly the basis for the decision, following which the Chair will immediately and without debate put the question: "Will the decision of the Chair be sustained?" A majority vote of those present will decide, except that in the case of a tie, the Chair is sustained.
26. When the previous question is moved. No discussion or amendment to either motion is permitted. If the majority vote that "the question be now put", the original motion has to be put without debate. If the motion to put the question is defeated, discussion will continue on the original motion.
27. Committees may combine resolutions or prepare a composite to cover the intent of the question at issue. Reports of Committees are not subject to amendment except such as is acceptable to the Committee, but a motion to refer back to the Committee for reconsideration will be in order.
28. A member will not move a motion to refer back after having spoken on the question at issue.
29. A motion to refer back is not debatable and when properly seconded the question will be immediately put to the membership.
30. If the report of a Committee is adopted it becomes the decision of the Membership. If defeated it may be referred back to the Committee for reconsideration.
31. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
32. In all matters not regulated by these Rules of Order, *Bourinot's Rules of Order* will govern.

APPENDIX B

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, co-operation 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 and CUPE Local 4627's policies and practices must reflect our commitment to equality. Members, staff and elected officers must be mindful that all sisters and brothers deserve dignity, equality and respect.