



B Y - L A W S

LOCAL 7811

**Amended ~~October 8 2014~~
Amended January 2017
Approved Aug 9/2017**

BY-LAWS FOR CUPE LOCAL 7811

P R E A M B L E

Local 7811 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 members and to oppose all types of harassment and discrimination. To promote efficiency of public services, and to express its belief in the unity of organized labour.

The following By-Laws are adopted by the Local pursuant to, and to supplement, Appendix "B" of the CUPE Constitution, to safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organizations' activities. The CUPE National Equality Statement can be found in Appendix "A" to these bylaws.

ARTICLE 1 – NAME

The name of this Local shall be: Canadian Union of Public Employees, Local #7811, Cornwall Community Hospital.

ARTICLE 2 – OBJECTIVES

The objectives of the Local are to:

- (a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- (b) Support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- (c) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (d) Encourage the settlement by negotiation and mediation of all disputes between the members and their employers.

- (e) Actively oppose harassment and discrimination of any sort or on any basis for all workers in general and this membership in particular.
- (f) Establish strong working relationships with the public we serve and the communities in which we work and live.

ARTICLE 3 - INTERPRETATION and DEFINITIONS

- (a) Masculine pronouns shall be understood to include the feminine gender.
- (b) Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the CUPE Constitution, which should be read in conjunction with these bylaws.

ARTICLE 4 - MEMBERSHIP

Membership shall be open to all members of the bargaining unit.

ARTICLE 5 - MEMBERSHIP MEETINGS

- a) Regular general membership meetings shall be held monthly except January and July.

Regular general membership meetings will be on the second Wednesday of the month, starting time 19:15. Venue to be determined by the Executive.

Special general membership meetings may be ordered by the Executive Board or by no fewer than fifteen (15) members, in writing. The President shall call a special meeting when so ordered or requested within a two week period and shall see that all members receive at least seven (7) days notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

Under extraordinary circumstances, the President can call a meeting with at least 24 hours notice, notwithstanding the above.

- (1) A quorum for the transaction of business at any regular or special meeting shall be fifteen (15) members, including at least three (3) members of the Executive Board.
- (2) In the event of no quorum, the meeting shall become an information meeting and the executive officers have the right to carry out the usual business of the local and report back to the membership at the next meeting.

- b) The order of business at regular general membership meetings is as follows:

Regular Meetings

- Call meeting to order
- Reading of the Equality Statement
- Roll call of officers
- Voting on New Members and Initiation
- Read and approve minutes
- Read and approve matters arising from minutes
- Treasurer's Report
- Communications and bills
- Executive Board report
- Committee and delegates report
- Nominations, elections and/or installations
- Unfinished business
- New business
- Good of the Union
- Adjournment

ARTICLE 6 - VOTING FUNDS

- (a) Local 7811 will pay out funds under the following circumstances:
- Ordinary expenses and bills.
 - Membership approved budget.
 - By-Laws approved expenditures; or
 - Through a vote of the majority of members at a membership meeting.
- (b) In the case of a grant or a contribution to a member(s) or cause(s) outside of C.U.P.E. greater than \$100.00 (one hundred dollars), a notice of motion must be made at a regular membership meeting and then approved at the following regular membership meeting before the grant or contribution can be paid out.

ARTICLE 7- EXECUTIVE OFFICERS

President
Vice President
Chief Steward
Treasurer
Recording Secretary
Membership Officer
Three (3) Trustees
Shop Stewards (15) Fifteen

ARTICLE 8 - EXECUTIVE BOARD

- (a) The Executive Board shall be comprised of:
President
Vice President
Chief Steward
Treasurer
Recording Secretary
- (b) The Board shall meet once every month. (Article B.3.14)
- (c) Fifty percent (50%) or more of the Board constitutes a quorum.
- (d) The Executive officers shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- (e) The Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- (f) The Executive shall have the right to call for a financial audit at their discretion.
- (g) Should any Board member fail to answer the roll call for three consecutive regular membership meetings or three **consecutive** regular Board meetings without having submitted good reasons for those failures, his office shall be declared vacant and shall be filled by an election at the following membership meeting unless a good and valid reason acceptable to the Executive has been provided. (Article B.2.5)

ARTICLE 9 - DUTIES OF OFFICERS

All newly elected Officers of the Union, and Stewards must attend the first available school or training sessions pertaining to their position within their first year of office.

- (a) The President shall:
- be bonded;
 - if the President cannot qualify for a bond, he/she shall be immediately disqualified from office and the Local shall proceed with the election of another president;
 - bonding amounts shall conform to the minimum guidelines as established by the National Secretary-Treasurer and distributed to all chartered organizations;

- enforce the CUPE Constitution and these by-laws;
- Complete CUPE Steward training, Parliamentary Procedures and Arbitration.
- preside at all general membership meetings and preserve order;
- decide all points of order and procedure (subject always to appeal to the membership);
- have a vote on all matters (except appeals against his rulings) and in case of a tie vote in any matter, including elections, have a re-vote;
- ensure that all officers perform their assigned duties;
- fill committee vacancies (by appointment until the next election) where elections are not provided for;
- sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, by-laws or vote of the membership;
- be allowed necessary and reasonable funds, to reimburse himself or any officers for expenses, supported by vouchers, incurred on behalf of the Local;
- have first preference as a delegate to any convention, school or conference to which the Local is affiliated;
- ex-officio of all committees;
- On termination of office, surrender all books, seals and other properties of the Local Union to their successor (including all emails history, passwords and data storage devices).

(b) The Vice-President shall:

- if the President is absent or incapacitated, perform all duties of the President;
- if the office of President falls vacant, be Acting President until a new President is elected;
- render assistance to any member of the Board as directed by the Board;
- complete CUPE steward training, Parliamentary Procedures, Arbitration;
- maintain a file of all classification changes, and positions which are created or eliminated;
- be a member of the Grievance Committee;
- be a designate for the President in/on various Committees when needed.
- Be responsible for new member orientation as directed by the President.
- report to the Executive Board on a monthly basis any steward activities;
- be a signing officer;

- The Vice-President shall be bonded through the master bond held by CUPE National. If the Vice-President cannot qualify for the bond, he/she shall be disqualified from having signing authority.
- On termination of office, surrender all books, seals and other properties of the Local Union to their successor (including all emails history, passwords and data storage devices).

(c) The Chief Steward shall:

- preside over membership and Board meetings in the absence of both the President and Vice-President and preserve order; Complete CUPE Steward training, Parliamentary Procedures and Arbitration;
- Oversee all grievances, receive copies of all grievances;
- Be a member of the Grievance Committee;
- chair monthly Stewards meetings;
- report to the Executive Board on a monthly basis any/all grievance activities;
- assign case numbers and assign grievances and other duties to the elected Stewards;
- receive monthly written reports from Stewards on all complaints and grievances;
- keep records of all grievances submitted by members;
- present Grievance Committee report at general membership meeting;
- handle all correspondence regarding grievances;
- maintain a file of all job postings, and identify discrepancies from known job duties;
- keep precise minutes of all monthly Stewards meetings with a copy to the Recording Secretary., including roll call.
- Should any steward fail to answer the roll call for three (3) consecutive steward meetings without having submitted good reasons for those failures, his office shall be declared vacant.
- Enforce CUPE Constitution and these By-Laws.
- render assistance to any member of the Board as directed by the Board;
- On termination of office, surrender all books, seals and other properties of the Local Union to their successor (including all emails history, passwords and data storage devices).

(c) The Treasurer shall:

- be bonded as per the National Constitution;
- complete the CUPE Treasurer's course;

- bonding amounts shall conform to the minimum guidelines as established by the National Secretary-Treasurer and distributed to all chartered organizations;
- if the Treasurer cannot qualify for a bond, he/she shall be immediately disqualified from office and the Local shall proceed with the election of another Treasurer;
- regularly make full financial report to Local executive and regular general meetings as per B.3.6 of the Constitution (attach written report to the minutes);
- receive all revenue, dues and assessments;
- keep a record of each members' payments, and deposit promptly all money with a bank or credit union;
- prepare all CUPE Per Capita Tax Forms and remit payment;
- record all transactions in a manner acceptable to the Board and in accordance with good accounting practices;
make all books available for inspection by the auditors and/or Trustees on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendation and concerns raised by the Trustees;
- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- The Secretary-Treasurer must respond in writing and within a reasonable time to any concerns or recommendations in the written report made by the Trustees as set out in Article B.3.12(a);
- co-sign all cheques issued;
- be empowered with the approval of the President to employ necessary administrative assistance to be paid for out of the Local's funds with approval of membership;
- will be allowed one day leave of absence with pay per month to conduct Treasurer's duties;
- on behalf of the local union membership, be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE 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;
- make a full financial report to meetings of the Local union's executive board;
- make a written financial report to each regular membership meeting, detailing all income and expenditures for the period;

- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union by-laws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences;
- On termination of office, surrender all books, seals and other properties of the Local Union to their successor (including all emails history, passwords and data storage devices).

(d) The Recording Secretary shall:

- complete the CUPE secretary's course;
- keep full, accurate and impartial account of the proceedings of all regular or special membership meetings and Board meetings; these records must also include a copy of the full financial report presented by the Treasurer with the record of all meetings as per the CUPE National Constitution. The records should also include a copy of reports presented by the Trustees;
- record all amendments and/or additions in the By-laws and make certain that these are sent to the National President for approval;
- answer correspondence and fulfill other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to members;
- have all records ready on reasonable notice for auditors and Trustees;
- be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local's funds;
- maintain an up-to-date membership list;
- maintain up-to-date minutes from all committees;
- introduce new members;
- On termination of office, surrender all books, seals and other properties of the Local Union to their successor (including all emails history, passwords and data storage devices).

(e) The Membership Officer shall:

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

(f) The Trustees shall:

- complete the CUPE trustee course;
- act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer; the Recording Secretary and all Standing Committees at least once every calendar year;
- make a written report of their findings to the first membership meeting following the completion of each audit;
- submit in writing to the President and 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 Treasurer in an organized, correct and proper manner;
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- ensure that proper financial reports are made to the membership;
- audit the record of attendance;
- inspect at least once a year any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership;
- send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their report to the Local Union membership along with a copy of their recommendations and/or concerns to the President and Treasurer and the Treasurer's response, to the National Secretary Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative.

(g) Stewards Shall:

- complete CUPE steward training;
- investigate all membership complaints within an assigned area when necessary;
- process all grievances within assigned areas at the initial stages of the grievance procedure;
- be a member of the grievance committee when a grievance involving the assigned area arises;
- follow grievances up to and including mediation;
- generally know and police the Collective Agreement and provincial or federal legislation affecting labour and their particular job;
- Assisting members with grievances or complaints, and keeping accurate records of all matters arising from the course of their duties.

- Communicate to the Chief Steward in a timely manner that a grievance is pending.
- Prepare grievances in consultation with Chief Steward.
- Submit a monthly written report to the Chief Steward or designate (See Appendix D).
- Providing communications and information from the members to the Executive Board and from the Executive Board to the members, including distribution of union literature.
- Attending all monthly Membership and Stewards meetings.
- maintain daily contact with members to provide on-going Union awareness and education.

ARTICLE 10 - FINANCIAL

A) INTERIM OUT-OF-POCKET EXPENSES

Interim out-of-pocket expenses as stated below shall be paid in each May and November

President:	\$300.00
Vice President	\$270.00
Chief Steward	\$240.00
Treasurer	\$225.00
Recording Secretary	\$225.00
Shop Stewards	\$150.00
Membership Officer	\$ 30.00

If a position falls vacant during the year, the above honorarium will be paid on a pro-rata basis.

Trustees shall be booked off for the audit(s) and receive the in-town per diem.

B) BUDGET

A budget should be prepared yearly by the Executive Officers and submitted to the membership for approval in December of each year. It should be based on the known income from dues and known expenses, such as per capita tax to all affiliations, hall rentals, supplies, delegates to seminars, conferences, conventions, negotiations, etc.

ARTICLE 11 - DELEGATES TO CONVENTIONS, SEMINARS & MEETINGS

- (a) President and Vice-President will have first preference as delegates to all conventions and conferences, including, but not limited to; National Convention, O.C.H.U. and Ontario Division. All other delegates to convention and conferences be elected at the general membership meeting, and be required to make a report to the membership after such convention/conference.
- (b) All delegates to conventions, conferences, seminars or meetings held outside of Cornwall shall be paid transportation expenses and/or travel allowance of \$0.50 per kilometer, a per diem allowance of \$75.00 per day, accommodation expenses and an amount equal to any loss of salary incurred by attendance at the convention. The per diem allowance will be provided prior to attending the convention, conference, seminar or meeting.
- (c) Delegates to conventions, conferences, seminars or meetings held in Cornwall and within a 25 km radius shall have no travel allowance. There shall be a per diem allowance of \$30.00 and compensation for any loss of salary incurred by attendance at the convention.
- (d) Representation at education sessions or seminars shall be on the recommendation of the Executive Board subject to final approval by the membership.
- (e) Upon receipt of all child care/elder care expenses over and above the normal expenses incurred, shall be reimbursed, up to a maximum of \$75.00 per 24 hour period.
- (f) Any part-time member who is elected as a delegate to a convention, seminar, committee or meeting, or asked by the Executive Board to participate in local union activities, shall be booked off on paid union leave.

ARTICLE 12 - FEES, DUES, and ASSESSMENTS

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union.

A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but may not be required to pay arrears.

- (a) Initiation Fee
Effective September 1, 2005 each application for membership in the Local shall be directed to the Treasurer and shall be accompanied by an initiation fee of \$1.00, which shall be paid in addition to monthly dues. Re-admittance fee shall be the same as the initiation fee.
- (b) Monthly Dues
The monthly dues shall be 1.70% of the basic hourly rate for each hour worked through payroll deduction.

Changes in the levels of the Monthly Dues can be effected only by following the procedure for amendment of these by-laws (see Article 16), with the additional provision that the vote must be by secret ballot.

- (c) Special Assessment
Special assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.

ARTICLE 13 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

- (a) Nomination
Nominations for executive officers shall be received at the regular membership meeting held in October of odd years. Nominations for Standing Committees shall be received in October of even years. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting his consent in writing (to be nominated and to accept the nomination), duly witnessed by another member. No member shall be eligible for nomination if he/she is in arrears of dues and/or assessments.
- (b) Elections
- (1) At a membership meeting at least one month prior to Election Day the President shall, subject to the approval of the members present, appoint an Elections Committee consisting of an Election Officer and two or more assistants as required. The Committee shall include members of the Local who are neither officers nor candidates for office. The committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
 - (2) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Election Officer.

- (3) The Election Officer shall be responsible for issuing, collecting and counting ballots. He/She must be fair and impartial and see that all arrangements are unquestionably democratic.
- (4) The voting for executive officers shall take place the second Wednesday in November of odd years. The voting shall be by secret ballot. Voting times will be between the hours of 6:30 a.m. and 7:30 p.m.
- (5) Voting for standing committees shall be conducted at the General Membership meeting in November of even years.
- (6) Votes will be counted immediately following the closing of the polling stations by the Elections Officer and Committee. The results will be announced at the General Membership meeting, following the elections, by the Elections Officer.
- (7) The candidate, for each position being elected, receiving the most votes from those cast, shall be declared elected. In the event of a tie, the deciding vote for the tied position(s), will take place at the membership meeting the night of the elections, by those present at the meeting.
- (8) When two or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
- (9) Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Article 5 (a) (1).
- (10) No voting by proxy.
- (c) Installation
 - (1) All duly elected officers shall be installed at the November meeting, where the election results are announced, and shall continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office, except for Trustees, shall be longer than two (2) years. Terms of office for Trustees three (3) years. At the first election of officers, three Trustees will be elected to serve terms of one, two and three years. In following years one Trustee will be elected for a three-year term to preserve overlapping terms.
 - (2) The Oath of Office to be read/accepted by the newly elected officers is:

“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 as an Officer of this Local Union will at all times endeavor, 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 Union in my possession to my elected successor.”

A copy of the signed oath for each elected officer to be attached to the minutes.

(d) By-Elections

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

ARTICLE 14 - COMMITTEES

(a) Negotiating Committee

This shall be a special ad hoc committee established at least four (4) months prior to the expiry of the Locals' collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the Committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The Committee shall consist of the President and four (4) other members, consisting of at least one (1) full-time and one (1) part-time, elected at a membership meeting. The CUPE Representative assigned to the Local shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership, or, interest arbitration.

All members of the negotiating committee shall attend the C.U.P.E. collective bargaining educational.

(b) Special Committee

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

(c) By-Law Committee

The Executive shall review the By-Laws on an annual basis. In the event that amendments are necessary, a By-Law Committee comprised of three (3) members will be appointed by the President or the Executive Board. The President will sit as an ex-officio member.

(d) Social Committee

This committee will arrange and conduct all social, cultural, and recreational activities of the Local Union, approved by the Executive. The committee shall submit reports and proposals to the Executive Board and to the membership as required.

A budget for the committee will be fixed annually by the membership, but, other than that, all social, cultural, and recreational events and activities shall be self supporting. The committee members will be the chairperson and two members elected at a membership meeting.

Standing Committees

The Chairperson of each standing committee shall be elected by the members at a membership meeting as outlined in Article 13(a). The Chairperson and the Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a committee. The President shall be a member, ex-officio, of each committee. The standing committees are as follows:

(1) Grievance Committee

This Committee will;

- Oversee the handling of all local grievances.
- Receive copies of all grievances.
- Prepare a report on the status of all grievances to be submitted to the Executive Board, the CUPE Representative, and to the membership meeting.
- When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether or not the grievance should proceed to arbitration.
- If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board.

The Committee shall be comprised of the President, Vice President, Chief Steward and the steward presenting the original grievance.

(2) Health and Safety Committee

This Committee will:

- Work to educate members on the importance of workplace health and safety.
- Prepare and present reports to the regular membership meetings.
- Organize an April 28th Day of Mourning ceremony each year.
- Participate on the Joint Worksite Health & Safety Committees (JWH&SC) at their workplace.
- Ensure that the worker representatives on the JWH&SC meet separately from the employer to prepare for meetings with the employer.
- Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.
- Immediately bring to the attention of the employer any workplace hazard that has the potential to cause member's illness or injury.
- Work to eliminate all workplace hazards, be they physical, environmental or social.

Members of this committee shall be designated as a "Certified Worker Representative" in accordance with the legislation in their respective jurisdictions (provincial, federal).

The committee members will be the chairperson and two members elected at a membership meeting.

(3) Redeployment Committee

It shall be the duty of this Committee to:

- Comply with Article 9.08(A)(d)(i) of the CUPE Central Collective Agreement.

The committee members will consist of the President, Vice President, and two members elected at a membership meeting.

(4) Education Committee

It shall be the duty of this Committee to:

- Compile a record of training officers have already received, and to ensure they meet the requirements for their elected positions.
- Gather information about appropriate courses, the availability of courses and make recommendations to the Local Executive.
- Assist delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports.
- Cooperate with the National Union Development Department and Communications Branch of CUPE, and with the regional education

representative, in implementing both the Local Union's and CUPE's policies in these fields.

The committee members will be the chairperson and two members elected at a membership meeting.

(5) Membership Support Committee

Extend the Local's condolences in the event of the death of a member or one of his immediate family and make other appropriate gesture in accordance with custom or the wishes of the family concerned.

The committee will consist of a member elected at a membership meeting.

ARTICLE 15 - RULES OF ORDER

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these by-laws as Appendix A. These rules shall be considered as an integral part of the by-laws and may be amended only by the same procedure used to amend the by-laws.

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

ARTICLE 16 - AMENDMENT

- (a) These by-laws are always subordinate to the CUPE Constitution (including Appendix "B") as it now exists or may be amended from time to time, and in the event of any conflict between these by-laws and the CUPE Constitution the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.

(Articles 9.2(c), 13.3 & B.5.1)

- (b) These by-laws shall not be amended, added to or suspended except upon a majority vote of those present and voting at a special membership meeting following seven (7) days written notice given at a previous meeting or at least sixty (60) days written notice.

(Articles 13.3 and B.5.1)

- (c) No change in these by-laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

ARTICLE 17 AFFILIATIONS

CUPE Local 7811 will be affiliated to the Ontario Council of Hospital Unions, the CUPE Ontario Division and the Cornwall District Labour Council.

SECTION 18 – COMPLAINTS AND TRIALS

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

ARTICLE 19 - HONORARY MEMBERSHIP

May be granted to retirees by the Executive Committee and Honorary Members may enjoy the social and educational functions of the Local at their expense, but shall not participate in the ordinary business of the union or hold office or position in the Local.

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, language and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue, or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society and in our union.

CUPE’s policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all persons deserve dignity, equality, and respect.

Appendix “B” - Code of Conduct

Local 7811 is committed to ensuring that all its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

Local 7811 strives to promote core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities and globally.

Local 7811 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 7811 needs to ensure that it process a safe environment for members, staff and elected officers to carry out our work. Local 7811 expects that mutual respect, understanding and cooperation will be the basis of all our interaction.

This Code of Conduct for Local 7811 sets out standards of behaviour for members at meetings, and all other events organized by Local 7811. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As members of Local 7811 we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

Abide by the provisions of the Equality Statement:

Respect the views of others, even when we disagree;

Recognize and value individual differences;

Communicate openly;

Support and encourage each other;

Make sure that we do not harass or discriminate against each other;

Commit to not engaging in offensive comment or conduct;

Make sure that we do not act in ways that are aggressive, bullying, or intimidating; and

Take responsibility for not engaging in inappropriate behaviour due to abuse of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing

behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

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

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking the person to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. Once a complaint is received, a designated officer of the local union will work to seek a resolution.
3. If this fails to resolve the matter, the designated officer of the local union shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of CUPE 7811, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

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

APPENDIX "C" TO THE BYLAWS OF LOCAL 7811

- (1) The President or, in his absence, the 4st Vice-President shall take the chair at all membership meetings. In the absence of both the President and Vice President, the Chief Steward shall chair the membership meetings.
- (2) No member except the Chairperson of a committee making a report or the mover of a resolution shall 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. Chairpersons and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.
- (3) The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote shall ask: "Is the Local ready for the question?"

Should no member rise to speak, the question shall then be put.

- (4) A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
- (5) A motion to amend or to amend an amendment shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment which is a direct negative of the resolution shall be in order.
- (6) On motion, the regular order of business may be suspended by a two-thirds vote of those present to deal with any urgent business.
- (7) All resolutions and motions other than those named in Rule 17 or those to accept or adopt the report of a Committee shall, if requested by the presiding officer, be presented in writing before being put to the Local.
- (8) At the request of any member and upon a majority vote of those present, a question may be divided when the same will admit of it.
- (9) 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.
- (10) When a member wishes to speak on a question or to make a motion, he shall rise in his place and respectfully address the presiding officer, but, except to state that

he rises to a point of order or on a question of privilege, he shall not proceed further until recognized by the chair.

- (11) When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
- (12) Every member, while speaking, shall 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.
- (13) If a member, while speaking, is called to order, he shall cease speaking until the point is determined; if it is decided he is in order, he may again proceed.
- (14) No religious discussion shall be permitted.
- (15) The President shall take no part in debate while presiding, but may yield the chair to the 1st Vice-President in order to speak on any question before the Local or to introduce a new question.
- (16) The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he may in addition give a casting vote; or, if he chooses, refrain from breaking the tie in which case the motion is lost.
- (17) When a motion is before the Local, no other motion shall be in order except (1) to adjourn; (2) to put the previous question; (3) to lay on the table (4) to postpone for a definite time; (5) to refer; (6) to divide or amend which motions shall have precedence in the order named. The first three of these shall be decided without debate.
- (18) A motion for the previous question, when regularly moved and seconded shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
- (19) A motion to adjourn is in order except (1) when a member has the floor and (2) when members are voting.
- (20) A motion to adjourn, having been put and lost, shall not be in order again if there is further business before the Local, until fifteen minutes have elapsed.

- (21) After the presiding officer declares the vote on a question and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.
- (22) If any member wishes to challenge (appeal) a decision of the chair he must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for his challenge. The chairperson may then state briefly the basis for his decision, following which the chairperson shall immediately and without debate put the question: "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie the chair is sustained.
- (23) 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.
- (24) No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers or the taking of a vote; and no member shall be allowed to leave without the permission of the Vice-President.
- (25) The Local's business and proceedings of meetings are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

APPENDIX "D" TO THE BYLAWS OF LOCAL 7811

Monthly Steward Report

Steward Name: _____

Month of Report: _____

Steward Activity:	Total Number of Activity:
Random Member info request (quick answer to a union question)	
Investigation for member (requires some work to assist member).	
Meetings Complaint Stage:	
New Grievance Filed	
Meetings...Step 1	
Meetings...Step 2	
Attendance Awareness Meeting Attended	
Other meeting type (arbitration, area 5, labour board, etc.)	
Educational	
Other:	

Additions to Report: