

# **PREAMBLE**

These By - Laws are designed to give proper balance to the administration of the local union.

“ Duties and responsibilities of elected officers and members of committees should be as widely dispersed as possible. It should not be left to the willing FEW to serve in multiple capacities. In other words , Duty should be shared by the many rather than the Few. While various committees have been designated as standing committees , this does not preclude the possibility of special committees being established from time to time as may be required as necessary . In order to improve and maintain the social and economic welfare of its members without regard to color Race or Creed, to promote efficiency in public employment and to give clear evidence of its recognition of the unity of organized labor, this local has been formed and does now establish these bylaws for its governance.

## **ARTICLE 1**

1: 01 This organization shall be known as Local Union number 1775 Canadian Union of Public Employees, Prince Edward Island. ( **incorporated 1974** )

## **ARTICLE 2**

2:01 The object of this Union shall be to Foster and encourage a higher degree of skill and efficiency; to Aid workers in securing improved wages, hours and working conditions; to extend the benefits of collective bargaining to workers and to promote the organization of the unorganized; to encourage all workers to share equally in the full benefits of Union organization ; to guarantee the rights of Labor to organize, strike, pit, and

bargain collectively; to promote other means of furthering the education of the membership; to establish, conduct and maintain benefit funds of various types for members, their families independence; to encourage the settlement by negotiation and mediation of all disputes between members and their employers to defend our rights and to advance our interests as workers regardless of what class of work we may engage in to elevate and improve morale, intellectual, social and economic conditions of workers; to hold, own and inquire property; to engage in political activity when such a Spell necessary to protect or Advance the interest of the workers; to engage in buying and selling, Leasing and hiring and any business or other activity which will forward and or Aid the objectives to the attainment of the above objects or any of them

2:02 To practice charity whenever possible without injury to the local or its membership.

2 :03 To support the Canadian Union of Public Employees in its objectives as set out in Article 11 of the Constitution of Canadian Union of Public Employees.

## **ARTICLE 3 : AFFILIATION**

3: 01 This organization shall be chartered by the Canadian Union of Public Employees. It may affiliate with such other organizations as it may determine from time to time, provided such affiliation shall be in accordance with and not contrary to the Constitution of the Canadian Union of Public Employees and its by-laws governing Charter locals .

## **ARTICLE 4 : MEMBERSHIP**

4: 01 The membership of this Union shall be composed conclusively of employees. Any employee employed by all or any of the two provincial

school boards established under the school Act of Prince Edward Island and any subdivision thereof or in any other classification or field work covered by the jurisdiction of the Canadian Union of Public Employees Shall be eligible for membership in this Union, provided they are not specifically disqualified by the rules of this Union or by non-compliance with them or is not specifically disqualified by the constitution, by-laws or rules of the Canadian Union of Public Employees.

4:02 Honorary Membership may be conferred on anyone who the Union feels is deserving of such membership. Notice of motion must be given however, before a motion to make a person an Honorary Member is accepted. Honorary Membership shall not entitle the holder to Voice or vote.

4: 03 The names of applicants shall be read out to the first regular membership meeting after the application has been submitted and the applicants will be automatically accepted as members, unless there's an objection sustained by majority vote of the members present, in the event of an application being rejected, the fee shall be returned to the applicant.

4:04 New members shall be obliged to take the following obligation:

“ I solemnly promise and declare that I'll support and ~~obey~~ comply with the constitution of this union; that I will strive to improve economic and social conditions for my fellow members and for working people generally; that I will defend and strive to extend the democratic rights and liberties of all working people; that I will not purposely or knowingly wrong, or assist others and wrongdoing, a member of this Union”.

~~4: 05 Initiation fee prerequisite to member shall be \$2 to be submitted with the application form for membership in this Union.~~

Article B.3.8 of the National Constitution was amended at the National Convention to remove the initiation fee requirement for each person admitted to membership. Locals are no longer required to remit a \$ 1.00 initiation fee to the National Union for each member. If Local 1775 wishes to stop collecting initiation fees this may be removed at the next bylaw

review. Meantime this remains in effect but monies received do not have to be sent to the national union.

4: 06 All members shall pay monthly dues at the rate of 1.5% of the regular monthly wages. Dues and /or assessments shall be payable in accordance with the check off procedure as designated in the current working agreement. A local can change the regular monthly dues by referendum vote. Notice of at least seven days ( 7 ) in a previous meeting or sixty days ( 60 ) in writing must be given.

4: 07 In addition to the Initiation fee and monthly dues, other assessments may be made upon members, provided each assessment has been approved by secret ballot by majority of members present at a regular meeting or a special meeting call for that purpose and provided that notice that such assessment would be introduced at that meeting have been given at a previous regular meeting or by special notice to members at least two weeks prior to the date the matter is to be voted on. all assessments shall be due and payable before monthly dues but are subject to the approval of the president of the Canadian Union of Public Employees in advance of being levied.

4: 08 Any member who shall fail to pay dues and or assessments, as required by and in accordance with these bylaws, for a period of 3 months, shall be automatically suspended from membership. any member two months in arrears, was automatic suspension is imminent, maybe officially notified of the financial standing in the Union by the secretary treasurer but failure to do so by the secretary treasure shall not defer such suspension if full and proper payment is not made as required by these bylaws

4: 09 Any member may be automatically reinstated in the Union if suspended for non-payment of dues and or assessments as set forth in article 4.08, by the payment of the reinstatement fee set forth herein and if suspended or expelled by any other reason, by 2/3 vote of membership present at a regular meeting after at least one month's notice has been given of the proposed vote to all members, plus the payment of the appropriate reinstatement fee. The reinstatement fee for suspended

members, if suspended for less than 12 months, shall be \$10 plus all back dues and assessments; if suspended for 12 months or more \$10 plus the Initiation fee and the current month's dues this is.

4:10 Members reaching the retirement age or becoming incapacitated whether in receipt of a pension or not and providing they are good standing and free from delinquency in the local union, can on leaving employment, make application to the Secretary Treasurer of the Local Union, and if passed as favorable, the application for a Life Membership Card shall be voted on at a regular meeting of the Union, and if passed favorable, the Secretary Treasurer shall forward the name of the retiring member, his address and necessary particulars to the National Secretary Treasurer of the Canadian Union Public Employees who will issue the Life Membership Card. Should a member in possession of a Life Membership Card resume their employment for any reason they will immediately deposit or forward their Life Membership Card to the Secretary Treasurer of their Union. A member, while holding such a Life Membership Card, shall be exempt from all dues to the Union and per capita tax to the national office of the Canadian Union of Public Employees. A member in possession of a Life Membership Card is not entitled to Voice or vote at Union meetings.

4:11 All members regularly employed and in Good standing shall have equal rights within this Union and are charged with equal responsibility thereto. Without limiting the generality of the foregoing, members, subject to the rules of the Union, are entitled to be present at and have voice and vote in all General matters of the Union and shall be eligible to offer themselves as candidates for office in the Union.

4: 12 All charges against a member or officers must be made in writing and dealt with in accordance with the trial procedure provisions of CUPE National Constitution.

4: 13 Members will submit any concerns or inquiries in writing to the appropriate representative based on the nature of concern or inquiry.

# ARTICLE 5: OFFICERS

5: 01 The officers of this Union shall consist of a President, six Unit Vice Presidents one of whom shall be elected (~~by the executive members as first vice president~~) Since the First Vice President is an Officer and member of the Executive Board, election of this Officer position must be by the full membership and the Executive Board cannot select the First Vice President from among the six Unit Vice Presidents. Recording Secretary, Secretary Treasurer, Sergeant at Arms and three Trustees.

5: 02 The Executive Board of this Union shall consist of the President, six Unit Vice Presidents, Recording Secretary, Secretary Treasurer.

5: 03 Any Executive Office which becomes vacant during the term shall be filled at the next regular meeting and if the office becomes vacant during a period when the next regular meeting is one month or more in the future, a special meeting will be called to fill the vacant office.

5:04 The Officers shall be nominated, elected and installed in office at the annual meeting of the Union to be held on a PEITF Professional Development Day. The meeting of the Local Union shall be known as the Annual Meeting and the term of office shall be 2 years and 3 years for Trustees.

5: 05 A nominating committee of six members in good standing, one from each Unit, shall select for approval, by a clear majority of all members present, nominations for all Elective Offices. Nominations for all Elective Offices will be received from the floor at the Annual Meeting, excluding Unit VP's, who are elected within their Unit at a Unit meeting prior to the annual business day.

5:06 No person shall be elected or appointed as an officer, a delegate of the Union unless they are a member in good standing.

5: 07 No nomination shall be accepted unless the member is in attendance at the Annual Meeting or has been allowed to be filed at such meeting, his consent in writing duly witnessed by another member. No member shall be eligible for nomination if they are in arrears of dues and or assessments. No member may be elected to more than one office.

5: 08 A member upon being installed as an Officer of this Union shall respect the following obligation, " I state your name. 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 Union, will it all times endeavor, both by Council 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 Union in my possession to my duly elected successor in office. "

5: 09 Should any officer absent themselves from three consecutive membership meetings or three consecutive executive meetings without reasonable excuse, their office shall be declared vacant and an election will be held to replace them at the next regular meeting or at a special meeting called for that purpose.

5:10 The Vice President shall be elected or selected by and from the Unit they work in. Each Unit shall select or elect one Vice President from ~~Units 1,2,4 and 2 vice presidents from unit 3~~ 1,2,3A and 3B, 4 and 5 FLSB They shall be accepted by the Union as Vice President and sit as members on the Executive Board.

5:11 All officers are obligated to maintain confidentiality when dealing with members' concerns and issues.

5: 12 Officers will oversee the handling of all local grievances, receive copies of all grievances, report on the status of all grievances to be

submitted to the National Staff Representative and to the membership. When a grievance is not settled in the initial steps provided in the Collective Agreement, the officers will decide whether the grievances proceed to arbitration or not.

## **ARTICLE 6: DUTIES OF OFFICERS**

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

All signing officers of local 1775 shall be bonded through the Master Bond held by CUPE National. Any officer who cannot qualify for the bond shall be disqualified from having signing Authority.

6:01 PRESIDENT - The president shall function as the chief officer of the union. They shall:

- Elected even years at the annual business day;
- enforce the CUPE Constitution and these By-Laws ;
- Preside at all General membership meetings, Chair and Preserve order;
- decide all questions of order and procedure ( subject always to appeal to the membership );
- have a vote on all matters ( except appeals against their ruling ):
- Enforce Board or membership decisions on fines and penalties ;
- fill committee vacancies where elections are not provided for ;
- introduce new members and conduct them through the initiation ceremony under article B 3.1
- Sign all cheques or designate and ensure that the Locals funds are used only as authorized or directed by the Constitution, By- Laws or vote of the membership;
- Preference to attend CUPE National Convention, Conferences and CLC Convention.



First Vice President - The First Vice President shall be elected or selected from the six Vice Presidents at the first meeting of the Executive Board following the Annual Meeting. The Executive Board members shall elect or select the first vice president. the First 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;
- assist the secretary treasure and the Sergeant at Arms and recording attendance and general meetings;
- render assistance to any member of the board as directed by the board article B 3.2

6:03 Six Unit Vice Presidents - Shall be elected from and by the members of their particular unit; one Vice President from each unit. the six Unit Vice Presidents shall:

- Conduct meetings within their particular unit; September and April (
- —
- Act as Chief Steward in their particular area unit, ensuring that Shop Stewards are fulfilling their obligations.
- Rent meeting space and supply flowers or cards, Etc., or members who have, through death, lost their spouse or a child or a parent. This money shall be reimbursed from Union funds by the submitting of voucher for the same to the Secretary treasurer;
- Ensure that meetings within their Unit are held on a regular basis, ensuring a minimum of ~~(2)~~two per year.

6: 04 Secretary - Treasurer - The Secretary Treasurer shall;

- Be elected on odd years that the annual business day
- ensure there are three signing officers of the Local including the President and the Treasurer;
- when a new members elected into this position an external audit will be done when books are transferred to the new Secretary Treasurer;

- receive all revenue, initiation fees, dues and assessments; keep a record of each member's payments; and deposit promptly all money with a bank or credit union;
- verify that all per capita forms are filled out properly ;
- record all transactions in a manner acceptable to the board in accordance with good accounting practices;
- be bonded for not less than \$500 ( or any greater sum as may be decided at a membership meeting ), taking into account the assets of the Local and the amount of cash and cheques handled by the Secretary Treasurer through the Master Bond held by the national Office (article 9.3 section k )
- pay no money unless supported by a voucher duly signed by the President or two other members of the board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- make all books available for an inspection by the auditors and or trustees on reasonable notice and have the books audited annually;
- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- be empowered with the approval of the president, to employ necessary clerical assistant to be paid for out of the Local funds;
- at each membership general meeting, present to the vice president, a nominal roll of the locals membership showing the individual attendance records of members at meetings of the local, both General and Unit meetings;
- sign all cheques, excluding their own and ensure that the Local Union funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws or vote of the membership. in consultation with the Executive Board, designate a signing officer during prolonged absences;
- be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.

- make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- make all books available for inspection by the Trustees and or Auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the trustees (article B 0.3.4 to be 3.8 )

6:05 Recording Secretary - the Recording Secretary shall ;

- Be elected even years at the annual business day
- shall update and maintain a Local web page with the input of the Executive Board;
- prepare and distribute with the input of the Executive Board an annual newsletter to be distributed each year in June;
- keep a full, accurate and impersonal account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report ( executive board meetings ) and the written financial report ( membership meetings ) presented by the Secretary Treasurer. The record will also include trustees' reports.
- record all motions, with the movers and seconders name, in the minute book of the Local;
- record all alterations in the By-Laws;
- answer correspondence and fulfill other secretary secretarial duties as directed by the President;
- 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 books and papers ready on reasonable notice for Auditors and Trustees;
- on termination of office, surrender all books, seals and other properties of the Local to their successor;
- preside over membership and board meetings in the absence of both the President and the First Vice President;

- be empowered, with the approval of the President, to employ necessary stenographic or other assistance to be paid for at the local funds ( article B 3.3 )

6: 06 Sergeant at Arms - The Sergeant at Arms shall ;

- Guard the inner door at the 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 semicolon
- not permit any members to retire from the meeting without permission of the chairman;
- assist the first Vice President and Secretary Treasurer in maintaining the record of membership attendance at meetings;
- examine all present at meetings and report to the chairman any without membership cards and allow none without membership cards to remain ;
- obtained the names of all those awaiting initiation, reporting these to the Chairman;
- perform such other duties as may be assigned by the board from time to time.

6: 07 Trustees - The trustee shall be elected from the general membership and there shall be three trustees; the term of office for the trustee shall be determined as follows: one shall be elected for a 3-year term; one shall be elected for a two-year term ; one shall be elected for a one-year term; each year one trustee shall be elected from the membership and their term of office shall be 3 years; initially three trustees shall be elected and the above formula followed thereafter the trustee shall ;

- Make a written report of their findings to the first membership meeting following the completion of each audit
- submit in writing to the President and Secretary Treasurer any recommendations and or concerns they feel should be reviewed in order to ensure that the Local Unions funds, records and accounts are being maintained by the Secretary Treasurer in an organized, correct and proper manner. ( article b.310 to be 3.12 )

- act as an auditing committee and audit the books and accounts of the Secretary Treasurer, the Recording Secretary and the Standing Committees every 6 months, August and February, sent to CUPE National after 6 month audit in February;
- report their findings to the first annual membership meeting following the completion of each audit;
- be responsible to ensure that money's have not been paid out without proper constitutional or membership authorization ;
- ensure that the proper financial reports have been made to the membership;
- audit the record of attendance;
- inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, titles or deeds to the property that may at any time be owned by the Local and report their findings to the membership;
- use audit forms supplied by the National Office and send a copy of each yearly audit to the National Secretary Treasurer in accordance with the provisions of the CUPE Constitution ( articles B3.11 to B.12)

## **ARTICLE 7 : EXECUTIVE BOARD**

7: 01 The Executive Board of the Local Union number 1775 shall consist of the President, First Vice President, Unit Vice Presidents, Recording Secretary, and Secretary treasurer.

7: 02 The Executive Board of the Union shall be the governing body between regular membership meetings. It shall take such action and render such decisions as may be necessary to carry out fully the decisions and instructions of regular and special meetings of the Union and to enforce the provisions of the Constitution and By-Laws and rules of the Union the Constitution and By-Laws of the Canadian Union of Public Employees and the provisions of any and all Collective Agreements that may be enforce and effect between the Union and the Employers

7: 03 The executive board shall determine and decide all salaries and or honorariums for officers and members in accordance with these rules. All such decisions must be submitted to a regular meeting of the Union by the Executive Board for approval or rejection. Such recommendations or decisions of the Executive Board shall not be subject to Amendment at a union meeting but may be referred back to the Executive Board for further consideration.

7: 04 The Executive Board shall meet at least eight times per year or upon request of three (~~3~~) officers. A majority of the members of the Executive Board shall constitute a quorum for the transaction of business. Executive Board meetings for the year will be set at the first meeting after the annual business day

7: 05 The Recording Secretary shall keep an accurate record of the business of all executive board meetings and shall report thereon at meetings of the union.

7: 06 The Chairman of the Executive Board shall be the President and in his absence the next highest ranking officer present. For this purpose, the rank of Officers is as follows: First Vice President, Unit Vice Presidents, Recording Secretary and Secretary Treasurer.

7: 07 Should any Officer fail to answer the roll call for three regular and consecutive membership meetings or executive meetings without having submitted a good reason for such absence, the office shall be declared vacant and the same filled by an election upon the recommendation of the Executive Board at the next regular meeting of the Union or in case of a Unit Vice President, at the next meeting of the Unit.

7: 08 The Executive Board will do a generic agenda and update for VPS to take to each unit meeting.

7: 09 Executive Board members will submit a written report for each executive meeting..

7: 10 The Executive Board will have a leadership meeting each year after each annual business day to do a plan of action for the following year. The action plan will be a working document for the Executive Board to review and each executive meeting for follow-through.

7: 11 The Executive Board will follow a timeline of events that will be updated each year at the leadership meeting. This timeline of events will be reviewed at each executive meeting for follow through.

7:12 Twice per year fall and spring or as needed the four Education Sector Locals meet to coordinate work; the Executive will determine who will attend these meetings with reports and updates from their Local.

Currently there are two committees; Calendar Committee and Employee Assistance Program Committee (EAP ) that are initiated by the employer that require an Education Sector representative; who will represent CUPE Locals 1145, 1770, 1775 and 3260. This representative will be elected at the fall Education Sector meeting. To be eligible for this election you must be a member in good standing and submit your name in person or in writing for the election meeting. All members of each Local will be given notice of this meeting for the election. The following are the duties in terms of each committee ;

Calendar Committee - 3-year term; this committee consists of two educational Partners from Branch / Board, Teachers Federation, CUPE, Department of Education and the Pei Home and School Federation. The mandate of this committee is to approve calendars for the school years and to identify guiding principles. The CUPE representative on this committee will meet as required / requested by The Joint advisory committee, report back to each Local after each meeting to keep the Locals updated and informed.

Employee Assistance Program - 3-year term; EAP is a joint program between the Government of PEI, the Regional Administrative School Board Branch, Union of Public Sector Employees, PEI Teachers Federation, Canadian Union of Public Employees, PEI Nurses Union and international Union of Operating Engineers. The mandate of this committee is outlined in the employee assistance program handbook. The representative will meet as required /requested by The Joint advisory committee, report back to each Local after each meeting to keep the Local updated and informed, to be knowledgeable about the program and the referral procedure, encourage members to use the EAP program and maintain a strict level of confidentiality with all cases.

### **Pension committee**

## **ARTICLE 8: OUT of POCKET EXPENSES**

8: 01 The following unreceipted out of pocket expenses shall be paid yearly at the following rates; but not to be paid before such Officers are in office for a period of 6 months:

- President 1200.00 per annum
- Recording Secretary 500.00 per annum
- Treasurer 500.00 per annum
- Vice - Presidents 500.00 per annum
- 1st Vice President 125.00 per annum ( if they replace the President two or more times as per their duties )

Trustees 100 per annum The local will pay the President's phone and internet charges with receipts.

Executive board will have phone charges paid up to a maximum of 50 dollars a month upon receipts being provided.



8:02 Members performing Union business on behalf of the membership shall receive;

- A) Travel allowance rate to follow Government of PEI mileage rate per kilometer.
- B) CHILD CARE UP TO \$50.00 PER DAY PROVIDED RECEIPT IS PROVIDED. **Claims should not be paid for a spouse, partner, or a family member who normally provides care without charge, or for a period of time where a member would normally have paid for care such as during normal hours of work at their job.**
- C) Meal allowances shall be as follows for any on island union business
  - Breakfast - 20.00
  - Lunch - 25.00
  - Dinner - 35.00This is on receipts being provided

8: 03 Members performing Union business on behalf of the membership and conducted out of Province overnight shall be paid a per diem of **\$100** (50.00 ) with no receipts required.

## **ARTICLE 9: COMMITTEES**

Form for each committee shall be the majority of the committee.

Each committee shall meet minimum twice per year.

Each committee will submit a written report for each executive meeting.

all committee members are obligated to maintain confidentiality when dealing with the members' concerns and issues.

9:01 Negotiating Committee - This shall be a special ad hoc committee established at the annual meeting 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 three members, one of the three members shall be from the French Language School Board, the three members shall be elected at a membership meeting. The alternate 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 .

9:02 Special Committees - A special ad hoc committee may be established for a specified purpose by the membership at a meeting. The members shall be elected at the same or another membership meeting or may be specified authorization of the membership, be appointed by the President or the Executive Board. two members of the board may sit on any special committee as ex-officio members.

9: 03 Insurance Committee - This committee shall consist of two members for a 5-year term who will act as insurance trustees in representing the interests of the local with respect to;

- Life, disability, accidental death or dismemberment
- Medical Healthcare
- dental care
- long-term disability
- Medical Services of any kind

Insurance trustees election will take place at the annual membership meeting every 5 years. There will be one member elected from the East Central West area during even numbered years, and one member elected from the West Central Area during the odd number years. Any insurance trustees by giving 30 days written notice to the trustee Committee Chairperson.

Insurance Trustees ;

- Are required to be familiar with all aspects of the Trust through education and related conferences.

- Attend group trust committee meetings.
- Prior to each Committee meeting, Education Sector Local Representatives will meet with the President of their Locals to discuss the upcoming agenda and resources and information required for the upcoming meeting. The purpose of this meeting is to be organized, prepared and unified when meeting with the employer and Department Representatives on this joint committee.
- Provide a written report to the Local 1775 Executive liaison following each meeting.
- Direct members who have questions to the appropriate personnel.
- Ensure that all questions and concerns received by the membership are addressed at the next Group Trust Committee meeting. Any questions or concerns must be forwarded to the insurance trustees in writing in advance of each Group Trust Committee meeting.
- Do not have the authority to add new products to the benefits package if they result in additional cost to the membership. New benefits that result in additional cost will be part of the negotiation process.
- Provide an annual report on the status of the insurance plan at the annual membership meeting.

9:04 Pension Committee - The representative on the pension committee shall be elected by the membership at the Annual Meeting for a 3-year term; the representative on this committee shall be given a pension report at the Annual meeting each year. The pension representative will provide a report for each Executive Meeting. Prior to each Committee Meeting, Education Sector Local Representatives will meet with the President of their Locals to discuss the upcoming agenda and resources and information required for the upcoming meeting. The purpose of this meeting is to be organized, prepared and unified when meeting with the employer and Department Representatives on this joint committee

9:06 06 Grievance Committee - This committee shall consist of the Executive Board. It shall be the duty of this committee to investigate fully all

grievances presented to them in writing and if found to be a lawful grievance, they shall follow the regular grievance procedure as outlined in the collective agreement.

9: 06 By - Law Committee - This committee shall consist of four members, one will be an employee of the French language School Board. These members will be elected at an annual meeting for a 3-year term. It shall be the duty of the committee to review the bylaws each year for recommendations to the members at each Annual Meeting. The committee will report to the Executive and the members of Local 1775 after each meeting. The committee will ensure that all members have up to date and approved bylaws. The committee will seek input from the members each year for suggested amendments .

9: 07 Bursary Committee - This committee shall consist of four members, one will be an employee of the French language School board. These members will be elected at an annual meeting for a 3-year term. It shall be the duty of the committee to review the bursaries of the Local each year in September. The committee will develop an update as needed and an appropriate bursary form to be used by the members. The committee will report to the executive and the members of Local 1775 after each meeting. The committee will ensure that all members have an up-to-date bursary form each year. There will be three \$300 bursaries drawn at random from all properly filled bursary applications received with supporting documents at the annual business day each year.

9: 08 Health and Safety Committee - This committee shall consist of four members one will be an employee of the French language School board. These members will be elected at an annual meeting for a 3-year term. It shall be the duty of the committee to promote and advocate for the prevention of health and safety hazards in the workplace. Ensure accessibility and inclusion on occupational health and safety matters. Recommend and promote health and safety training to the members of

Local 1775. Promote and raise awareness of health and safety within Local 1775.

## **ARTICLE 10 : MEETINGS**

10: 01 At any time, within these bylaws, when mention is made of a Regular, General or Membership meeting, it shall be determined that it means a meeting of the Total membership at a Provincial meeting.

10: 02 To allow for more frequent meetings of the members and at the same time, realizing that Provincial meetings are expensive and at times difficult for the membership to attend on a regular or monthly basis, allowance shall be made herein to provide for Unit meetings.

10: 03 Unit meeting shall be held on a regular basis at a time and place, within the unit area, as determined by the Vice President of the unit.

10: 04 The Vice President of the Unit shall act as Chairman and in their absence, appoint a member of good standing to act as chair in their absence.

10: 05 Unit meetings shall be limited to discussion of Unit problems and settlement of same and any other topics of concern to the membership of the Unit but at no time does the Unit meeting have the authority or power to spend monies of the Union or vote funds for any purposes; but at no time does the foregoing prevent the Unit from making recommendations to the Executive Board on expenditures of funds or the raising of funds or dues, Etc.

10: 06 Unit meetings at all times adhere to the Constitution of the

Canadian Union of Public Employees and these bylaws and shall not be empowered to debate or reverse decisions of the membership or the Executive Board.

10: 07 The Vice President shall appoint from among the members a Recording Secretary to take all minutes of Unit meetings and these shall become the property of the Union.

10.08 The vice president shall appoint for among the members a Sergeant at Arms.

10: 09 Unit meetings shall follow the rules of order as set down for General meetings provided for herein.

10:10 Notice of all Unit meetings shall be given to the members at least 72 hours in advance of the meeting.

10: 11 A quorum of all Unit meetings shall consist of 10% of members, excluding the Vice President, provided however, that a properly called meeting for which no Quorum was available may be deferred to another date.

10: 12 Units may submit recommendations or resolutions from time to time, in motion form at Unit meetings for the consideration of the Executive Board or the membership at General meetings.

10:13 It shall be an obligation on the part of all members to attend all Union meetings.

## **ARTICLE 11 : GENERAL MEETINGS**

11: 01 The union shall convene for the purpose of transacting business on the PEITF Professional Development day of. This meeting shall be

determined to be the annual meeting of the Union. At this meeting, the election of Officers shall be held.

11: 02 Notice of the annual meeting shall be given at least 2 weeks prior to the meeting. Notice shall be given by the most efficient manner ; example press, written notice, radio, Etc

11:03 The Executive Board shall be responsible to have the agenda of the Annual Meeting prepared well in advance of the meeting. This shall entail contacting all Unit Vice Presidents to ensure that each Unit shall have the opportunity to place any concerns, recommendations or resolutions on the agenda well in advance of the meeting. Notice of the agenda shall be given at least one week in advance of the Annual Meeting so as to give time to the membership to study and be prepared to speak for or against the subjects of discussion or debate as they arise. This does not prevent additional subjects from being placed on the agenda as long as they are placed at the opening of the meeting and agreed to by the membership.

11: 04 A special meeting may be called by the Executive Board of the Union or upon the request of 10 members in good standing submitted in writing by them to the Vice President or First Vice President if the President is not available. The request shall state clearly the purpose or purposes for which the meeting is desired and no other business shall be transacted on this occasion.

11: 05 A quorum at all General Membership Meetings shall consist of 25%, excluding the President but including at least two Executive Board Members. Provided however, that a properly called meeting for which no quorum was available may be deferred to another date.

11: 06 The order of business shall be: At the opening of the meeting, the President or First Vice President in the absence of the President, shall take the Chair, an acknowledgement of the Indigenous nations land on whose land the meeting is taking place will be stated, business will be conducted in the following order:

- 1 Equality statement roll / call of officers Recording Secretary
- 2 Reading of the minutes Recording Secretary
- 3 Matters arising from the minutes
- 4 Treasures report - Secretary Treasurer
- 5 Communications and bills
- 6 Voting on new members and initiation
- 7 Executive Board report
- 8 Reports of committees and delegates
- 9 Nominations, elections and installations
- 10 Unfinished business or old business
- 11 New business space business that has not been before the Union
- 12 Good of the Union
- 13 Adjournment

11: 07 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 rules to be considered as an integral part of the bylaws and maybe 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 there, Bourinot's Rules of Order shall be consulted and applied.

11: 08 Voting of Funds - Except for ordinary expenses and bills as approved at membership meetings, no sum over \$200 shall be voted for the purpose of a grant or contribution to a member or any cause outside CUPE, except by notice of motion given in writing and dealt with at a General Membership meeting article B 0.4.4

#### 11: 09 NOMINATIONS, ELECTION AND INSTALLATION OF OFFICERS

NOMINATIONS - Nomination shall be received at the annual meeting. To be eligible for nomination, a member will be a member in good standing. No nomination will be accepted unless the member is present at the



meeting or has allowed their name to be filed at the meeting, their consent in writing, duly witnessed by another member in good standing.

## ELECTION

1 - At least two months prior to the annual meeting, the President shall contact the Vice President of the Units and have them appoint, at a Unit meeting, subject to approval of the members present, a representative from the unit to be a member of an Election Committee. The committee shall include members of the Local who are neither officers nor candidates for office. It shall take full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.

2 - The members of the election committee shall meet at a place mutually agreed upon at least 2 weeks prior to the annual meeting to appoint from among its members a returning officer. who shall be the Chairman of the Committee.

3 - The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the returning officer.

4 - The Returning Officer shall be responsible for issuing, collecting and Counting ballots. They must be scrupulously fair and impersonal and see that all arrangements are unquestionably democratic.

5 - The voting shall take place at the Annual Meeting and shall be by secret ballot.

6 - Voting to fill one office shall be conducted and completed and recounts dealt with before balloting may begin to fill another office.

7 - The majority of votes cast shall be required before any candidate can be declared elected and second and subsequent ballots shall be taken, if necessary to obtain a majority. On the 2nd and subsequent ballot, the candidate receiving the lowest number of votes in the previous ballots shall be dropped.

8 - When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the members' ballots will be 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 the bylaws of the union.

In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.

## INSTALLATION

1 - All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for 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 2 years article B 2.4

2 - The term of office for trustees shall be as laid down in article 111, b.2.4 of appendix B of the CUPE Constitution

## BY - ELECTION

Pursuant to the terms of these bylaws or for any other reason, the resulting by-election should be conducted as closely as possible in Conformity with this section.

# **ARTICLE 12 : STRUCTURE OF THE UNION**

GENERAL MEMBERSHIP  
( Provincial )

EXECUTIVE BOARD  
( President, First Vice President, Vice Presidents, Recording Secretary,  
Secretary Treasurer )

REGIONAL UNITS  
( Unit 1,Unit 2, Unit 3a, Unit 3b, Unit 4, Unit 5 )

## **ARTICLE : 13 DELEGATES TO CONVENTIONS AND CONFERENCES**

13: 01 Except for the President's option all delegates to conventions shall be chosen by elections at membership meetings. Failure to do so, selection is to be made by the Executive Officers.

13: 02 The President shall have the first option. Any member of Local 1775 who is an elected member of the National Executive Board or National Committee shall have a second option. All other delegates to conventions and conferences shall be chosen by election at general membership meetings. Delegates to the National Convention / Conference shall be selected from the Executive Board by the Executive Board.

13: 03 All delegates elected to the Convention held outside the Province shall be paid transportation expenses at economy or tourist or coach rates, at per diem allowance of \$100 for expenses, hotel or motel cost and an amount equal to any loss of salary necessitated by attendance at the convention, rate for traveling and meals as per Collective Agreement.

13: 04 Delegates to Convention held locally shall have travel allowance paid at the government's rates there shall be compensation for any loss of salary necessitated by attendance at the convention.

13: 05 Representation at Educational Institutes and Seminars shall be on the recommendation of the Education Committee, subject to final approval by the Executive Board.

# **ARTICLE : INTERPRETATION**

14: 01 All masculine and female pronouns where used have been replaced with THEY/THEM where applicable.

14: 02 Member in good standing means once accepted, a member continues as a member in good standing while employed within the jurisdiction of the local unless the member loses good standing under the provisions of the constitution.

14: 03 In these bylaws, wherever General, Membership or Regular is used in regards to meetings, it shall be determined to mean a Provincial meeting.

14: 04 Whenever the term, Unit meeting, is used, it shall be determined to be a meeting of any Unit of the five Regional Units.

14: 05 Executive officers are the President, First Vice President, Recording Secretary and Treasurer.

# **ARTICLE 15 : AMENDMENT**

15: 01 These by- laws are always subordinate to the CUPE Constitution (including an appendix B ) as it now exists or may be amended from time to time and in the event of any conflict between these bylaws and the CUPE Constitution, the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President. (9.2 C, 13.3 and B 5.1) also CUPE National Constitution.

~~15: 02 These bylaws shall not be amended, added to or suspended except upon a majority vote of those present and voting at a regular or special membership meeting following written notice given at a previous regular meeting ( 13.3 and be 5.1)~~

The local may amend or add to its bylaws only if a “ notice of the intention to propose to amend or for additional bylaws was given at least seven days before at a previous membership meeting or 60 days prior in writing”.

15: 03 No change in these by - laws shall be valid and take effect until approved by the National President of the Canadian Union of Public Employees. The validity shall date from the letter of approval of the National President( 9.2 see, 13.3 and B 5.1) ; also CUPE National Constitution.

## **APPENDIX “ A “**

### **RULES OF ORDER**

1 The President or in his absence, the Vice President, shall take the chair at all membership meetings. In the absence of both the President and Vice president, the Recording Secretary shall act as President, and in their absence, a President pro-tem shall be chosen by the Local.

2 No member, except the Chairman of a Committee making a report or the mover of a Resolution, shall speak for more than 5 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. Chairman and movers of a resolution shall be limited to 15 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 be then 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 2/3 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 sense will admit it.

9 Any member having made a motion can withdraw it with 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 Officers 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, in decorous, or offensive language, as well as, any poor reflection on the local or remember thereof.

13 If a member, while speaking, is called to order, he shall cease speaking until the point is determined ; if it is decided they are in order, they may 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 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 one ( 1 ) to adjourn, two ( 2 ) put the previous question, three ( 3 ) to lay on the table, four ( 4 ) to postpone for a definite time, five ( 5 ) to refer, six ( 6 ) to divide or amend; which motion shall have precedence in the order named. The first three ( 3 ) 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 one ( 1 ) when a member has the floor, and two ( 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 15 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 be taken and the secretary shall count the same.

22 If any member wishes to challenge or 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 Chairman may then state briefly the basis for his decision, following which the Chairman 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 members 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 members shall be allowed to leave without the permission of the Vice President.

25 The Locals business and proceedings of meetings are not to be divulged to any persons outside the local or the Canadian Union of Public Employees.

## **APPENDIX " B "**

The Executive will meet with the casual cleaning staff at the beginning of each school year. Meeting to be held in Summerside, Tignish Charlottetown, and Montague.  
An additional meeting will be scheduled where warranted.

## **APPENDIX " C "**



## **Code of Conduct**

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

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

This Code of Conduct sets out standards of behavior for participants at national conventions, conferences, schools, meetings, and other union events organized by CUPE National, Local 1775, or any other CUPE chartered body. It is consistent with the expectations outlined in the Equity Statement and the CUPE National Constitution.

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

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

- 1) Abide by the provisions of the Equity Statement.
- 2) Respect the views of others, even when we disagree.
- 3) Recognize and value individual differences.
- 4) Communicate openly
- 5) Support and encourage others.
- 6) Make sure we do not harass and discriminate against each other.
- 7) Commit to not engaging in offensive comments or conduct.
- 8) Make sure that we do not act in ways that are aggressive, bullying or intimidating.
- 9) take responsibility for not engaging in inappropriate behavior due to the use of alcohol or other drugs while participating in union activities, including social events.

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

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

- 1) If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour to the Code by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
- 2) A complaint shall be brought to the attention of an ombudsperson when there is one available, a person properly appointed and designated to be in charge shall receive the complaint.
- 3) The ombudsperson or the person in charge will work to seek a resolution. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge. The person in charge has the authority to expel members from the event for serious or persistent offenses.

- 4) If the complaint involves a national staff member, it shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another CUPE chartered organization, the complaint shall be referred to the person responsible for their employment.
- 5) If the person in charge is a party to the complaint, an alternate will be designated to assume the role.
- 6) In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For other events, the presiding officer shall receive a report on the matter.
- 7) For events organized by CUPE NATIONAL, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. For other events, the presiding officer shall consult the National President.

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 CUPE National Constitution, the Equality Statement, and the applicable human rights legislation, not replace them.

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

## **APPENDIX “ D “**

With the election of a new Local president the immediate past president can sit on the executive board for a period of one year. Purpose of this is to facilitate the transfer of knowledge and experience to the newly elected president. This will be a NON voting position.





