



## **BYLAWS**

# **CANADIAN UNION OF PUBLIC EMPLOYEES**

## **LOCAL 69**

**(Employees of the City of Brandon and Keystone Agricultural & Recreational Centre Inc.)**

Approved by Membership: **November 1, 2022**

Approved by National Executive Board: **January 10, 2023**



# 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.



  
MARK HANCOCK  
National President

  
CANDACE RENNICK  
National Secretary-Treasurer



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## **LAND ACKNOWLEDGEMENT**

We acknowledge that our meeting is taking place on the unceded territory of the Dakota Sioux, Treaty Two, and a shared territory with the Ojibway Anishinaabe, Cree, Oji-Cree and the home of the Métis Nation.

## **CODE OF CONDUCT**

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

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

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

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

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

- Abide by the provisions of the Equality Statement.
- Respect the views of others, even when we disagree.
- Recognize and value individual differences.
- Communicate openly.
- Support and encourage each other.
- Make sure that we do not harass or discriminate against each other.
- Commit to not engaging in offensive comment or conduct.
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating.

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

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

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

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

person in charge has the authority to expel members from the event for serious or persistent offenses. The same process is to be used for other parts of CUPE where an ombudsperson is not available.

8. For National events, if the person in charge is a party to the complaint, the director or designate shall assume that role. For all other parts of CUPE, an alternate will be designated to assume the role.
9. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For all other structures of CUPE, the presiding officer shall receive a report on the matter.

## **PREAMBLE**

In order to improve the social and economic welfare of its members without regard to sex, colour, race or creed, national or ethnic origin, marital or family status, sexual orientation, family relationship, mental or physical disability, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, Local 69 of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

The following Bylaws 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.

## **SECTION 1 – NAME**

The name of this Local shall be: Canadian Union of Public Employees, Local No. 69.

## **SECTION 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 National 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) eliminate sexual and racial harassment or harassment based on sexual orientation, wherever it exists.
- (f) establish strong working relationships with the public we serve and the communities in which we work and live.

### **SECTION 3 – INTERPRETATION AND DEFINITIONS**

- (a) Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the CUPE National Constitution which should be read in conjunction with these bylaws.

### **SECTION 4 – MEMBERSHIP MEETINGS – REGULAR AND SPECIAL**

- (a) Regular membership meetings shall be held each month on the first Wednesday at 5:15 p.m. If a change of date is required the Executive Board shall give a week's notice of the regular meeting. There will be no regular meetings in the months of July and August except as authorized in these bylaws.
- (b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than eight (8) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours' 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.
- (c) A quorum for the transaction of business at any regular or special meeting shall be eight (8) members, including at least two (2) members of the Executive Board.
- (d) The order of business at regular membership meetings is as follows:
  1. Roll call of Officers
  2. Reading of the Equality Statement
  3. Voting on new members and initiation
  4. Reading of Minutes
  5. Matters arising
  6. Treasurer's Report
  7. Communications and bills
  8. Committees Reports
  9. Nominations, Elections or Installations
  10. Unfinished business
  11. New business

- 12. Good of the Union
- 13. Adjournment

(Article B.6.1)

### **SECTION 5 – VOTING OF FUNDS**

Except for ordinary expenses and bills as approved at membership meetings, no sum over three hundred dollars (\$300.00) shall be voted for the purpose of a grant or contribution to a member or any cause outside CUPE, except by a notice of motion given in writing and dealt with at the following membership meeting.

(Article B.4.4)

### **SECTION 6 – OFFICERS**

The officers of the Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary and three (3) Trustees. All officers shall be elected by the membership.

(Articles B.2.1 & B.2.2)

### **SECTION 7 – EXECUTIVE BOARD**

- (a) The Executive Board shall comprise of all officers, except Trustees. (Article B.2.2)
- (b) The Executive 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.
- (c) The Executive Board 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.
- (d) The Executive Board shall be empowered to conduct the business of the Local. Union business conducted shall be reported at the first regular meeting.

### **SECTION 8 – EXECUTIVE COMMITTEE**

- (a) The Executive Committee shall consist of the Officers of the Executive Board, Unit Vice-President, all Shop Stewards and Warden.
- (b) The Executive Committee shall meet at least once every month.
- (c) A majority of the Executive Committee constitutes a quorum.



- (d) Should any Executive Committee member fail to answer the roll-call for three (3) consecutive regular membership meetings or three consecutive regular Executive meetings without having submitted good reasons for those failures, his/her office shall be declared vacant and shall be filled by an election at the following membership meeting.  
(Article B.2.5)
- (e) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE National Constitution.

### **SECTION 9 – DUTIES OF OFFICERS**

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

(Article B.3.9)

All signing Officers of the Local Union 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.

(Article B.3.5)

(a) President

The President shall:

- enforce the CUPE National Constitution and these bylaws;
- preside at all membership and Executive meetings and preserve order;
- decide all points of order and procedure (subject always to appeal to the membership);
- have the same right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated;
- ensure that all officers perform their assigned duties;
- fill committee vacancies where elections are not provided for;
- introduce new members and conduct them through the initiation ceremony, provide new members with a ~~Union card~~ and a copy of the collective agreement;
- sign all cheques and ensure that the Local's funds are used only as authorized or directed by the CUPE National Constitution, bylaws, or vote of the membership;

- have first preference as a delegate to the CUPE National Convention;
- the President shall have the option to be booked off one day per week to maintain the function and responsibilities of the Local.

(Article B.3.1 & B.3.9)

(b) Vice-President

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;
  - be a signing officer of the Local;
- (Article B.3.2 & B.3.9)
- ensure that all grievances are investigated, researched and processed;
  - keep the membership informed of all progress or changes to steps in grievances;
  - assist the Shop Steward in the investigation of a grievance;
  - make a report to every regular and executive meeting (if necessary) or ensure a report is given by an Executive member;
  - to be made aware of current issues;
  - generally know and police the collective agreement and applicable Labour Laws.

(c) Recording Secretary

The Recording Secretary shall:

- keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports;
- record all alterations in the bylaws;

- answer correspondence and fulfil other secretarial duties as directed by the Executive;
- 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;
- preside over membership and Executive meetings in the absence of both the President and the Vice-President;
- be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
- maintain an up to date mailing and phone list of all members;
- be a signing officer of the Local.

(Article B.3.3 & B.3.9)

(d) Secretary-Treasurer

The Secretary-Treasurer shall:

- receive all revenue, initiation fees, dues and assessments, keeping a record of each member's payments and deposit promptly all money with a credit union;
- prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month;
- record all financial transactions in a manner acceptable to the Executive and in accordance with good accounting practices;
- regularly make a full financial report to meetings of the Local's Executive as well as a written financial report to each regular membership meeting, detailing all income and expenditures for the period;
- be bonded through the master bond held by the National Office, and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited at least once each calendar years and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees;

- 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 membership, to employ necessary clerical assistance to be paid for out of the Local's funds;
- Sign all cheques and ensure that the local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences;
- 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.  
(Articles B.3.4 to B.3.9)

(e) Unit Vice-President, Keystone Centre

The Unit Vice-President, Keystone Centre shall:

- attend all Labour/Management meetings for the facility that they represent;
- ensure CUPE is represented on the workplace OH&S Committee by election or if necessary by appointment;
- call and chair all facility meetings and act as a representative for their facility and bring opinions and concerns of their members to the Executive Board meetings;
- post notices for all union activities and meetings endorsed by the Local at least seven (7) days prior, whenever possible;
- perform any other duties assigned by the Executive Board or membership;
- request all authorized union leaves of absence for negotiations only for the facility they represent and forward a copy of such to the Treasurer;
- provide communications and information from the members in the unit to the Executive Board;
- maintain contact with the members to provide on-going union awareness and education;
- the Unit Vice-President shall have the authority to select in consultation with the membership in their own facility Shop Stewards.

(f) Trustees

The Trustees shall:

- act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary and the 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, Recording Secretary and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct and proper manner;
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- ensure that proper financial reports are made to the membership;
- audit the record of attendance;
- 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, Recording Secretary and Secretary-Treasurer and the Secretary-Treasurer's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative;
- 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 Union, and report their findings to the membership.

(Articles B.3.10 to B.3.12)

(g) Shop Stewards

The Shop Stewards shall:

- ensure that the collective agreement is adhered to by both the Employer and the members;
- ensure that members are fully informed about their rights, City policies, Union policies and objectives, labour legislation and legislative programs;

- work for the welfare of the group; act promptly and decisively, develop teamwork and fight for what is right;
- attend a training session for Shop Stewards within the first year of election; if possible, or make every effort to attend;
- attend all meetings that are called;
- notify the Recording Secretary of new members in their area;
- be a representative on the Good and Welfare Committee (Sick Committee).

(h) Warden

The Warden shall:

- maintain the record of membership attendance at meetings;
- perform such other duties as may be assigned by the Executive Board from time to time.

**SECTION 10 – OUT-OF-POCKET EXPENSES**

- |     |                                      |                    |
|-----|--------------------------------------|--------------------|
| (a) | President                            | \$320.00 per month |
|     | Vice-President                       | \$140.00 per month |
|     | Recording Secretary                  | \$250.00 per month |
|     | Treasurer                            | \$250.00 per month |
|     | Unit Vice-President, Keystone Centre | \$140.00 per month |
|     | Warden                               | \$40.00 per month  |
|     | Shop Stewards                        | \$40.00 per month  |
|     | Auditors                             | \$40.00 per month  |
- (b) Out of pocket expenses for unexcused absences will not be paid. Excused absences will be vacation, sickness, schools or work.
- (c) Out-of-pocket expenses can be paid out quarterly at Executive Committee meetings.
- (d) The Executive Board out of pocket expenses may be paid out monthly or quarterly at Executive Committee meetings.
- (e) The Executive Committee has the right to spend up to three hundred dollars (\$300.00) a month for Union purposes. This shall not be cumulative.

- (f) Mileage will be reimbursed in conformance with CUPE Manitoba rates to attend meetings/business of the Local Union, excluding Executive and General Membership meetings.

### **SECTION 11 – FEES, DUES, ASSESSMENTS, AND AFFILIATIONS**

- (a) The monthly dues shall be one point five percent (1.5%).
- (b) An Initiation Fee or Re-Admittance Fee of one dollar (\$1.00) will be charged by the Local for admittance and confirmation of the desire to become a member of CUPE.  
(Article B.4.1)
- (c) Changes in the levels of the Initiation Fee, the Re-Admittance Fee, or the Monthly Dues can be effected only by following the procedure for amendment of these bylaws (see Section 16). The vote must be by secret ballot.  
(Article B.4.3)
- (d) Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established, these bylaws will be deemed to have been automatically amended to conform to the new CUPE minima.
- (e) Special assessments may be levied in accordance with Article B.4.3 of the CUPE National Constitution.
- (f) Affiliations will be to CUPE Manitoba and CUPE Manitoba Municipal Committee. Affiliations to the Manitoba Federation of Labour (MFL) and Brandon and District Labour Council will be reviewed annually by the Executive Board.

### **SECTION 12 – NOMINATION, ELECTION & INSTALLATION OF OFFICERS**

- (a) Nomination
  - (1) Nominations shall be received at the regular membership meeting held in the month of December. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting their consent in writing and witnessed by another member.
  - (2) To be eligible for nomination as an Executive Board Officer (President, Vice-President, Secretary-Treasurer, or Recording Secretary), a Member shall have attended at least fifty percent (50%) of the Membership meetings held in the previous twelve (12) months.

(b) Elections

- (1) The voting shall take place at the regular membership meeting in December. The vote shall be by secret ballot.
- (2) No proxy vote shall be allowed.
- (3) Voting to fill one office shall be conducted and completed, and recounts dealt with, before an election may begin to fill another office.
- (4) A 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 second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped.
- (5) Each candidate may appoint a scrutineer for the purpose of vote counting.
- (6) 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.
- (7) If a workplace prefers, the Shop Steward may be elected from and by the group they represent. Should a workplace hold a special meeting to elect their area Shop Steward, a name must be forwarded to the President of the Local two (2) weeks prior to the General Membership meeting in December. If names have not been received two (2) weeks prior to the General Membership meeting, elections will take place at the General Membership meeting with all Members participating.

(c) Installation

- (1) All duly elected officers shall be installed at regular meeting in which the election occurred.

(d) Term

- (1) The terms of the Executive Board Officers are as follows:

President	2 years – elected in even years
Vice-President	2 years – elected in odd years
Unit Vice-President	2 years – elected in odd years
Recording Secretary	2 years – elected in even years
Secretary-Treasurer	2 years – elected in odd years

(Article B.2.4)



- (2) The Executive Committee reserves the right to appoint a temporary Shop Steward if the position becomes vacant.
- (3) The term of office for Trustees shall be as per Article B.2.4 of the CUPE Constitution.

(e) By-Election

Should an office fall vacant pursuant to Section 8 (d) of these bylaws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section. If necessary, the Executive Board may appoint a member to fill the vacancy until the next election.

**SECTION 13 – DELEGATES TO CONVENTIONS/SCHOOLS**

- (a) All delegates to conventions/schools held outside the City of Brandon shall be paid as per CUPE Manitoba Policy.
- (b) Delegates to conventions held locally shall not receive a travel allowance. There shall be a per diem allowance paid as per CUPE Manitoba Policy.
- (c) Representation at educational institutes and seminars shall be on the recommendation of the Executive, subject to final approval by the membership
- (d) Delegates to the Western Municipal Workers' Conference shall be the President, Recording Secretary, Secretary-Treasurer, and one Executive Board Member. If there is more than one Executive Board Member interested in attending, names will be drawn.
- (e) Delegates to all other major conventions, only the President, Recording Secretary, and Secretary-Treasurer will attend. The Vice-President/Unit Vice-President will have first option of accepting if one of the above officers is unable to attend.

If the Vice-President/Unit Vice-President are unable to attend, Executive members may attend. If there are a number of people interested in attending, names will be drawn.

If the Executive members are unable to attend, members from the general membership may attend. If there a number of people interested in attending, names will be drawn.

Observers shall be allowed to attend conventions in Brandon; however, they will not be sent out of the City.

Schools

- (a) Members should be prepared to make a report after attending a school, conference or seminar.

There must be a valid reason for missing classes (or attendee will be expected to reimburse the Local for time and expense).

- (b) To be eligible to attend schools, members should attend three (3) regular membership meetings in the previous twelve (12) months or qualify by attendance on a committee related to the topic.
- (c) Members nominated to attend schools, seminars or conferences, should notify the President or Recording Secretary four (4) weeks in advance or as soon as possible if they require a leave of absence form.

The following information is required:

- Name of Department
- Job Title
- Supervisor's name

- (d) Accommodations – The Union will cover the cost of the hotel (at single occupancy when available). Receipts shall be supplied for all expenses.
- (e) Mileage – will be reimbursed in conformance with CUPE Manitoba rate. Members should car pool when possible. The Union will pay up to a maximum of two (2) vehicles. When more than two (2) vehicles are used, the rate per mile/km will be split equally.
- (f) Loss of Wages – The Union will cover regular lost wages except for legislated educational leave of the Health and Safety Committee.
- (g) The Union will cover the cost of day care when a member is attending a convention, school, seminar or others as determined by the Executive Board when working on the Union's behalf when day care is otherwise not provided (except days off when day care is not normally provided for).
- (h) When conventions, seminars, or schools are all cost inclusive outside the City of Brandon, the in-town per diem rate shall apply.
- (i) When travel to another location from your home base is necessary, the time will start from when you leave home until you arrive back home. Example: If you leave Brandon at 8:00 a.m. for a 3-hour meeting in Winnipeg and arrive home at 5:00 p.m., you are reimbursed for a full day's per diem as per CUPE Manitoba's rate.
- (j) Adequate Union leave will be provided to allow for sufficient travel time.

## **SECTION 14 – COMMITTEES**

### (a) Negotiating Committee

It is preferable that each work site listed below has one representative on the Negotiating Committee. The function of the Committee is to prepare collective bargaining proposals and to negotiate a collective agreement and automatically disband when a new collective agreement has been ratified. 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.

There will be elections held at the available work site for four (4) elected positions.

The President will automatically sit on the Negotiating Committee.

The Recording Secretary of the Local is to be at all meetings to record minutes and to be considered a member of the negotiating committee with voice but no vote.

The work sites to be represented on the Negotiating Committee are:

- City Hall / Fire Hall No. 1 / A.R. McDiarmid Building/Police
- Water Treatment Plant / Wastewater Treatment Plant
- Operational Services Division (Streets & Roads, Sewer & Water, Sanitation, Central Garage, Works Office Staff, Transit Clerical Staff, Bus Cleaners, Transit Information Booth, Airport and Building Maintenance)
- Community Services (Parks, Cemetery, Sportsplex, Recreation Centre).

Each Negotiating Committee Member shall receive the in-town per diem rate as per CUPE Manitoba's rate per full day of meetings.

### (b) Grievance Committee

Shall consist of President, Vice-President, Unit Vice-President (if required), and Recording Secretary.

The committee shall process all grievances not settled at the initial stage and reports shall be submitted to the Executive, with a copy to the CUPE representative and to a membership meeting. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement.

If a grievance is unsuccessful, and a motion is made at a General Membership Meeting to obtain an opinion (which can be either verbal or written). The opinion received shall be followed.

Any appeals of the decision of the committee will be referred to the Executive.

(c) Good and Welfare Committee (Sick Committee)

- (1) Fruit baskets, or flowers shall be given to anyone off work for more than five (5) consecutive working days and again one time only after four (4) consecutive weeks. Then every two (2) months.
- (2) Flowers or fruit baskets shall be given for childbirth, parental or adoption.
- (3) Sympathy may include a donation to a charity, so the Secretary-Treasurer must be notified (refer to the Collective Agreement re: Bereavement Leave).
- (4) Cost to be up to forty-five dollars (\$45.00) plus delivery for fruit baskets or flowers.
- (5) Purchase may be made from *Heritage Co-op* or *Bloom Box*.
- (6) Retired members to be included.
- (7) The Committee shall comprise of the Shop Stewards.

(d) Social Committee

It is the function of this Committee to arrange and conduct all social and recreational activities of the Local either on the Committee's own initiative or as a result of decisions taken at membership meetings. The Committee shall submit reports and proposals at the Executive Meeting or to the membership as required.

The Executive shall be held responsible for the proper and effective functioning of this committee. The committee shall comprise of at least two (2) members.

(e) Health & Safety Committee

Committee members should make every effort to attend the Health and Safety meetings for their area and when possible take full advantage of the legislative Health and Safety training days.

Health and Safety Committee Members shall be paid the appropriate per diem when attending on behalf of the Union.

The committee shall comprise of a member from each section of the work place.

All appointees to committees will be for a one (1) year term, to be reviewed by the Executive Board after one (1) year.

(f) Bylaw Committee

The committee shall comprise of the President, Recording Secretary and two other members.

Bylaws shall be reviewed at least every three (3) years (2025).

**SECTION 15 – RULES OF ORDER**

- (a) 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 bylaws as Appendix “A”. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.
- (b) In situations not covered by Appendix “A”, the CUPE National Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot’s Rules of Order shall be consulted and applied.

**SECTION 16 – AMENDMENT**

- (a) These bylaws are always subordinate to the CUPE National Constitution (including Appendix “B”) as it now exists or may be amended from time to time, and in the event of any conflict between these bylaws and the CUPE National 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 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 seven (7) days’ notice at a previous meeting or at least sixty (60) days written notice.  
(Articles 13.3 & B.5.1)
- (c) No change in these bylaws 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.  
(Articles 13.3 & B.5.1)

**APPENDIX “A” TO THE BYLAWS OF LOCAL 69,  
CANADIAN UNION OF PUBLIC EMPLOYEES**

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**RULES OF ORDER**

1. The President or, in his/her 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 his/her absence a President pro-tem shall be chosen by the Local.
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 sense 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 they rises to a

point of order or on a question of privilege, they 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, they shall cease speaking until the point is determined; if it is decided they are in order, they 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 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/she may in addition give a casting vote, or, if he/she 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 motion and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original motion, 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.