



BY-LAWS

CANADIAN UNION OF PUBLIC EMPLOYEES

LOCAL 5001

UNIVERSITY HEALTH NETWORK

September 2012

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BY - LAWS CUPE LOCAL UNION 5001

PREAMBLE

Local Union 5001 of the Canadian Union of Public Employees was formed to fight for improvements of the political, economic and social welfare of all its members, to promote public service through unionized public employment and to manifest its belief in collective labour activity.

This Local Union is founded, by its membership, upon the principles of democratic government, full administrative accountability, and allegiance to the CUPE Constitution, as ratified by the CUPE Biennial Convention.

To ensure the elimination of harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition to discrimination of same wherever it occurs or appears.

Local Union 5001, supports the enhancement and protection of human rights and believes in the principles of equal pay for work of equal value, and free universal access to medical care, infant and child care, and care of the elderly.

SECTION 1 - NAME

The name of this Local Union shall be the Canadian Union of Public employees Local 5001 (University Health Network consisting of Toronto General Hospital and the Toronto Western Hospital).

SECTION 2 - OBJECTIVES

The objectives of this Local Union are to:

- (a) secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- (b) support CUPE in reaching the goals set out in Article II of the CUPE Constitution;

- (c) provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (d) encourage the resolve of all disputes between the members and their employers;
- (e) establish strong working relationships with the public we serve and the communities in which we work and live.

SECTION 3 - INTERPRETATION AND DEFINITIONS

Masculine pronouns shall be understood to include the feminine gender.

SECTION 4 - GENERAL MEMBERSHIP MEETING

- (a) Regular general membership meetings shall be held each month on the third Tuesday at 3:15 p.m. at the Employer's premises.

If for any reason the Employer's premises are not available the Executive Board will determine the location of the meeting.

If a holiday falls on the day of the general membership meeting the meeting will then be held on the following day.

There shall be no general membership meetings in the months of July and August.

- (b) Special general membership meetings may be ordered by the Executive Board or requested in writing by no fewer than twenty-one (21) 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 general membership 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 general membership meeting shall be twenty-one (21) members, including at least a majority of the elected Executive Board members' constituents.
- (d) At the opening of the meeting the President shall take the chair, and shall conduct the business in the following order:

1. roll call of officers
2. voting on new members and initiation
3. reading of minutes of previous meeting
4. matters arising out of the minutes
5. treasurer's report
6. communications and bills
7. executive committee reports
8. reports of committees and delegates
9. nominations, elections or installations
10. unfinished business
11. new business
12. good of the union
13. adjournment

SECTION 5 - VOTING OF FUNDS

- (a) Local 5001 will pay out funds under the following circumstances:
- i. When the expenditure has received prior authorization through a membership approved budget.
 - ii. When these bylaws approve the expenditure; or
 - iii. Through a vote of the majority of members at a membership meeting.

Authorization to pay per capita tax to CUPE National, or any labour organization the Local Union is affiliated with, is not required.

- (b) In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than \$200 (for situations of natural disasters or the death of a CUPE member for example), a notice of motion must be made at a regular membership meeting and then be approved at the following regular membership meeting before the grant or contribution can be paid out.
- (c) No member of Local 5001 will be allowed to spend any Local Union funds without first having received authorization under Section 5(a) of these bylaws.

SECTION 6 - OFFICERS

The officers of the Local shall consist of the President, two (2) Vice Presidents (one from each site), two (2) Chief Shop Stewards (one from each site), Secretary-Treasurer, Recording Secretary, three (3) Executive Board Members, three (3) Trustees, and thirty-eight (38) Shop Stewards (as per the Collective Agreements of Local 5001).

All officers shall be elected by the general membership.

SECTION 7 - EXECUTIVE BOARD

- (a) The Executive Board shall comprise of the following officers: the President, two (2) Vice Presidents (one from each site), two (2) Chief Shop Stewards (one from each site), Secretary-Treasurer, Recording Secretary and three (3) Executive Board Members.

For clarity at no time shall the Trustees form part of the Executive Board.

- (b) The Officers and Executive Board Members of a Local Union shall be elected by a majority of unspoiled ballots cast at a meeting of the Local Union for which adequate notice has been given to all members or, where such arrangements are not practical and convenient, by referendum voting so arranged as to enable all members to participate in elections in a referendum-style vote the Local Union shall have the option of electing its officers by either majority or plurality.
- (c) The Executive Board shall meet on the first Tuesday of every month at 3:00 p.m. at the offices of the Local Union. If a holiday falls on that day the Executive Board will meet on the following day.

A majority of the elected Executive Board Members constitutes a quorum.

- (d) The Executive Board Officers shall hold title to any real estate of the Local Union, as trustees for the Local Union. They shall have no right to sell, convey or encumber any real estate goods or chattels without first giving notice and then submitting the proposition to the general membership meeting and having such proposition approved.

- (d) The Executive Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.
- (e) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
- (f) (i) Should any Executive Board member fail to answer the roll call for three (3) consecutive regular general membership meetings and/or three (3) regular Executive Board meetings, and/or without having submitted good reasons via email or writing for those failures, his/her office shall be declared vacant and shall be filled by an election at the following general membership meeting.
- (ii) Should any shop steward fail to answer the roll call for three (3) consecutive regular general membership and/or steward meetings without having submitted good reasons via email or writing for those failures, his/her office shall be declared vacant and shall be filled by an election at the following general membership meeting.
- (g) In the event that any regular or special general membership meeting is cancelled due to lack of a quorum, as provided for in these by-laws the Executive Board shall have the full authority to deal with any and all business that would have properly have been dealt with by the general membership meeting had it not been cancelled in accordance with these By-Laws.

Should this occur the Executive Board shall, report on such business at the next meeting of the general membership.

SECTION 8 - DUTIES OF OFFICERS

All officers of the union shall provide a monthly report at the Executive Meeting on the first Tuesday of each month and at the Steward Meeting on the second Tuesday of each month.

- (a) **The President shall:**
- enforce the CUPE Constitution and these bylaws;
 - chair the monthly executive board meetings;
 - preside at all general membership meetings and preserve order;

- decide all points of order and procedure (subject always to appeal to the membership);
- have a vote on all matters (except appeals against his/her rulings) and in case of a tie vote in any matter; including elections, they shall cast an additional vote to break the tie;
- ensure that all officers perform their assigned duties;
- fill committee vacancies where elections are not provided for;
- sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the Constitution, Bylaws, or vote of the membership;
- have first preference as a delegate to the CUPE National Convention.

(b) The Vice-Presidents shall:

- if the President is absent or incapacitated, perform all duties of the President on a rotational basis as determined by the Executive Board;
- if the office of President falls vacant, the Vice-President representing the Hospital which is not the place of work of the President will be Acting President on a temporary basis, until a new President is elected in accordance with these by-laws.
- coordinate activities of executive board members at large;
- render assistance to any member of the Executive Board as directed by the Executive Board;
- have preference as a delegate to all CUPE Conventions

(c) The Chief Stewards shall:

- receive all filed, written and signed grievances and process them through the grievance procedure;
- present all grievances at second step meetings and attend all mediation and arbitration hearings;

- report to the Executive Board on all matters relating to grievances;
- act as chair of the Grievance Committee;
- attend the monthly stewards meeting which shall be held on the second Tuesday of each month at 3:00 p.m. and report on the status of all grievances;
- if a holiday falls on that day the stewards meeting will meet on the following day;
- work with the Education Committee to ensure the training of all stewards;
- in certain circumstances, the chief shop steward will investigate and assist in processing all grievances at the first step;
- ensure that the National Representative assigned to the Local Union is made aware of the status of on-going grievances.

(d) **The Secretary-Treasurer shall:**

- receive all revenue, initiation fees, dues and assessments, keep a record of each member's payments, and deposit promptly all monies with a bank or credit union;
- 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;
- on termination of office, surrender all books, seals and other properties of the Local Union to his/her successor;
- pay no money unless supported by voucher with receipt wherever applicable duly signed by the President or two other members of the Executive Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local Union is affiliated;
- prepare all CUPE per capita tax forms and forward to the National Secretary-Treasurer of the Canadian Union of Public Employees, on the official monthly report forms provided, not later than the last day of each month, all financial obligations owing to the Canadian Union of Public Employees;

- forward one dollar (\$1.00) of each initiation fee on all members admitted along with per capita tax on all dues received by the Local Union. The report shall also set out the number of those initiated, reinstated, suspended and expelled and the number of members on whom per capita is being paid;
- regularly make a full report to meetings of the Local Union's Executive Board, as well a written financial report to each regular membership meeting, detailing all income and expenditures for the period;
- keep on file all receipts for money sent to the Canadian Union of Public Employees during the year;
- The Secretary/Treasurer shall submit the Local's books and records to the Trustees for audit at least once each calendar year. In addition to providing all books, records, invoices, other supporting documents, and original bank statements, he/she must also furnish the Trustees with a letter from the bank(s) where the funds of the Local Union are deposited, attesting to the amount to the credit of the Local Union at such bank(s). The Secretary/Treasurer must within reasonable time respond in writing to any recommendations and concerns raised by the Trustees in accordance with Article B.3.12 of the National Constitution.
- On behalf of the Local Union Membership, be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE headquarters as well as records and supporting documents for all income received by the Local Union.
- be empowered, with the approval of the Executive Board, to employ necessary clerical assistance to be paid for out of the Local Union's funds;
- notify all members who are one month in arrears and report to the Board all members two or more months in arrears;
- promptly pay all bills, as authorized.

Notwithstanding, the President of the Local can authorize the Secretary-Treasurer to advance per diems, travel expense and accommodation expense to local members who will be attending conventions, seminars, and/or educations where attendance is

approved by the Local Union.

The Secretary Treasurer and other signing officers will meet bi-monthly at the local union office to sign off any outstanding vouchers.

(e) **The Recording Secretary shall:**

- keep full, accurate and impartial account of the proceedings of all regular or special general membership and Executive Board meetings, ensuring that these records include a copy of the full financial report presented by the Secretary-Treasurer;
- record all motions along with the members name that moved and seconded the motion in the minute book of the Local Union and have the approved minutes signed by the President or Vice-President;
- record all alterations to the By-Laws;
- answer correspondence and fulfill other secretarial duties as directed by the President of the Local Union;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to members and prepare posting for the bulletin boards;
- have all books and papers ready on reasonable notice for the auditors and trustees;
- preside over general membership and executive board meetings in the absence of both the President and Vice-President;
- be present at meetings as directed by the President of the local, and be a member of all committees for the purposes of recording minutes;
- be responsible for the day to day operation and administration of the Local Union's office;
- prepare, with the assistance of the Secretary Treasurer, and for the approval of the Executive Board a budget to allow for the efficient operation of the Local Union office;

- Prepare and maintain an inventory of all possessions owned by the Local Union and present such inventory to the Trustees;
- oversee the maintaining of the Local Union's website and email system;
- act as chair of the Education Committee;
- report on all related issues at the Executive Board and general membership monthly meetings;
- render such other assistance to any member of the Executive Board as directed by the Executive Board.

(f) The Executive Board Member – Labour Management shall:

- act as the Local Union chair of all labour management meetings;
- report on the labour management meetings at the Executive Board and general membership monthly meetings;
- keep track of all related minutes and records pertaining to the labour management committee;
- render such other assistance to any member of the Executive Board as directed by the Executive Board.

(g) The Executive Board Member – WSIB/RTW/H&S (2 positions – one per site) shall:

- attend all return to work meetings;
- assist any members in matters related to workplace injuries including return to work;
- assist any members in matters related to workplace accommodation for disabilities;
- report on these related issues at the Executive Board and general membership monthly meetings;
- keep track of all related minutes and records pertaining to the these related issues;

- work with the Education Committee to ensure the training of all member activists involved with WSIB;
- act as the Local Union chair of all Health & Safety committee meetings;
- report on the health & safety related issues at the Executive Board and general membership monthly meetings;
- keep track of all related minutes and records pertaining to the health & safety related issues;
- co-ordinate activities of health and safety representatives;
- assist any members in matters related to health and safety matters;
- work with the Education Committee to ensure training of health and safety representatives;
- render such other assistance to any member of the Executive Board as directed by the Executive Board.

(h) 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 once every six (6) months;
- make a written report of their findings to the first general membership meeting following the completion of each audit;
- submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct and proper manner;
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- ensure that proper financial reports are made to the membership;

- audit the record of attendance;
- inspect at least once a year any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union, and report their findings to the general membership;
- send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their report to the Local Union membership along with a copy of their recommendations and/or concerns to the President and 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 National Representative;

SECTION 9 - OUT OF POCKET EXPENSES

The yearly out of pocket expense will apply as follows:

President	\$2,500.00
Vice-President	\$1,500.00
Chief Shop Steward (2)	\$1,500.00
Secretary-Treasurer	\$1,500.00
Recording Secretary	\$1,500.00
Executive Board Member (3)	\$1,500.00
Shop Steward	\$ 600.00
Trustees	\$ 300.00

The above out of pocket expense is the amount paid as of April, 2012. The out of pocket expenses outlined above will be increased in accordance to the negotiated collective agreement increases, if any.

The out of pocket expense will be pro-rated and paid in the third week of the month in June and December.

Where a vacant elected position has been repeatedly advertised as per local By-laws and continues to be vacant, the Executive Board may appoint a member to the position on a temporary basis until such time that a by-election can be held.

Any officer of the local union is away on a leave of absence (LOA) for Executive or Membership Meetings exceeding 1 month will be entitled to the out of pocket expense on a pro rated basis, unless the officer has demonstrated he/she has been participating/representing the local membership given the circumstances with records and communication copied to the Recording Secretary.

SECTION 10 - FEES, DUES, AND ASSESSMENT

(a) Initiation Fees

Each application for membership in the Local Union shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee to two (2) dollars, which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt.

If the application is rejected the initiation fee shall be returned.

(b) Monthly Dues

The monthly dues shall be one and one quarter (1¼) percent of gross wages.

(c) Re-admittance Fee

The re-admittance fee shall be two (2) dollars.

Part-time employees will remit based on their bi-weekly pays and this amount will be pro-rated.

Changes in the level of the initiation or re-admittance fee or the monthly dues or the levying of any special assessment can be effected only by following the procedure for amendment of these By-Laws with the vote of the general membership.

Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established, these By-Laws will be deemed to have been automatically amended to conform to the new minima.

(d) Social Fund

All members will be required to pay in the last pay cheque in December five (5) dollars per year towards the social fund.

SECTION 11 - NON-PAYMENT OF DUES AND ASSESSMENTS

Any member in arrears for a period of three months or more shall be automatically suspended and his suspension shall be reported to the Executive

Board by the Secretary-Treasurer. The Executive Board shall report to the next membership meeting with a recommendation. Any member under suspension wishing to be reinstated shall, upon application, pay the readmittance fee, plus any dues and assessments in arrears. This money will be returned if the application is rejected.

SECTION 12 - NOMINATIONS, ELECTION AND INSTALLATION OF OFFICERS

(a) Nominations

Nominations shall be received at the regular membership meeting in the month of April, commencing in 2008.

To be eligible for nomination, a member must:

- be in good standing;
- have been employed for at least one (1) year or more;
- have attended at least fifty (50) percent of the regular general membership meetings in the previous twelve (12) months.
- not be in arrears of dues and/or assessment.

Unless a valid reason acceptable to the Local Union has been given for non-attendance. Verification of attendance will have to be substantiated by the attendance register.

No nomination shall be accepted unless the member is in attendance at the general membership meeting or has allowed to be filed at the meeting his/her consent in writing bearing their original signature.

Any member who chooses to run for an elected position may only accept a nomination for one elected position.

(b) Election

At a general membership meeting at least one (1) month prior to the election day the President shall elect from amongst the general membership an election committee consisting of a returning officer and five (5) assistants. The election committee shall include members of the Local Union who are neither officers nor candidates for office. It shall have full responsibility for voting arrangements and shall treat information submitted to in connection with its responsibilities as confidential.

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.

The Returning Officer shall be responsible for issuing, collecting and counting ballots. He/she must be scrupulously fair and impartial and see that all arrangements are unquestionably democratic.

The voting shall take place one (1) week prior to the June general membership meeting. The election shall be held over two (2) days with one of those days being a week day (Monday – Friday) and one day being a weekend (Saturday or Sunday).

The voting shall be by referendum with polling stations at both work sites at an appropriate place to be determined by the Election Committee.

The vote shall be by secret ballot.

The candidate who receives the greatest number of votes cast shall be declared elected. In case of a final tie vote, the presiding officer shall cast the deciding vote

Any member may request a recount of the votes for any election if the election results in a tie vote or when the election results in a margin of victory of fifteen (15) members or less.

(c) **Installation**

All duly elected officers shall be installed at the meeting immediately following the elections and shall continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office, except for Trustees, shall be longer than two (2) years.

The terms of office for Trustees shall be as laid down in Appendix "B" of the CUPE Constitution.

(d) **By-Elections**

Should an office fall vacant pursuant to these By-Laws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this section.

SECTION 13 - DELEGATES TO CONVENTION

Except for the President and Vice President's option, all delegates to conventions shall be chosen by election at membership meetings.

All delegates elected to attend a function (ex. convention, seminar, educational) on behalf of the Local Union shall report on the event to the General Membership.

The Executive Board will determine the most economical and convenient way in sending any delegates traveling to a function.

Representation at union functions shall be on the recommendation of the Executive Board, subject to final approval of the General Membership.

All members elected to a function (ex. convention, seminar, educational or other union business) held outside the Greater Toronto Area (GTA), shall be reimbursed as follows:

- Transportation expenses (at economy, tourist or coach rates) and accommodations expenses;
- A per diem allowance of seventy-five (75) dollars per day;
- An amount equal to any loss of salary incurred by attendance at the function;
- A kilometer allowance equal to the kilometer amount paid by the National Union.

All members elected to a function (ex. convention, seminar, educational or other union business) held inside the Greater Toronto Area (GTA), shall be reimbursed as follows:

- a per diem allowance of thirty (30) dollars per day for functions held within the City of Toronto with the exception of steward, Executive Board and general membership meetings, and in circumstances when meals are provided by the Local Union.
- An amount equal to any loss of salary incurred by attendance at the function;
- A kilometer allowance equal to the kilometer amount paid by the National Union or transit fare.

Representatives of the Local Union who attend meetings at the workplace will be provided with a fifteen dollars (15) per-diem when no meal is provided.

If a representative of the Local Union is scheduled to work an evening shift or night shift on a day preceding or following attendance at a function for the Local Union the shift will be considered an approved leave of absence for union business.

Officers of the Local Union not on a Union Leave of Absence shall be paid by Local 5001 for any lost wages for attendance at any mediation or arbitration where the Employer does not pay lost wages.

SECTION 14 - COMMITTEES

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.

(a) Negotiating Committee

The negotiating committee shall consist of nine (9) members.

The committee shall consist of the President, the Chief Stewards and six (6) members of the Executive Board.

The Executive Board shall select the six (6) members of the negotiating committee.

In addition to the negotiating committee there shall be three (3) advisory members elected by the general membership. The role of the advisory members shall be to participate fully in the development of bargaining proposals, caucus discussions and advise the negotiating committee throughout the process.

The advisory committee will have voice but no vote.

The advisory committee members shall attend all meetings of the negotiating committee except during direct negotiating meetings with the Employer.

(b) Special Ad Hoc Committees

A special committee may be established for a specified purpose and period by the general membership at a membership meeting.

The members of the committee shall be elected at the same or at a subsequent general membership meeting. They may as well by specific authorization of the general membership be appointed by the President or the Executive Board.

Two (2) members of the Executive Board may sit on a special ad hoc committee as ex-officio.

(c) **Steward/Grievance Committee**

The Steward/Grievance Committee shall be comprised of the Chief Steward and the Stewards.

The committee shall process all grievances not settled at the initial stage and its report along with its recommendations shall be submitted first to the Executive Board, with a copy to the CUPE National Representative.

A decision on the disposition of a grievance by the Executive Board may be appealed by the grievor(s) at the next general membership meeting.

(d) **Education Committee**

The Education Committee shall cooperate with the Education Department and Communications Branch of CUPE, and with the regional education representative, to determine which workshops and seminars are available that would benefit the Local Union.

Arrange for representation of the Local Union at any appropriate and available educational seminar or conference and submit recommendations accordingly to the Executive Board.

Maintain a Local Union registry of all members that have taken workshops.

The committee shall comprise of the Executive Board Member - Administration, two (2) members appointed by the Executive Board and two (2) members to be elected by the general membership. The committee shall appoint its secretary from among its members.

(e) **Social Committee**

The Social Committee will arrange and conduct all social, compassionate and recreational activities of the Local Union, whether

on the committee's own initiative or as a result of decisions taken at general membership meetings.

The Social Committee shall submit reports and proposals to the Executive Board and/or to the general membership as required.

The Executive Board shall appoint the members of the social committee.

SECTION 15 - RULES OF ORDER

All meetings of the Local Union shall be conducted in accordance with the basic principles of Canadian Parliamentary Procedure. Some of the more important rules to ensure free and air debate are appended to by the By-Laws as Appendix "A" These rules shall be considered an integral part of the By-Laws and may be amended only by the same procedure used to amend the By-Laws.

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

SECTION 16 - AMENDMENT

- (a) These By-Laws are always subordinate to the CUPE Constitution (including Appendix "B") as it now exists or may be amended from time to time, and in the event of any conflict between these By-Laws and the CUPE Constitution, the latter shall govern, constitutional interpretation, including determination of conflict, is the prerogative of the National President.
- (b) These By-Laws 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, or special membership meeting, following seven days notice at a previous meeting or at least sixty (60) days written notice.
- (c) No change in the By-Laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

APPENDIX 'A' TO THE BYLAWS OF LOCAL 5001

RULES OF ORDER

- a. The President or, in their absence, the Vice-President shall take the chair at all membership meetings, In the absence of both the President and Vice-Presidents the recording Secretary shall act as President, and in their absence, a president pro term shall be chosen by the Local Union.
- b. No member, except the chairperson of a committee making a report or the mover of a resolution, shall speak more than five (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. Chairperson and movers of a resolution shall be limited to fifteen (15) minutes, except with the consent of the meeting.
- c. The President shall state every question coming before the Local Union and before allowing debate thereon and again immediately before putting it to a vote shall ask, "is the Local Union ready for the question?" should no member rise to speak, the question shall then be put.
- d. 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.
- e. 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 direct negative of the resolution, shall be in order.
- f. On motion, the regular order of business may be suspended by a two-thirds vote of those present, to deal with any urgent business.
- g. 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 Union.
- h. At the request of any member and upon a majority vote of those present, a question may be divided when the sense will admit to it.
- i. 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.

- j. When a member wishes to speak on a question or to make a motion, they shall rise in their place and respectfully address the presiding officer but, except to state that they rose to a point of order or on a question of privilege, they shall not proceed further until recognized by the Chair.
- k. When two or more members rise to speak at the same time, the chairperson shall decide which one is entitled to the floor.
- l. 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 Union or member thereof.
- m. 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.
- n. The Chairperson 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 Union or to introduce a new question.
- o. The Chairperson, in case of a tie, may cast a vote or, if they choose, refrain from breaking the tie, in which case the motion is lost.
- p. When a motion is before the Local Union, no other motion shall be in order except. (i) to adjourn, (ii) to put the previous question, (iii) to lay on the table, (iv) to postpone for a definite time, (v) to refer, (vi) to divide or amend, which motions shall have precedence in the order named. The first three of these shall be decided without debate.
- q. 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 chairperson 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 Union.
- r. After the Chairperson declares the vote on a question and before the Local Union proceeds to another order of business, any member may ask for a division. A recount by secret ballot then be taken and the Secretary shall count same.

- s. If any member wishes to challenge (appeal) a decision of the Chair, they 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 their 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.
- t. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new member, the installation of office or the taking of a vote and no member shall be allowed to leave without the permission of one of the Vice-Presidents.
- u. The Local Union's business proceeding of meetings are not to be divulge to any person outside the Local Union of the Canadian Union of Public Employees.
- v. Any member who has been called to order by the Chairperson, and who continues to speak and is ruled out of order three times, shall be asked to leave the meeting. Should the member refuse to leave the meeting, the Chairperson shall ask for a ruling from the membership.

ADDENDUM

For clarification purposes, the Executive Board elected under the Local Union's By-Laws shall remain in office for the existing two (2) year term expiring June 2012.

The Executive Board provided for in Section 7 of these By-Laws shall be elected on the expiry of the term of the current Executive Board.