

CUPE LOCAL 454
CONSTITUTION & BYLAWS



CUPE454
Delta Public Employees

CUPE Local 454 Constitution and Bylaws

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The Canadian Union of Public Employees

Delta Public Employees, Local 454

Constitution & Bylaws
(October 18, 2017)

ARTICLE 1

NAME

The name of this organization shall be:

“THE CANADIAN UNION OF PUBLIC EMPLOYEES, DELTA PUBLIC EMPLOYEES, LOCAL 454” or “C.U.P.E. LOCAL 454”.

SEAL

The Official Seal of this Union shall be affixed to all official documents of this Union, upon authority of the Executive Board, and the Secretary-Treasurer of the Union shall be the custodian of the Official Seal.

STATUS

- Sec. (a) This Union was chartered by the National Union of Public Employees, June 12, 1951 and by the Canadian Union of Public Employees on September 24, 1963.
- Sec. (b) This Union is affiliated to the Canadian Union of Public Employees, C.U.P.E. - B.C., Metropolitan Vancouver District Labour Council (C.U.P.E.), the Vancouver and District Labour Council and the B.C. Federation of Labour.

ARTICLE 2

2.1 OBJECTIVES The Union has as its objectives:-

- Sec. (a) The organization of workers generally, and in particular, all workers in the public service in Delta.
- Sec. (b) The advancement of the social, economic, and general welfare of public employees.
- Sec. (c) The defence and extension of the civil rights and liberties of public employees, and the preservation of free democratic trade unionism.
- Sec. (d) The improvement of the wages, working conditions, hours of work, job security, and other conditions of public service generally.
- Sec. (e) The promotion of efficiency in public service generally.
- Sec. (f) The promotion of peace and freedom in the world.

2.2 The objectives of the Union are to be accomplished through the following methods:

- Sec. (a) Negotiating fair wages and conditions on behalf of the members.
- Sec. (b) Establishing cooperative relations between employers and employees.
- Sec. (c) Promoting required desirable legislation.
- Sec. (d) Conducting an educational program designed to enlighten the general public with respect to the problems of public employees.
- Sec. (e) Organizing and supporting central and provincial bodies of public employees for dealing with matters peculiar to a particular area or province, and for assisting in the organizational efforts of this Union.
- Sec. (f) Cooperating with the Canadian Labour Congress, its chartered federations and labour councils, its affiliates and its departments, in furthering the general well-being of the whole labour movement.
- Sec. (g) Cooperating with the Public Services International, and the International Confederation of Free Trade Unions in their work.

ARTICLE 3

3.1 JURISDICTION

- Sec. (a) The jurisdiction of this Union shall include all of those employees who work for the City of Delta and its associate bodies, including the Delta Police Department Board who are generally known as public employees.
Amended October 18, 2017
- Sec. (b) Such other public sector employees who may choose to be represented by this Union.

ARTICLE 4

4.1 MEMBERSHIP

- Sec. (a) All employees of any of the employers whose employees are represented by Local 454 shall be considered for membership in the Union upon completion of three bi-weekly pay periods of employment.
- Sec. (b) Upon completion of the three bi-weekly pay periods, the Secretary shall notify the prospective members in writing of the date, time, and location of the next regular membership meeting.
- Sec. (c) The Secretary shall also inform the prospective members that he/she must attend that meeting in order to be accepted as a member.
- Sec. (d) If a prospective member cannot attend for some valid reason, that member shall notify the Secretary in writing and a motion to accept that person for membership may be made from the floor.
- Sec. (e) At the appropriate time, the chair shall ask, "Are there any applications for membership?"
- Sec. (f) The Secretary shall reply and read the names of any applicants and then shall move, "That the applicants for membership present be accepted as members".
- Sec. (g) Upon completion of the vote on the motion to accept as members, the President shall invite those new members to come forward to take the obligation to the Union as follows:

"I solemnly promise and declare that I will support this Union; and that I will support and obey the Constitution of this Union; and that I will strive to improve economic and social conditions for my fellow members and for

working people in general; that I will defend and strive to extend the democratic rights and liberties of all working people; that I will not knowingly or purposely wrong or assist others in wronging a member of this Union”.

Sec. (h) Once the new members have taken the obligation, they shall have all the rights and privileges of membership all other members have.

ARTICLE 5

5.1 MEETINGS – MEMBERSHIP

- Sec. (a) There shall be regular membership meetings held in January, February, March, April, May, June, September, October, November and December.
- Sec. (b) An Annual general meeting shall be held in conjunction with the regular February membership meeting.
- Sec. (c) Special meetings of the membership may be called by the President as he/she deems necessary.
- Sec. (d) A special meeting shall be called by the President upon receipt of a written request for the special meeting. The written request will spell out the matters to be discussed and shall be signed by at least twelve (12) members. The special meeting shall be held within fifteen (15) days of the request being received by the President and may be held in conjunction with a regular membership meeting if the regular membership meeting is scheduled within the fifteen (15) day time period.

5.2 QUORUMS

- Sec. (a) A quorum at any meeting shall be eleven (11) members of which at least five (5) must be members at large.
- Sec. (b) In the event a quorum is not attained, the Executive Board shall pay all bills and shall carry out the regular business of the Union until the next meeting.
- Sec. (c) All decisions of the Executive Board which have been acted upon shall be reported to the members at the next regular membership meeting. A motion to endorse the actions of the Executive shall be put forward at that meeting.

5.3 ORDER OF BUSINESS - REGULAR MEMBERSHIP MEETINGS Amended October 18, 2017

Sec. (a)

- i. Call to Order
- ii. Roll Call of Officers
- iii. Reading of the Equality Statement
- iv. Voting and Initiation of New Members
- v. Reading of the Minutes of the Previous Meeting
- vi. Business Arising out of the Previous Meeting
- vii. Financial Report and Outstanding Accounts
- viii. Correspondence
- ix. Executive Report
- x. Reports of Committees and Delegates
- xi. Nomination, Elections and Installation of Officers, Delegates
- xii. Unfinished Business
- xiii. New Business
- xiv. Good of the Union
- xv. Adjournment

Sec. (b) The order of business may be suspended or amended upon approval of the meeting. A two-thirds majority is required to approve the suspension or amendment of the order of business.

ARTICLE 6

6.1 OFFICERS AND EXECUTIVE BOARD Amended October 18, 2017

Sec. (a) The Executive Board of this Union shall be:

Full time elected President	Executive at large – Parks Inside
1st Vice - President	Executive at large - Inside
2nd Vice - President	Executive at large - Outside
Treasurer	Executive at large - Police
Secretary	Executive at large - Diversity
Executive Job Steward	Executive at large – Parks Outside

Sec. (b) Table Officers of this Union shall be:

President
1st Vice-President
Secretary
Treasurer

Sec. (c) The terms of office for the Executive Board shall be:

President	- 2 years
1 st Vice President	- 2 years
2 nd Vice President	- 1 year
Secretary	- 2 years
Treasurer	- 2 years
All Executive at large	- 1 year
Executive Job Steward	- 1 year

Amended October 18, 2017

The election of the two (2) year term for the Secretary and 1st Vice President shall take place in opposite years to the elections for all other tabling officer positions. All Executive Board members shall serve as specified above or until their successor is elected. Amended October 15, 2014

Sec. (d) Should any Executive Board member fail to answer he roll call for three consecutive regular meetings or three consecutive regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting. Added October 18, 2017

Sec. (e) The President shall: Added October 18, 2017

- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
- Interpret these bylaws as required.
- Preside at all membership and Executive Board 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. 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.
- Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.
- Have first preference as a delegate to the CUPE National Convention.

Sec. (f) The Vice-President shall: Added October 18, 2017

- If the President is absent or not eligible, perform all duties of the President.
- Preside over membership and Executive Board meetings in the absence of the President.
- If the office of the President falls vacant, be Acting President until a new President is elected through a by-election.
- Render assistance to any member of the Executive as directed by the Executive Board.

Sec. (g) Secretary shall: Added October 18, 2017

- Keep full, accurate, and impartial 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 Treasurer. The record will also include Trustee's reports.
- Record all amendments and/or additions in the bylaws and make certain that these are sent to the National President for approval prior to implementing.
- Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
- Keep a record of all correspondence received and sent out.
- Prepare and distribute all notices to members.
- Have all records ready on reasonable notice for the Trustees or auditors.
- Preside over membership and Executive Board meetings in the absence of

both the President and Vice-President.

- Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union's funds.
- Performs other duties required by the Local Union, its bylaws or the National Constitution.

Sec. (h) Treasurer shall: Added October 18, 2017

- Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union.
- 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.
- Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita forms and remit payment, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
- 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.
- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.
- 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.
- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- Where required, not later than February 28th each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid by him during the

- preceding calendar year.
- Be empowered, with the approval of the membership, to employ necessary administrative 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 Executive Board all members two or more months in arrears in the payment of union dues.

6.2 MEETINGS – EXECUTIVE

Sec. (a) The Executive Board shall meet prior to each membership meeting at a time and date determined by the Board and from time to time as required.

The Executive board shall meet at least once a month even if there is no membership meeting planned.

Sec. (b) A quorum of Executive shall be six members of the Board.

6.3 TRUSTEES

Sec. (a) There shall be three trustees, who shall have general supervision over the property of Local 454, subject to such instructions they may from time to time receive from the Executive Board. They shall:

- (i) audit the books of Local 454 as required under Article B.3.11 of the National Constitution,
- (ii) see that the Secretary-Treasurer deposits all money belonging to the Local in the Delta Credit Union or other institution the Local may designate
- (iii) and see that all the bills authorized by the Local are promptly paid.
- (iv) There shall be half-yearly meetings for the purpose of conducting audits and for general reviewing the Constitution and administrative policies of the Local.
- (v) Recommendations from the trustees shall be forwarded to the Executive and then to the membership for decision.
- (vi) There shall be three (3) trustees elected at the first election; the one receiving the highest number of votes shall hold office for three (3) years from the date of such election; the one receiving the second largest number of votes shall hold office for two (2) years; and the one receiving the third largest number of votes shall hold office for one (1) year. In each year succeeding the first election, there shall be elected one trustee to fill the place of the trustee whose term of office then expires so as to complete the full complement of trustees required by this section; and such trustees as is elected in each succeeding year after the first election shall hold office for three (3) years from the date of his election and from

that time onward until his successor shall have been elected.

Sec (b) The Trustees shall: Added October 18, 2017

- Act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, the Secretary, and the committees at least once every calendar year.
- Make a written report of their findings to the first membership meeting following the completion of each audit.
- Submit in writing to the President and Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Treasurer in an organized, correct, and proper manner.
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given 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 membership.
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
 - (i) Completed Trustee Audit Program
 - (ii) Completed Trustees' Report
 - (iii) Treasurer Report to the Trustees
 - (iv) Recommendations made to the President and Treasurer of the Local Union
 - (v) Treasurer's response to recommendations
 - (vi) Concerns that have not been addressed by the Local Union Executive Board

6.4 JOB STEWARDS

Sec. (a) The nomination process for Job Stewards shall be:

- (i) All completed Job Steward Endorsement forms shall be forwarded to the Executive Board by the Job Stewards for consideration.
- (ii) If the Executive Board confirms the endorsement of that Job Steward, then the Executive shall recommend endorsement of the Job Steward at the next membership meeting.
- (iii) All Job Stewards must be endorsed as per the Constitution prior to their participation in the election of the Executive Job Stewards.
- (iv) The distribution of Job Stewards shall be determined by the Job Steward Terms of Reference as approved by the Executive Board. Amended October 18, 2017

ARTICLE 7

7.1 ELECTION OF EXECUTIVE BOARD Amended October 18, 2017

- Sec. (a) When an election is held, the executive shall appoint an Election Committee of at least five members. Members of the Election Committee shall not be eligible to run for any office nor will they currently hold an Executive Board or Trustee position. The Election Committee shall designate one of the members as the Chief Returning Officer. The Election Committee shall conduct the election(s) working with a firm selected by the Executive Board to conduct electronic voting. The Election Committee shall declare the elected candidate(s) in each contest who receive the greatest number of votes (plurality/first past the post). When more than one candidate is to be elected to an office, the member voting shall be required to vote for the full number of candidates to be elected or else the electronic vote will be declared spoiled. The report of the Election Committee shall be signed by all members of the committee and shall be reported at the Annual General Membership Meeting by the Chief Returning Officer. Those declared elected shall take an oath of office as set out in Article 11.6 (b) of the National Constitution and their term of office shall commence upon adjournment of the Annual General Membership Meeting.
- Sec. (b) Nominations for Officers and Trustees must be received at least thirty (30) calendar days prior to the Annual General Membership Meeting and the names of all the membership at least fourteen (14) days prior to the opening of electronic voting. No nomination shall be accepted unless the member is in good standing and has filed acceptance of the nomination in writing to the Election Committee at least 21 calendar days prior to the opening of electronic voting.
- Sec. (c) To be eligible for election to an Officer or Trustee position, on the date of being nominated, a member must:
- (i) be a member in good standing; and
 - (ii) have not less than thirty (30) days continuous membership in the Local Union.
- Sec. (d) A member may accept nomination for one office only.
- Sec. (e) In the event that there is only one (1) nominee for any position, the Chief Returning Officer shall declare that nominee elected by acclamation.
- Sec. (f) Elections shall be conducted electronically using a third-party firm selected by the Executive Board prior to nominations opening. The firm selected must have demonstrated capability to carry out the electronic vote and also the capacity to ensure all voting is secret. The Election Committee

shall arrange for one or more electronic voting stations including one at a Union Hall. Electronic voting will be open seven days prior to the Annual General Meeting and remain open until midnight on the day preceding the Annual General Meeting. The Election Committee shall arrange adequate notice to the membership at least seven (7) days prior to the voting day, with all pertinent information pertaining to the election.

- Sec. (g) The results shall be announced at the Annual General Membership Meeting, posted on the Local Union's website and sent via e-mail to all members who have provided email addresses. The candidate receiving the most votes shall be deemed elected.
- Sec. (h) The Officers and Trustees shall be voted for by the entire membership.
- Sec. (i) The Chief Returning Officer shall investigate and rule upon any election complaints. The decision of the Chief Returning Officer shall be final and binding upon all parties. If a candidate requests a recount of all the results of their election, the Chief Returning Officer shall, in the presence of a representative from each candidate concerned and in the presence of the CUPE National Representative or CUPE designate, meet with the independent firm carrying out the vote to recount the vote.
- Sec. (j) Those declared elected shall take the oath of office as follows:
- "I, _____, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property to the Union to my successor at the end of my term."
- Sec. (k) When a vacancy occurs for an Officer or for a Trustee, a replacement shall be elected to complete the unexpired term provided that the unexpired term is greater than three (3) months at the time of the vacancy.
- Sec. (l) Officers of the local who are absent from three consecutive regular executive meetings without a legitimate excuse or three consecutive regular membership meetings without a legitimate excuse shall have their office declared vacant. Excuses shall be conveyed to the Executive Board at the time of absence.
- Sec. (m) Any Officer who accepts temporary employment outside of their current bargaining unit for any period less than four (4) months will be relieved of their duties, responsibilities and rights as an Officer for the period of employment.

Any Officer who accepts employment outside their current bargaining unit for a period exceeding four (4) months will have their office declared vacant.

7.2 ELECTION OF DELEGATES

- Sec. (a) Delegates to conventions shall come from the Executive. Delegates to conventions shall be elected upon receipt of notice of the convention or conference. In the event details are known prior to the official notice being received, the election can take place earlier. If unable to get enough delegates from the Executive, nominations shall be accepted from the floor.
- Sec. (b) Alternates to conventions shall be elected at the same time as delegates.
- Sec. (c) The candidates receiving the highest number of votes and a majority shall be declared elected for the number of delegates which the Union is sending, e.g., five candidates nominated, three to go:
A received 16 votes
B receives 15 votes
C receives 11 votes
D receives 5 votes
E receives 20 votes
Majority is 14 votes, then A, B, E would be declared elected and C, D would be the alternates.
- Sec. (d) Election of delegates to affiliated organizations shall take place at the Annual General meeting. Candidates shall be nominated and elected in the same manner as the Executive.

7.3 ELECTION OF COMMITTEES

- Sec. (a) Election of Committee members shall take place at the Annual General meeting. Their term of office shall be one year unless otherwise stated in Article 8, 8.1 Committees.
- Sec. (b) All Candidates shall be nominated and elected in the same manner as the Executive.
- Sec. (c) The term of the Occupational Health & Safety Committee shall be 2 years.
Amended October 18, 2017

ARTICLE 8

8.1 COMMITTEES Amended October 18, 2017

Sec. (a) There shall be the following committees of Local 454:

- Bargaining Committee – Regional; if required
- Bargaining Committee – City
- Bargaining Committee – Police
- Labour Management Committee – City
- Labour Management Committee – Police
- Education Committee
- Grievance Committee
- Occupational Health & Safety Committees – City:
 - Engineering & Parks
 - Parks, Recreation & Culture
 - City Hall & Delta Community Animal Shelter
- Social Committee
- Good & Welfare Committee
- Occupational Health & Safety Committee – Police

In addition, there may be additional committees appointed or elected as the situation demands. The President shall be an ex-officio member of all committees.

Sec. (b) The Labour Management Committee – City shall consist of 4 executive board members, as appointed by the President. The appointments may be rotated or changed as required to effectively deal with the issues being addressed by the committee. Job stewards may be substitute appointments where required.

Sec. (c) The Labour Management Committee - Police shall consist of Executive at large - Police, one Job Steward and one elected from the floor at the Annual General meeting.

Sec. (d) The Bargaining Committee - City shall consist of the President and three Executive Board Members elected at the Annual General meeting. The National Representative assigned to the Local Union 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.

Sec. (e) The Bargaining Committee - Police shall consist of the President and two other members elected at the Annual General meeting, one of which shall be a police board member. If no Police Board Member is nominated, then a General Member may be elected. The National Representative assigned to the Local Union 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.

Sec. (f) The Education Committee shall consist of one Executive Board member and at least two additional members appointed by the Executive.

Sec. (g) The Grievance Committee shall prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting.

When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether or not the grievance should proceed to arbitration.

If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board.

Sec. (h) The Occupational Health & Safety Committee shall consist of ten (10) members at large from the City as spelled out in the Occupational Health & Safety Committee Terms of Reference. The elections shall take place at the Annual General meeting. Amended October 15, 2014

Sec. (i) The Social Committee shall consist of one Executive Board member and at least two additional members appointed by the Executive.

Sec. (j) The Bargaining - Committee - Regional shall consist of the President and Bargaining Committee members elected at the Annual General meeting as determined by the Regional Bargaining Committee Terms of Reference. The National Representative assigned to the Local Union 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.

Sec. (k) The Public Relations and Community Committee shall consist of four delegates elected at the Annual General meeting, plus one Executive member appointed to liaise with this committee.

Sec. (l) Occupational Health & Safety Police – the election of the Police Occupational Health & Safety position may be held by any member at large.

Sec. (m) The Bargaining Committee - Museum shall consist of the President or designate, and two members elected at the Annual General Meeting.

Sec. (n) The Labour Management/Occupational Health & Safety Committee - Museum shall consist of the President or designate, and one member elected at the Annual General Meeting.

ARTICLE 9

9.1 RULES OF ORDER

- Sec. (a) Any member addressing an officer or member of this Union shall use the term Sister or Brother, and no other title.
- Sec. (b) On motion the regular order of business may be suspended by a two-thirds (2/3) vote of the meeting at any time to dispose of urgent business.
- Sec. (c) Any conversation which is calculated to disturb a member while speaking or hinder the transaction of business shall be deemed a violation of order.
- Sec. (d) All questions of a Parliamentary nature, not provided for in these Rules shall be decided by Bourinot's Rules of Order.
- Sec. (e) A motion to be entertained by the Presiding Officer must be seconded and the mover and the seconder must rise and be recognized by the chair.
- Sec. (f) In presenting a motion, a brief statement of its object may be made, but no discussion of its merits shall be permitted until the Question has been stated by the Chair.
- Sec. (g) A member who has made a motion can withdraw it by consent of his seconder, providing it has not been debated. A motion, once debated, can be withdrawn only by unanimous consent.
- Sec. (h) A motion to amend an amendment shall be in order but no motion to amend an amendment to an amendment shall be permitted.
- Sec. (i) Any member may call for a division of a motion when the sense will permit thereof.
- Sec. (j) A motion shall not be subject to debate until it has been stated by the chair.
- Sec. (k) When a member wishes the floor, he/she shall arise and respectfully address the chair, and if recognized by the chair, he/she shall be entitled to the floor.
- Sec. (l) If two or more members rise to speak at the same time, the chair shall decide who is entitled to the floor.
- Sec. (m) Each member, when speaking, shall confine him/herself to the Question under debate and avoid all personal, indecorous or sarcastic language.
- Sec. (n) No member shall interrupt another while speaking except to a point of order, and he/she shall definitely state the point and the chair shall decide

the same without debate.

- Sec. (o) If a member, while speaking, be called to order, he/she shall take his/her seat until the point of order is decided, when, if decided in his/her favour, he/she may proceed.
- Sec. (p) If a member feels him/herself personally aggrieved by a decision of the chair, he/she may appeal to the meeting from the decision.
- Sec. (q) When an appeal is made from the decision of the chair, said appeal shall be stated by the chairperson of the meeting in these words, "Shall the decision of the chair be sustained as the decision of this meeting?" The member will then have the right to state the grounds of his appeal and the chair will give the reason for his decision, whereupon, the meeting will proceed to vote on the appeal without further debate.
- Sec. (r) No member shall speak more than once on any one subject until all the members desiring the floor shall have spoken; no more than twice without unanimous consent; nor more than five (5) minutes at any one time.
- Sec. (s) The presiding officer shall vacate the chair when desiring to speak on any subject and the Vice-President shall take the chair.
- Sec. (t) Notice of motion - For the purpose of this Constitution the term notice of motion shall mean a written notice sent out by the Executive as least 7 days prior to the membership meeting or a notice received at a regular membership meeting and circulated to all members at least seven days prior to the next regular meeting or special meeting called to deal with that notice.

ARTICLE 10

10.1 CHANGES IN THE CONSTITUTION Amended October 18, 2017

Sec. (a) The Local can amend or add to its bylaws only if:

- the amended or additional bylaws do not conflict with the CUPE Constitution;
- the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and
- notice of the intention to propose the amended or additional bylaws was given at least seven days before at a previous membership meeting or 60 days before in writing.

Sec. (b) No change in these By-laws shall be valid and take effect until approved by the National President of C.U.P.E. The validity shall date from the letter of approval of the National President.

ARTICLE 11

PER DIEMS, HONORARIUMS, EXPENSES

Per Diems, Honorariums, and Expenses shall be specified in the Administrative Policy Manual. Such information shall be made available to any member upon request.

ARTICLE 12

UNION DUES

- Sec. (a) The monthly dues shall be ____% of regular wages. Amended October 18, 2017
- Sec. (b) Notice of Motion to change the Union dues must be as per Article 10 Sec. (a) of these By-laws. Amended October 18, 2017
- Sec. (c) A simple majority of the members at a special meeting is required to change the Union dues.
- Sec. (d) Initiation fees shall be \$5.00 for all members of the local effective June 2003. This amount is to recognize some of our lower wage workers and provide fairness for all workers from the aforementioned date.”
- Sec. (e) The readmission fee shall be five dollars (\$5) per member.
- Sec. (f) Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. Membership approval is required, and the assessment will only be applied after the National President approves the assessment. Added October 18, 2017
- Sec. (g) Nonpayment of Dues and Assessments – A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union. Added October 18, 2017

ARTICLE 13

LONG TERM DISABILITY

Sec. (a) Effective March 15, 2011, CUPE Local 454 maintains a self funded Long Term Disability (LTD) Plan to be available to all eligible members.

Sec. (b) The plan is open to all Regular Full Time, Regular Part Time and Temporary Full Time members.

Sec. (c) The plan is voluntary for all members of CUPE Local 454 who were members of the Local prior to March 15, 2011.

Existing members of the Local prior to March 15, 2011, who did not join the plan prior to March 15, 2011, are able to apply for inclusion in the plan at any time in the future, subject to plan requirements.

Sec. (d) The plan is mandatory for all eligible members as per Sec. (b) above, and the Long-Term Disability (LTD) Plan wording, who have been hired after March 15, 2011.

Such members will be eligible for the plan upon completion of their probation period.

Plan premiums shall begin to be deducted from the new member's payroll in the month prior to the completion their probation period.

If a member does not successfully complete their probationary period, then any deductions that have been made shall be returned by the union to the member.

Sec. (e) Plan premiums are to be deducted monthly by each respective employer and submitted to the union who will remit payment to the Insurer.

In the event that the union and the employers agree by Letter of Understanding, the employers may remit payments directly to the Insurer.

Sec. (f) Any cancellation of the Long Term Disability (LTD) Plan by the Local shall be done by a majority *mail in vote of all members* (50% +1) that shall take place after a Special Membership Meeting called for the specific purpose of providing information regarding cancelling the Long Term Disability Plan.

ARTICLE 14

ADMINISTRATIVE POLICY

- Sec. (a) The Executive Board shall cause to exist a policy manual setting out the Administrative procedure to be followed by the Officers of Local 454, including the authorization of expenditures of Union funds and the paying of bills properly incurred by the Union. Such policy manual shall be adopted by the membership and shall be made available to all members of the Executive Board and the Trustees to guide them in their duties.
- Sec. (b) Changes in the policy manual shall be by majority vote of the membership meeting on the recommendation of the Executive Board or of the Trustees.
- Sec. (c) Notice of motion must be given and members notified at least seven (7) days in advance of the meeting where changes are considered.