

BY-LAWS

Canadian Union of Public Employees Local 1329



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PREAMBLE

In order to improve the social and economic welfare of its members without regard to sex, color, race or creed, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labor, Local 1329 of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

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

SECTION 1 – NAME

The name of this Local shall be: Canadian Union of Public Employees, Local 1329.

SECTION 2 – OBJECTIVES

The objectives of the Local are to:

1. Secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers.
2. Support CUPE in reaching the goals set out in Article II of the CUPE Constitution.
3. Provide an opportunity for its members to influence and shape their future through free democratic trade unionism.
4. Encourage the settlement by negotiations and mediation of all disputes between the members and their employers.
5. To develop and maintain professional standards of skill and maintain fair rates, terms and conditions of employment for its members in recognition of their skill, and ensure them work opportunities within its jurisdiction.

SECTION 3 – INTERPRETATION AND DEFINITIONS

1. Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the National Constitution as amended, which should be read in conjunction with these by-laws.

SECTION 4 – MEMBERSHIP

1. The membership of the Local shall consist of all persons employed under the terms of the scope clauses of the Local's Collective Agreement who have applied for and been admitted into membership.
2. No person shall be excluded from membership because of race, colour, creed, national origin, nationality, citizenship, ancestry, sex or sexual preference, transsexual transition status, gender expression and gender identity, marital or parental status, number of dependents, family, relationships, place of residence, religious or political beliefs, political or religious affiliation, political or religious activities, physical handicap or disability, or criminal record.
3. Any member whose employment terminates may maintain their membership for a period of twelve (12) months from the date of termination, and shall be considered a member in good standing, with all rights and privileges except those restricted by Ontario Labour Law. In order

for such a member to extend their membership, they must contact the Recording Secretary within four (4) months of their termination to request that their membership be maintained for the aforementioned twelve (12) month period.

4. It shall be the responsibility of individuals seeking extended membership to provide their contact information to the Recording Secretary. If this contact information is not provided, the local shall not be held responsible for any breach of its obligations to provide that member with due notice as required hereafter by these bylaws.

SECTION 5 – MEMBERSHIP MEETINGS – REGULAR AND SPECIAL

1. Regular membership meetings shall be held a minimum of three times a year. The Executive board will decide if the regular membership meeting or a Special meeting will be held in person or in a virtual setting. Membership meetings or Special Meetings that require members to vote by a secret ballot, for example, but not limited to, a ratification vote or the executive election, will be held in person at a location and time specified. A minimum of one-week advance notice will be provided for the membership.
2. Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than 8 members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least 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 is given.
3. A quorum for the transaction of business at any regular or special meeting shall be eight (8) members, including at least three (3) members of the Executive Board. As per Section 8 of these bylaws, a majority of the Executive Board constitutes a quorum.
4. The order of business at regular membership meetings is as follows:
 - a. Call to Order
 - b. Roll call of Officers
 - c. Acknowledgment of Indigenous Territories
 - d. Reading of the CUPE National Equality Statement (Appendix A)
 - e. Voting on New Members and Initiations
 - f. Review of Minutes of previous meeting
 - g. Treasurer's Report
 - h. Communications and Bills
 - i. Executive Board Report
 - j. Chief Steward Report
 - k. Reports of Committees and delegates
 - l. Nomination, Elections, or Installations
 - m. Unfinished business
 - n. New Business
 - o. Good of the Union
 - p. Adjournment

SECTION 6 – VOTING OF FUNDS

1. Except for ordinary expenses and bills as approved at membership meetings, no sum over two hundred and fifty dollars (\$250) shall be voted on for the purpose of a grant or contribution to a member or any cause outside of CUPE, except by a notice of motion given in writing and dealt with at the following membership meeting.

SECTION 7 – OFFICERS

1. The officers of the Local shall consist of President, Vice-President, Recording-Secretary, Treasurer, six (6) Stewards which includes a Chief Steward, and three (3) trustees. All officers shall be elected by the membership.

SECTION 8 – EXECUTIVE BOARD

1. The Executive Board shall comprise of all Officers, except Trustees.
2. The Executive Board shall be elected to a term of three (3) years, however the President may call an election a minimum of one year after an election has taken place.
3. The Executive Board shall formally meet at least once every month other than July and August where they will meet as necessary.
4. A majority of the Board constitutes a quorum.
5. The Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
6. All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE constitution.
7. Should any Board member fail to answer the roll-call for three consecutive regular membership meetings, or three consecutive Executive Board membership meetings without having submitted good reasons for those failures to the Executive Board members, his office shall be declared vacant and shall be filled by an election at the following membership meeting.
8. Have the ability to appoint a member to the Executive Board under emergency circumstances or when a vacancy occurs for a period up to three months prior to a by-election;

SECTION 9 – DUTIES OF OFFICERS

All Signing Officers of Local 1329 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.

1. The President shall:
 - a. Enforce the CUPE Constitution and these by-laws;
 - b. Preside at all membership and Executive Board meetings and preserve order;
 - c. Decide all points of order and procedure (subject always to appeal to the membership);
 - d. Have a vote on all matters (except appeals against any rulings) and In case of a tie vote in any matter, including elections, a revote shall be taken. If the revote results in an tie the president will have the right to cast an additional vote to break the tie;
 - e. Ensure that all Officers perform their assigned duties;
 - f. Shall appoint members to committee vacancies;
 - g. Introduce new members and conduct them through the initiation ceremony;
 - h. Sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, by-laws or vote of the membership;
 - i. Be allowed necessary funds, to reimburse for expenses of his or any other officers, supported by vouchers, incurred on behalf of the Local;
 - j. Have first preference as a delegate to the CUPE National Convention;
 - k. On termination of office, surrender all property of the Local to the Recording Secretary, including any external usernames and passwords.

2. The Vice-President shall:
 - a. If the President is absent or incapacitated, perform all duties of the President;
 - b. If the office of the President falls vacant, be Acting President until a new President is elected through a by-election;
 - c. Assist the Chief Steward with their role in the grievance procedure as well as assisting with overseeing the Stewards role and education;
 - d. Render assistance to any member of the Board as directed by the Board;
 - e. Have second preference as a delegate to the CUPE National Convention;
 - f. On termination of office, surrender all property of the Local to the Recording Secretary, including any external usernames and passwords.

3. The Recording-Secretary shall:
 - a. Keep a 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 Secretary-Treasurer. This record will also include Trustees' report;
 - b. Record all alteration in the by-laws;
 - c. Answer correspondence and fulfill other secretarial duties as directed by the Executive Board;
 - d. File a copy of all letters sent out and keep on file all communications;
 - e. Prepare and distribute all circulars and notices to members;
 - f. Have all records ready for yearly audit by trustees on reasonable notice for auditors and trustees;
 - g. Preside over membership and Executive Board meetings in the absence of both the President and Vice-President;
 - h. Be empowered to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
 - i. On termination of office, surrender all books, laptop, external hard drive, password seals and other property of the Local to his successor;
 - j. Maintain updates for the website from the Executive Board;
 - k. Set up email accounts and reset passwords for all Executive Board positions;
 - l. Arrange meetings at a venue and/or through a virtual platform;
 - m. Arrange for off-site records storage through vendors and keep accurate listings;
 - n. Arrange for meetings with the Financial institution any changes to bank accounts with assistance from the Treasurer;
 - o. Collect any property that belongs to the Local from all Executive Board members.

4. The Secretary-Treasurer shall:
 - a. Receive all revenue, initiation fees, dues and assessments, keeping a record of each member's payments, and deposit promptly all money with a Financial institution;
 - b. Sign all cheques and ensure that the Local Union's funds are used only as authorized as directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designating a singing of officer during a prolonged absences;
 - c. Ensure reports listing employees, salary and dues collected are sent to the Treasurer from Payroll staff, review the listing prepared by the Payroll department, and complete the CUPE National per capita payments on a monthly basis;

- d. Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices using CUPE electronic ledger sheets and saving the data on an external hard drive;
 - e. Regularly make a full financial report to meetings of the Executive Board, as well as providing a copy of the current month ledger and bank reconciliation;
 - f. Provide a financial report to each regular membership meeting, detailing all income and expenditures for the period;
 - g. Be bonded for not less than \$1,000.00 (one thousand dollars) through the master bond held by the National Office, and any Treasurer who cannot qualify for the bond shall be disqualified from office;
 - h. Pay no money unless supported by a voucher and invoice signed by the President and one other member of the Board, or any two other members of the Board. No voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
 - i. Make all books available for inspection by the auditors and/or Trustees on reasonable notice, Ensure 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;
 - j. Provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
 - k. No later than February 28 each year, furnish each member, on the forms supplied by the National Office, with a statement showing the net amount of tax-deductible dues paid by him during the preceding calendar year, if not shown on the employees' T4;
 - l. Be empowered to employ necessary clerical assistance to be paid for out of the Local's funds;
 - m. Notify all members who are one month in arrears and report to the Executive Board all members who are two or more months in arrears in the payment of dues;
 - n. On termination of Office, surrender all books, records and other properties of the Local to the Recording Secretary, including any external usernames and passwords.
5. The Chief Steward shall:
- a. Act as the local's direct representative in meeting with the employer in an effort to rectify any violation of the Collective Agreement;
 - b. Be directly involved with all Stewards in any investigation and grievance as required through the grievance procedure of the Local's Collective Agreement;
 - c. Co-ordinate, direct, and/or assist all Stewards in their duties and education;
 - d. Liaise directly with the employer to ensure all investigations, grievances, and arbitrations are progressing through the procedures outlined in the Collective Agreement in a timely manner;
 - e. Record and track all investigations and grievances through their process in a manner acceptable to the Executive Board, and in accordance with good organizational practices, using an electronic tracking form and saving the data on an external hard drive;
 - f. Provide a high-level updated report of the number of ongoing investigations, grievances, and arbitrations at general membership meetings;
 - g. Assist the Executive Board with duties as requested;
 - h. On termination of Office, surrender all property of the Local to the Recording Secretary, including any external usernames and passwords.

6. The Stewards shall:
 - a. At the request of a member(s) or at the direction of the President, investigate complaints which may/may not be in violation of the Collective Agreement;
 - b. Notify the Executive Board of the alleged violation in order to determine what actions are to be taken;
 - c. Act as a representative in meeting with the employer in an effort to rectify any violation of the collective agreement;
 - d. Keep full, accurate and impartial account of all information regarding the alleged violation;
 - e. Ensure that the Recording-Secretary has a copy of all grievances and that the wording of such grievances is approved by the President, Vice President and/or the Chief Steward prior to its submission;
 - f. Keep notes on investigations, meetings, etc., and provide a complete file to the Recording Secretary when the file is complete;
 - g. Submit all notes and conclusions on investigations, meetings, etc., and provide a documented file to the Recording-Secretary upon completion of any investigation or grievance filed;
 - h. When appointed by the President, act as a member to any committee unless a reasonable explanation is submitted to the President for not being available to do so;
 - i. On termination of Office, surrender all property of the Local to the Recording Secretary, including any external usernames and passwords.

7. The Trustees shall:
 - a. Act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, the Recording-Secretary, and the Standing Committees semi-annually;
 - b. Report their findings to the first membership meeting following the completion of each audit;
 - c. Be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
 - d. Ensure that proper financial reports are made to the membership;
 - e. Audit the record of Attendance;
 - f. Inspect at least twice a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership;
 - g. Use audit forms supplied by the National Office and send a copy of each half yearly audit to the National Secretary-Treasurer, in accordance with the provisions of the CUPE Constitution.
 - h. Make a written report of their findings to the first membership meeting following the completion of each audit
 - i. 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 funds records, and accounts are being maintained by the Secretary-Treasurer in an organized correct, and proper manner

SECTION 10 – HONORARIUMS

1. Honorariums are to cover expenses incurred by the Executive Board while serving the local.
2. The amounts listed below shall be issued two (2) times a year at the end of June and December:

President: \$1500	Vice President: \$1250
<u>Secretary</u> -Treasurer: \$900	Recording Secretary: \$1000
Chief Steward: \$1000	Stewards: \$650
Trustees: \$150	
3. Failure to attend 50% of all meetings without written reasons will result in a corresponding reduction in out-of-pocket covered expenses.
4. In the event that an Executive Board member or Trustee vacates, steps down or takes a temporary leave from their elected position, the amount above will be prorated monthly.
5. The following expense allowances shall be provided:
 - a. Education:
 - i. All Executive Board members may take any CUPE related courses upon approval of the President or designate;
 - ii. All expenses incurred while taking part in CUPE related courses will be paid for by the Local in accordance with the following guidelines:
 - Lodging: as per receipts submitted and considered reasonable for the area in which the expense occurred;
 - Food: daily expenses be equal to the rates currently offered by the Corporation to its employees;
 - Car mileage: equal to the current rates offered by the Corporation to its employees;
 - Reimbursement of wages if courses are taken during working hours.
 - b. Seminars:
 - i. All Executive Board members may attend any CUPE related seminars upon approval of the President or designate;
 - ii. All expenses incurred while taking part in CUPE related seminars will be paid for in accordance with the education guidelines.
 - c. Conferences:
 - i. Two delegates may attend any CUPE conventions as may be required to represent the membership. The delegates will be selected by the President from the Executive Board of the Local;
 - ii. All expenses incurred attending a CUPE convention will be paid for in accordance with the education guidelines. Any additional travel expenses required i.e. plane fare, etc. will be paid for by the Local.
 - d. Local Funds:
 - i. The Executive Board may, by unanimous consent, allocate up to \$5,000 (five thousand dollars) annually for Local related functions and activities, and any other ancillary costs; In the event that an emergency expenditure is approved by the executive board unanimously, it will be reported in the monthly treasurer's report and shared with the membership at the next general membership meeting.
 - ii. Allocation of funds exceeding \$5,000 (five thousand dollars) annually must be approved by the membership;
 - iii. The Executive Board may, by unanimous consent, allocate up to \$1,500 (one thousand and five hundred dollars) annually for Local Sponsored functions and activities, and any other ancillary costs;

- iv. Allocation of funds exceeding \$1,500 (one thousand and five hundred dollars) annually must be approved by the membership.

SECTION 11 – FEES, DUES AND ASSESSMENTS

1. Monthly Dues:
 - a. The monthly dues shall be 1.30%, 0.45% of gross wages above of those set by C.U.P.E. National.
 - b. Notwithstanding the above provisions, if the CUPE National 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 CUPE minimum.
 - c. Special assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.
 - d. A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying-any other penalty set by the Local 1329.
 - e. A member who has been unemployed or unable to work because of sickness not be required to pay the arrears.

SECTION 12 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

1. Nomination:
 - a. Nominations shall be received at the "election" meeting or at the regular membership meeting held immediately prior to the election meeting. 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, duly witnessed by another member.

Elections:

- b. All elections will be held in person using a paper secret ballot.
- c. A Returning Officer(s) shall be chosen from among the membership for in-person meetings, and be responsible for issuing, collecting, and counting ballots. They must be fair and impartial and see that all arrangements are unquestionably democratic. Officers and candidates running for office cannot serve as Retuning Officer(s).
- d. The voting shall take place at a special "election" meeting held within the mandated three-year term. At least two weeks advanced notice shall be given to the membership as to the date of the "election" meeting.
- e. Voting to fill one office shall be conducted and completed before balloting may begin to fill another office.
- f. 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. In case of a final 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 votes persist, subsequent ballots may be deferred to the next membership meeting.
- g. When two or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

2. Installation:
 - a. All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for three years, or until a successor has been elected and installed, provided however, that no term of office shall be longer than three years.
 - b. The terms of office for Trustees shall be as laid down in Article B.2.4 the CUPE Constitution.
3. By-Election:
 - a. Should an office fall vacant pursuant to Section 8 of 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 - RULES OF ORDER

1. All meetings of the Local shall be conducted in accordance with the basic principles of the Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these by-laws as Appendix "B". These rules shall be considered as an integral part of the by-laws and may be amended only by the same procedure used to amend the by-laws.
2. In situations not covered by Appendix "B", 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 14 -AMENDMENT

1. 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.
2. 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 seven days' notice at a previous meeting, or at least sixty days written notice.
3. No change in these by-laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

APPENDIX "A"

CUPE NATIONAL EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic or homophobic hurts and thereby divides us. So too, does discrimination on the basis of ability, age, class, religion, language and ethnic origin.

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

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

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

APPENDIX "B"

TO THE BYLAWS OF LOCAL 1329 *RULES OF ORDER*

1. 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-President, the Recording Secretary shall act as President, and in their absence, a President pro-tern 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 / raise hand (physically or electronically) 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 a resolution, shall be in order.
6. On motion, the regular order of business may be suspended by a two-thirds vote of those in attendance, 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.
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, (physically or electronically) they shall rise in their place and respectfully address the presiding officer, but except to state that the member rise to a point of order or on a question of privilege, member 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 he is in order, he may again proceed.
14. No religious discussion shall be permitted.
15. The President shall take no part in debate while presiding, but may yield the Chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
16. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he may in addition give a casting vote, or, if they choose, 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:
 - a. To adjourn
 - b. To put the previous question
 - c. To lay on the table
 - d. To postpone for a definite time
 - e. To refer
 - f. To divide or amend which motions shall have precedence in the order named

The first three of these shall be decided without debate.

18. A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
19. A motion to adjourn is in order except when:
 - a. A member has the floor
 - b. 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, 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 challenge. The Chairperson may then 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.

23. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.

24. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Vice-President.
25. The Local's business and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

APPENDIX "C"

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

A complaint regarding 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 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 event 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 an 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.
10. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. A similar process may be applicable to the other parts of CUPE, done in consultation with the National President.

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

All chartered organizations are subject to this Code of Conduct, to apply to conventions, conferences, schools, and meetings which they organize.