



By-Laws
CUPE Local 2998
& 2998-01

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P R E A M B L E

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

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

COMPOSITION

LOCAL 2998 **APPLEGROVE COMMUNITY CENTRE**
CECIL COMMUNITY CENTRE
CENTRAL EGLINTON COMMUNITY CENTRE
COMMUNITY CENTRE 55
EASTVIEW COMMUNITY CENTRE
THE 519 CHURCH ST. COMMUNITY CENTRE
HARBOURFRONT COMMUNITY CENTRE
RALPH THORNTON COMMUNITY CENTRE
SCADDING COURT COMMUNITY CENTRE
SWANSEA TOWN HALL

LOCAL 2998 –01 **UNIVERSITY SETTLEMENT**

SECTION 1 – NAME

The name of this Local shall be: **Canadian Union of Public Employees Local No.2998**

SECTION 2 – OBJECTIVES

The objectives of the Local are to:

- (a) Secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all active and retired 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 settlement by negotiation and mediation 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

- (a) Masculine pronouns shall be understood to include the feminine gender.
- (b) Numbers of Articles at the end of sections or subsections refer to relevant articles of the CUPE Constitution (2001) which should be read in conjunction with these bylaws.

SECTION 4 – MEMBERSHIP MEETINGS – Regular and Special

- (a) Regular membership meetings shall be held quarterly on the 2nd Wednesday at 6:00 p.m. If a statutory holiday intervenes the Executive Board shall give one (1) week notice of any change in the date of the regular meeting.

CHANGE MEETING TIME TO 6:30

- (b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than twenty-five (25) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours notice of the special meeting and the subject (s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- (c) A quorum for the transaction of business at any regular or special meeting shall be ten (10) members, including at least two (2) Table Officers and three (3) Council Members.

TO READ THREE (3) SITE STEWARDS (not council members)

- (d) See 7.

DELETE SECTION 4 D

- (e) The order of business at regular membership meetings is as follows once the meeting is called to order:

CHANGE SECTION 4(e) TO 4(d)

1. Roll call of Officers
2. Voting on new members and Initiation
3. Reading of Minutes

4. Matters arising
5. Treasurer's report
6. Communications and bills
7. Executive Committee report
8. Reports of committees and delegates
9. Nominations, Elections, or Installations
10. Unfinished business
11. New business
12. Good of the Union
13. Adjournment

(Article B.VIII)

SECTION 5 – VOTING OF FUNDS

Except for ordinary expenses and bills as approved at membership meetings, no sum over five hundred dollars (\$500.00) shall be voted for the purpose of a grant or contribution to a member or any cause outside CUPE, except by a notice of motion given in writing and dealt with at the following membership meeting.

(Article B.4.4)

SECTION 6 – OFFICERS

The officers of the Local shall be the President, First Vice-President, Second Vice-President, Secretary-Treasurer, Recording Secretary, three (3) Trustees, and site stewards. All Executive Board officers shall be elected by the membership as a whole. Site Stewards will be elected by the members within their respective Community Centres.

(Articles B.2.1 & B.2.3)

SECTION 7 – EXECUTIVE BOARD

RENUMBER SECTION 7 TO 7.1 (a) to (g)

- (a) The Executive Board shall comprise all officers, except Trustees and site stewards.

(Article B.2.2)

- (b) The Board shall meet at least once every two months.

CHANGE TO ONCE EVERY MONTH

(Article B.3.14)

- (c) A majority of the Board constitutes a quorum.

- (d) The Executive officers shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate

without first giving notice and then submitting the proposition to a membership meeting and having it approved.

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

ADD SECTION 7.2

Council description and duties

Council description:

- (a) *Local President is the Chair or V.P. in the President's absence*
- (b) *Meetings will be held at 6:30 on the second Wednesday every other month. These meetings will not be held in those months coinciding with General Membership Meetings*
- (c) *One (1) voting representative from each centre*
- (d) *Each Centre has one (1) vote. If there is more than one steward, they may all attend and have voice at meetings but the Centre has only one (1) vote*
- (e) *Quorum is four (4) voting members*
- (f) *Any unfinished business refers back to the Executive Board*

Council Duties

- (a) *To represent members*
- (b) *To participate as members of the grievance Committee*
- (c) *To report on their Centre's concerns and activities*
- (d) *In their absence, to provide an alternate or a report*
- (e) *Other duties as may arise*

SECTION 8 – DUTIES OF OFFICERS

(a) *The President shall:*

- Enforce the CUPE Constitution and these bylaws;
- preside at all membership and Executive Board meetings and preserve order;
- decide all points of order and procedure (subject always to appeal by the membership);

- have a vote on all matters (except appeals against his rulings) and in case of a tie vote in any matter, including elections, have the right to 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;
- introduce new members and conduct them through the initiation ceremony;
- sign all cheques and ensure that the Local'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.
- On termination of office surrender all books, seals and other properties of the local to his successor.

(b) *The First Vice-President shall:*

- If the President is absent or incapacitated, perform all duties of the President;
- if the office of President falls vacant, be Acting President until a new President is elected;
- render assistance to any member of the Board as directed by the Board.
- Have signing authority.
- On termination of office, surrender all books, seals and other properties of the local to his successor.

(Article B.3.2)

(c) *The Second Vice-President shall:*

- Second Vice-President must come from University Settlement House;
- guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the President and by consent of the members present;

- assist in maintaining the record of membership attendance at meetings;
- perform such other duties as may be assigned by the Board from time to time.
- Second Vice-President shall act as Sergeant of Arms at membership meetings.
- On termination of office, surrender all books, seals and other properties of the local to his successor.

(d) *The Recording Secretary shall:*

- Keep full, accurate and impartial account of the proceedings of all regular or special membership and Board meetings, ensuring that these records include a copy of the full financial report presented by the Secretary-Treasurer;
- record all alterations in the bylaws;
- answer correspondence and fulfill other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to members;
- have all records ready on reasonable notice for Auditors and Trustees;
- preside over membership and Board meetings in the absence of both the President and the Vice-Presidents;
- be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
- on termination of office, surrender all books, seals and other properties of the Local to his successor.

(Article B.3.3)

(e) *The Secretary-Treasurer shall:*

- Receive all revenue and assessments, keeping a record of each deposit promptly all money with a bank or credit union;
- throughout his term, and 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;
- record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- make a full financial report to meetings of the Local's Executive Board, as well as a written financial report to each regular membership meeting, detailing all income and expenditures for the period;
- be bonded though the master bond held by the National Office, and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
- pay no money unless supported by a voucher duly signed by the President and one other member of the Board or any two other members of the board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- make all books available for inspection by the Auditors and/or Trustees on reasonable notice, and have the books 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 they may need to complete the audit report forms supplied by CUPE;
- be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds;
- on termination of office, surrender all books, records and other properties of the Local to his successor.

(Articles B.3.4 to B.3.9)

(f) 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 Committee 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 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, and report their findings to the 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 servicing representative.

(Articles 3.10 to B.3.13)

SECTION 9 – DUTIES OF OTHER ELECTED POSITION

The Site Steward shall:

- (a) Act as the Union's representative, may request the aid of any member in their respective bargaining unit at the workplace and shall ensure that grievances are filed if the Employer fails to comply with the terms of the Collective Agreement.

- (b) Report on all grievances to the Grievance Committee as well as investigate such grievances, providing documentation to the Grievance Committee.
- (c) Attend the bi-monthly Council Meeting.

SECTION 10 – OUT-OF-POCKET EXPENSES

Executive Board Members will receive an honorarium of six hundred dollars (\$600.00) per year to cover out of pocket expenses. Meal and travel allowance will be paid by the local for those who attend business on behalf of the local. All expenses must be supported by receipts.

SECTION 11 – FEES, DUES, AND ASSESSMENTS

(a) *Initiation Fee*

Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee of one dollar (\$1.00), which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected the fee shall be returned.

(Articles B.4.1 & B.10.2)

DELETE SECTION (a)

(b) *Monthly Dues*

The monthly dues shall be 1.25%.

Changes in the levels of the Initiation Fee, or the Monthly Dues can be effected only by following the procedure for amendment of these bylaws (see section 15), with the additional provision that the vote must be by secret ballot.

(Articles B.4.1 & B.4.3)

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

Special assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.

CHANGE SECTION (b) to (a)

(Article B.11.1)

SECTION 12 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) *Nomination*

Nominations shall be received at the regular membership meeting held in the month of September. To be eligible for nomination a member shall have attended at least fifty percent (50%) of the membership meetings held in the previous twelve (12) months or in the period he was a member, if less than one (1) year, unless a valid reason, acceptable to the Local, is given for non-attendance by the next membership meeting.

Add; NO NOMINATION SHALL ACCEPTED UNLESS THE MEMBER IS IN ATTENDANCE OR HAS ALLOWED TO BE FILED AT THE MEETING HIS CONSENT IN WRITING, DULY WITNESSED BY ANOTHER MEMBER. NO MEMBER SHALL BE ELLIGBLE FOR NOMINATION IF HE IS IN ARREARS OF DUES AND /OR ASSESSMENTS

(b) *Election*

- (1) At a membership meeting at least one (1) month prior to Election Day the President shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant (s). The committee shall include members of the Local who are neither officers nor candidate for office, it shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
- (2) 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.
- (3) The Returning Officer shall be responsible for issuing, collecting, and counting ballots. He must be fair and impartial and see that all arrangements are unquestionably democratic.
- (4) The voting shall take place at the regular membership meeting in November. The vote shall be by secret ballot.
- (5) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- (6) The President and Vice-President shall come from Local 2998 and the second (2nd) Vice-President comes from Local 2998-01 (University Settlement House).

REMOVE PRESIDENT AND INSERT FIRST

- (7) 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.
- (8) 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.
- (9) Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Section 4(c).

(c) *Installation*

- (1) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in the office for two years or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three years.
- (2) The terms of office for Trustees shall as be laid down in Article B.3.10 of the CUPE Constitution.

(d) *By-Election*

Should an office fall vacant pursuant to Section 7 (g) of these bylaws 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 CONVENTIONS

- (a) Except for the President's option (section 8 (a)), all delegates to conventions shall be chosen by election at membership meetings.
- (b) All delegates elected to the conventions held outside the City of Toronto shall be paid transportation expenses (at economy, tourist or coach rates), a per diem allowance of seventy-one dollars (\$71.00) per for expenses, and an amount equal to any loss of salary incurred by attendance at the convention.

- (c) Delegates to conventions held locally shall have no travel allowance. There shall be a per diem allowance of seventy-one dollars (\$71.00) per day and compensation for any loss of salary incurred by attendance at the convention.
- (d) Representation at educational institutes and seminars shall be on the recommendation of the Executive Board, subject to final approval by the membership.

CHANGE MEMBERSHIP TO COUNCIL AND ADD WITH A PER DIUM OF THIRTY-FIVE DOLLARS (\$35.00) FOR FUNCTIONS IN THE GREATER TORONTO AREA.

SECTION 14 – COMMITTEES

Negotiating Committee

This shall be a special ad hoc committee established at least three (3) months prior to the expiry of the Local's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee for local 2998 shall consist of a maximum of five (5) members including the President; Local 2998-01 shall consist of five (5) members including the second (2nd) Vice President, all elected at a membership meeting. 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.

Special Committee

A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two (2) members of the Board may sit on any special committee as ex-officio members.

Grievance Committee

This Committee shall process all grievances not settled through the grievance procedure as set out in the Collective Agreement. The committee will be comprised of the Executive Board and the Site Stewards and will make recommendations to the membership as to whether a grievance gets forwarded to arbitration or not. All recommendations will be in consultation with the National Servicing Representative.

SECTION 15 – AMENDMENT

1. These bylaws 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 bylaws and the CUPE Constitution the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.
2. These bylaws shall not be amended, added to, or suspended except upon the majority vote of those present and voting at a regular or special membership meeting following seven (7) days notice at a previous meeting or at least sixty (60) days written notice.
3. No change in these bylaws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

APPENDIX A; RULES OF ORDER