

# CUPE 1816 Bylaws

The following are the amended by-laws of CUPE 1816.

Previous amendments were passed by the members of Local 1816 at the monthly regular Membership Meetings held 06/11/24 and are effective 08/16/24. The CUPE National President approved these by-laws 08/16/24.

The latest amendments were passed by the members of Local 1816 at the monthly regular Membership Meetings held 10/08/24 and are effective 01/01/25. The CUPE National President approved these by-laws 01/01/25

## Preamble

In order to improve the social, economic, and general welfare of its members

and to eliminate any kind of harassment and discrimination; to promote equal treatment of everyone regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious belief, mental or physical disability and to actively oppose discrimination on any of these grounds

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 No. 1816 (Pacific Blue Cross Health Benefits Society).

## Section 2 - Objectives

The objectives of the Local are to:

- secure adequate remuneration for work performed, and generally advance the economic, and social welfare of its members, and of all workers;
- support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- provide an opportunity for its members to influence, and shape their future through free democratic trade unionism;
- encourage the settlement by negotiation, and mediation of all disputes between the members and their employers.

### **Section 3 - Interpretation & Definitions**

Numbers of Articles at the end of sections or subsections refer to relevant articles of the current CUPE Constitution, which should be read in conjunction with these By-Laws.

### **Section 4 - Membership Meetings**

Regular membership meetings shall be held once a month except for July, August and December. Notice of such meetings shall be posted at least one week in advance.

Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than thirty (30) 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 was called, and notice given. Minutes shall be recorded at all such meetings.

A quorum for the transaction of business at any regular or special meeting shall be ten (10) members, including at least three (3) members of the Executive Board.

The order of business at regular membership meetings is as follows:

1. First Nations acknowledgement
2. Roll Call of Officers
3. Reading of the Equality Statement
4. New members and initiation
5. Guests
6. Adoption of Minutes of previous meeting by the membership
7. Adoption of Secretary-Treasurers Report
8. Adoption of Lead Shop Steward Report
9. Adoption of Executive Board Report
10. Reports of Committees
11. Nominations & Elections
12. Unfinished Business
13. New Business
14. Motions
15. Good of the Union
16. Adjournment

Confidentiality:

All business and discussions which that take place at any membership meeting are confidential to our membership. It is a serious violation of the oath of obligation to discuss any matter which has been brought up at membership meeting with any person who is not a member of our Local union. Any member who violates this provision may be disciplined in accordance with the National Constitution.

## **Section 5 - Voting of Funds**

**(Article B.4.4)**

1. Expenditures necessary for the day to day operation(s) of the local union may be paid without the approval of the membership.
2. Expenditures, aside from donations, of not more than \$1000.00 may be paid for any cause if approved by a majority of the Executive Board.
3. For expenditures for any causes over \$1000.00 & donations of any amount outside of the Wellbeing committee, notice of intent to request such authorization must be given by the Executive Board to all members at least five days in advance of the membership meeting.
4. Voting on expenditures shall be by secret ballot if deemed necessary by the Executive Board, or if requested by the members in attendance at the membership meeting.

## **Section 6 – Officers**

The Officers of the Local shall be the:

- President
- Vice-President/Lead Shop Steward
- 2<sup>nd</sup> Vice-President/Communication & Education Co-ordinator
- Secretary-Treasurer
- Recording Secretary
- Sergeant-at-Arms
- Shop Stewards (8)
- Trustees (3)

All officers shall be elected by the membership.

## **Section 7 – Signatories**

For the purpose of the Treasury, the authorized signing officers shall be the President, Vice-President/Lead Shop Steward, 2<sup>nd</sup> Vice-President/Communication & Education Co-ordinator and Secretary-Treasurer.

## **Section 8 – Executive Board (EB)**

**(Article B.2.2)**

- (a) The Executive Board shall be comprised of all officers, except Shop Stewards & Trustees.
- (b) The Board shall meet at least twice a month. (Article B.3.14)
- (c) A majority of the Board constitutes a quorum.
- (d) 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.
- (e) 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.XI)
- (f) If an Officer fails to attend three consecutive membership meetings or three consecutive executive meetings without good and sufficient reason, their office will be declared vacant and filled at the next meeting. (Article B.2.5)

## **Section 9 - Duties of Officers**

(a) The **President** shall: (Article B.3.1)

- enforce the CUPE Constitution and these By-Laws;
- preside at all membership meetings and preserve order;
- decide all points of order and procedure (subject always to appeal of the membership);
- have a vote on all matters (except appeals against their rulings) and in case of a tie vote in any matter, excluding 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
- at membership meetings identify new members and have them swear the oath of obligation.;
- ensure that the Local's funds are used only as authorized or directed by the Constitution, By-Laws, or vote of the membership;
- have first preference as a delegate to all Conventions;
- meet with new Union Members at Union Orientation

(b) The **Vice-President/Lead Shop Steward** shall:

- assist Shop Stewards in defining, detecting and preparing grievances at the initial level;
- oversee Shop Steward onboarding;
- attend and participate in all grievance meetings with the Employer which have gone beyond the initial level;
- hold monthly meetings or as needed with all Shop Stewards;
- report status of grievances at regular monthly membership meetings;
- meet with new Union Members at Union Orientation;
- if the President is absent or vacant, perform all duties of the President;

(c) The **2<sup>nd</sup> Vice President/Communication and Education Co-ordinator** shall:

- prepare Notice of membership meetings;
- coordinate local's newsletter;
- maintain local's website;
- liaison with public relations departments of CUPE;
- ensure that the mailing list for communications is maintained;
- receive and circulate information regarding Union Education courses;
- registration for courses & conventions;
- travel arrangements;
- be responsible for booking all venues;
- in the absence of the First Vice-President/Lead Shop Steward, perform the duties of that office;
- in the absence of the President and the First Vice President/Lead Shop Steward, perform the duties of those offices;

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

(Articles B.3.4 to B.3.9)

- receive all revenue, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union;
- prepare all CUPE National per capita tax forms and forward by the 15th day of each month; and payment of per capita fees to any organization to which the Local is affiliated
- pay day to day expenses
- record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- be bonded for not less than \$500.00 (or any greater sum as may be decided at a membership meeting, taking into account the assets of the Local and the amount of cash and cheques handled by the Secretary-Treasurer) through the master bond held by the National office;
- all expenditures must be supported by a receipt & expense form,
- make all books available for Inspection by the auditors and/or Trustees on reasonable notice, have the books audited annually; provide the Trustees with any information needed to complete the audit report supplied by CUPE; present Secretary-Treasurers report at membership meetings
- preside over membership and Board meetings in the absence of the President and Vice-Presidents;
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences.
- Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- 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.

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

(Article B.3.3)

- 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 Secretary-Treasurer. The record will also include Trustees' reports.
- record all alterations in the By-Laws;
- keep reports provided by the Secretary-Treasurer, Lead Shop Steward and Executive Board Report

(f) The **Sergeant-at-Arms** shall:

- attends membership meetings and only admits members in good standing or officers and officials of CUPE, except on the order of the President and by consent of the members present;
- maintains the record of membership attendance at meetings;
- maintains job posting information, applicant records, and exempt Job Descriptions;
- perform such other duties as may be assigned by the Board from time to time;

The **Shop Stewards** shall:

- ensure the Employer is adhering to the Collective Agreement.
- provide representation or clarification of the Collective Agreement if contacted by members
- represent employees at meetings:
  - Attendance Management Program (AMP)
  - Disciplinary
  - Monthly Shop Steward

The **Trustees** shall:

(Articles B.3.10 to B.3.12)

- 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 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 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.
- 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: Completed Trustee Audit Program
  - Completed Trustees' Report
  - Secretary-Treasurer Report to the Trustees
  - Recommendations made to the President and Secretary-Treasurer of the Local Union
  - Secretary-Treasurer's response to recommendations
  - Concerns that have not been addressed by the Local Union Executive Board.



### Guiding Principles for **all Union Officers except Trustees**

- report all transactions and communications with Management to the Executive Board;
- protect the rights and interests of all Local members;
- hold departmental meetings during working hours whenever necessary as provided for in the CA;
- develop membership participation in the union and encourage attendance at union meetings;
- when a local union committee needs members, encourage people in your department to volunteer;
- talk about what your local is doing and explain why they are doing it;
- attend union courses and share knowledge;
- listen to the problems or success stories, brought forward by members;
- understand how government legislation affects members and the union;
- be familiar with both company and union policies;
- enforce the collective agreement for the benefit of the members of the local;
- define, detect, prepare and present grievances at the initial level;
- on termination of office, surrender all properties of the Local to their successor.

### **All Signing Officers**

(B.3.5)

- All signing Officers of Local 1816 shall be bonded through the master bond held by CUPE. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

## Section 10 - Out of Pocket Expenses

- Credit Cards will not be issued for CUPE 1816
- All Expenditures must be submitted for reimbursement on an expense form.
- All Expenses must be supported by receipts and approved by 2 EB members aside from the claimant

The following expense allowance shall be provided:

### 1. Negotiations:

- committee members shall be reimbursed for any expenses incurred due to collective bargaining

### 2. Committee Expenses:

- committee members shall, with the President's approval, be reimbursed for any expenses incurred due to meetings.

### 3. Out of Pocket Expenses:

- shall be paid quarterly during the months of March, June, September and December.

(a) \$350.00 per month - President

(b) \$280.00 per month - First Vice-President/Lead Shop Steward

(c) \$280.00 per month - Second Vice President/Education Coordinator

(d) \$280.00 per month - Secretary-Treasurer

(e) \$210.00 per month - Recording Secretary

(f) \$210.00 per month - Sergeant-At-Arms

(g) \$70.00 per month - Shop stewards

(h) special out of pocket expense - Negotiating Committee

(i) special out of pocket expense – Trustees

Details:

- A \$350.00 out of pocket expense shall be paid to each member of the Negotiating Committee within 20 days of ratification of a collective agreement. Any Executive Board member and/or Shop Steward sitting on this committee will be eligible for this out of pocket expense in addition to their regular out of pocket expense as outlined above. Any member who resigns their position on the Negotiating Committee may receive a token out of pocket expense - the amount to be determined by the Executive Board.
- Every Trustee shall receive a special out of pocket expense of \$70.00 within 30 days of the completion of the annual Trustees report.

4. Additional expenses:

(a) \$45.00 per month - Job Evaluation members (7)

5. Any member absent from work on authorized union business shall be fully compensated by the union for loss of wages, and for any other expenses properly incurred.

6. Any Executive Board member temporarily acting in a higher position shall receive the higher out of pocket expense. Out of pocket expense shall not be paid to members in any paid position for absences in excess of 1 month, regardless of the reason.

## Section 11 - Fees, Dues, & Assessments

(a) Initiation Fee

(B.4.1 & B.9.2)

Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by the initiation \$10.00 which shall be in addition to monthly dues.

New members to CUPE Local 1816 who produce a valid withdrawal card from another CUPE Local shall pay only \$5.00 initiation fee.

(b) Rehire admittance Fee:

(B.4.1)

The rehire admittance fee shall be \$2.00 if rehired within 3 calendar months. After 3 calendar months the readmittance fee shall be \$10.00.

(c) Monthly Dues:

The monthly dues shall be 1.5% of the gross salary. The same dues shall apply to all employees of the bargaining unit of CUPE Local 1816.

(d) Short Term Disability:

Members absent on Short Term Disability or Workers' Compensation shall continue to pay regular monthly union dues.

(e) Leave of Absence:

To remain a member in good standing, a member on leave of absence, paid by Pacific Blue Cross or any other employer, shall continue to pay regular monthly union dues.

(f) Changes in the levels of the Initiation fee, the Readmittance Fee, or the Monthly Dues can be affected only by following the procedure for amendment of these by-laws (See Section 17), with the additional provision that the vote be by secret ballot. (See CUPE Constitution.) (Articles B.4.1. & B.4.3.)

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

(h) Special Assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.

## **Section 12 - Nomination, Election & Installment of Officers**

### **(a) Nomination:**

No nomination shall be accepted unless the member attends the meeting or has accepted in writing, witnessed by another member.

### **(b) Elections:**

At the elections membership meeting 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 candidates for office.

The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available to the Returning Officer.

The Returning Officer shall be responsible for issuing, collection, and counting of ballots. The member must be fair and impartial and see that all arrangements are democratic.

The voting shall take place at the regular membership meeting. The vote shall be by secret ballot.

An Advance Poll will be available at a time and place determined by the Executive Board.

Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.

A majority of votes cast shall be required before any candidate can be declared elected. On second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In the event of a tie vote still, a second ballot will be taken. In case of a final tie vote, the returning officer may cast the deciding vote.

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.

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.

Candidates have the right to have a scrutineer present for the ballot count.

c) Installation: All duly elected officers shall be installed at that membership meeting and shall continue for their term or until a successor has been elected and installed

(d) By-Elections: Should an office fall vacant pursuant to Section 8(f) of the By-Laws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section.

**Executive Board:**

Nominations shall be received at the regular membership meeting held in the month of May.

Candidates can submit a biography to the 2<sup>nd</sup> VP to be posted on the 1816 Website

Elections will take place at the June membership meeting

Executive Board Positions will be for 2 Years (Note 2025 Exception below)

ODD Years (2025, 2027, etc.)

- President
- 2nd Vice-President/Communication & Education Co-ordinator
- Recording Secretary

EVEN Years (2028, 2030, etc.)

- Vice-President/Lead Shop Steward
- Secretary-Treasurer
- Sergeant-at-Arms

2025 will on exception be a 3 Year Position for

- Vice-President/Lead Shop Steward
- Secretary-Treasurer
- Sergeant-at-Arms

**Shop Stewards:**

- The number of shop stewards will be specified by the Union Executive Board
- Nominations and elections for Shop Stewards shall be held at the October membership meeting

**Trustees:**

The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three-year period. No member who has been a signing Officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed

Trustee Elections shall be held at the October Membership Meeting

(Article B.2.4)

## **Negotiating Committee**

This committee shall be nominated not less than 5 months prior to the expiry date of the current collective agreement.

The committee shall consist of the local Union President, Vice-President/Lead Shop Steward, and 3 other members of the bargaining unit

If an Election is required it will take place at the next membership meeting. Candidates can submit a biography to the 2<sup>nd</sup> VP to be posted on the 1816 Website.

## **Section 13 - Delegates to Conventions**

Except for the President's option (Section 9a), representation at education institutes, conventions or seminars shall be on the recommendation of the Executive Board.

All delegates attending conventions or, educational seminars shall be paid:

- (a) Transportation expenses (at economy, tourist or coach rates). Any delegates using their own vehicle shall be paid at the rate outlined in current CRA Expense Policy.
- (b) Hotel accommodations at single or double rates
- (c) A per diem allowance
  - a. Breakfast: \$21.00
  - b. Lunch: \$35.00
  - c. Dinner: \$49.00
- (d) Incidentals
  - a. \$17.00 for in person meetings scheduled for four (4) hours or more where all expenses (meals) are included.
  - b. \$17.00 for video conferencing meetings scheduled for four (4) hours or more.
- (e) An amount equal to any loss of salary incurred by attendance at the convention

## **Section 14 - Committees**

### **1. Negotiating Committee**

The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of the local Union President, Vice-President/Lead Shop Steward, and 3 other members of the bargaining unit. 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.

### **2. Social Committee**

It is the function of this committee to arrange and conduct social and recreational activities for the Local either on the committee's own initiative or as a result of decisions taken at membership meetings.

The committee shall submit reports and proposals to the Executive Board or the membership.

The committee shall comprise between 2 and 5 members.

The Social Committee may be funded Annually up to \$1000.00 if approved by a majority of the Executive Board. Further Expenses must be approved, whether annually, or by event, by a motion at a General Membership Meeting

### **3. By-Laws and Constitution Committee**

The By-Laws and Constitution Committee shall be composed of the President, Vice-President and Secretary-Treasurer and any other members the President deems necessary. It shall be the duty of this committee to review the by-laws and policies of the local from time to time and submit recommendations for changes and/or additions to these By-Laws and policies to the membership for approval.

### **4. Shop Stewards Committee**

Shop Steward meetings shall be held on the 1st Tuesday of the month. Such meetings will be co-chaired between the President and Lead Shop Steward. All members of the Executive Board will be expected to attend. Minutes will be taken. The purpose of Steward meetings will be as follows:

- discuss and understand union policy
- discuss new labour legislation;
- discuss grievances and problems that have arisen over contract interpretation;

Should any Shop Steward fail to attend 2 consecutive Shop Steward meetings and 3 consecutive General membership meetings without adequate reasons for absence, their position may be declared vacant and may be filled by an election at the following membership meeting.



## 5. Wellbeing Committee

This committee may send Flowers, or Gift Basket, or a donation on behalf:

- if a member is ill for more than a week, have some token sent of the Local's concern and desire to help, whether the member is at home or in hospital;
- extend the Local's condolences in the event of the death of a member or one of the member's immediate family as defined in the CA and make any other appropriate gesture in accordance with custom or the wishes of the family concerned.
- birth or adoption by a member
- retirement of a member including exempt with 10 years service with the union;

The committee shall comprise between 2 and 5 members. All bills incurred by this committee shall be submitted to the Secretary-Treasurer for payment.

## 6. Pension Committee

Union representation of the Joint Pension Committee shall consist of three members from CUPE Local 1816. This committee shall be responsible for attending meetings of the Joint Pension Committee and reporting to the membership on Plan performance and related matters - such reporting to be at least twice a year. Committee members shall be appointed in the month of October for a two-year term. Appointments shall be on recommendation of the Executive Board and subject to membership approval.

## 7. Job Evaluation Committee

Duties of this Committee shall be as outlined in the Job Evaluation Manual of Procedures attached to the Collective Agreement. The Executive board will determine how many members of CUPE Local 1816 will be on the Job Evaluation Committee. Committee members shall be appointed. Appointments shall be on the recommendation of the Executive Board

## 8. Health and Safety Committee (Union Members)

- be Familiar with equipment and safety polices within the workplace.
- meet Monthly
- review Accident Report
- walkthrough the organization for safety
- conduct Investigations
- discuss new legislation
- attend Yearly education as per WorkSafe BC

## **Section 15 - Ratification Votes**

Tentative agreement reached by the Joint Negotiating Committee for any new collective agreement shall be subject to ratification by the membership. The ratification vote shall be taken during the Special General meeting at which the details of the tentative agreement have been presented.

## **Section 16 - Rules of Order**

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these By-Laws and may be amended only by the same procedure used to amend the By-Laws.

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

## **Section 17 – Amendments (CUPE NATIONAL)**

(a) These by-laws are always subordinate to the CUPE Constitution (including Appendix "A") as it now exists or may be amended from time to time, and in the event of any conflict between these By-Laws and CUPE Constitution the later shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.

(b) These by-laws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting following written notice given at a previous regular membership meeting.

(c) 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 (B.5.1)

(d) 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 - Rules of Order**

The President or, in their absence, the 1st Vice-President, shall take the chair at all membership meetings. In the absence of both the President and 1st Vice-President, the 2nd Vice-President shall act as President, and in their absence the Secretary-Treasurer shall take the chair.

No member, except the Chair 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. Chair and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.

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.

A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.

A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.

On motion, the regular order of business may be suspended, by a two-thirds vote of those present, to deal with any urgent business.

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.

At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.

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.

When a member wishes to speak on a question or to make a motion, They shall rise in their place and respectfully address the presiding officer, but, except to state that they rise to a point of order or on a question of privilege, shall not proceed further until recognized by the chair.

When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.

Every member, while speaking, shall adhere to the question under debate and avow all personal, indecorous, or offensive language, as well as any poor reflection on the Local or member thereof.

If a member, while speaking, is called to order, they shall cease speaking until the point is determined; if it is decided they are in order, they may again proceed.

No religious discussion shall be permitted.

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.

The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, they may in addition give a casting vote, or, if they choose, refrain from breaking the tie, in which case the motion is lost.

When a motion is before the Local, no other motion shall be in order except (1) to adjourn, (2) to put the previous question, (3) to lay on the table, (4) to postpone for a definite time, (5) to refer, (6) to divide or amend, which motions shall have precedence in the order named. The first three of these shall be decided without debate.

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.

A motion to adjourn is in order except (1) when a member has the floor, and (2) when members are voting.

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.

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 it.

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 briefly state the basis for their decision, following which the chair 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.

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.

No member shall enter or leave a meeting during the taking of a vote

The Local's business, and proceedings of meetings, are not to be divulged to any person outside the Local or the Canadian Union of Public Employees.

## **Appendix B - Code of Conduct**

The CUPE National Constitution includes a Code of Conduct that applies to events held by a Local Union.

<https://cupe.ca/cupe-code-conduct>

The CUPE National President approved these by-laws 01/01/25.

In solidarity,

Beth Miller, President, CUPE 1816

Mitch Johnson, Secretary-Treasurer, CUPE 1816