
BYLAWS

Local Union 4318

Banff Centre Support Employees

This document will note the changes showing the comparison of the Local 4318 Bylaws approved in 2002 and the draft Local 4318 bylaws for 2021.

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PREAMBLE

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 4318 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.

INTRODUCTION

Local 4318 of the Canadian Union of Public Employees has been formed to:

- Improve the social and economic well-being of all of its members;
- Promote equality for all members and to oppose all types of harassment and discrimination;
- Promote the efficiency of public services; and
- Express its belief in the unity of organized labour.

The following bylaws are adopted by Local 4318 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organizations' activities. The CUPE National Equality Statement can be found in *APPENDIX A – CUPE NATIONAL EQUALITY STATEMENT* to these bylaws.

SECTION 1 - NAME

The name of this Local shall be: Canadian Union of Public Employees,
Local No. 4318 (Banff Centre Support Employees).

SECTION 1 – NAME

The name of this Local Union shall be Canadian Union of Public Employees,
Local 4318 (Banff Centre Support Employees).

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 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 2 – OBJECTIVES

The objectives of Local 4318 are to:

- (a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- (b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (c) Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers;
- (d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
- (e) Establish strong working relationships with the public we serve and the communities in which we work and live; and
- (f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

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 sub-sections refer to relevant articles of the CUPE Constitution (1995) which should be read in conjunction with these bylaws.

SECTION 3 – REFERENCES

- (a) Numbers of articles at the end of sections or sub-sections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

SECTION 4 - MEMBERSHIP MEETINGS - Regular and Special

- (a) Regular membership meetings shall be held on a Wednesday of the month at noon and there shall be no less than 8 meetings per year.
- (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 twenty Five (25) members, including at least half of the Executive Board.
- (d) The order of business at regular membership meetings is as follows:
 - 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

SECTION 4 – MEMBERSHIP

(a) **Membership**

An individual employed within the jurisdiction of Local 4318 can apply for membership in Local 4318 by signing an application and paying the initiation fee set out in Section 11(a) of these bylaws.

(Article B.8.1)

(b) **Approval of Membership**

At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting object, the applicant(s) will be accepted into membership.

(Article B.8.2)

(c) **Oath of Membership**

New members will take this oath:

“I promise to support and obey the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union.”

(Article B.8.4)

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)

(d) **Continuation of Membership**

Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local Union unless the member loses good standing under the provisions of the CUPE National Constitution.

(Article B.8.3)

(e) **Member Obligations**

Members are obligated to abide by the CUPE National Constitution and these bylaws as amended from time to time.

Members will provide the Recording Secretary with their current address, home telephone contact number and a personal e-mail address. The member will advise the Recording Secretary of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of regular mail, e-mail, telephone, or electronically via the Local Website or Social Media.

In the case of a telephone town hall, the telephone number may be shared with a service provider under contract to the Local Union to provide the technical equipment to support such a virtual meeting.

	<p>Upon request, the Local Union will share the contact information with CUPE National or Alberta Division. The purpose of sharing this contact information with CUPE National or Alberta Division is so that the National Union or Provincial Division can conduct a town hall with members on important matters.</p>
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SECTION 5 - VOTING OF FUNDS

Except for ordinary expenses and bills as approved at membership meetings, no sum over one hundred dollars 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 5 – MEMBERSHIP MEETINGS

(a) Regular Membership Meetings

Regular membership meetings of Local 4318 shall be held no less than three (3) times a year on a day and time established by the Executive to meet the needs of as many members as possible.

Notice of each regular membership meeting outlining the date, time and location shall be given to members at least seven (7) days in advance of the meeting.

When a statutory holiday or a situation beyond the control of the Local Union arises which causes the cancellation of a regular membership meeting, the Executive Board shall reschedule the regular membership meeting, and will give members seven (7) days' notice of the date of the rescheduled regular membership meeting.

(b) Special Membership Meetings

Special membership meetings of Local 4318 may be required and shall be called by the Executive Board or may be requested in writing by no fewer than 10 members. The President shall immediately advise members when a special meeting is called and ensure that all members receive at least twenty-four (24) hours' notice of the special meeting, the subject(s) to be discussed, the date, time, and location. No business shall be transacted

at the special meeting other than that for which the meeting is called, and notice given.

(c) **Quorum**

The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be five percent (5%) members, plus at least half of the members of the Executive Board.

(d) **Membership Meeting Agenda**

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

- (1) Roll call of officers
- (2) Reading of the Equality Statement
- (3) Land Acknowledgement
- (4) Voting on new members and initiation
- (5) Reading of the minutes
- (6) Matters arising from the minutes
- (7) Secretary-Treasurer's Report
- (8) Communications and bills
- (9) Executive Committee Report
- (10) Reports of committees and delegates
- (11) Nominations, elections, or installations
- (12) Unfinished business
- (13) New business
- (14) Good of the Union
- (15) Adjournment

(Article B.6.1)

SECTION 6 - OFFICERS

The Officers of the Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, three (3) Trustees, and a Shop Steward (or two) from the following areas:

- a) Housekeeping, Custodial (2)
- b) MVA, Gallery, CEE, Technical Services
- c) Music & Sound, Theatre Arts (2)
- d) Program Support, Coffee Services
- e) Buildings and Grounds, Purchasing, Stores
- f) Security
- g) Financial
- h) Communications, Development
- i) ITS, Conferences Admin
- j) CCS, Library
- k) Office of Registrar, Centre of Arts Admin
- l) Business Centre, Reservations
- m) Front Desk, Bell Desk
- n) SBB
- o) Kitchen, Dishroom, F&B Admin
- p) Servers, Bartenders, Room Service, Kiln
- q) Ab Arts, Leadership
- r) Mountain Culture

(Articles B.2.1 & B.2.3)

SECTION 6 – OFFICERS

The Officers of Local 4318 shall be the President, First and Second Vice-Presidents, Secretary-Treasurer, Recording Secretary, Membership Officer, three (3) Trustees, and a shop steward (or two) from the following areas:

- (a) Housekeeping, Custodial (2)
- (b) Visual & Digital Arts, Gallery
- (c) Media & Production, Technical Services
- (d) Music, Theatre
- (e) Program Support
- (f) Physical Facilities
- (g) Security
- (h) Financial Services
- (i) Front Desk, Bell Desk, Reservations
- (j) SBB
- (k) Kitchen, Dish room, F&B Admin
- (l) Outlets
- (m) Communications, Development
- (n) ITS
- (o) Performing Arts, Events, Program Planning
- (p) Leadership, Indigenous Leadership
- (q) Library
- (r) Conferences
- (s) Program Recruitment & Registration
- (t) Mountain Book & Film Festival

(Articles B.2.1 and B.2.2)

SECTION 7 - EXECUTIVE BOARD

- (a) The Executive Board shall comprise all officers, except Trustees.
(Article B.2.2)
- (b) The Board shall meet at least once every month.
(Article B.3.14)
- (c) A simple 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.
(Articles B.6.1 to B.6.7)

SECTION 7 – EXECUTIVE BOARD

- (a) The Executive Board shall include all Officers, except Trustees.
(Article B.2.2)
- (b) The Executive Board shall meet at least once every three (3) months.
(Article B.3.14)
- (c) A majority of the Executive Board constitutes a quorum.
- (d) The Executive Board shall hold title to any real estate of the Local Union as trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.
- (e) The Executive Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.
- (f) Should any Executive Board member fail to answer the roll call for three **consecutive** regular meetings or three **consecutive** regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting.
(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.

(Article B.2.5)

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 to 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;

SECTION 8 – DUTIES OF OFFICERS

Each Officer of Local 4318 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

All Officers must give all properties, assets, funds and all records of the Local Union to their successors at the end of their term of Office.

(Article B.3.9)

All signing Officers of Local 4318 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.

(Article B.3.5)

(a) **President**

The President shall:

- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
- Interpret these bylaws as required.
- Preside at all membership and Executive Board meetings and preserve order.
- Decide all points of order and procedure (subject always to appeal to the membership).
- Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.

- be allowed necessary funds, not to exceed \$25.00 monthly, to reimburse himself or any officers for expenses supported by vouchers, incurred on behalf of the Local;
- have first preference as a delegate to the CUPE National Convention.

(Article B.3.1)

(b) The 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.

(Article B.3.2)

(c) 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;

- Ensure that all Officers perform their assigned duties.
- Fill committee vacancies where elections are not provided for.
- Introduce new members and conduct them through the initiation ceremony.
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership.
- Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.
- Have first preference as a delegate to the CUPE National Convention.
- President will, in conjunction with the Secretary-Treasurer create an annual budget for review at the first regular meeting of each year.

(Article B.3.1)

(b) **Vice-President(s)**

Vice-Presidents shall:

- If the President is absent or not eligible, perform all duties of the President.
- Preside over membership and Executive Board meetings in the absence of the President.

- record all alterations in the bylaws;
- answer correspondence and fulfil 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, including the Local's newsletter;
- 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-President;
- 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.
- Some duties may be assigned to union office staff.

(Article B.3.3)

- If the office of the President falls vacant and until a new President is elected through a by-election:
 - the First Vice President shall be Acting President.
 - If the office of the Acting President falls vacant, the Second Vice President shall be Acting President
- Render assistance to any member of the Executive as directed by the Executive Board.
(Article B.3.2)

(c) Recording Secretary

The Recording Secretary shall:

- Act as the Privacy Coordinator for the Local in accordance with Appendix E- of these bylaws.
- 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 amendments and/or additions in the bylaws and make certain that these are sent to the National President for approval prior to implementing.

(d) The Secretary-Treasurer shall:

- receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union;
- prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month;
- throughout his/her 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;

- Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
- Keep a record of all correspondence received and sent out
- Prepare and distribute all notices to members, including the Local's newsletter.
- Have all records ready on reasonable notice for the Trustees or auditors.
- Preside over membership and Executive Board meetings in the absence of both the President and Vice-President(s).
- Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union's funds.
- Performs other duties required by the Local Union, its bylaws or the National Constitution.

(Article B.3.3)

(d) Secretary-Treasurer

The Secretary-Treasurer shall:

- Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union.
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board,

- be bonded through the master bond held by the National Office, and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
- 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;
- not later than February 28th 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;

- designate a signing officer during prolonged absences.
- Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
- Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No

- be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds;
- notify all members who are one month in arrears and report to the Board all members two or more months in arrears in the payment of union dues;
- 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)

(e) The Trustees shall:

- act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary and the Standing Committees 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

request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.

- Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- Where required, not later than February 28th each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid by him during the preceding calendar year.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union's funds.
- Notify all members who are one month in arrears and report to the Executive Board all members two or more months in arrears in the payment of union dues.

(Articles B.3.4 to B.3.8)

(e) Trustees

The Trustees shall:

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 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.
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union and report their findings to the membership.
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
 - (i) Completed Trustee Audit Program
 - (ii) Completed Trustees' Report

	<ul style="list-style-type: none">(iii) Secretary-Treasurer Report to the Trustees(iv) Recommendations made to the President and Secretary-Treasurer of the Local Union(v) Secretary-Treasurer's response to recommendations(vi) Concerns that have not been addressed by the Local Union Executive Board. <p style="text-align: right;">(Articles B.3.10 to B.3.12)</p>
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SECTION 9 - OUT-OF-POCKET EXPENSES

The following expense allowance shall be provided:

The Vice-President, Recording Secretary, Secretary-Treasurer and Shop Stewards will receive a honoraria of up to \$50.00 quarterly, not to exceed \$1,800.00 per year in total for all Executive.

SECTION 9 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) Nominations

- (1) Nominations will be received at the regular membership meeting held in the second half of the year, subject to term limits.
- (2) Nominations will be accepted from members in attendance at the nomination meeting or from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member.
- (3) To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.
(Articles B.8.1, B.8.2 and B.8.3)
- (4) A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.
- (5) No member will be eligible for nomination if they are in arrears of dues and/or assessments.

(b) Elections

- (1) At a membership meeting, at least three months prior to Election Day, the President will, subject to the approval of the members present, appoint no less than three and no more than 5 members to the Elections

Committee consisting of a Chief Returning Officer and assistant(s). The committee shall be comprised of members of the Local Union who are neither Officers nor candidates for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union.

- (2) The elections committee will determine whether the vote shall be in conducted by Paper Ballots or Electronically.

Voting – Paper Ballots

- (i) The Elections Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Chief Returning Officer.
- (ii) The Chief Returning Officer will be responsible for issuing, collecting, and counting ballots. The Chief Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
- (iii) The voting will take place at least one month after the nomination meeting, the vote will be held for no for less than 1 day and no more than 10 days in a manner to be determined by the Elections

Committee. The vote will be by secret ballot.

Voting - Electronic Ballots

- (i) Votes can be conducted electronically via telephone and internet.
- (ii) The Election Committee shall determine which electronic voting company will administer the vote. The electronic voting company shall be referred to as the “administrators”.
- (iii) The Election Committee shall determine which mailing house company will provide information and personal identification numbers to the members.
- (iv) The Election Committee shall assign an auditor to review the vote.
- (v) The Election Committee shall provide a list of eligible voters (hereinafter referred to as the “Membership List”) to the administrators, the mailing house company and the auditors.
- (vi) The administrators of the vote shall be given clear instruction not to provide any information regarding the actual vote of any individual voter to any person.
- (vii) The mailing house company will send a temporary personal identification number (the “PIN”) to each member at the address shown on the Membership List. Only the mailing house company, the administrator and the individual member

will know the PIN for that member.

(viii) The Election Committee shall establish the date(s) of voting in accordance with these Bylaws. Voting will be held for a minimum of ten (10) calendar days.

(ix) The Election Committee shall only provide technical assistance to any member who has difficulty with the voting procedures to register their vote by telephone or internet. The Election Committee may assign any of these administrative duties; provided the individuals who are assigned these duties are not eligible to vote.

(c) **Tabulating of Votes**

(1) Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.

(2) A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will 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 will be dropped.

(3) In the event of a 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 vote persists, subsequent ballots may be deferred to the next membership meeting.

- (4) When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

(Article 11.4)

- (5) Any member may request a recount of the votes for any election and a recount will 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 set out in Section 6(c).

- (6) All election complaints by members will be submitted in writing to the Chief Returning Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven (7) days after the election. The Chief Returning Officer in conjunction with the Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.

- (d) **Shop Steward** elections will be conducted in the appropriate worksite by the President and one (1) Executive Board member. 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 will be dropped.

- (e) The voting will take place at a bargaining unit membership meeting by secret ballot. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will 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 will be dropped.

(f) **Installation of Officers**

- (1) All duly elected Officers shall be installed after elections have taken place once the Elections Committee declares the winning candidate(s) and shall continue in office for the terms of office laid out below, or until a successor has been elected and installed, provided, however, that no term of office shall be less than one year and no longer than three (3) years.

(Article B.2.4)

- The term of office for **President** shall be three (3) years from the second half of the year 2015. The President is a full-time paid position.
- The term of office for **Vice President** shall be two (2) years, elected in even years.

- The term of office for **Recording Secretary** shall be two (2) years, elected in even years.
- The term of office for **Secretary-Treasurer** shall be two (2) years, elected in odd years.

(2) While elected to hold office, the President shall be at the Pay Level of President, as determined by the Executive Board, in accordance with Job Evaluation Process in the Collective Agreement, or at their current pay level, whichever is greater, and shall receive all benefits and increases as any regular member of the Local Union in accordance with the Collective Agreement in place while holding office.

(3) The terms of office for Trustees shall be so that one serves for a period of three (3) years, one for two (2) years, and one for one (1) year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three (3) 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.

(4) The Oath of Office to be read by the newly-elected Officers is:

*“I, _____,
promise to perform the duties of my
office, as set out in the Constitution
and laws of the Canadian Union of
Public Employees, faithfully and to the
best of my ability for my term of office.
As an Officer of the Union, I will
always promote the harmony and
dignity of its sessions by counsel and
example. I also promise to turn over
all property of the Union to my
successor at the end of my term.”*

(Article 11.6(b))

(g) **By-elections**

Should an office fall vacant for any reason, the resulting by-election should be conducted as closely as possible in conformity with this section. The term of office for any position filled through a by-election will be the term that the vacated position was initially elected to fulfill.

SECTION 10 - 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 two dollars (\$2.00) 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)

(b) Readmittance Fee

The readmittance fee shall be two dollars (\$2.00).

(Articles B.4.1 & B.11.2)

(c) Monthly Dues

The monthly dues shall be 1.54% of normal wages.

(Article B.4.3)

Changes in the levels of the Initiation Fee, the Readmittance Fee, or the Monthly Dues can be effected only by following the procedure for amendment of these bylaws (see Section 16), 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

SECTION 10 – FEES, DUES AND ASSESSMENTS

(a) **Initiation Fee**

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. Each application for membership in the Local Union will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of two dollars (\$2.00) 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 and B.8.2)

(b) **Readmission Fee**

The readmission fee shall be two dollars (\$2.00).

(Article B.4.1)

(c) **Monthly Dues**

The monthly dues shall be 1.54% of regular wages.

(Article B.4.3)

(d) **Amending Monthly Dues**

The regular monthly dues may be amended at a regular or special membership meeting. The vote must be by secret ballot. Notice of at least seven (7) days at a previous meeting or sixty (60) days in writing must be given.

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.

(Article B.4.3)

(e) **Increase of National Dues**

Notwithstanding the above provisions, if the CUPE National Convention raises the 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 fees and dues structure.

(f) **Assessments**

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. Membership approval is required and the assessment will only be applied after the National President approves the assessment.

(Article B.4.2)

SECTION 11 - NON-PAYMENT OF DUES and ASSESSMENTS

Any member in arrears for a period of three months or more shall be automatically suspended and his suspension shall be reported to the Executive Board by the Secretary-Treasurer. The Executive Board shall report to the next membership meeting with a recommendation. Any member under suspension wishing to be reinstated shall, upon application, pay the readmittance fee, plus any dues and assessments in arrears. This money will be returned if the application is rejected. If a member has been unemployed or unable to work because of sickness, he shall pay the readmittance fee but may not be required to pay his arrears.

(Article B.11.1)

SECTION 11 – NON-PAYMENT OF DUES AND ASSESSMENTS

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing through application by paying a readmission fee, plus dues and assessments in arrears. Any money paid by the member will be returned if the application for re-admittance is rejected. The readmission fee cannot be less than the initiation fee of the Local Union.

A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but may not be required to pay arrears.

(Article B.8.6)

**SECTION 12 - NOMINATION, ELECTION AND
INSTALLATION OF OFFICERS**

(a) Nomination

Nominations shall be received at the regular membership meeting held in the month of November. To be eligible for nomination a member shall have attended at least fifty percent of the membership meetings held in the previous twelve months or in the period he was a member, if less than a year, unless a valid reason, acceptable to the Local, is given for non-attendance by the next membership meeting. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting his consent in writing, duly witnessed by another member. No member shall be eligible for nomination if he is in arrears of dues and/or assessments.

(b) Election

(1) At a membership meeting at least one month prior to electionday 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, it shall have

SECTION 12 – EXPENDITURES

(a) **Payment of Local Union Funds**

Funds can only be spent for valid purposes of the Local Union under the following circumstances:

- When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting;
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members present and voting at a regular or special membership meeting.

(Article
B.4.4)

(b) **Payment of Per Capita Tax and Affiliation Fees**

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

(c) **Payment of Local Union Funds to Members or Causes Outside of CUPE**

In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than five hundred dollars (\$500), a notice of motion must be made at a regular membership meeting and then approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven days after the meeting where notice of motion has been given.

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 December. The vote shall be by secret ballot.
- (5) 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.

- (d) Funds may be established in the annual budget for payment within the social/wellness and sick budget lines for payment in accordance with these bylaws.
- (e) No Officer or member of Local 4318 will be allowed to spend any Local Union funds without first having received authorization under Section 13(a) of these bylaws.

(6) 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.

(7) 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).

(8) Shop Steward elections, will be conducted in the appropriate worksite by the President & one senior executive board member or their designates. 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.

(c) Installation

(1) All duly elected officers shall be installed at the meeting at which

elections are held and shall continue in office for terms of office laid out below or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three years.

(Article B.2.4)

The term of office for President shall be for a period of three years, elections occurring every three years from December 2000.

The term of office for the Vice-President and Recording Secretary shall be 2 years, elections occurring every two years from December 2000.

The term of office for the Secretary-Treasurer shall be two years, with elections occurring every two years from December 2001.

All other Executive Board Member's term of office shall be one year, elections occurring every year from December 2000.

- (2) The terms of office for Trustees shall be as laid down in Article B.3.10 of the CUPE Constitution.

(3) While elected to hold office, the president shall be placed in a wage band with a base pay of \$13.65/hr and shall receive progression and all increases as any member of the union's local in accordance with the collective agreement in place for their term of office.

(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 town of Banff shall be paid transportation and hotel expenses (at economy, tourist or coach rates), a per diem allowance of \$50.00 dollars 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 or hotel allowance. There shall be a per diem allowance of \$50.00 dollars 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 Education Committee, subject to final approval by the membership.

SECTION 13 – OUT-OF-POCKET EXPENSES

Local Union Officers and committee members shall be provided an out-of-pocket expense allowance as follows:

- The President, Vice-Presidents, Recording Secretary, Secretary-Treasurer and Shop Stewards will receive a honorarium of up to \$50.00 quarterly, not to exceed \$1,800.00 per year in total for all Executive.

SECTION 14 - COMMITTEES

(a) Negotiating Committee

This shall be a special ad hoc committee established at least two (2) 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 shall consist of the President of the Local and no less than two additional members, 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.

(b) Special Committees

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 members of the Board may sit on any special committee as ex-officio members.

SECTION 14 – CHILD CARE, DEPENDENT CARE AND ELDER CARE

Caring for children, dependants or the elderly are barriers to actively participating in the union or to attending membership meetings. Local 4318 is committed to removing barriers within its control so that all members have equal access to participation.

- (a) When it is practical and demand warrants, Local 4318 will provide on-site child care at all Local Union membership meetings. Where on-site child care is not provided, and in the case of dependent care or elder care, members will be reimbursed to a maximum of three (3) hours at the rate of the living wage for the area for each hour of required care. Reimbursement will be provided upon proof of payment.
- (b) Any member who is on authorized Local 4318 business shall be eligible for child care, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of the living wage for the area for each hour of care required.
- (c) Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

(c) Standing Committees

The Chairperson of each standing committee shall be elected by the members at a membership meeting. The Chairperson and the Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a committee. The Vice-President shall be a member, ex-officio, of each committee. There shall be four standing committees as follows:

(1) Grievance Committee

This committee shall process all grievances not settled at the initial stage and its reports shall be submitted first to the Executive Board, with a copy to the CUPE representative, and then to a membership meeting. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement. The committee shall comprise the elected chairperson and two (2) to eight (8) other members to be selected from among the Executive Board. The committee shall appoint its secretary from among its members.

(2) Education Committee

It shall be the duty of this committee to:

- arrange for representation of the Local at any appropriate and available educational seminar or conference and submit recommendations accordingly to the Executive Board;
- instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports;
- cooperate with the Executive Board in preparing press releases and other publicity material;
- cooperate with the Union Development Department (Education) and Communications Branch of CUPE, and with the regional education representative, in implementing both the Local's and CUPE's policies in these fields. The committee shall comprise between two (2) and eight (8) members and shall appoint its secretary from among its members.

(3) Sick Committee

This committee may:

- visit members who are ill;

- if a member is ill for more than a week, have sent some token of the Local's concern and desire to help, whether the member is at home or in hospital;
- arrange for blood donors to replace blood or plasma required by a member or one of his immediate family;
- extend the Local's condolences in the event of the death of a member or one of his immediate family and make other appropriate gestures in accordance with custom or the wishes of the family concerned;
- The committee shall comprise between two (2) and eight (8) members and may appoint a secretary-treasurer from among its members. It shall be reimbursed by the Executive Board for expenses incurred in the performance of its duties.

(4) Social Committee

It is the function of this committee to arrange and conduct all social and recreational activities of 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 to the membership as required. A ceiling for the committee's net expenditures shall be fixed annually by the membership but, other than that, all social and recreational events and activities shall be self-supporting. The Executive Board shall be held responsible for the proper and effective functioning of this committee. The committee shall comprise between two (2) and eight (8) members and may appoint a secretary-treasurer from among its members.

SECTION 15 - 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 bylaws as Appendix "A". These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

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 15 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

- (a) Except for the President's option [Section 9(a)], all delegates to conventions, conferences, and **educational sessions** shall be chosen by election at membership meetings.
- (b) All delegates attending conventions, conferences, or **educational sessions** held outside the town of Banff shall be paid transportation and hotel/lodging expenses (at economy, tourist or coach rates) as determined by the Secretary-Treasurer, and a per diem allowance of **fifty dollars (\$50.00)** for meals and expenses. The Local Union will reimburse the member's employer for any loss of wages.
- (c) Delegates to conventions, conferences, and educationals held locally shall have no travel or hotel allowance. There shall be a per diem allowance of fifty dollars (\$50.00) for meals and expenses incurred by attendance at the convention, conference or educational. The Local Union will reimburse the member's employer for any loss of wages.
- (d) Representation at educational institutes and seminars shall be on the recommendation of the Executive Board, subject to final approval by the membership at a regular or special meeting.
- (e) Local 4318 will provide members with their per diem allowance prior to their attending the convention,

conference, or educational.

- (f) Local 4318 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.

SECTION 16 - AMENDMENT

- (a) 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.
(Articles 9.2(c), 13.3, & B.7.1)
- (b) These bylaws shall not be amended, added to, or suspended except upon a two-thirds 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.
(Article B.7.1)
- (c) 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.
(Articles 13.3 & B.7.1)

SECTION 16 – COMMITTEES

(1) Special Committees

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

(2) Negotiating Committee

This will be a special committee established at least two (2) months prior to the expiry of the Local Union'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 shall consist of the President of the Local and no less than two (2) members elected at a membership meeting. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

(3) Permanent Committees

The Chairperson of each permanent committee will be elected by the members at a membership meeting. Permanent committees will have a term of two (2) years. The Chairperson and the Executive Board may, with the approval of the membership, jointly appoint other members to serve on a committee. Committees will provide written reports to each regular membership meeting. The Vice-President(s) shall be a member, ex-officio, of each committee.

There shall be four (4) permanent committees as follows:

(a) Grievance Committee

This committee will:

- Oversee the handling of all local grievances past Step II of the Grievance Procedure as laid out in the Collective Agreement.
- Receive copies of all grievances.
- Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting.
- When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide

whether or not the grievance should proceed to arbitration.

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

The committee members will be the President of the Local and two (2) to eight (8) stewards elected at a regular meeting. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages.

(b) Education Committee

This committee will:

- Gather information about appropriate courses, the availability of courses, and make recommendations to the Executive Board and Local Union on whether or not members should be attending.
- Assist delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports.
- Cooperate with the Executive Board in preparing press releases and other publicity material.
- Cooperate with the National Union Development Department and

Communications Branch of CUPE, and with the regional Education Representative, in implementing both the Local Union's and CUPE's policies in these fields.

The committee members will be the elected chairperson and two (2) to eight (8) members. The committee shall appoint its secretary from among its members.

(c) Bylaw Committee

This committee will:

- Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.
- Ensure that the Local Union's bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.

The committee members will be the elected chairperson and 4318 members. The committee shall appoint its secretary from among its members. The National

Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.

(d) Membership Support Committee

This committee will:

- Visit members who are ill.
- If a member is ill for more than a week, arrange some token of the Local Union's concern and desire to help, whether the member is at home or in hospital.
- Extend the Local Union's condolences in the event of the death of a member or one of their immediate family and make other appropriate gestures in accordance with custom or the wishes of the family concerned.
- Committee members shall be reimbursed by the Executive Board for expenses incurred in the performance of the duties and shall be paid from the budget line for sick members in the annual budget.

The committee members will be the President of the Local and two (2) to eight (8) members. The committee shall appoint its secretary from among its members.

(e) Social Committee

This committee will:

- Arrange and conduct all social, cultural, and recreational activities of the Local Union, 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 to the membership as required.

A budget for the committee will be fixed annually by the membership but, other than that, all social, cultural, and recreational events and activities shall be self-supporting.

The Executive Board shall be held responsible for the proper and effective functioning of this committee. The committee members will be the President of the Union and two (2) to eight (8) members and may appoint a secretary-treasurer from among its members.

NEW SECTIONS

SECTION 17 – COMPLAINTS AND TRIALS

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

(Articles B.11.1 to B.11.5)

SECTION 18 – RULES OF ORDER

All meetings of the Local Union will 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 bylaws as APPENDIX D – RULES OF ORDER. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

In situations not covered by APPENDIX D – RULES OF ORDER to these bylaws, the CUPE National Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

SECTION 19 – AMENDMENTS

(a) CUPE Constitution

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. The National President has the sole authority to interpret the CUPE Constitution.

(Articles 9.2(c), 13.3 and B.5.1)

(b) Additional Bylaws

A Local Union can amend or add to its bylaws only if:

- (i) the amended or additional bylaws do not conflict with the CUPE Constitution;
- (ii) the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and
- (iii) notice of the intention to propose the amended or additional bylaws was given at least seven days (7) before at a previous membership meeting or 60 days before in writing.

(Articles 13.3 and B.5.1)

(c) **Effective Date of Amended or Additional Bylaws**

The amended or additional bylaws do not come into effect until they have been approved in writing by the National President. The National President will decide whether to approve the amended or additional bylaws within 90 days of receiving them and will withhold approval only where they conflict with the CUPE Constitution.

(Articles 13.3 and B.5.1)

SECTION 20 – PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 4318 Bylaws, either in paper format or electronically. Members with special needs may request a copy of the Bylaws in larger font.

APPENDIX A IN 2002 BYLAWS

APPENDIX "A" TO THE BYLAWS OF LOCAL 4318, CUPE

RULES OF ORDER

1. The President or, in his 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 his absence a President pro-tem 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 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 the resolution shall be in order.
6. On motion, the regular order of business may be suspended by a two-thirds vote of those present, 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 when the sense will admit of it.
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, he shall rise in his place and respectfully address the presiding officer, but, except to state that he rises to a point of order or on a question of privilege, he 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, he 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 he chooses, 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 (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.
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 (1) when a member has the floor, and (2) when 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, he 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 his challenge. The Chairperson may then state briefly the basis for his 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 A IN PROPOSED 2021 BYLAWS

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 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 IN PROPOSED 2021 BYLAWS

APPENDIX B – LAND ACKNOWLEDGEMENT

CUPE 4318 is located on the lands of Treaty 7 territory. We acknowledge the past, present, and future generations of Stoney Nakoda, Blackfoot, and Tsuut'ina Nations who help us steward this land, as well as honour and celebrate this sacred place.

APPENDIX C IN PROPOSED 2021 BYLAWS

APPENDIX C – CODE OF CONDUCT

Local 4318 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

Local 4318 strives to promote 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.

Local 4318 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 4318 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 4318 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 4318 sets out standards of behaviour for members at meetings, and all other events organized by Local 4318. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. 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 members of Local 4318 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; and

- Take responsibility for not engaging in inappropriate behaviour due to abuse 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 this 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 the person 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. Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Local Union 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 offences.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of Local 4318, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member's right to access the trial provisions of the CUPE National Constitution.

APPENDIX D IN PROPOSED 2021 BYLAWS

APPENDIX D – RULES OF ORDER

1. The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President will be the Chairperson at the membership meeting. In the absence of the President and Vice-Presidents, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-Presidents and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: “Is the Local ready for the motion?” If no member rises to speak, the motion will be voted upon.
5. A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
6. A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
7. An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
8. On motion, the regular order of business at a membership meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.

9. Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
10. At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.
11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
13. The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
15. A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
16. Religious discussion of any kind is not permitted.
17. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
18. The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.

19. When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.
20. The Chairperson will ask "Will the main question be now put?" where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
21. A motion to adjourn is in order except when a member is speaking or when members are voting.
22. A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
24. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, "Will the decision of the chair be upheld?" A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
25. At a membership meeting where a question has been decided any two members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds majority of members who vote. If two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.
26. Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.

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

APPENDIX E IN PROPOSED 2021 BYLAWS

APPENDIX E – PERSONAL INFORMATION POLICY

This policy applies to CUPE Local 4318 and has been adopted pursuant to the Personal Information Protection Act (PIPA), S.A. 2003, c. P-6.5. as amended from time to time.

1. CUPE Local 4318 has a Privacy Coordinator to look after the protection of information under PIPA. The Privacy Coordinator can be reached at:

ATTN: Privacy Coordinator
PO Box 1020-7
BANFF AB T1L H5

(Phone) (403)762-6258
(Email) info@cupelocal4318.ca

3. The Privacy Coordinator is responsible for handling questions and requests for information from members and making recommendations to the Executive for the handling and protection of information.
4. CUPE Local 4318 collects “personal information” as defined in PIPA in order to communicate with its members and fulfill its obligations under the collective agreement and the Labour Relations Code, RSA 2000, c L-1 (the “Code”).
5. Membership information is not shared with any other organization other than as is necessary to comply with the CUPE Constitution, Bylaws of the Local, as necessary to further the interest of the membership, or as otherwise required or permitted by law.
6. Pursuant to s.14 (c.1) of PIPA, CUPE Local 4318 is entitled to collect personal information about an individual without the consent of that individual if the collection of the information is necessary to comply with the collective agreement.

7. Pursuant to s.17 (c.1) of PIPA, CUPE Local 4318 is entitled to use personal information about an individual without the consent of that individual if the use of the information is necessary to comply with the collective agreement.
8. Pursuant to s.20 (c.1) of PIPA, CUPE Local 4318 is entitled to disclose personal information about an individual without the consent of that individual if the use of the information is necessary to comply with the collective agreement.
9. Furthermore, in the event of a labour dispute, CUPE Local 4318 is entitled to collect, use and disclose of personal information consistent with ss. 14.1, 17.1 and 20.1 of PIPA.
10. It is the Local's policy to avoid the unnecessary collection of information.
11. Personal information will not be retained unnecessarily consistent with s. 35 of PIPA.
12. CUPE Local 4318 will take reasonable steps to ensure that all personal information it receives, and collects is kept secure from theft, unauthorized access, use, and unwarranted disclosure.
13. CUPE Local 4318 will take reasonable steps to ensure that information used in decision-making or disclosed to third parties is accurate and complete.
14. Under PIPA, members have the right to access their personal information, with some exceptions. The Privacy Coordinator will be responsible for responding to requests for information and requests to correct information. Requests for information or for correction must be made in writing to the Privacy Coordinator. The Privacy Coordinator will respond to requests consistent with the requirements under PIPA.
15. Fees may be charged under PIPA for access to "personal information," and may include costs incurred by the Local of finding and copying such information. Fees will be kept to a minimum. Before compiling the personal information, an estimate of fees to be charged may be given.
16. Any decision of the Privacy Coordinator may be appealed to the Executive or its delegate(s). CUPE Local 4318 will make every reasonable effort to resolve any dispute without the need to involve the Privacy Commissioner under PIPA.

APPENDIX F IN PROPOSED 2021 BYLAWS

APPENDIX F – CUPE LOCAL 4318 GRIEVANCE COMMITTEE

Terms of Reference

1.0 Purpose

These Terms of Reference are designed to:

- (a) Satisfy the requirement of an appeal or review process as set out in Section 153 of the *Labour Relations Code*; and
- (b) Clarify the process by which a member may appeal a decision of the Grievance Committee as set out in **Section 16** of the Local's Bylaws.

2.0 Membership

Pursuant to **Section 16(3a)** of the Local's Bylaws, the Grievance Committee consists of the President (*ex officio*), the Chief Shop Steward, the Recording Officer, the Vice-President (who acts as the Chief Grievance Officer), elected shop stewards as appointed by the Chief Grievance Officer, Unit Chairs appointed to the committee, and the National Representative assigned to the Local.

3.0 Responsibilities

The specific responsibilities of the Grievance Committee are set out in **Section 16** of the Bylaws which state that the Grievance Committee will:

- Oversee the handling of all local grievances;
- Receive and file copies of all grievances;
- Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to each membership meeting;
- When a grievance is not settled in the initial steps provided for in the Collective Agreement, this committee will decide whether or not the grievance should proceed to arbitration; and
- If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board.

4.0 Appeals

In the event that a member appeals a decision of the Grievance Committee to the Executive Board, any members of the Grievance Committee who are also members of the Executive Board will recuse themselves from the Executive Board for the purpose of the appeal in question.

The appeal process shall consist of the following:

1. The Grievance Committee will provide the member and the Executive Board with a written explanation of its decision.
2. The member will provide the Executive Board and the Grievance Committee with a written response, including reasons for the appeal and any other relevant information.
3. The Grievance Committee may provide a written rebuttal to the member and the Executive Board.
4. The member may provide the Executive Board and the Grievance Committee with final written comments.
5. At its discretion, the Executive Board may invite the Grievance Committee and the member to provide oral submissions instead of or in addition to any written submissions.

6. The Executive Board will review the submissions and decide whether to grant the appeal or dismiss the appeal.
7. The Executive Board will endeavour to render its decision within 30 days.
8. The decision of the Executive Board is final.