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# By-Laws

# Local Union 4222

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**Thames Valley District School Board**



**Approved by CUPE National: November 15, 2023**

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## OATHS

### **Membership Obligation**

“I solemnly promise and declare that I will support and obey the Constitution of this union; that I will strive to improve economic and social conditions for my fellow members and for working people generally; that I will defend and strive to extend the democratic rights and liberties of all working people; that I will not purposely or knowingly wrong, or assist others in wronging, a member of the union.”

### **Union Officers’ Obligation**

“I, (insert your name here), do most sincerely promise, that I will truly and faithfully, to the best of my ability, perform the duties of my office, for the ensuing term, as prescribed in the Constitution and Laws of the Canadian Union of Public Employees, and as an officer of this Union, will, at all times, endeavour, both by counsel and example, to promote the harmony and preserve the dignity of its sessions. I further promise that, at the close of my official term, I will promptly deliver all monies, books, papers, or other property of this Union in my possession to my duly elected successor in office.”

## PREFACE

In order to improve the social and economic welfare of its members, without regard to gender, colour, race, or creed, to promote efficiency in public employment, and to manifest its belief in the value of the unity of organized labour, this local of the Canadian Union of Public Employees (hereinafter referred to as CUPE 4222) has been formed.

The following By-Laws are adopted by CUPE 4222 pursuant to, and to supplement, Appendix B of the current 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

- 1.1 The name of this local will be *Canadian Union of Public Employees, Local 4222, Thames Valley District School Board*, consisting of Unit A, Unit B, and Unit D.

## SECTION 2 - OBJECTIVES

The objectives of the local are to:

- 2.1 Secure adequate remunerations for work performed and generally advance the

- economic and social welfare of its members and of all workers;
- 2.2 Support CUPE in reaching the goals set out in Article 2 of the CUPE Constitution;
  - 2.3 Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
  - 2.4 Encourage the settlement by negotiation and mediation of all disputes between the members and their Employer.
  - 2.5 Establish strong working relationships with the public we serve and the communities in which we work and live.
  - 2.6 Promote a discrimination and harassment-free workplace.

### **SECTION 3 - INTERPRETATION AND DEFINITIONS**

- 3.1 The word “member” will be understood to be gender-neutral.
- 3.2 Numbers of Articles at the end of sections or subsections refer to relevant articles of the current CUPE Constitution which is available by request and should be read in conjunction with these By-Laws.
- 3.3 National Office refers to CUPE Headquarters, Ottawa, and the abbreviation “CUPE” is always used with a national connotation, unless stated otherwise.
- 3.4 A member in good standing is a person currently paying union dues, or is on an unpaid Leave of Absence. In the event of a member being discharged from employment and where the local has agreed to pursue the matter to arbitration, the member shall be considered as a member in good standing until a decision in the matter has been rendered and decision of all subsequent appeals, as deemed appropriate by the Chief Steward in consultation with the National Rep, have been rendered.

### **SECTION 4 - MEMBERSHIP MEETINGS – GENERAL AND SPECIAL**

- 4.1 General Membership Meetings of Local 4222 will be announced by the Executive Board in June of each year. The Executive Board will provide the membership with a list of dates and locations for monthly general membership meetings from September to June excluding March. General membership meetings will not exceed two hours in length except when extended by a motion from the floor at the meeting. Notwithstanding the preceding, the Executive Board will have the right to call additional membership meetings when deemed necessary. Should a situation occur that requires a change of date or location, the Executive Board will provide a much advance notice as possible. Notice of General Membership

Meetings will be announced at the preceding General membership Meeting, as well as notice to all work sites one week prior to meeting date.

- 4.2 Special Membership Meetings may be ordered by the Executive Board or requested, in writing, by not fewer than twenty-five (25) of its members. The president will immediately call a special meeting when so ordered or requested and will see that all members receive at least forty-eight (48) hours' notice of the special meeting and the subject(s) to be discussed. No business will be transacted at the special meeting other than that for which the meeting is called and notice given.
- 4.3 A meeting will be held to conduct elections on a Saturday in June of an election year. Members will be notified of the date of the Election meeting in September of the year prior to the Election meeting.
- 4.4 A quorum for the transaction of business at any General or Special Membership Meeting will be twenty-five (25) members including at least fifty percent plus 1 (50% + 1) of the Executive Board. In the event of a quorum not being reached within fifteen (15) minutes of the regular starting time, the chairperson will declare the meeting cancelled, the executive shall meet immediately thereafter cancelled meeting and have the full authority to deal with any and all business that would have properly been dealt with by the General Membership Meeting had it not been cancelled in accordance with these By-Laws. If this should occur, the Executive Board shall report on such business at the next General Membership Meeting.
- 4.5 The order of business at General Membership Meetings is as follows:
  1. Roll Call of Officers
  2. Reading of Equality Statement
  3. Acknowledgement of Indigenous Territory
  4. Welcome New Members & Initiation
  5. Approval of Agenda
  6. Minutes of Previous Meeting & Approval
  7. Matters Arising out of the Minutes
  8. Financial Officer's Report
  9. Communications
  10. Executive Board Report
  11. Unit Reports
  12. Grievance/Arbitrations Report
  13. Reports of Committees
  14. Special Ad Hoc Committees
  15. Standing Committees
  16. Nominations, Elections, & Installations
  17. Unfinished Business
  18. New Business
  19. Good of the Union
  20. Adjournment

(Appendix B - Article B.6.1)

### 4.6 Units

- 4.6.1 Units are defined as per Labour Board ruling.
- 4.6.2 All unit meetings shall be for the purpose of exchanging information and making recommendations to the Executive Board and General Membership Meetings on items affecting their specific unit.
- 4.6.3 The President of Local 4222, or designate, will make every effort to attend unit meetings.
- 4.6.4 All Executive Board members shall be notified of meetings (date, time, location).
- 4.6.5 The location, date, and time of unit meetings shall be determined by Unit Vice-President for each Unit of CUPE 4222 and proper notice shall be rendered to the members.
- 4.6.6 The President of Local 4222 will call a special unit meeting within ten (10) days of receiving a written request signed by twenty-five (25) members of the unit requesting the meeting.
- 4.6.7 Unit meetings shall have no rights for decision-making on behalf of, or to obligate CUPE 4222 in any financial or other matter that may be brought forward at the meetings.
- 4.6.8 The Unit Vice-President responsible for the existing agreement covering the unit shall submit a full written report to Local 4222 within five (5) calendar days of the meeting and make copies available at the next Executive Board and General Membership Meetings.
- 4.6.9 All agenda items from the Executive Board must be discussed with the Unit Vice-President prior to the meeting.
- 4.6.10 Notice of Meeting shall include agenda items.
- 4.6.11 Attendance will be taken at each unit meeting.

## SECTION 5 - FINANCES

### 5.1

- a) A budget will be presented at the September General Membership Meeting for membership approval. CUPE 4222 fiscal year shall be from September 01 to August 31.
- b) Expenses exceeding budget amounts will be brought forward to the

membership for approval.

- 5.2 Any and all expenses except for finances approved through the budget, shall be voted on at a General Membership Meeting.  
(Appendix B - Article B.4.4)
- 5.3 The local shall have four (4) signing officers being the President, Vice-President, and Financial Officer and Secretary. No payment shall be made to any of the above four (4) mentioned without signatures on the expense voucher and cheque from two (2) other signing officers. (For example, cheques payable to the President will be signed by the Financial Officer, Vice-President and/or Secretary.
- 5.4 Detailed vouchers submitted for committee expenses should be signed by the member submitting the expense and the signature to recommend payment should be that of the committee chair. The voucher is then submitted to the Financial Officer for payment, who will approve the payment and record the cheque number and the date of the cheque.
- 5.5 All expense vouchers be submitted to the Financial Officer at least quarterly and no later than August 31 of the current budget year.
- 5.6 Notwithstanding the above, the assets of the local shall not be spent, transferred, withdrawn, or disbursed without the approval of the membership.
- 5.7 A fifty-dollar (\$50.00) donation will be made for each personal appeal received from CUPE Ontario, until the budget line for the current year is depleted
- 5.8 Travel allowance rate shall be equal to CUPE National rate per kilometer. The current rate will be confirmed by the Financial Officer not later than January 31<sup>st</sup> of each year. This rate will be paid to members of the Executive Board and members of standing and special committees to attend meetings or conduct approved union business other than General and/or Special Membership Meetings for any mileage in excess of mileage incurred in a normal working day.
- 5.9 For Executive Members on full-time release to the Union, their base location will be the CUPE 4222 Union Office.
- 5.10 Members may be reimbursed to attend meetings and conduct approved union business, excluding General/Special Membership Meetings upon submission of receipts for reasonable expenses (meals, parking, etc.).
- 5.11 Lost wages, if required, shall be paid at a member's regular rate of pay to conduct approved union business. If reasonable time remains on a member's shift, they will be obligated to return to work.
- 5.12 The President, or designate, is authorized to grant release time for a member to conduct union business for a period of five (5) days or fewer. Leaves of more than five (5) days must have the Executive Board approval.

- 5.13 Within six (6) months of retirement from CUPE 4222, the member will receive one hundred dollars (\$100) distributed at a following GMM, picked up at the local union office, or at the members direction sent via Canada Post. In order to receive these funds a retiring member must provide the union a copy of the Confirmation of Retirement from Human Resources.
- 5.14 The following positions will receive out-of-pocket expenses to be paid quarterly as follows. Out-of-pocket expenses are to be paid at the end of each quarter with no advance payments on out-of-pocket expenses to be made. If any member resigns from their position, the out-of-pocket expenses will be pro-rated and paid to the union member.

If a member from the below list is off on a leave for more than 14 days, then that member will have their Out-of-Pockets pro-rated up to the 14 days for that quarter. In the event that there is a replacement person for the member who is off on a leave, then that replacement member will be paid from the time they take over the role until the original person returns and after they meet their required 11 consecutive working days. The returning members payments of Out-of-Pockets will resume on a pro-rated basis starting from their 12<sup>th</sup> day worked up to that next quarter payment schedule and then continue as per normal rate for any upcoming quarter(s).

President	\$750.00
Vice-President	\$500.00
Unit Vice-President	\$500.00
Financial Officer	\$500.00
Secretary	\$500.00
Chief Steward	\$750.00
Lead Steward	\$250.00
Health & Safety Officer	\$250.00
Membership Officer	\$250.00
Advisory Member	\$ 75.00 past president – 1 year
Trustees	\$ 75.00 per audit
Committee Chair (active)	\$ 150.00

- 5.15 An amount, not to exceed \$500.00, will be available for CUPE 4222 attending each CUPE Ontario Annual Convention, OSBCU Convention and CUPE National Convention. This amount can be accessed to support strike appeal requests presented to the convention floor. The CUPE local requesting support must be on strike on the date of the request. In the event, there is more than one local on strike, funds will be divided evenly between those locals' requesting assistance.
- 5.16 Upon the wishes of the membership, affiliation with outside labour organizations will be considered based on the annual budget. Delegates to named affiliates shall be elected from the membership-at-large or appointed as required.
- 5.17 With prior approval, any member who is on authorized Local 4222 business



(conferences, conventions, training) shall be eligible for childcare, dependent care and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of \$50 for a full day and \$25 for half a day. 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 their normal working hours.

### SECTION 6 - OFFICERS

6.1 The Officers of the local will be:

- President
- Vice-President
- Unit Vice-Presidents
- Financial Officer
- Secretary
- Chief Steward
- Lead Stewards
- Membership Officer
- Health and Safety Officer
- Three (3) Trustees
- One (1) Advisory Member, who will be the immediate Past-President for the term of the incumbent President, if not elected or re-elected as an Executive Officer.

6.2 Every effort will be made to have equal representation on the Executive Board from each unit.

6.3 The following Officers of the local may be granted release time based on the requirements of the local. The annual budget and financial requirements will be considered when granting release time.

- President
- Vice-President
- Financial Officer
- Secretary
- Chief Steward
- Health and Safety Officer

6.4 To fairly compensate the value and volume of work of the President and the Chief Steward positions, they shall be paid a top up based on the top pay tier of our current CUPE 4222 collective agreements.

## SECTION 7 - EXECUTIVE BOARD

- 7.1 The Executive Board will be comprised of all officers except Trustees, the Health and Safety Officer and Lead Stewards.  
(Article B.2.2)
- 7.2 The Executive Board will schedule a meeting at least once every month excluding March.  
(Article B.3.14)
- 7.3 A majority of the Executive Board constitutes a quorum.
- 7.4 The Executive Board officers will hold title to any real estate and/or equipment of the local as trustees of the local. They will have no right to sell, convey, or encumber any real estate and/or equipment without first giving notice and then submitting the proposition to a General Membership Meeting and having it approved.
- 7.5 The Executive Board will do the work delegated to it by the local and will be held responsible for the proper and effective functioning of all committees.
- 7.6 All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the current CUPE Constitution.  
(Articles B.11.1 to B.11.5)
- 7.7 Should any Executive Board member fail to answer the roll call for three (3) consecutive General Membership Meetings or three (3) consecutive Executive Board meetings without having submitted good and sufficient cause, the office will be declared vacant and the position will be filled by an election at the following General Membership Meeting.  
(Appendix B - Article B.2.5)
- 7.8 All Executive Board officers must be bonded. Any Executive Board officer who cannot qualify for a bond will immediately be disqualified from office and the local will proceed with the election of that office.  
(Appendix B.3.5)
- 7.9 Confidential information of members shall be respected by the Union and its representatives.
- 7.10 All officers shall record or provide details of their activities for the Unit that they represent at the monthly executive meeting, which shall be recorded by the Recording Secretary.
- 7.11 It is the duty of any members elected or appointed to any office, committee, or delegation to attend the meetings that pertain to their office.
- 7.12 All elected members shall have access to training programs designed to enhance skills and efficiency to assist in their role. Training may be provided through CUPE

Education, or through other cost-efficient opportunities.

- 7.13 The local shall own and acknowledge the costs associated with the cellular plan used to conduct the business of the local for the Executive board members, and any other union official recommended by the Executive and approved by the General Membership. Any additional costs incurred outside the cellular package will be reimbursed to the local by the user.
- 7.14 Upon termination of office, all devices and property of the local shall be surrendered to the local's office. Should devices and/or property of the local be withheld, no remaining payments of out-of-pocket expenses shall be paid out until all devices and property of the local are surrendered to the local's office.
- 7.15 Executive Board recommendations shall remain confidential until discussed at a general membership meeting.

### **SECTION 8 - DUTIES OF OFFICERS**

- 8.1 On termination of office, the officers will surrender all properties of this local immediately to the successor. It is the responsibility of all officers to fulfill their obligations under Section 13.6 Standing Committees.
- 8.2 All elected officers will monitor their CUPE 4222 email addresses in order to receive current communications.
- 8.3 When leaving office, the Officer may choose to act as a resource to their successor for up to three (3) months, if requested.

On termination of office, surrender all books, seals, and other properties of the local union to their successor.

- 8.4 The President will:
  - a) Be accountable to the Executive Board and members;
  - b) Enforce the CUPE Constitution & these By-Laws;
  - c) Preside at all General and Special Membership and Executive Board Meetings and preserve order;
  - d) Decide all points of order and procedures following Bourinot's Rules of Order (subject always to appeal by the membership);
  - e) Have a vote on all matters (except appeals against the President's rulings) and in case of a tie vote, in any matter, have the right to cast an additional vote to break the tie;

- f) Ensure Executive Board and/or General Membership decisions are acted upon;
- g) Perform other duties as pertain to this office and which are necessary for the proper function of the local as per the Constitution;
- h) In conjunction with the Vice President, create and maintain portfolio reviews for any Executive positions. Any outcomes or decisions shall be dealt with by the Executive;
- i) Ensure that all officers perform their assigned duties, strictly and in accordance to the Constitution of these By-Laws;
- j) Advocate in support of CUPE 4222 issues;
- k) Ensure committee vacancies are filled when elections are not mandated;
- l) Introduce new members and conduct them through the initiation ceremony;
- m) Sign union cheques in accordance with Section 5 - Finances of these By-Laws, ensuring that the local's funds are used only as authorized or directed by the Constitution, By-Laws, or vote of membership;
- n) Have first preference as a delegate to CUPE National and CUPE Ontario conventions and conferences;
- o) Be the sole spokesperson to the media or designate a spokesperson;
- p) Authorize union release time;
- q) Be liaison with Executive Board Members as required;
- r) Be an ex-officio member of each committee or designate an Executive Board member to do so.

8.5 The Vice-President will:

- a) Be accountable to the Executive Board and members;
- b) Perform all duties of the President in the absence of the President;
- c) Act as President until a new President is elected if the office of president falls vacant;
- d) Render assistance to any member of the Executive Board as

directed by the Executive Board;

- e) Sign union cheques in accordance with Section 5 - Finances of these By-Laws, ensuring that the local's funds are used only as authorized or directed by the Constitution, By-Laws, or vote of membership;
- f) Any other duties assigned by the President or Executive Board;
- g) In conjunction with the President, create portfolio reviews for Executive positions. Any outcomes or decisions shall be dealt with by the Executive;
- h) Assist other Executives as required;
- i) Work with and have regular meetings or conversations with all Unit VPs ensuring that they understand their roles, assist with any matters that may arise, and have no less than monthly reports or conversations with them;
- j) Report back to the President with any matters arising with Executive members;
- k) Have the option to be an exofficio member of each committee with voice only with no vote unless elected or appointed to the position.

8.6 The Unit Vice-President will:

- a) Be accountable to the Executive Board and members;
- b) Render assistance to any member of the Executive Board as directed by the Executive Board;
- c) Preside over and preserve order at all unit meetings which includes setting up virtual meetings, if needed, monthly;
- d) Provide minutes and attendance records of all unit meetings to the local's Secretary in order for them to be sent out to unit members;
- e) Co-chair Labour Management meetings and prepare a list of items for the agenda and send the agenda items to the Employer;
- f) Maintain accurate records for unit;
- g) Be an ex-officio member on unit-specific committees;
- h) Advocate in support of unit-specific issues. Support, advocate and protect the rights of individual members during meetings with

management on unit specific issues;

- i) Represent members in meetings when Lead Stewards/Stewards are unavailable;
- j) Check emails and phone messages, answering inquiries and redirecting Collective Agreement issues to the Unit Lead Steward;
- k) Be a member of the Bargaining Team.

### 8.7 The Secretary will:

- a) Be accountable to the Executive Board and members;
- b) Prepare and distribute circulars and meeting notices to members in a manner established by the Executive Board and in accordance with Section 4 - Membership Meetings - General and Special;
- c) Keep full, accurate, and impartial account of all the proceedings of the Executive Board, General, and Special Membership Meetings including all motions with movers' and seconders' names, results of elections and votes including count, and a copy of the full financial report presented by the Financial Officer. These minutes shall be distributed to the Executive within five (5) business days;
- d) Copies of the above proceedings will be preserved for binding at year's end and kept on file at all times for deciding questions for the record;
- e) The Secretary will provide and distribute the minutes from any committee meetings that they attend to the Chair of that committee(s). They should also receive minutes from the committee chairs, in the event that they do not attend. These minutes shall be distributed accordingly within five (5) business days. The Secretary may be requested to attend and take minutes at committee meetings;
- f) Receive and direct all correspondence and inquiries to appropriate individuals. If the mail is not addressed to an individual, open and direct appropriately;
- g) Maintain records of all communications;
- h) Book facilities for all CUPE 4222 meetings;
- i) Co-ordinate, distribute, and keep a record of CUPE 4222:
  - i. Prepare expense vouchers and cards for all benevolent

- activities, as per Appendix B of these By-Laws; and submit to the Financial Officer;
- ii. Awards, as per Appendix D of these By-Laws;
- iii. Monitor the 10-day Absence Reports for members who have been off greater than 20 days (or 15 if staying the same);
- j) Be empowered, with the approval of the membership, to employ necessary clerical or other assistance;
- k) Provide access to the Financial Officers office and cabinets to obtain files if needed or requested by Trustees. The Secretary will also provide the motion binder and the minutes from both Executive and GMM meetings;
- l) Preside over General Membership and Executive Board Meetings in the absence of both the President and Vice-President;
- m) Fulfill other secretarial duties;
- n) On termination of office, surrender all books, seals, and other properties of CUPE 4222 to the successor;
- o) Maintain accurate and most current terms of reference for all committees;
- p) Be the administrator of the OTIP/Edvantage Program;
- q) Maintain accurate list of business contacts;
- r) Maintain all office equipment and make service calls as necessary;
- s) Maintain a list of usernames and passwords used by the Secretary;
- t) Maintain a master list of all members' contact information;
- u) Maintain Constant Contact and Google contact lists;
- v) Sign cheques as required;
- w) Track delegates attendance to conference/conventions and follow up for reports;
- x) Track member attendance of education and follow up for the reports as well as maintain the Education List in the office;
- y) Process and track all release time;

- z) Maintain the motions binder and provide motions to the Financial Officer, make the binder readily available when required;
- aa) Maintain and order office supplies as needed;
- bb) Check and maintain the email for the photocopier;
- cc) Set up and send out zoom meetings for Executive, GMM or committees.

### 8.8 The Financial officer will:

- a) Be accountable to the Executive Board and members;
- b)
  - i. Be bonded for not less than the minimum amount established by the CUPE National Secretary-Treasurer (Appendix B.3.5), taking into account the assets of the local and the amount of cash and cheques handled by the Financial Officer, through the master bond held by the CUPE National office;
  - ii. Any financial officer who cannot qualify for a bond will be disqualified from office.  
(Appendix B.3.9)
- c) Will complete CUPE Financial Officer training within six (6) months of being newly-elected into the position, or as soon as possible;
- d) Receive all revenue, initiation fees, dues, donations, and assessments, keep a record of each member's payments, and deposit promptly all money with a bank or credit union;
- e) Audit the dues deductions made by the Employer on a monthly basis;
- f) Prepare all documents necessary for payment of per capita taxes and affiliations fees, and remit same in accordance with appropriate constitutions;
- g) Record all transactions in a manner acceptable to the Executive Board, Trustees, and Membership, and in accordance with good accounting practices;
- h) Pay no money unless supported by voucher duly signed, in accordance to CUPE 4222 By-Laws Section 5 and Operating Procedure PRO001, except that no voucher will be required for payment of per capita fees when an official receipt is provided;



- i) Ensure that the local's funds are used solely for legitimate union purposes and only as authorized or directed by the members, in accordance with the current CUPE Constitution and these By-Laws;
- j) Make all records available for inspection by the Auditors and/or Trustees on reasonable notice, and have the records audited semi-annually every fiscal year, as established by these By-Laws; and provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- k) Respond, in writing, within a reasonable time, to any recommendations and concerns raised by the Trustees;
- l) At each General Membership Meeting, present to the Vice-President and Membership Officer a nominal roll of the local's membership;
- m) Sign union cheques in accordance with Section 5 - Finances of these By-Laws. No officer shall counter-sign their own cheque for any expenses including out of pocket;
- n) Regularly make a full financial report to meetings of the local's Executive Board, as well as a written financial report to each General Membership Meeting, detailing all income and expenditures for the period. It shall be the duty of the Financial Officer to keep on file all receipts for money sent to the Canadian Union of Public Employees Headquarters during the year.
- o) Invest monies in accordance with Appendix E - Operational Guidelines, Financial of these By-Laws and (h) as above;
- p) Provide guidance and direction to any CUPE 4222 officer who is assigned to act as assistant to the Financial Officer;
- q) Meet with the Employer as required to reconcile release time;
- r) Along with the President, meet with committee chairpersons and local officers at least one (1) month prior to preparing the annual budget for their input;
- s) Develop the local's annual budget, in consultation with the President if requested; review proposed budget with the Executive Board for recommendation prior to presentation to the Membership for approval;
- t) At the end of the term of office, the Financial Officer shall ensure that all records are balanced and in good order before turning over all properties and assets, including funds, books, and records belonging

to the local, to the new Financial Officer.

(Appendix B.3.9)

- u) Check with CUPE National not later than January 31<sup>st</sup> of each year for the current mileage rate per Section 5.8 Finances.

8.9 The Trustees will:

- a) Be accountable to the Executive Board and members;
- b) Act as an auditing committee on behalf of the members and audit the books and accounts of the Financial Officer, the Secretary, and the standing committees at least once every calendar year;
- c) Audit all books and accounts of the Financial Officer, the Secretary, and the standing committees semi-annually;
- d) Make a written report of their findings to the first General Membership Meeting following the completion of each audit;
- e) Submit, in writing to the President and Financial Officer, any recommendation and/or concerns they feel should be reviewed in order to ensure that the local's funds, records, and accounts are being maintained by the Financial Officer in an organized, correct, and proper manner;
- f) 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;
- g) 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 membership along with a copy of the recommendations and/or concerns to the President and Financial Officer, and the Financial Officer's response to the National Secretary-Treasurer of The Canadian Union of Public Employees, with a copy to the assigned Servicing Representative;
- h) Will complete CUPE Financial Trustee training within six (6) months of being newly-elected into the position, or as soon as possible.

(Articles B.3.10 to B.3.12)

8.10 The Chief Steward will:

- a) Be accountable to the Executive Board and members;
- b) Police the Collective Agreements and protect the rights of individual

members;

- c) Assign a number to all grievances;
- d) Receive a copy of all grievances;
- e) Maintain up-to-date files for all grievances;
- f) Present a synopsis of all grievances to the Executive Board and Membership on a regular basis;
- g) Communicate with Lead Stewards weekly and delegate duties as necessary;
- h) Co-ordinate a Stewards' Committee (Section 13.7) meeting bi-monthly;
- i) Receive and file all Stewards' log sheets;
- j) Act as mentor to and ensure that all Stewards adhere to CUPE 4222 policies;
- k) Arrange Stewards' training as required;
- l) Research all grievances prior to their presentation at mediation and arbitration;
- m) Perform all other duties and responsibilities of the Chief Steward as described in the Collective Agreements of CUPE 4222;
- n) When leaving office the Chief Steward may choose to act as a resource to the new Chief Steward for up to three (3) months, if requested;
- o) Perform other duties as may be assigned by the Executive Board from time to time.

8.11 The Lead Steward of each unit will:

- a) Be accountable to the Executive Board and members;
- b) Write grievances for their unit and process accordingly;
- c) Give guidance to the Stewards;
- d) Police the Collective Agreement;

- e) Perform other duties as may be assigned by the Executive Board from time to time.
- f) Support, advocate and protect the rights of individual members during meetings with management;
- g) Maintain on going communication with the Chief Steward;
- h) Check emails, phone messages, answer inquires, and redirect unit specific issues not related to the Collective Agreement, to the Unit Vice President;
- i) Be a member of the Bargaining Committee

8.12 The Membership Officer will:

- a) Be accountable to the Executive Board and members;
- b) Guard the inner door at General Membership Meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the President and by consent of the members present;
- c) Maintain the record of membership attendance at meetings;
- d) Examine all present at meetings and report to the chairperson any without membership cards;
- e) Obtain the names of all those awaiting initiation, reporting these to the Chairperson;
- f) Be aware of the new members' names and locations in attendance at the GMMs, Special or other meetings and provide them a CUPE membership card;
- g) Perform other duties as may be assigned by the Executive Board from time to time;
- h) Prepare an alphabetical list of all members eligible for nomination at the May General Membership Meeting. The list will include members who are eligible as of the April General Membership Meeting plus those who will be eligible if they are in attendance at the May's General Membership Meeting.

8.13 The Advisory Member will:

- a) Be accountable to the Executive Board and members;

- b) Act in an advisory capacity to the local for the term of the incumbent.

8.14 The Health and Safety Officer will:

- a) Work to educate members on the importance of health and safety;
- b) Maintain copies of all Employee Health and Safety Reports;
- c) Be Chairperson of the Health & Safety Committee and coordinate meetings on a regular basis;
- d) Prepare and present reports for the Executive and regular membership meetings;
- e) Recognize the April 28<sup>th</sup> Day of Mourning;
- f) Participate on the CUPE Joint Health and Safety Committee (JHSC);
- g) Promote the Occupational Health & Safety Act to ensure safe work procedures and environments so as to prevent illness and injury as a result of workplace factors;
- h) Immediately bring to the attention of the Employer any workplace hazard that has the potential to cause members' illness or injury;
- i) Work to eliminate all workplace hazards, be they physical, environmental or social;
- j) Complete Health and Safety training (i.e. To earn "Certified Worker Representative" status) at the earliest possible opportunity;
- k) Perform other duties, as may be assigned by the local's executive from time to time;
- l) When leaving office, the Health & Safety Officer may choose to act as a resource to their successor for up to three (3) months, if requested;
- m) On termination of office, surrender all books, seals and other properties of the local union to their successor.
- n) Be Chairperson of the Employee Family Assistance Program (EFAP) Committee.

## SECTION 9 - FEES, DUES, AND ASSESSMENTS

- 9.1 Initiation Fee: Each application for membership in the local will be directed to the Financial Officer. As per the Collective Agreements, a one-time initiation fee of ten dollars (\$10.00) shall be deducted automatically from a member's first pay, in addition to the monthly dues. Temporary employees will have a one-time initiation fee of ten dollars (\$10.00) deducted from their first pay, in addition to the monthly dues.
- (Article B.4.1)
- 9.2 Monthly dues will be 1.60% of a member's gross regular wage as per Appendix B.4.3 of the CUPE Constitution.
- 9.3 Changes in the levels of the initiation fees or the monthly dues can be affected only by following the procedure for amendment of these By-Laws (see Section 15) and by a two-thirds (2/3) majority vote of members in attendance with the additional provision that the vote must be by secret ballot.
- (Article B.4.1. and B.4.3)
- 9.4 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.
- 9.5 Special assessments may be levied by a majority of the members in accordance with Article B.4.2 of the current CUPE constitution.

## SECTION 10 - NON-PAYMENT OF DUES AND ASSESSMENTS

10. Any member in arrears for a period of three (3) months or more will be automatically suspended and the suspension will be reported to the Executive Board by the Financial Officer. The Executive Board will report to the next General Membership Meeting with a recommendation. Any members under suspension wishing to be reinstated will, upon application, pay the remittance fee as established from time to time by the Executive Board, 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 illness, the member will pay the remittance fee but may not be required to pay the arrears.
- (Article B.8.6)

## SECTION 11 - NOMINATION, ELECTION, AND INSTALLATION OF OFFICERS

### 11.1 Nominations

The Elections Committee needs to be formed prior to proceeding on any and all electoral issues such as:

- a) Choosing an online voting provider;
- b) Promoting the elections;
- c) In-person voting or hybrid;
- d) Candidates' flyers, posters, videos etc. are to be approved by and distributed by the Elections Committee;
- e) Dates and times;
- f) Regardless of voting platform, the 'tiling of the doors' should still be in place. Example only those attending can vote, not additions or exceptions and no abstaining options, if you do not want to vote, don't vote.

11.2 a) Elections will be conducted in odd years. The:

- President,
- Vice-President,
- Secretary,
- Financial Officer,
- Chief Steward,
- Membership Officer,
- Unit Vice-Presidents,
- Lead Stewards,
- plus, all Committee Members, shall be elected for a two-year term.

11.3

- a) Nominations will be received at a regularly-scheduled General Membership Meeting held in May of an election year. No nomination will be accepted unless the member is in attendance at the meeting or has submitted, in writing, a letter of consent allowing their name to stand for the position (Committee Member, delegate, or Executive Board position). These will be duly witnessed by a member in good standing.
- b) To be eligible for nomination a member shall have attended a minimum of 3 meetings in a 12-month school calendar year of the General Membership Meetings held or in the period they were a member if less than a year, unless a valid reason, acceptable to the local, is given for non-attendance by the next General Membership Meeting.
- c) If a member is absent from a General Membership Meeting for union business or to work for the Thames Valley District School Board, the member is to be deemed present. It will be the responsibility of the member to inform the Executive Board in writing prior to the start of the meeting.

- 11.4 At the September General Membership Meeting in an election year, the membership shall nominate members for the Elections Committee. The committee will include members of the local who are neither officers nor candidates for office. The committee will have full responsibility for the voting arrangements and will treat information submitted to it in connection with its responsibilities as confidential. The Election Committee will be comprised of nine (9) members. Every effort will be made to have equal representation from each bargaining unit.

The Membership Officer will prepare an alphabetical list of all members eligible for nomination at the May General Membership Meetings. The list will include members who are eligible as of the April General Membership Meeting and those who will be eligible if they are in attendance at the May General Membership Meeting. The eligibility criteria are established in Section 11.3 b of our current By-Laws. This list will be provided to the Returning Officer of the Elections Committee prior to the nominations being received at the May General Membership Meeting.

### Elections

- 11.5 The Elections Committee will determine the format for elections to be held, including electronic.

The Elections Committee shall be provided access to members emails as well as to a list of active members and recent retirees to ensure that all are eligible to vote.

- 11.6 The Election Committee cannot leave the committee until after elections are completed.

Committee shall establish an email address for member to have a venue to ask questions and bring forward concerns relating to the local's elections.

Posters/Flyers/Videos for each candidate needs to be approved by the Elections Committee prior to posting on any social media platforms or otherwise distributed.

Any images used must have written consent/permission of those parties prior to these postings.

If the images are from a public site that the individuals in the picture were aware it was posted, permission is deemed to have been given.

The membership will receive the candidates' posters/flyers/videos through their personal email address that the members have provided to CUPE 4222. They will be distributed by the Elections Committee. They also be posted to the local's social media account(s). After they have been distributed by the Election Committee the Candidates may also distribute their own posters/flyers/videos on social media or by email.



- 11.7 For in-person voting after ballots: the Returning Officer will be responsible for issuing, collecting, and counting ballots. The Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
- 11.8 Voting to fill one office will be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- 11.9 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. In case 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. If a run-off vote is needed, run-off votes will need to be completed within a week of the original vote.
- 11.10 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.
- 11.11 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 General or Special Membership meeting as laid down by Section 4.4

### Installation

- 11.12
- a) All duly elected officers will be installed at the meeting in which elections are held, to take office immediately.
  - b) The vacating Union Representative will meet with the incumbent to apprise that person of all information pertaining to the position prior to the end of the month in which the election is held.
- 11.13 All duly elected officers will continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three (3) years, except for Trustees.
- (Article B.2.4)
- 11.14 The term of office for Trustees will be as laid down in Article B.2.4 of the current CUPE constitution.
- 11.15 Should an office fall vacant pursuant to Section 7.7 of these By-Laws, or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this section.

## SECTION 12 - DELEGATES TO CONVENTIONS, CONFERENCES, SEMINARS, EDUCATION, JURISDICTIONAL AND LEADERSHIP MEETINGS.

- 12.1 Except for the President's option (Section 8) all delegates to conventions and conferences will, whenever possible, be chosen by election at General Membership Meetings, upon recommendation by Executive Board. To be eligible for election to attend a convention or conference a member shall have attended at least fifty percent (50% of the General Membership Meetings held in the previous twelve (12) months or in the period they were 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.
- 12.2 Representation at educational institutes and seminars will be on the recommendation of the respective committee chair(s) subject to 13.6 of these By-Laws.
- 12.3 It is the members' obligation to notify the Secretary of the local in writing if they are unable to attend the function. Notice must be received three (3) days prior to the registration date. Members who do not attend seminars, which have been prepaid by the local, and do not have a reasonable reason, will, subject to review by the Executive Board, reimburse the local for all expenses paid on their behalf.
- 12.4
- a) All delegates elected to attend overnight, education seminars, conferences; conventions, jurisdictional leadership meetings and any other union business outside of the geographical area of The Thames Valley District School Board shall receive a per diem of one hundred, twenty five dollars (\$125) per day for expenses, plus accommodations, plus cost of designated travel at economy rate (including air fare, cab or bus fare to and from an airport, train or bus station to hotel accommodation, or mileage per Section 5.9 of these By-Laws to be paid to the driver only), and lost wages if necessary. The \$125.00 per diem to be considered as out-of-pocket legitimate expenses to a maximum of \$125.00.
  - b) All delegates to attend overnight education, seminars, conferences, conventions, jurisdictional leadership meetings and any other union business outside of the province of Ontario shall receive a per diem of one hundred, fifty dollars (\$150.00), plus accommodations, plus cost of designated travel at economy rate (including air fare, cab or bus fare to and from airport, train or bus station to hotel accommodation), and lost wages if necessary. The \$150.00 per diem is to be considered as out of pocket legitimate expenses to a maximum of \$150.00.
  - c) All delegates to attend one-day education, seminars, conferences, conventions, jurisdictional and leadership meetings outside of the geographical area of the Thames Valley District School Board shall

receive a per diem of sixty dollars (\$60.00), plus cost of designated travel (including cab or bus fare to and from train or bus station or mileage per Section 5.9 of these By-Laws to be paid to the driver only), and lost wages if necessary. The \$60.00 per diem to be considered as out-of-pocket legitimate expenses to a maximum of \$60.00.

- d) All delegates to attend full day at education (more than 6 hours), seminars, conferences, conventions, jurisdictional and leadership meetings inside the geographical area of the Thames Valley District School Board shall receive a per diem of twenty-five dollars (\$25.00) plus mileage per Section 5.9 of these By-Laws to be paid to the driver only and lost wages if necessary. The \$25.00 per diem to be considered as out-of-pocket legitimate expenses to a maximum of \$25.00.
- e) All delegates to attend half day (from 3 – 5.5 hours) sessions at education, seminars, conferences, conventions, jurisdictional and leadership meetings inside the geographical area of the Thames Valley District School Board shall receive a per diem of twelve dollars and fifty cents (\$12.50) plus mileage per Section 5.9 of these By-laws to be paid to the driver only and lost wages if necessary. The \$12.50 per diem is to be considered as out-of-pocket legitimate expenses to a maximum of \$12.50.

12.5 The above-stated allowances will be paid in advance to delegates.

12.6 All delegates to education, seminars, conferences, conventions, jurisdictional or leadership meetings must submit a written report to the Secretary of the Executive Board, and where applicable, the Chairperson of the respective committee no later than three (3) weeks following attendance at said education, seminar, conference, convention, jurisdictional or leadership meetings. In the event that you have not submitted your report within the 3 weeks, then the Secretary will send you an email reminding you to submit your report and allow you a one (1) week extension. In the event that you do not submit your delegates report, you would lose privileges for 30 days, following the submission of your report, of any upcoming training or conferences.

By not complying to these guidelines, an Executive member may ask you to provide a response to members questions about your failure to submit your delegates report. Copies of all delegates' reports will be available at the next General Membership Meeting.

12.7

- a) In the event the OSBCU Area Rep is a member of Local 4222, they would have second option to attend.
- b) Recommendation for delegates to the Ontario School Board Council of Unions conference will be at the recommendation of the Executive, with priority being given to the Bargaining Committee members, with equal

representation from all units and on election from the membership. In the event there are additional positions available after election of delegates, vacant positions will be filled from the membership.

## SECTION 13 - COMMITTEES

In the event that additional members are listed on certain committees, and that number is higher than the allocated amount required, the membership must decide whose name can stay or be removed from the position. An example would be having the names placed on a ballot for in person voting or if it is an online voting, a poll created with the names to choose from.

All Chairs of committees noted below must provide a written report to the membership, at least quarterly.

### Bargaining Committee

13.1 This will be a Special Ad Hoc Committee established at least twelve (12) months prior to the expiry of the local's Collective Agreements and automatically disbanded when new Collective Agreements have been signed. The function of the committee is to prepare collective bargaining and to negotiate Collective Agreements with the Employer.

13.1.1 The Bargaining Committee for Unit A will be comprised of the President, Chief Steward, Unit Vice-President, Unit Lead Steward, Secretary and one (1) member from each of the five (5) major classifications (Custodians, Maintenance, Printing, Technicians, Warehouse), and two (2) members at large, to be elected from the floor. Two (2) alternates will be elected at this time, to work with the Bargaining Committee and to sit with management in the absence of a designated committee member.

13.1.2 The Bargaining Committee for Unit B will be comprised of the President, Chief Steward, Unit Vice-President, Unit Lead Steward, Secretary and two (2) members of Unit B to be elected from the floor. Two (2) alternates will be elected at this time, to work with the Bargaining Committee and to sit with management in the absence of a designated committee member.

13.1.3 The Bargaining Committee for Unit D will be comprised of the President, Chief Steward, Unit Vice-President, Unit Lead Steward, Secretary and three (3) members of Unit D to be selected from the floor. One alternate will be elected at this time, to work with the Bargaining Committee and to sit with management in the absence of a designated committee member.

- 13.2 The CUPE National Representative assigned to the local will be a non-voting member of the committee and will be consulted at all stages from formulating proposals, through bargaining, to contract ratification by the membership.
- 13.3 The Bargaining Committee will be responsible for ensuring distribution of ratification documents to the membership at least five (5) days prior to the ratification meeting being held.

### Strike Averting Committee

- 13.4 An Ad Hoc Committee shall be formed to support the Bargaining Committee for the unit and is to be elected at the same time as the Bargaining Committee. Members of the Strike Averting Committee shall not be members of the Bargaining Committee.
- 13.4.1 Unit A Committee will be comprised of six (6) members.
- 13.4.2 Unit B Committee will be comprised of six (6) members.
- 13.4.3 Unit D Committee will be comprised of six (6) members.

### Special Committees

- 13.5 A special Ad Hoc Committee may be established for a specified purpose and period by the membership at a meeting. The members will be elected at the same, or the following General Membership Meeting, or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two (2) members of the Executive Board may sit on any special committee as ex-officio members.
- 13.6 Mobilizing Committee to be utilized during upcoming bargaining durations.

### Standing Committees

- 13.7 Each Standing Committee will develop criteria subject to the approval of the membership. Every effort will be made to have representation from each employee group.
- 13.8 The Chairperson of each standing committee will be elected from within each committee, excluding the Health & Safety Committee, RTW Committee, WSIB Committee and the EFAP Committee for which the Health and Safety Officer shall be chair of those committees as a whole and determined during the election process. The Chairperson and the Executive Board may jointly appoint other members to serve on a committee. The Vice-president, or designate, will be a member, ex-officio, of each committee with voice only. The Chairperson will submit a budget request for committee expenses and education to the Financial Officer prior to setting the budget for September of every year. The Chairperson will submit a monthly report to the Executive Board and Membership.

### Stewards Committee

13.9 The Stewards Committee will consist of a maximum of sixteen (16) members.

Unit A – 6 members

Unit B – 5 members

Unit D – 5 members

Committee members will be voted on by their respective unit members from the floor. Each unit committee will vote for a Lead Steward.

### Job Evaluation Committee

13.10 There will be one committee for each unit. Each committee will consist of two (2) members and two (2) alternates Their function is to maintain the Job Evaluation Plan in conjunction with the Employer. One (1) member of each committee will be selected to serve as contact officer per the Job Evaluation Manual.

### Job Evaluation Steering Committee

13.11 The committee will consist of the Job Evaluation Committee Chair and the President of the local.

### Social Committee

13.12 It is the function of this committee to arrange and conduct all social and recreational activities approved by the membership. A ceiling for the committee's net expenditures will be fixed annually by the membership, but other non-budget activities will be self-supporting. The Financial Officer will sit, ex-officio, on this committee.

### Education Committee

13.13 The purpose of this committee is to work with the District CUPE Council and/or CUPE Education Department to offer union education to the local members.

The committee will gather information regarding which members are attending union education and instruct those members on the expectations of submitting a report. (Reference Section 12.6)

An accurate and up-to-date record of courses completed by CUPE 4222 members shall be maintained by the Secretary of the local.

### Health & Safety & WSIB/RTW Committees

13.14 It is the duty of this committee to police the Occupational Health & Safety Act as defined by the Ministry of Labour and ensure health and safety within the

workplace. Selection of members to sit on the Joint Health & Safety Committee will be done internally.

- a) It shall be the responsibility of this committee to assist (and represent if requested) all members with WSIB, RTW and EFAP issues, working toward a satisfactory resolution for all related matters.
- b) The committee will cooperate with the Health & Safety Committee in order to report unsafe working conditions;
- c) Work to educate members on the importance of Health and Safety;
- d) Maintain copies of all Employee Health and Safety Reports;
- e) Be the Co-Chairperson of the main Joint Health and Safety Committee representing CUPE;
- f) Be Chairperson of the Health & Safety Committee and coordinate meetings on a regular basis;
- g) Organize and arrange meetings for the CUPE 4222 Health & Safety Committee;
- h) Prepare and present reports for the Executive and Regular Membership Meetings;
- i) Recognize the April 28<sup>th</sup> Day of Mourning;
- j) Participate on the CUPE Joint Health and Safety Committee (JHSC);
- k) Promote the Occupational Health & Safety Act to ensure safe work procedures and environments so as to prevent illness and injury as a result of workplace factors;
- l) Immediately bring to the attention of the Employer any workplace hazards that have the potential to cause members illness or injury;
- m) Work to eliminate all workplace hazards, be they physical, environmental, or social;
- n) Complete Health and Safety training (i.e., to earn "Certified Worker Representative" status) at the earliest possible opportunity;
- o) Conduct monthly fire inspections of the Union office;
- p) Maintain the first aid kit in the Union office on a monthly basis;

- q) Be the point of contact for management for all H & S/RTW/WSIB issues;
- r) Provide ongoing support to members with serious occurrences;
- s) Conduct all serious occurrence investigations;
- t) Point of contact for work refusals;
- u) Point of contact for unilateral work stoppages;
- v) Is a member of the Executive Board to ensure the decision made will not create Healthy & Safety issues for our members OR can be a special guest at Executive Board meetings in relation to Health and Safety issues;
- w) Organize and ensure completion of annual audits in conjunction with the committee;
- x) Maintain that Terms of Reference are being updated every five (5) years;
- y) Investigate and arrange for relevant education for the members of the Committee and the members as a whole;
- z) Perform other duties, as may be assigned by the local's Executive from time to time;
- aa) When leaving office, the Health & Safety Officer may choose to act as a resource to their successor for up to three (3) months, if requested;
- bb) On termination of office, surrender all books, seals, and other properties of the local union to their successor.
- cc) It is also the function of this committee to respond to the employee assistance needs of the members of this local in a sensitive and confidential manner.

### Unit Labour Management Committees

13.15 Each committee shall consist of President, Vice-President, Unit Vice-President, Chief Steward, and Unit Lead Steward.

### By-Laws Committee

13.16 This Committee shall be comprised of the President and three (3) members of the Executive Board, preferably one from each unit, to sit on the By-Laws Committee and three (3) members at large, preferably one from each unit, who shall be elected from the membership.

- (a) The By-Laws Committee shall ensure that all By-Law amendments submitted



by the membership shall be posted with a “notice of motions” for a minimum of seven (7) days or a notice for a “special meeting” at which the By-Law amendments shall be voted on by the membership.

- (b) The committee shall ensure all amendments do not conflict with the CUPE National Constitution and are passed by the membership upon a majority vote (50% +1) of those present.
- (c) The Committee will provide the Secretary with the presentation, and they will take the minutes. They will then submit the presentation and minutes to the National Representative’s Assistant who will submit it to National for final approval.
- (d) Record all amendments to the By-Laws;

### The Employee & Family Assistance Program (EFAP)

13.17 It is the function of this committee to respond to the employee assistance needs of the members of this local in a sensitive and confidential manner. All committee members elected must take the first available EAP training.

13.18 All Joint Committees contained in Article 5 of the local’s Collective Agreements shall be recognized for the purpose of expenses as per Sections 5 and 6.3 of these By-Laws.

### LTD Committee

*[Local developing language for this committee – to be added at a later date]*

### Public Awareness Committee

*[Local developing language for this committee – to be added at a later date]*

## **SECTION 14 - RULES OF ORDER**

14.1 All meetings of CUPE 4222 will be conducted in accordance with the basic principles of Canadian Parliamentary Procedure. Some of the more important rules, to ensure free and fair debates, are appended to these By-Laws as Appendix A. These rules will be considered as an integral part of the By-Laws and may be amended only by the same procedure used to amend the By-Laws.

14.2 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.

- 14.3 All charges against members or officials must be made in writing and dealt with in accordance with the provision of the National Constitution, as per Appendix F of the National Constitution 2021.
- (a) Trial procedures shall be in accordance with the National Constitution.
  - (b) Any member of a committee or delegation may be suspended for just cause by the Chairperson of the committee or delegation, subject to approval of the Executive Board.
  - (c) Any member, who brings alcohol or illegal drugs into any local union meeting or behaves in an intoxicated, disorderly, or obnoxious manner in any meeting, shall be given fair warning from the Chairperson of the meeting and may ultimately be removed from the meeting, subject to the approval of the members present. The member may also be charged under the provisions of the local union's By-Laws and National Constitution.

### SECTION 15 - AMENDMENT

- 15.1 These By-Laws are always subordinate to the CUPE Constitution (including its Appendix B) as it now exists or may be amended from time to time, and in the event of any conflict between these By-Laws and the CUPE Constitution the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President
- (Article 9.2 (c))
- 15.2 These By-Laws will not be amended, added to, or suspended except upon a majority vote of those present and voting at a General or Special Membership meeting following seven (7) days' notice at a previous meeting or at least sixty (60) days written notice.
- 15.3 No change in these By-Laws will be valid and take effective until approved by the National President of CUPE. The validity shall date from the letter of approval from the National President.
- (Article 13.3)

## APPENDIX A - RULES AND ORDER OF BUSINESS

The rules and order of business governing conventions shall be:

1. The President, or Vice-President, in the absence of, or at the request of the President, will take the chair at the time specified, at all regular and special conventions. In the absence of both the President and their designated representative, a Chairperson will be chosen by the Executive Board.
2. No question of a sectarian character will be discussed.
3. When a delegate wishes to speak they will proceed to one of the microphones provided for that purpose. When recognized by the Chairperson, the delegate will give their name and the organization being represented and will confine all remarks to the questions at issue.
4. Speeches will be limited to three (3) minutes except in moving a motion, and then a delegate will be allowed five (5) minutes.
5. A delegate will not speak more than once upon a subject until all who wish to speak have had an opportunity to do so.
6. A delegate will not interrupt another except to call a point of order.
7. If a delegate be called to order, the delegate will, at the request of the chairperson, be seated until the question of order has been decided.
8. Should a delegate persist in unparliamentary conduct, the Chairperson will be compelled to name the delegate and submit their conduct to the judgement of the convention. In such cases the delegate whose conduct is in question should explain and then withdraw, and the convention will determine what course to pursue.
9. When a question is put, the Chairperson, after announcing the question, will ask: "Are you ready for the question?" If no delegate wishes to speak, the question will be put.
10. Questions may be decided by a show of hands or a standing vote on the basis of one vote per delegate. A roll call vote may be demanded by two-thirds (2/3) of the delegates present. In a roll call vote each delegate will be entitled to one vote. When a matter before the membership is such that it does not directly affect all bargaining units, only those members directly affected will be eligible to vote on the matter at a General Membership Meeting or at a Special Meeting called for that purpose.
11. Two (2) delegates may appeal the decision of the chair. The Chairperson will then put the question thus: "Shall the decision of the chair be sustained?" The

question will not be debatable except that the Chairperson may make an explanation of the decision taken.

12. The Chairperson will have the same rights as other delegates to vote on any question. In case of a tie vote, the chairperson will cast the deciding vote.
13. When the previous question is moved, no discussion or amendment to either motion is permitted. If the majority vote that "the question be now put", the original motion has to be put without debate. If the motion to put the question is defeated, discussion will continue on the original motion.
14. Committees may combine resolutions or prepare a composite to cover the intent of the question at issue. Reports of committees are not subject to amendment except such as is acceptable to the committee, but a motion to refer back to the committee for reconsideration will be in order.
15. A delegate will not move a motion to refer back after having spoken on the question at issue.
16. A motion to refer back is not debatable and, when properly seconded, the question will be immediately put to the convention.
17. If the report of a committee is adopted, it becomes the decision of the convention. If defeated it may be referred back to the committee for reconsideration.
18. When a question is pending before the convention, no motion will be in order except:
  - a) to refer;
  - b) to adjourn;
  - c) for the previous question, to postpone for a definite time.

If any of the foregoing motions is negated, it cannot be renewed until after an intermediate proceeding.

19. A motion may be reconsidered provided the mover of the motion to reconsider voted with the majority, and notice of motion is given for consideration at the next sitting, and said notice of motion is supported by two-thirds (2/3) of the delegates qualified to vote.
20. The National Executive Board is empowered to establish the hours of Convention.
21. In all matters not regulated by these rules of order, Bourinot's Rules of Order will govern.

**APPENDIX B - CRITERIA FOR BENEVOLENT ACTIVITIES**

Forms of Recognition will include:

- A get-well card and a gift card, not to exceed thirty dollars (\$30.00), will be given to a permanent member who is away from work for more than twenty (20) working days due to illness or who is on layoff but is ill for more than twenty (20) days; one (1) card per school year (September to August) per member;
- A congratulatory card and gift card not to exceed thirty dollars (\$30.00) upon the birth or adoption of a child to a member;
- A sympathy card and a fifty dollar (\$50.00) memorial donation to the charity of the family's choice upon the death of a retiree, or a close family member of a member (partner, child, sibling, parent, grandparent); or
- A sympathy card and a one hundred-dollar (\$100.00) memorial donation to the charity of the family's choice upon the death of a member.

## APPENDIX C - CRITERIA FOR PUBLIC AWARENESS BUDGET LINE

The use of the Public Awareness budget line money is to promote CUPE 4222 in the communities and labour movement.

Members will forward all recommendations to the Executive Board, in writing, providing purpose and rationale for expenditure, one (1) month prior to a motion coming to the floor of a General Membership Meeting.

## APPENDIX D - CUPE 4222 GRADUATION AWARDS

- All CUPE 4222 members' children are eligible for the CUPE 4222 Graduation Award on their graduation from any recognized educational institution in Canada.
- Six thousand dollars (\$6000.00) will be budgeted for the CUPE 4222 Graduation Award committee each year with no one eligible recipient receiving more than \$500.00.
- Application for the CUPE 4222 Graduation Award would be directly to CUPE 4222.
- In addition to the application form each applicant would submit a presentation, in the form of an essay, poster, or A-V clip, on "The Importance of Unions in Society".
- The CUPE 4222 Graduation Award Committee will review all applications and verify they are a CUPE 4222 member's child and a graduate.
- The deadline for applications in each school year is April 30, with no exceptions.
- Information and an application form will be available in guidance offices of all Thames Valley District School Boards, as well as published on the website of CUPE 4222 ([www.cupe4222.ca](http://www.cupe4222.ca)) and social media.
- It shall be the responsibility of CUPE 4222 members to ensure each eligible child applies for the CUPE 4222 Graduation Award in their graduating year.
- The CUPE 4222 Graduation Award Recipients would receive their award at their school's commencement ceremony and be acknowledged on our website and social media for the information of all CUPE 4222 members.

## CRITERIA FOR CUPE 4222 GRADUATION AWARD

- All CUPE 4222 members' children are eligible in the year they receive their high school diploma from any recognized educational institution in Canada.
- Applications are available in secondary school guidance offices of all Thames Valley District Schools, and on the CUPE 4222 website ([www.cupe4222.ca](http://www.cupe4222.ca)).
- Applicants must submit a presentation, in the form of an essay, poster, or audio video clip on "The Importance of Unions in Society".
- The deadline for applications to be received at the office of CUPE 4222 is April 30 in each school year, with **no exceptions**.
- Completed Applications are to be submitted directly to the CUPE 4222 office, Attention: Awards Committee, 571 Wharncliffe Road South, Unit #1, London, ON N6J 1N6. CUPE 4222 assumes no liability for Graduation Award applications prior to their arrival at the CUPE 4222 office. It is highly recommended that applications be sent by registered mail or personally delivered to CUPE 4222 during regular business hours.
- It is the responsibility of CUPE 4222 members to ensure each eligible child applies in their graduating year by the deadline.





## CUPE 4222 GRADUATION AWARD APPLICATION

Children of CUPE 4222 members are to complete the application below and submit directly to the Awards Committee of CUPE 4222, to be received no later than April 30, \_\_\_\_\_

Applicant's Name (in full, please print legibly)	
Home Address (including Postal Code)	
Home Telephone Number	
Current School & School Board	
Post-Secondary Education Plan (if applicable) (include Institution and Program)	
CUPE 4222 Member's Name (in full, please print legibly)	
Relationship to Applicant	
Date of Hire by TVDSB	
TVDSB Work Location	

As part of your application you must:

- submit a presentation, in the form of an essay, poster, or audio-visual clip on "The Importance of Unions in Society"
- attach a Credit Counseling Summary

### **Consent Form for Award Applicants**

The signing of this consent form permits CUPE 4222, the school, and/or Thames Valley District School Board to publicly recognize the achievement of the student as a recipient of the CUPE 4222 Graduation Award.

Award recipients may be recognized and celebrated in school newsletters, yearbooks, newspapers, CUPE 4222/School/TVDSB websites and special recognition events. It is understood that not signing this consent will not prejudice the consideration for the CUPE 4222 Graduation Award.

Signature of Applicant		Date	
Signature of CUPE 4222 Member		Date	

**Application to be received by CUPE 4222 no later than April 30, \_\_\_\_\_**

Submit application directly to CUPE 4222, 571 Whancliffe Road South, Unit #1 London Ontario, N6J 2N6

## APPENDIX E - OPERATIONAL GUIDELINES

### Preamble

The operational guidelines for CUPE 4222 are intended to facilitate a smooth and efficient working mechanism for the day-to-day operations of CUPE 4222.

The guidelines should provide a solid base for the growth of CUPE 4222 and the members by providing an equal opportunity for all CUPE 4222 members to receive hands-on training in a working environment for the enrichment of all in the labour movement.

The guidelines should be reviewed annually by the Executive Board and any adjustments should be taken to the membership at the September General Membership Meeting for approval.

These operational guidelines were accepted by the membership of CUPE 4222 at the General Membership Meeting November 14, 1998. These operational guidelines were accepted as an Appendix of CUPE 4222 By-Laws by the membership of CUPE 4222 at the General Membership Meeting May 14, 2005.

### Financial

The following system should be closely monitored to maximize the financial resources of CUPE 4222:

1. All expenses to be submitted to the Financial Officer on CUPE expense vouchers.
2. All expenses to be submitted quarterly and no later than August 31<sup>st</sup> of that budget year
3. All expense vouchers to be completed properly as per Exhibit A.
4. All expenses to be paid on the cheque run following submission.
5. A Reserve Account shall be established with an annual transfer from the operating account based on the annual budget. This Reserve shall be invested for the best interest rate available allowing cashable flexibility. The Reserve Account shall be the CUPE 4222 Strike Fund.

### Committees

All committee chairs are to ensure the following is completed:

1. Each committee shall meet as required or otherwise as specified by these By-Laws.
2. Each committee member is notified by the chair as to time, date, and location of meeting.

3. All committee members have ample notice of meeting.
4. For all committee members who require release time, the necessary arrangements are to be made as required.
5. All reports and minutes are filed with the Executive Board two (2) weeks prior to the next General Membership Meeting (5 working days).
6. All expense vouchers are filled out properly and submitted to CUPE 4222 Financial Officer.
7. All minutes, reports, material required by the committee are completed and copies available prior to start of meetings for all committee members and Executive Board attending the meeting.
8. Any disputes, concerns, or special requirements are taken directly to the president.
9. Make sure office and equipment is kept clean and properly maintained.

All committee members are to ensure the following is completed:

1. Make every effort to attend all meetings and functions that are directed by that committee.
2. Be punctual for all meetings and be prepared to start at the designated time.
3. Prepare any required documentation.
4. That all assigned work is completed on time.
5. That expense vouchers are completed properly and submitted as required.
6. Work in harmony with other committee members.
7. Any disputes or concerns are taken to the committee chair.
8. The office and equipment are kept clean and properly maintained.

The Executive Board will ensure the following is completed:

1. Assist all committee chairs with the set up and operation of their committees.
2. Assist committee members when requested.
3. Attend any committee meeting or function when requested or required.

4. CUPE 4222 guidelines and By-Laws are followed.
5. Proper files and communications systems are set up for each committee.
6. All expenses are filed properly and on time.
7. All disputes or concerns are handled efficiently and as quickly as possible.
8. All minutes and reports are filed properly and on time.

## APPENDIX F - CUPE CODE OF CONDUCT

Language to be incorporated with the next round of amendments.

Exhibit A – EXPENSE VOUCHER

EXPENSE VOUCHER



Name		Date Submitted	
Address		Reason for Expense	

*Committee – which committee should be expensed? Receipt – Purchases made must be accompanied by a Receipt.* *KM – Total KM travelled on that date. Unit – A, B or D*

Date Incurred	Details of Expense	Unit	Committee	KM	Receipt (Y or N)	Total (\$)

<p align="center"><b>Certificate</b></p> <p>This is to certify that the amounts shown on this statement were incurred by me on behalf of CUPE and/or CUPE 4222.</p>		<p align="center"><b>Distribution of Charges</b></p>		
Signature		<b>Committee / Budget Line</b>	<b>\$</b>	<b>¢</b>
Recommended by: <i>Committee Chair</i>				.
<b>Payment Details</b> <i>Office Use Only</i>				.
Recommended By:				.
Approved By:				.
Supported By: <i>By-Law/Motion #:</i>				.
Cheque #:				.
Date Paid:		<b>Total.....</b>		.



## CUPE LOCAL 4222

### OPERATIONAL POLICIES & PROCEDURES

#### PREAMBLE

Operational Policies and Procedures are designed to provide the officers with the necessary guidance to effectively administer the affairs of the local union on a daily basis. Policies and Procedures may cover any topic which is of interest to all members.

The Operational Policies and Procedures shall form an Appendix to CUPE 4222 By-Laws.

These Operational Policies and Procedures are always subordinate to the current CUPE Constitution and may be amended as required, subject to membership approval.

#### DEFINITIONS

##### **Policies, Procedures, and Independent Procedures**

###### **Policy**

A policy is a statement or position adopted by the Union that provides the framework for a course of action. It is a commitment by which the Union is held accountable to its members.

###### **Procedure**

A procedure is a course of action developed to implement and support an approved Union policy.

###### **Independent Procedure**

An independent procedure is a process to handle issues where an accompanying Union policy is not required.

###### **Guideline**

A guideline is a recommended action that may be taken in a given situation.

###### **Protocol**

A protocol is a process which sets out the operating norms for an interaction between the Union and its external public.



Title: Ex-Officio

Policy Number: POL003

Reference(s): CUPE National Office

Procedure: Effective Date: June 8, 2007

CUPE 4222 recognizes that part of the responsibilities of Executive Board members is to serve on standing committees in an ex-officio capacity.

Executive Board members who sit as ex-officio legally have voting privileges as well as voice as confirmed by the office of the Canadian Union of Public Employees National President.

Members of the Executive Board appointed as ex-officio to a standing committee shall not serve as paid chairperson of said standing committee.

**Title: Executive Attendance**

**Policy Number: POL004**

**Reference(s): CUPE 4222 By-Laws, Section 7**

**Procedure: Effective Date: June 8, 2007**

It is the duty of any members elected or appointed to any office, committee, or delegation to attend such meeting.

If an officer is absent for three (3) consecutive Executive Board Meetings or three (3) consecutive General Membership Meetings without having submitted good and sufficient cause, the office will be declared vacant and the position will be filled by an election at the following General Membership Meeting.

(Ref: CUPE4222 By-Laws, Section 7.7)

Good reason shall be defined as illness (their own or that of a family member), injury, death of a family member, vacation, religious holiday, education, or attendance at other union business or by reasons outlined in the objectives of the current CUPE Constitution.  
(Article 2.1 h)

An Executive Board member in violation of this policy shall be sent a registered letter informing them that their office has been declared vacant, subject to an appeal to the Executive Board and the Membership.

**Title:** Expense Reimbursement

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**Procedure Number:** PRO001

**Reference(s):** CUPE 4222 By-Laws

**Policy:** Expense Reimbursement      **Effective Date:** June 8, 2007

This procedure applies to all members of CUPE 4222 who are claiming expenses. When claiming any expenses, a detailed expense voucher must be completed.

<b>Travel Expenses</b>	
<b>Expense</b>	<b>Procedure</b>
Accommodation	<p><b>Allowable Expenses:</b> (supported by detailed invoice)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Accommodations</li> <li><input type="checkbox"/> Discretionary telephone calls, faxes</li> <li><input type="checkbox"/> Parking</li> <li><input type="checkbox"/> Internet</li> </ul> <p><b>Non-Allowable Expenses</b> such as, but not limited to:</p> <ul style="list-style-type: none"> <li>-movies</li> <li>-room service</li> <li>-in-room bar</li> <li>-bar charges</li> <li>-personal telephone calls</li> </ul>
Travel Costs - Auto	<ul style="list-style-type: none"> <li><input type="checkbox"/> For Executive Members on full time release to the Union, their base location will be the CUPE 4222 Union Office.</li> <li><input type="checkbox"/> Weekend union work day or scheduled meeting after regular work hours, mileage will be: <b>FROM</b> start location <b>TO</b> union business location <b>TO</b> shorter distance of either start location or home including names and addresses for each meeting.</li> <li><input type="checkbox"/> Expense vouchers will detail, by day, the number of kilometers travelled on union business, indicating start location, destination, and reason for mileage</li> <li><input type="checkbox"/> Expense voucher must be signed by Committee Chair or Executive Board member</li> <li><input type="checkbox"/> Mileage rate paid in accordance with CUPE 4222 By-Laws</li> <li><input type="checkbox"/> Expense Vouchers submitted after the 10<sup>th</sup> will be paid only on the approval of the President</li> <li><input type="checkbox"/> Appeal of the President's decision may be taken to the Executive Board for reconsideration</li> </ul>
Taxi, Public Transit	<ul style="list-style-type: none"> <li><input type="checkbox"/> Transportation between the member's home or workplace and the local airport/train/bus station, as well as the station and hotel conference site</li> <li><input type="checkbox"/> Original receipts required</li> </ul>

Parking	<input type="checkbox"/> Original receipts required
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CUPE 4222 Meetings					
	Mileage	Per Diem	Out-of-Pocket Receipts	Accommodation	Details
GMM Unit Meetings Special Meetings	n/a	n/a	n/a	n/a	
Executive Board Committee Meetings	Yes or no -see details	n/a	n/a	n/a	-not when on same day or location of GMM, Unit, or Special Meeting
Conventions, Conferences and local Union Business					
Conventions	Yes, or travel fare	\$125.00/day	as per procedure	Yes, if out of town	Reference 12.4 of these By-Laws
Conferences	Yes, or travel fare	\$125.00/day	as per procedure	Yes, if out of town	Reference 12.4 of these By-Laws
One-Day, return same day, yet outside geographical area of TVDSB	Yes, or travel fare	\$60.00 /day	as per procedure	No -see details for exception	-dependent on travel distances and weather conditions
Seminars, Educational, Jurisdictional and Leadership Meetings, and Union Business					
half-day, in town	Yes	\$12.50	As per procedure	No	Reference 12.4 of these By-Laws
Full-day, in town	Yes	\$25.00	as per procedure	No -see details for exception	Reference 12.4 of these By-Laws
One-Day, return same day, yet outside geographical area of TVDSB	Yes, or travel fare	\$60.00	as per procedure	No -see details for exception	-dependent on travel distances and weather conditions
Out-of-town, overnight	Yes, or travel fare	\$100.00 or \$20.00 if meals are included in registration	as per procedure	as determined by Executive Board, Education Committee, or membership	Reference 12.4 of these By-Laws