



BY-LAWS

CUPE LOCAL 4800

REVISED March 2006

CANADIAN UNION OF PUBLIC EMPLOYEES LOCAL 4800

ARTICLE 1 - COMPOSITION

- 1.1 Local 4800 is a composite local made up of the following bargaining units:
 1. Service, Hamilton Health Sciences
 2. Trades, Hamilton Health Sciences
 3. St. Joseph's Home Care (SJHC)
 4. As other bargaining units are organized, merged or amalgamated, each shall be considered listed herein, as approved by the membership in the appropriate manner.

ARTICLE 2 - PRINCIPLES AND OBJECTIVES

- 2.1 To unite in one organization, regardless of religion, race, creed, sex, political affiliation, nationality, sexual orientation, ability, or age, all employees under the jurisdiction of this Local.
- 2.2 To advance the social, economic, and general welfare of active and retired workers.
- 2.3 To support the Canadian Union of Public Employees in its objectives as set out in the National Constitution of the Canadian Union of Public Employees.
- 2.4 To improve the health and safety and general working conditions within the workplace.
- 2.5 To educate our Membership on the history of the Labour Movement and to develop and maintain an informed and dignified Membership, to work for the passage of improved legislation in the interest of all Labour, to enforce existing laws and to work for the repeal of those which are unjust to Labour, at all levels of Government.
- 2.6 To co-ordinate its activities at all levels to protect the interests of all its members in recognition of the principle that an injustice to one member is an injustice to all members, and that in solidarity, there is strength.

ARTICLE 3 - ORGANIZATION AND POWERS OF ADMINISTRATION

- 3.1 The highest legislative and policy-forming body shall be the General Membership Meeting.
- 3.2 Between the General Membership Meetings, the highest authority shall be the Executive Board. Executive Board decisions shall be reported to the General Membership.

ARTICLE 4 - AFFILIATIONS

- 4.1 The Local shall be affiliated to the following:
 - Ontario Council of Hospital Unions
 - CUPE Ontario Division
 - Hamilton District Labour Council
 - Hamilton & District CUPE Council
 - Ontario Federation of Labour
- 4.2 Upon recommendation of the Treasurer and with reference to a substantial Local debt, the Executive Board and the membership has the authority to suspend affiliation with any or all groups identified in 4.1. Re-affiliation will commence by Executive Board and membership approval.

ARTICLE 5 - EXECUTIVE BOARD STRUCTURE

- 5.1 The Executive Board shall be made up of the following officers:
 - a) President
 - b) Vice-President
 - c) Recording Secretary
 - d) Treasurer
 - e) Dues Secretary
 - f) Executive-at-Large, Service (4)
 - g) Executive-At-Large, Trades Unit (3)
 - h) Executive-At-Large, St. Joseph's Home Care (1)
 - i) As other bargaining units are organized, merged, or amalgamated, each shall be entitled to an Executive Board position as determined by the Executive Board; as approved by the membership in the appropriate manner.
- 5.2 Any position requiring union paid leaves of absence shall be granted in accordance with the Executive Board approval, Article 26(A).

ARTICLE 6 - DUTIES OF EXECUTIVE BOARD

- 6.1 Table Officers of the Local shall be the President, First Vice-President, Recording Secretary, Dues Secretary and Treasurer.
- 6.2 A quorum of the Executive Board shall be five members of the Executive Board, one of whom shall be a Table Officer.
- 6.3 The Executive Board shall make recommendations to the General Membership Meeting with regard to communications, committee reports, and all matters affecting the Local.
- 6.4 The Executive Board shall meet at least once per month.
- 6.5 In the event that an Executive Board member is absent from three consecutive meetings of the Executive Board and/or General Membership, without good and sufficient cause, such office shall be declared vacant by the Executive Board.
- 6.6 Any member holding office, or position in the Union, upon accepting duties with their employer longer than six (6) months in a temporary position that require that they may have to supervise Local 4800 members, shall be deemed to have immediately resigned from such union office or position for the duration of the term. The Executive Board shall determine if the vacated position will be filled via appointment or election in compliance with Article B.2.3 of the CUPE Constitution.
- 6.7 The Executive Board shall hold a meeting immediately after a regular Membership Meeting has been designated and where there is no quorum. The Board shall deal with the business that should normally have been dealt with at the Membership Meeting if there had been a quorum to conduct the business. The minutes of this meeting will be read and presented for adoption at the next Membership Meeting.
- 6.8 Executive Board members may not hold more than one elected position on the Executive Board.

ARTICLE 7 - PRESIDENT

- 7.1 The President shall function as the Chief Executive Officer of the Local and shall exercise supervision over the affairs of the Local.
- 7.2 The President shall be signatory to all official documents, shall be a co-signatory for all orders on the Treasury, and shall be bondable.

- 7.3 The President, or the President's designate, shall be the official spokesperson for the Local with the media.
- 7.4 The President shall have the authority to interpret these By-Laws. Their interpretation shall be fair and will ensure the intent and objectives of these By-Laws, subject to the National Constitution.
- 7.5 The President shall be responsible for the administration of the Local's office.
- 7.6 The Office of the President shall be a full-time Union position. Compensation for such position shall be the elected member's rate of pay with their respective employer, plus associated benefits, calculated at a full-time rate.
- 7.7 The President shall open and preside at General Membership Meetings and Special Membership Meetings. The President shall see that officers and members perform their respective duties, preserve order, follow the correct order of business and decide all rules of order, subject to appeal to the Membership.
- 7.8 The President has the right to vote on matters before the Executive Board and/or Membership meetings. In the event of a tied vote, the President shall have the right to cast a tie breaking vote.
- 7.9 The President shall have the right to call special meetings of the Executive Board.
- 7.10
- (a) The President will be a member of all regular and/or special committees of the Local.
 - (b) The Executive Board may appoint all committees not constitutionally provided for and shall appoint an interim officer or standing committee member in the case of a vacancy until such vacancy can be filled by election.
- 7.11 The President, or designate, shall be the Chairperson of the Negotiating Committee of each bargaining unit.
- 7.12 The President shall be responsible for ensuring actions adopted by the Executive or Membership are carried out by the appropriate officers of the Local.
- 7.13 The President, or designate, shall be a constitutional delegate to all conventions and conferences.
- 7.14 At the termination of their office, the President shall surrender to their successor, all books, papers, seals, documents and other property of the Local.

ARTICLE 8 - FIRST VICE-PRESIDENT

- 8.1 The First Vice-President shall be responsible for the co-ordination of issues between all bargaining units of the Local.
- 8.2 The First Vice-President shall, in the absence of the President, fulfill the duties of the office of President.
- 8.3 The First Vice-President shall be a co-signatory on the Treasury and shall be bondable.
- 8.4 The First Vice-President, or designate, shall attend all Unit Meetings of the Units of the Local.
- 8.5 The First Vice-President, or designate, shall report to the Local on the functions and activities of all Committees under their responsibility.
- 8.6 At the termination of their office, the First Vice-President shall surrender to their successor, all books, seals, documents and other property of the Local.

ARTICLE 9 - RECORDING SECRETARY

- 9.1 The Recording Secretary shall keep a correct, full, and impartial record of the proceedings of each meeting of the Local and the Executive Board, such record shall include a copy of the full financial report as presented by the Local's Treasurer.
- 9.2 The Recording Secretary, or designate, shall be bondable.
- 9.3 The Recording Secretary shall receive all communications to the Local, shall send out all communications from the Local, and shall maintain a correspondence log. The Recording Secretary shall forward all correspondence to the appropriate committees.
- 9.4 The Recording Secretary, or designate, shall administer all circulars and notices for issuance to the members and pass same on to the Membership in sufficient time to permit their attendance.
- 9.5 The Recording Secretary shall keep all notices of motions and amendments to the Constitution or otherwise and shall have a master copy of the Constitution, By-Laws on file.

- 9.6 The Recording Secretary shall be responsible for keeping all records of the Local for not less than seven years, including meeting minutes, correspondence, and other records. Records shall be deposited with the Labour Archives Section of the McMaster University Library once the period of seven years has been exceeded.
- 9.7 The Recording Secretary shall arrange for the booking of halls and rooms for meetings as directed and/or approved by the Executive Board or Membership.
- 9.8 The Recording Secretary shall be granted union paid leave to complete the Recording Secretary's duties for one day per month. Additional leave may be approved, as per Article 26(A).
- 9.9 At the termination of their office, the Recording Secretary shall surrender to their successor, all books, papers, seals, documents and other property of the Local.

ARTICLE 10 - TREASURER

- 10.1 The Treasurer shall keep all financial accounts of the Local and shall maintain correct and proper count of its members and make full financial reports at all Executive Board meetings and written financial reports to each General Membership meetings as required by Articles B.3.6 and B.3.8 of the CUPE Constitution.
- 10.2 The Treasurer shall, 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.
- 10.3 The Treasurer shall receive all initiation fees, dues, assessments and fines from the members of the Local and shall deposit it in the name of the Local in such financial institutions as the Executive may direct.
- 10.4 The Treasurer shall make all disbursements for the Local as provided for in Article B.4.4 of the Constitution of the Canadian Union of Public Employees.
- 10.5 The Treasurer shall deposit all cash and cheques as necessary and maintain duplicate records of all deposits.
- 10.6 The Treasurer shall have financial reports available at monthly Executive Board meetings and shall have the books audited at least semi-annually by the Trustees, and audited annually by a certified accounts whose report shall be presented to the Membership. Completion of the annual audit by a certified

accountant or accounting firm shall not relieve the Trustees of their ongoing obligation to exercise general supervision over the property of the Local Union, as required by the provisions of Article B.3.13 of the CUPE Constitution.

- 10.7 The Treasurer shall keep all receipts on file.
- 10.8 The Treasurer shall make application for bonding on behalf of each officer of the Local as required by these By-Laws. Such application shall be made within 30 days of election to a position and be at the appropriate level in accordance with the CUPE Constitution. The Treasurer shall immediately notify the President of any officer(s) not eligible for bonding, as steps shall be taken to ensure said officer(s) is disqualified from office.
- 10.9 The Treasurer shall not allow the cash in the current chequing account to exceed one hundred thousand dollars (\$100,000). All securities of the Local shall be deposited, for safekeeping, with one or more bankers, trust companies, credit unions, or other financial institutions to be selected by the Executive Board and approved by the Membership.
- 10.10 The Treasurer shall be granted union paid leave to complete the Treasurer's duties for two days per month. Additional leave may be approved as per Article 26(A).
- 10.11 Within six (6) months of election to office, the Treasurer shall be required to complete an appropriate Treasurer's training course, as well as training in the operations of any accounting software.
- 10.12 At the end of their term of office, the Treasurer shall turn over to their successor, all properties and assets, including funds, books and records, belonging to the Local.

ARTICLE 11 - DUTIES OF DUES SECRETARY

- 11.1 The Dues Secretary shall maintain a list of all members, including mailing addresses and seniority date.
- 11.2 The Dues Secretary shall receive all new members' applications and keep an accurate record of same, reporting to the Membership the numbers and moving acceptance thereof.
- 11.3 The Dues Secretary shall maintain attendance records of the General Membership, stamp dues cards and be responsible for counting the total in attendance and reporting the number to the Recording Secretary.

- 11.4 The Dues Secretary shall confirm eligibility of candidates for office or convention in accordance to the by-laws.
- 11.5 The Dues Secretary shall report any discrepancies to the Treasurer of the Local.
- 11.6 The Dues Secretary shall be granted union paid leave for one day per month, or more if needed, to carry out his/her duties.

ARTICLE 12 - DUTIES OF FIRST CHIEF STEWARD

- 12.1 Each First Chief Steward must be employed within the bargaining unit for which they preside and be a member of the Grievance Committee of their respective bargaining unit.
- 12.2 Each First Chief Steward shall be elected from within their respective Grievance Committee. For the purpose of clarification; the First Chief Steward must be a Chief Steward of either MUMC, General, Chedoke or Henderson.
- 12.3 Each First Chief Steward shall preside at all meetings related to their specific bargaining unit; and in conjunction with the President, transact such other business as may pertain to their bargaining unit. They shall be an ex-officio member of all the Unit's committees. They are to be notified of any committee meetings to be held within their bargaining unit.
- 12.4 Each bargaining unit shall have the following structure: First Chief Steward, Site Chief Stewards and Stewards as required.
- 12.5 The First Chief Steward shall be the Grievance Chair for their respective bargaining unit Grievance Committee and a member of their respective bargaining unit Negotiations Committee.

ARTICLE 13 - DUTIES OF SITE CHIEF STEWARDS

- 13.1 Site Chief Steward must be employed within the bargaining unit and at the site for which they preside.
- 13.2 Site Chief Steward shall attend all meetings related to their specific bargaining unit/site; and in conjunction with the President, transact such other business as may pertain to their office and which may be necessary for the proper functioning of their bargaining unit.
- 13.3 Site Chief Steward shall be a member of the Grievance Committee for their respective bargaining unit.

- 13.4 Site Chief Steward shall be a member of the Negotiations Committee for their respective bargaining unit.
- 13.5 One Executive-At-Large from the Service Unit will be elected by the Service Executive members and one Executive-At-Large from the Trades Unit will be elected by the Trades Executive members to be a member of the Negotiations Committee for their respective bargaining unit.

ARTICLE 14 - UNION STEWARDS

- 14.1 The Local shall post, at least once a year, a notice to attract Union Stewards. By presentation of ten (10) signatures of CUPE Local 4800 members to the Stewards Council, a member can be declared a Union Steward.
- 14.2 The Local shall send notice to all Union Stewards, at least once a year, of its requirement for the member to reaffirm their interest in remaining a Union Steward.
- 14.3 The Steward shall act as the Union's representative, may represent any member in their respective bargaining unit at the workplace and shall ensure that grievances are filed if the Employer fails to comply with the terms of the Collective Agreement.
- 14.4 The Stewards shall report on all grievances to the Grievance Committee as well as investigate such grievances, providing documentation to the Grievance Committee.
- 14.5 The Stewards shall attend the monthly Steward's Meeting.
- 14.6 Within one year of obtaining office, Stewards shall be required to complete two levels of stewarding courses.
- 14.7 In the event that a Union Steward is absent from three (3) consecutive meetings of the Stewards' and/or General Membership, without good and sufficient cause, such office shall be declared vacant by the President.

ARTICLE 15 - TRUSTEES

- 15.1 The Trustees shall act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer twice a year and the Recording Secretary and the Standing Committees at least once every calendar year.

- 15.2 The Trustees shall make a written report of their findings to the first Membership meeting following the completion of each audit.
- 15.3 The Trustees shall submit in writing to the President and 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 Treasurer in an organized, correct and proper manner.
- 15.4 The Trustees shall be responsible to ensure that monies are not paid out without proper constitutional or membership authorization.
- 15.5 The Trustees shall ensure that proper financial reports are made to the Membership.
- 15.6 The Trustees shall audit the record of attendance.
- 15.7 The Trustees shall 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.
- 15.8 The Trustees shall 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 Treasurer and the Treasurer's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative.
- 15.9 Within six (6) months of election to office, the Trustees shall be required to complete an appropriate Trustee's training course.

ARTICLE 16 - SERGEANT-AT-ARMS

- 16.1 Sergeant-at-Arms shall be elected when the Local's Officers and Executive Board are elected.
- 16.2 Sergeant-at-Arms shall assist the President at all times in conducting a proper and orderly meeting. They shall expel any person from the meeting when so directed by the President or Chairperson of the meeting.
- 16.3 Sergeants-at-Arms shall be empowered, when requested by the incoming Officer, to contact the outgoing Executive Officer and recover any Union property.

ARTICLE 17 - FEES, UNION DUES AND ASSESSMENTS

- 17.1 A payroll check-off, compulsory upon all employees covered by the Local's Collective Agreement(s), shall prevail.
- 17.2 The monthly dues shall be point seven five percent (.75%) above the National per capita plus any Constitutional levies. Changes in the monthly dues can be effected only by following the procedure for amendment of these By-Laws (see Section 34), with the additional provision that the vote must be by secret ballot.
- 17.3 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.
- 17.4 Special assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.

ARTICLE 18 - ELECTION PROCEDURE

- 18.1 Nominations for Table Officers, Sergeant-at-Arms and Trustees shall be held at the first regular General Membership Meeting prior to the election in October of the odd numbered years.
- 18.2 Nominations and elections for St. Joseph's Home Care Executive-At-Large and Site Chief Stewards shall be held in September of the odd numbered years, prior to nominations in Article 18.1, by all eligible voting members of each Unit/Site for which they would preside. A meeting will be held at each location for this purpose.
- 18.3 All notices of nominations and balloting for voting will include times, location as well as process and shall be posted seven (7) days in advance, in all workplaces.
- 18.4 Members seeking nomination to office must have attended five (5) General Membership Meetings within a calendar year or have reported to the Recording Secretary good and sufficient cause for such absence, for one (1) calendar year prior to each vote.
- 18.5 A member seeking nomination shall be present when nominations are called, or have allowed a notice of consent, in writing, bearing their name as a nominee and the name of another member as witness, to be filed. Such notice must be in the hands of the Recording Secretary prior to nomination.

- 18.6 No member shall hold more than one (1) Executive office.
- 18.7 An Election Committee, composed of a returning officer and appropriate balloting committee members, shall be appointed from the floor to conduct the ensuing elections. All appointees shall be members in good standing, and shall not be in contention for any office, nor shall they be CUPE Officers.

ARTICLE 19 - ELECTION OF OFFICERS AND TRUSTEES

- 19.1 All Table Officers of the Local, Executive-At Large, Sergeant-at-Arms, and Trustees shall be elected biennially in October or the odd-numbered years by all eligible voting members of the Local.
- 19.2 Eligible voting members shall be those who are members on or before the night of the nomination of officers.
- 19.3 The Election Committee shall be responsible for the conduct of all aspects of the election.
- 19.4 A Trustee shall be elected every two (2) years at the October Membership Meeting.

ARTICLE 20 - BIENNIAL ELECTION PROCEDURES FOR TABLE OFFICERS, EXECUTIVE-AT-LARGE, SERGEANT-AT-ARMS AND TRUSTEES

- 20.1 The polling locations shall be open for balloting on the day of the election from 6:30 a.m. to 6:00 p.m. Casting of ballots shall continue at the commencement of the Membership Meeting, at which ballots are counted and conclude upon motion of the Membership.
- 20.2 In the event there is no quorum at the General Membership of Article 19.1, the ballots shall be counted as prescribed.
- 20.3 Balloting procedures shall be as per the guidelines contained in Appendix "B" to this Constitution.
- 20.4 The Recording Secretary shall be responsible for the form and layout of the ballots, and having an adequate supply of the ballots or ballot packages. The Recording Secretary shall entrust these to the Returning Officer of the Election Committee, together with the total number of ballots packages required.
- 20.5 The Dues Secretary shall be responsible for supplying to the Election Committee a list of the eligible voting members of the Local.

20.6 Election to office shall be by simple majority.

20.7 Example Ballot:

PRESIDENT: One to be elected	
SMITH	
BROWN	x
JONES	

20.8 The Election Committee shall tabulate the ballots.

20.9 The Election Committee shall prepare a list of all candidates with total number of ballots cast, invalidated, or spoiled, indicating those elected.

20.10 Each candidate for office will be offered the opportunity to select a Scrutineer to observe the counting of the ballots.

20.11 The Returning Officer, the Balloting Committee shall treat all information submitted to them in connection with the election as confidential, and shall make their report to the General Membership Meeting immediately following balloting.

20.12 A candidate for office may appeal for a recount of the ballots for that office. Or the Membership meeting itself, without an appeal, may order a recount of any or all elections. In either instance, it shall require a majority vote of members present to vote in favour of such a recount. Ballots shall not be destroyed until the following Membership Meeting.

ARTICLE 21 - BIENNIAL ELECTION PROCEDURES FOR SITE CHIEF STEWARDS

21.1 Nominations and elections will occur at a meeting called for the purpose of elections, at each site as required.

21.2 Balloting procedures shall be as per the guidelines contained in Appendix "B" to this Constitution.

21.3 The Recording Secretary shall be responsible for the form and layout of the ballots, and having an adequate supply of the ballots or ballot packages.

21.4 The Dues Secretary shall be responsible for supplying a list of the eligible voting members of the Local.

21.5 Election to office shall be by simple majority.

21.6 Example ballot:

PRESIDENT: One to be elected	
SMITH	
BROWN	X
JONES	

21.7 A Balloting Committee shall tabulate the ballots.

21.8 This Balloting Committee shall prepare a list of all candidates with total number of ballots cast, invalidated, or spoiled, indicating those elected.

21.9 Each candidate for office will be offered the opportunity to select a Scrutineer to observe the counting of the ballots.

21.10 The Balloting Committee and the Scrutineers shall treat all information submitted to them in connection with the election as confidential, and shall make their report to the General Membership Meeting immediately following balloting.

21.11 A candidate for office may appeal for a recount of the ballots for that office. Or the Membership meeting itself, without an appeal, may order a recount of any or all elections. In either instance, it shall require a majority vote of members present to vote in favour of such a recount.

ARTICLE 22 - INSTALLATION OF OFFICERS

22.1 Duly elected officers shall be installed at the Membership Meeting at which results are declared, or as immediately thereafter as possible, and shall continue in office until such time a successor has been duly elected and installed.

22.2 The term of office or Executive Board members and officers shall not be less than one (1) year nor more than three (3) years, in accordance with Article B.2.4 of the CUPE Constitution.

ARTICLE 23 - BY-ELECTIONS

23.1 Should an office fall vacant pursuant to this Constitution, or for any other reason, the resulting by-election shall be conducted as closely as possible in conformity with the election procedures of this Constitution.

ARTICLE 24 - DELEGATES TO CONVENTIONS AND CONFERENCES

- 24.1 At the General Membership Meeting following receipt of the call to conventions and conferences, the Executive Board shall make recommendations to the floor as to the number of paid delegates the Local Union should send to represent the Union at such conventions and conferences. Nominations and Elections of such candidates shall be held at the same meeting.
- 24.2 Except as provided for in the Duties of the President, all delegates to conventions shall be chosen by election by the Membership.
- 24.3 Each Unit shall be designated a number of delegates to conventions by the membership at large.
- 24.4 In the case of conferences and seminars, the Executive Board shall make recommendations to the Membership for their approval. If the Executive Board's recommendations are rejected, the Membership shall nominate and elect the required number of delegates.
- 24.5 Any member who holds office for an affiliate of this Local shall automatically attend the conference or convention of the affiliate as a full delegate of this Local.

ARTICLE 25 - VOTING OF FUNDS

- 25.1 Except for ordinary expenses, bills or vouchers, no sum exceeding five hundred dollars (\$500.00) shall be voted on for the purpose of a grant or contribution to any member or any cause outside of the Local.
- 25.2 All requests for grants or contributions are subject to the approval of the membership.

ARTICLE 26 - OUT-OF-POCKET EXPENSES

(a) Union Leaves of Absence:

- (i) It is understood that any person needing a leave of absence from work shall be paid full lost wages.
- (ii) Any person attending pre-authorized union functions on behalf of Local 4800 shall only be compensated for documented lost wages from their respective Employer.

- (iii) Failure of any member to follow the pre-authorized leave procedure on behalf of Local 4800 as prescribed by the Bylaws and the Collective Agreement shall make liability of the Local null and void.
- (iv) Individual union leaves of absence on behalf of Local 4800, with a total of two (2) days or less may be approved by the President.
- (v) Individual union leaves of absence on behalf of Local 4800, with a total of over two (2) days but under ten (10) days, must be approved by the polling of the majority of the Executive Board.
- (vi) Individual union leaves of absence on behalf of Local 4800, with a total of over ten (10) days but under thirty (30) days, must be approved by the Membership at a General Membership Meeting; failure of a quorum at the General Membership Meeting, approval of leave will be at the Executive's discretion.
- (vii) No individual union leaves of absence on behalf of Local 4800 with a total of over thirty (30) days is allowable. If an additional extension of an individual union leave of absence is required, presentation at a General Membership Meeting, with full explanation in writing as to necessity of such extension, will be required. No extensions beyond the second thirty (30) days are permissible.
- (viii) Union leaves of absence and associated expenses related to the National Union, any of the Local's affiliates and/or for other reasons related to the Labour Movement, whereby lost costs are reimbursed to the Local, shall be approved by the President and/or the Executive Board. Appropriate documentation must be provided at least 3 weeks in advance along with documentation of the full amount the Local is to be reimbursed including payment of benefits.

(b) Expenses:

- (i) The in-town expense for attendance at full day, pre-authorized union functions on behalf of Local 4800, shall be \$25.00. Any person attending pre-authorized Union functions, committee work or other on their day off shall be compensated with a lieu day to be taken on their next scheduled working day.
- (ii) The out-of-town expense for attendance at full day, pre-authorized union functions on behalf of Local 4800, shall be \$65.00.

- (iii) Receipted parking, travel, child care expenses and accommodation expenses incurred during pre-authorized union functions on behalf of Local 4800, shall be reimbursed in full.
- (iv) Any person using their own vehicle in performance of pre-authorized union functions on behalf of Local 4800, shall be compensated at the standard National rate.

ARTICLE 27 - MEMBERSHIP MEETINGS

27.1 Order of Business:

- i) Call to order
- ii) Minute of Silence for Workers Killed on the Job
- iii) Equality Statement
- iv) Roll Call of Officers
- v) Reading of the Minutes
- vi) Business Arising from the Minutes
- vii) Correspondence Received
- viii) Executive Recommendations
- ix) Reports of Officers
- x) Reports of Committees and Delegates
- xi) Nominations and Elections
- xii) Unfinished Business
- xiii) New Business
- xiv) Good and Welfare
- xv) Adjournment

27.2 All issues shall be decided by a majority vote except where 2/3 majority is required. A secret ballot shall be held at the request of a member, provided that a majority of the members present agree.

27.3 The regular order of business shall only be suspended after the roll call of officers and for good and specific reasons. Such suspension must be supported by a simple majority of members present.

27.4 A quorum for the Membership meeting shall be twenty (20) members, one Table Officer and four additional Executive Board members.

27.5 Members will be notified of Membership meetings by posting on workplace notice boards seven (7) days in advance.

27.6 The General Membership meetings will be held on the second Tuesday of every month.

27.7 Monthly Unit Meetings may be scheduled.

ARTICLE 28 - RULES OF ORDER

- 28.1 Rules of debate and parliamentary procedure, as defined in the CUPE booklet, Parliamentary Procedure, and Bourinot's Rules of Order, shall govern debate, except as herein otherwise noted.
- 28.2 At the request of any member, and with the approval of a simple majority of those present, a question may be divided.
- 28.3 Every member, while speaking, shall adhere to the question under debate, avoid all personal, indecorous or offensive language, as well as any reflection on the Local or any member thereof.
- 28.4 No member, except the Chairperson of a Committee or the mover and seconder of a resolution, shall speak more than once on the same question until all who wish to speak have had an opportunity to do so.
- 28.5 The Presiding Officer shall have the right as other members to vote on any question. In case of a tie, they may give a casting vote or, if they choose, refrain from voting, in which case the motion does not prevail, and the decision is in the negative.
- 28.6 No member shall enter or leave a meeting during a vote, unless for a medical emergency.

ARTICLE 29 - COMMITTEES

29.1 **Grievance Committees:**

- a) Committees shall be set up in accordance with the provision of the Collective Agreements. First Chief Stewards and/or Site Chief Stewards (as applicable) will be members of their respective bargaining unit grievance committees as listed:
- Service Unit Grievance Committee
 - Trades Unit Grievance Committee
 - St. Joseph's Home Care Grievance Committee
- b) The four Site Chief Stewards (one of which will be the First Chief Steward) of the Grievance Committee will be granted one and one-half days per week to complete required duties. Additional leave may be approved, as required by Article 26(A).

- c) The Chairpersons of the Unit Grievance Committees shall make monthly written reports to the Executive Board and General Membership meetings.

29.2 **Worker's Return to Work Compensation Committee:**

- a) The Workers' Return to Work Compensation Committee, and Health and Safety Committee shall sit as one Committee. The Committee shall consist of, but not limited to 12 members, duly elected by the membership, assuring that each site is represented. Two of these committee members are to be trained WSIB representatives. This Committee shall include the members who sit on the Joint Health and Safety Committee. All committee members will be required to participate in monthly workplace inspections. The Committee shall meet monthly. The Chair of the Committee will be elected within the Committee.
- b) It is the Committee's responsibility to investigate members' difficulties with workplace safety and to advocate as requires on behalf of the member to resolve all problems within the scope of the Local Union. It will be the responsibility of the two WSIB representatives to investigate members' difficulties with Insurance Board claims and to advocate as required on behalf of the member to resolve all problems within the scope of the Local Union.

The two WSIB representatives shall have one day per week to complete required WSIB claims and duties. Additional leave may be approved, as required, by Article 26(A).

- c) Two members per site of said committee shall represent members and will be responsible for initiating actions to ensure appropriate workplace accommodation.
- d) The Committee shall be responsible for representing members affected by the Attendance Management System (or any similar program) instituted by any of the employers.
- e) This Committee shall co-ordinate all education on Health and Safety matters for the Local in consultation with the Executive.
- f) This Committee shall co-ordinate the Local's activities for the Day of Mourning.

29.3 **Budget Committee:**

- a) The Budget Committee shall consist of the Treasurer, one Trustee, and two Representatives appointed by the Executive Board. The Treasurer shall chair the Committee.
- b) The Committee shall be responsible for drawing up a yearly budget to be presented to and approved by the Executive Board and Membership. The budgeting process should be completed annually prior to the end of March. The Committee shall make recommendations on budget variances if required. Variances must be presented to the Executive Board and Membership for approval.

29.4 **Political Action Committee:**

- a) The Committee shall be made up of five (5) members elected by the Membership. The First Vice-President, or their designate, shall chair the Committee.
- b) This Committee shall be responsible to educate and inform each member on political issues, including municipal, provincial, and federal elections.
- c) This Committee shall be responsible for co-ordinating all mobilization and fight back campaigns for the Local.
- d) This Committee shall endeavour to educate and advise the members, the public, and the appropriate Councils and/or Boards of Directors, on the important role the Local Union's Membership plays within the various municipalities and organizations, providing quality cost effective services and programming.

29.5 **Women's, Human Rights and International Solidarity Committee:**

- a) The Women's Human Rights and International Solidarity Committee shall consist of five (5) members duly elected by the Membership. The First Vice-President, or their designate, shall chair the Committee.
- b) The Committee will be responsible for all issues regarding human rights, aboriginal peoples rights, and the problems facing people of colour.

- c) The Committee will also address issues with regard to women, including sexual harassment, harassment, violence, employment equity, and any and all barriers women face in our union and society as a whole.
- d) The Committee will work on global issues and work with other groups on international solidarity issues and human rights issues such as inhumane treatment, racism, discrimination, and violence.
- e) The Committee will report directly to the First Vice-President, who shall be an ex-officio member of the Committee.

ARTICLE 30 - RATIFICATION VOTING PROCEDURE

- 30.1 Ratification procedures shall comply with the Ontario Labour Relations Act that requires all ratification votes to be conducted by secret ballot. A minimum of 48 hours shall be allotted to review the contents of the Memorandum of Agreement.
- 30.2 Advance notice of the information meeting for the members shall be given at least 72 hours prior to the meeting. Notices shall be posted in the workplace on the Union bulletin board.
- 30.3 The Negotiating Committee shall review the Memorandum of Agreement with the entire Executive Board and the stewards of the unit prior to the information meeting.
- 30.4 Hard copies of the amendments to the collective agreement will only be distributed at the information meeting for the members.
- 30.5 Voting on the contract shall take place at least 48 hours after the information meeting for the members.
- 30.6 Voting shall be in accordance with the Appendix on voting guidelines.
- 30.7 All contract amendments shall be ratified by a majority (50% + 1).
- 30.8 The Balloting Committee shall consist of the elected members of the unit and shall conduct the ratification vote.
- 30.9 Results of the ratification vote shall be given to the President who will inform the Membership of the results by a special bulleting with 24 hours of the conclusion of the voting.

ARTICLE 31 - STRIKE VOTES

- 31.1 An information meeting for members shall be held prior to the taking of any strike vote. Advance notice of the information meeting for the members shall be given at least 72 hours prior to the meeting. Notices shall be posted in the workplace on the union bulletin board.
- 31.2 Voting on strike action shall take place at least 48 hours after the information meeting for the members.
- 31.3 Voting shall be in accordance with the Appendix on voting guidelines.
- 31.4 A majority of ballots cast shall constitute approval of strike action.

ARTICLE 32 - SPECIAL GENERAL MEMBERSHIP MEETINGS

- 32.1 Special General Membership Meetings may be called at any time by the Executive Board, or by a petition signed by twenty-five (25) members. Forty-eight (48) hours' notice must be given to members affected by posting a notice in the workplace. The posting must include the purpose of the meeting.
- 32.2 Reasons for calling a Special General Membership Meeting, and the members to be notified, shall be submitted, in writing, to the Recording Secretary.
- 32.3 No policy decisions shall be taken at Special General Membership Meetings if it is outside the scope of the purpose for which the meeting was called.
- 32.4 A quorum for Special General Membership Meetings shall be twenty (20) members, including one Table Officer and four (4) additional Executive Board members. The transaction of business at a Special General Membership Meeting is restricted to business relating to the purpose of the meeting.

ARTICLE 33 - UNIT MEMBERSHIP MEETINGS

- 33.1 Unit Meetings may be called by the First Chief Steward and/or the President. The Vice-President is the Chair of the Unit Meeting.
- 33.2 A Unit Meeting may be called by the members of the unit provided a petition, signed by twenty-five (25) members of that unit, is submitted to the Recording Secretary.

- 33.3 Forty-eight (48) hours' notice of the meeting must be given to members affected by posting a notice in the workplace. The posting must include the purpose of the meeting.
- 33.4 Reasons for calling a Unit Meeting shall be submitted, in writing, to the Recording Secretary.
- 33.5 No policy decisions shall be taken at Unit Meetings if it is outside the scope of the purpose for which the meeting was called. Unit meetings cannot pass motions that bind the Local Union unless said motion is subsequently ratified by the General Membership Meeting.
- 33.6 A quorum for Unit Meetings shall be ten percent (10%) of the members of the unit, or twenty (20) members, whichever is less.
- 33.7 The Trades Bargaining Unit and the Service Bargaining Unit will have quarterly unit meetings scheduled for January, April, July and October, at a date and time to be determined.

ARTICLE 34 - RETIRED MEMBERS ASSOCIATION

- 34.1 The Local establish a Retired Members' Association which shall be chartered by the Canadian Union of Public Employees.
- 34.2 Membership in the Local Union Retired Members' Association shall be open to all members of the Local who qualify for an honorary retiring card, and their spouses.
- 34.2 The Association shall hold constitutionally recognized regular membership meetings and one of their members shall be elected to the Local Union Executive Board with voice.
- 34.3 The Local Union President shall serve as a member of the Association Executive Board with voice.
- 34.4 Retired members who come from Locals with too few members to form a viable Association may seek membership in an established Retired Members' Association within the metropolitan area or geographical district.
- 34.5 District Councils of Retired Members' Associations may be chartered by the Canadian Union of Public Employees. The by-laws of the District Council must be approved by the National President.

- 34.6 Local Union Retired Members' Associations and District Councils shall conform to the policy and program of the Canadian Union of Public Employees.
- 34.7 Membership in the District Council of Retired Members' Associations may submit resolutions to the Canadian Union of Public Employees National Convention through the Local Union.
- 34.8 Local Union and District Council Retired Members' Associations may submit resolutions to the Canadian Union of Public Employees National Convention through the Local Union.
- 34.9 Members reaching retirement age or becoming incapacitated, whether in receipt of a pension or not, and providing they are in good standing a free delinquency in the Local Union can, on leaving employment, make application to the Secretary-Treasurer of the Local Union for an Honorary Retiring Card. The application for an Honorary Retiring Card shall be voted on at a regular meeting of the Union and, if passed as favourable, the Secretary-Treasurer shall forward the name and address of the retiring member and necessary particulars to the National Secretary-Treasurer of the Canadian Union of Public Employees who will issue the Retiring Card. Should a member in possession of an Honorary Retiring Card resume his/her employment for any reason, the Retiring Card shall immediately be deposited with or forwarded to the Secretary-Treasurer of his/her Union. A member while holding such Retiring Card shall be exempted from all dues to the Local Union and per capita tax to the National Office of the Canadian Union of Public Employees.
- 34.10 A member possessing an Honorary Retiring Card shall be entitled to attend general membership meetings of the Local Union with voice but no vote. Retired members shall not be entitled to either voice or vote at conventions of the Canadian Union of Public Employees.

ARTICLE 35 - AMENDMENTS TO THE BY-LAWS

- 35.1 These By-Laws shall not be altered, suspended, or amended unless a Notice of Motion has been duly registered, and shall require a two-thirds (2/3) majority vote of the members present at a Membership Meeting.
- 35.2 A Notice of Motion specifying the proposed amendment(s) shall be read, but not debated, at the Membership Meeting held a minimum of at least seven (7) days prior to the meeting at which said amendment(s) will be dealt with, or Notice of Motion must be given by at least sixty (60) days written notice. The said amendment(s) shall be posted on the Union notice board in the work locations and in accordance with Article B.7.1 of the CUPE Constitution.

- 35.3 The Notice of Motion shall be in writing with the signatures of both the mover and seconder, and shall be delivered into the hands of the Recording Secretary.
- 35.4 Amendments or additions to these By-Laws shall become effective after approval as per the Constitution of the Canadian Union of Public Employees. No change in these By-Laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

ARTICLE 36 - DISSOLUTION

- 36.1 The Local shall not be dissolved while there are twelve (12) members, in good standing, who desire to continue its existence.
- 36.2 The funds of the Local shall not be divided among individual members, and shall be utilized for valid union purposes.
- 36.3 Upon dissolution of the Local, all its properties and assets, including books, records and funds remaining in the Treasury after all legitimate debts have been paid, shall become the property of the Canadian Union of Public Employees. This does not include funds set up by the Local for pensions or superannuation.

APPENDIX A

Guidelines for the Voting Committee

1. Secure the ballot box(es), keys, voting list(s), ballots for the election(s), pens, rulers, staplers, highlighters and second coloured ink pens.
2. One voting committee member shall retain key(s) to ballot box locks.
3. One voting committee member shall be the official clock timer.
4. Set up the privacy voting booths with pens on voting table.
5. Divide the voting list as appropriate.
6. When the members arrive, ask them for membership card, employee pay stub, some form of identification, or have another member identify them and retain name and address to issue a new card.
7. Check off name on the voting list with ruler by drawing a line through it.
8. Give the member a ballot to vote, inform them to complete and return to election committee member folded for them to initial and put into the ballot box.
9. Those ballots not initialed will be considered spoiled.
10. All voting will commence not prior to 6:30 a.m. and cease no earlier than 6:00 p.m. on the date assigned by the Executive Board.
11. All voting shall take place at the designated polling places.
12. Ballots will be counted as follows:
 - a) Recording sheet to tally by one recorder.
 - b) Ballot boxes to be opened and the contents counted.
 - c) Divide ballots into piles by "candidate" or "yes or no" as appropriate.
 - d) Then proceed to count each pile – group ballots by ten and staple – have recorder mark each pile counted.
 - e) Continue above steps until all boxes are counted and recording results.

13. After tally, voting lists to be counted to determine the number of members voting.
14. Compare number of votes cast with number of votes tallied on the lists.
15. Upon verification, results can be published, in accordance with Articles 22.9 or 30.9 as applicable.
16. Vote list(s) and ballots to be sealed in ballot box for recount or destruction as necessary and held by the Local's Recording Secretary until the motion to destroy has been made and passed by the Membership.
17. There shall be no material that could influence the voting outcome of the polling location.

**CUPE LOCAL 4800 BY-LAWS
TABLE OF CONTENTS**

ARTICLE		PAGE NUMBER
ARTICLE 1	COMPOSITION	1
ARTICLE 2	PRINCIPLES AND OBJECTIVES	1
ARTICLE 3	ORGANIZATION AND POWERS OF ADMINISTRATION	2
ARTICLE 4	AFFILIATIONS	2
ARTICLE 5	EXECUTIVE BOARD STRUCTURE	2
ARTICLE 6	DUTIES OF EXECUTIVE BOARD	3
ARTICLE 7	DUTIES OF PRESIDENT	3-4
ARTICLE 8	DUTIES OF VICE-PRESIDENT	5
ARTICLE 9	DUTIES OF RECORDING SECRETARY	5-6
ARTICLE 10	DUTIES OF TREASURER	6-7
ARTICLE 11	DUTIES OF DUES SECRETARY	7-8
ARTICLE 12	DUTIES OF FIRST CHIEF STEWARD	8
ARTICLE 13	DUTIES OF SITE CHIEF STEWARDS	8-9
ARTICLE 14	UNION STEWARDS	9
ARTICLE 15	TRUSTEES	9-10
ARTICLE 16	SERGEANT-AT-ARMS	10
ARTICLE 17	FEES, UNION DUES AND ASSESSMENTS	11
ARTICLE 18	ELECTION PROCEDURE	11
ARTICLE 19	ELECTION OF OFFICERS AND TRUSTEES	12
ARTICLE 20	BIENNIAL ELECTION PROCEDURES FOR TABLE OFFICERS, EXECUTIVE-AT-LARGE, SERGEANT-AT-ARMS AND TRUSTEES	12-13

ARTICLE		PAGE NUMBER
ARTICLE 21	BIENNIAL ELECTION PROCEDURES FOR SITE CHIEF STEWARDS	13-14
ARTICLE 22	INSTALLATION OF OFFICERS	14
ARTICLE 23	BY-ELECTIONS	14
ARTICLE 24	DELEGATES TO CONVENTIONS/CONFERENCES	15
ARTICLE 25	VOTING OF FUNDS	15
ARTICLE 26	OUT OF POCKET EXPENSES (a) Union Leaves of Absence (b) Expenses	15-16 16-17
ARTICLE 27	MEMBERSHIP MEETINGS	17
ARTICLE 28	RULES OF ORDER	18
ARTICLE 29	COMMITTEES	
	29.1 Grievance Committee	18
	29.2 Worker's Return to Work Compensation Committee	19
	29.3 Budget Committee	20
	29.4 Political Action Committee	20
	29.5 Women's, Human Rights and International Solidarity Committee	20
ARTICLE 30	RATIFICATION OF VOTING PROCEDURE	21
ARTICLE 31	STRIKE VOTES	22
ARTICLE 32	SPECIAL GENERAL MEMBERSHIP MEETINGS	22
ARTICLE 33	UNIT MEMBERSHIP MEETINGS	22-23
ARTICLE 34	RETIRED MEMBERS ASSOCIATION	23-24
ARTICLE 35	AMENDMENTS TO THE BY-LAWS	24-25
ARTICLE 36	DISSOLUTION	25
APPENDIX A	GUIDELINES FOR VOTING COMMITTEE	26-27