

CUPE LOCAL 2424

CARLETON UNIVERSITY
SUPPORT STAFF

BY-LAWS

July 2013



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BY-LAW I: NAME AND PREAMBLE

The name of the Union shall be Local 2424 of the Canadian Union of Public Employees (CUPE). The Union is also known as the Carleton University Support Staff Association. The Union shall be governed by the Constitution and By-Laws of the Canadian Union of Public Employees and the By-Laws of Local 2424.

BY-LAW II: PURPOSES

Section 2.1

Recognizing the community of interest which exists among the employees of the University and the need for creating and maintaining an organization to promote harmony among the employees and between the employees and the Administration of the University, Local 2424 is constituted and adopted.

Section 2.2

To promote the general interests of its members and to provide an effective means of communication between members of this Union and other members of the University community; and to regulate relations between employees and employer, including but not limited to the right to bargain collectively on behalf of the employees their terms and conditions of employment.

Section 2.3

To further and bring about improvement in the working conditions and benefits of the members through fair wage standards and to assure safety in the working place, job security, opportunity for advancement and transfer, uniform job classification with equal pay for work of equal value for all employees regardless of class, gender, gender identity, sexual orientation, age, marital status, race, colour, nationality, religion, persons with disabilities, political affiliation or place of origin.

Section 2.4

To provide opportunities for the educational and social development of the members and for the orientation of new employees.

Section 2.5

To provide a democratic form of government, within the Union, allowing free voice and vote to all members in good standing.

BY-LAW III: MEMBERSHIP

Section 3.1

Membership in this Union shall be open to all Carleton University employees in the bargaining unit as defined in the Certificate issued by the Ontario Labour Relations Board on March 4, 1976 and as it may be amended in accordance with the OLRB.

Section 3.2

A member in good standing is a person, eligible for membership, who has complied with the following conditions:

- a) signed an application for membership on an approved form and paid an initiation fee of \$1.00;
- b) continues to pay dues as established by the Union;
- c) abides by the Constitution and By-Laws of this Union.

Section 3.3

Each member shall be responsible for advising their Zone Officer or the Union Office promptly of any change of name, home address, workplace, or telephone number(s).

Section 3.5

The current dues are one point seven five percent (1.75%) of gross salary.

BY-LAW IV: STRUCTURE OF THE UNION

Section 4.1

The membership shall be organized according to Zones from which elected representatives shall carry on the affairs of the Union, principally through the duly constituted Executive Board. The Table officers shall oversee the day to day functions and responsibilities of the Local Union. The Officers shall be the President, the External Vice-President, the Internal Vice-President, the Recording Secretary and the Treasurer, the Chairs of the Grievance Committee, Health & Safety Committee and the Communications Committee, and eight (8) Zone Officers. All officers shall be elected by the General Membership.

Section 4.2

The Executive Board shall be the legislative organ of the Union between General Meetings. The Executive Board shall consist of the President, the External Vice-President, the Internal Vice-President, the Treasurer, the Recording Secretary, the Chair of the Grievance Committee, the Chair of the CUPE 2424 Health & Safety Committee, the Chair of the Communications Committee, and eight (8) elected Zone Officers.

Section 4.3

The Executive Board shall be responsible to and for the general supervision, management and conduct of the Union's business, funds and property, shall carry out the provisions of the CUPE Constitution and the By-Laws of this Local Union, shall adopt, subject to membership approval, policies and measures calculated to advance and protect the rights, interests and welfare of the Union and its members, and shall report promptly to the membership any and all matters having significant bearing upon same.

Section 4.4

The Executive Board shall not make firm commitments without General Membership approval on the following topics:

- a) major financial expenditures, when those expenditures fall outside of what has been approved by the membership as part of the annual budget for the Local;
- b) policy matters affecting both the collective agreement and the administration of the collective agreement;
- c) public policy statements on behalf of the Union;
- d) major organizational proposals for change within the local.

Section 4.5

The duties of the officers shall be as follows:

- a) **PRESIDENT:** The President of the Union shall be responsible to the Executive Board and the membership for the administration of the affairs of the Union and shall be the official spokesperson for the Union; shall supervise the preparation of the agenda for all General Meetings; shall preside over all General Meetings (except those to ratify a proposed collective agreement or to take a decision to withhold services), Executive Board meetings, shall be an *ex-officio* member of all committees, and shall appoint all committees not otherwise ordered. The President supervises any full-time and part-time staff hired by Local 2424.

The President will be a full-time; paid officer of CUPE Local 2424.

Remuneration for the booked-off President will be at level 11 -- wages and benefits.

The President shall be a dues-paying member during his/her term.

The need to attend evening meetings, meetings over lunch hours and events on weekends is inherent in the job of the President. No overtime shall be paid for these duties.

- b) INTERNAL VICE-PRESIDENT: The Internal Vice-President shall be responsible for the direction of all internal functions of the Union; shall be responsible to the Executive Board for coordination of all committees; shall be an *ex-officio* member of all internal committees and the person to whom they report. That person shall, in the absence of the President, perform the functions of the President, and shall preside when called upon by the President.

The Internal Vice-President is not normally booked off when performing the duties of the President.

- c) EXTERNAL VICE-PRESIDENT: The External Vice-President shall be responsible to the Union for all relations with bodies external to the University and shall act as a liaison to the Executive Board with regard to all matters not pertaining directly to the University community. The person shall be in charge of external communications and shall coordinate all policies concerned with relations between such bodies and the Union.
- d) RECORDING SECRETARY: The Recording Secretary shall keep a correct, full and impartial record of the proceedings of each General Meeting of the Union and all the meetings of the Executive Board, ensuring that these records include a copy of the full financial report presented by the Treasurer, and shall be responsible for the distribution and maintenance of all records of the Union. The Secretary is also responsible for maintaining accurate and current membership rolls and mailing lists. The Secretary is also responsible for accurately maintaining the Motions Log.
- e) TREASURER: The Treasurer shall receive all initiation fees, dues, assessments and fines; shall be responsible for the keeping of the books of accounts; shall arrange for the custody and disbursement of funds, pursuant to the direction of the Executive Board, and shall be responsible for written financial reports to be submitted as directed to the Executive Board and to the general membership at every General Meeting. All financial legal documents shall require the signature of the Treasurer and the President. The Internal Vice-President shall have signing authority in

the President's absence. The Treasurer's books and letter(s) from the financial institutions which hold funds for the Union attesting to the amount of credit of the Union at such institutions, shall be given half-yearly to the Trustees for audit. The Treasurer shall be properly bonded with a faithful performance of duty bond for an amount not less than \$50,000; any Treasurer who cannot qualify for such bond is disqualified from the office. Throughout his/her term, and on behalf of the Local Union membership, the Treasurer shall 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. At the end of a Treasurer's term of office, all books, records and assets shall be turned over to the new Treasurer or the Trustees.

- f) CHAIRS OF STANDING COMMITTEE: The Standing Committee chairs set the date, time and place of meetings and prepare the agenda with the help of the appropriate union staff member. The chairs conduct the committee meetings and guide the committee through the agenda items.
- g) TRUSTEES shall:
- act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, the Motions Log of the Recording Secretary at least once every calendar year.
 - make a written report of their findings to the members at the first membership meeting following the completion of each audit;
 - 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, record, and accounts are being maintained by the Treasurer in an organized, correct and proper manner;
 - be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
 - ensure that proper financial reports are made to the membership;
 - audit the record of attendance to verify quorum;
 - inspect at least once a year any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership;
 - send a copy of the completed audit report (on the prescribed form provided by the national Secretary-Treasurer), as well as a copy of their report to the Local Union membership along with a copy of their recommendations and/or concerns to the President and the 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.

The three year term of each Trustee will conclude such that one Trustee position will become vacant each year (with the terms of office of the three original Trustees being one, two, and three years each). In the event that a Trustee is unable to complete the term of office, a replacement will be elected to serve out the remainder of that Trustee's term of office.

h) ZONE OFFICERS: shall be responsible to the members of the zone. The duties of the Zone Officer shall include: ensuring that the collective agreement is enforced, providing assistance to members of the bargaining unit in the preparation of legitimate grievances, representing the wishes of Zone members at the Executive Board through regular attendance at meetings, informing members of Union activities and job postings through regular communication and the use of Union bulletin boards, welcoming new employees and encouraging all employees to participate in the Union, encouraging all Union members to attend meetings. Responsible for recruiting an alternate from within their Zones to represent them at Executive Board meetings which they cannot attend. An alternate is a non-voting participant in Executive Board.

Section 4.07

All outgoing Executive Board members shall be responsible for instructing their replacements in the duties of their office. Provision shall be made by the Communications Committee for one or more workshops for Executive Board members as soon as possible following their election or as is practicable to address (a) the duties of the Executive Board and (b) the handling of grievances.

Section 4.08

All outgoing Executive Board members shall be responsible for instructing their replacements in the duties of their office. Provision shall be made by the Communications Committee for one or more workshops for Executive Board members as soon as possible following their election or as is practicable to address (a) the duties of the Executive Board and (b) the handling of grievances.

Section 4.09

Should any Board member fail to answer the roll call for three consecutive regular membership meetings or four regular Board meetings without having submitted good reasons for those failures, the office shall be declared vacant and shall be filled by an election at the following membership meeting.

BY-LAW V: COMMITTEES

Section 5.1

The Chairs of the Communications Committee, the Grievance Committee and the Health & Safety Committee are elected positions of the Executive Board. All other Chairs of committees shall be appointed by the Executive Board and all other committee members shall be appointed or confirmed by the Executive Board in consultation with the Chair.

Section 5.2

Standing Committees shall be responsible to the Executive Board and shall report to the Internal Vice-President. All Standing Committees shall be required to submit an annual report to the Executive Board through the Internal Vice-President. The Standing Committees are:

- a) **COMMUNICATIONS COMMITTEE:** shall consist of appointed members from the general membership. The function of this Committee is two-fold. First, to plan, organize and promote regular vehicles of communication whereby the Union may advise the membership of pertinent developments and matters of general interest. Second, to respond to and determine the educational needs of the membership. The Chair of the committee is a voting member of the Executive Board.
- b) **ELECTIONS COMMITTEE:** shall consist of the Internal Vice-President and appointed members of the general membership. The function of this Committee shall be to administer all elections. The Committee shall appoint one or more electoral officers for each election. Electoral officers shall not be a candidate in any election over which they preside. The Committee shall endeavour to ensure that there is at least one nominee for each office.
- c) **GRIEVANCE COMMITTEE:** shall consist of at least five appointed members of the general membership. The function of this Committee shall be to ensure that the provisions of the collective agreement are enforced in a fair and equitable manner through the provisions of the grievance procedure. The Chair of the committee is a voting member of the Executive Board.
- d) **JOBS COMMITTEE:** shall consist of 5 appointed members of the general membership. This Committee shall be responsible for dealing with issues related to job evaluation, pay equity and redeployment.
- e) **HEALTH & SAFETY COMMITTEE:** shall consist of a minimum of five appointed members of the general membership. Every attempt should be

made to have representation from various areas of campus. The Committee shall meet no less than 5 times per year, at least 2 weeks prior to the Joint Health & Safety Committee meetings. The Chair of the committee is a voting member of the Executive Board.

- f) **NEGOTIATING COMMITTEE:** shall consist of the President, as Chair, the Internal Vice-President and at least six members of the general membership appointed by the Executive Board. It shall be the function of this Committee to determine the needs of the membership in preparation for contract negotiations. A five-member Negotiating Team shall be drawn from and report to the Negotiating Committee by the Executive Board and shall include the President and the Internal Vice-President. The Team will meet with the Employer to secure a collective agreement for presentation to the Executive Board and the general membership.
- g) **SOCIAL COMMITTEE:** shall consist of the Chairperson and four appointed members of the general membership. This Committee shall be responsible for determining the social and recreational demands of the membership. Furthermore, it is this Committee's responsibility to plan, organize and promote the necessary activities to meet this demand, including such things as an ongoing review of the Union file to flag upcoming retirement dates of members, an assessment of practical ways and means to reduce splintering of the Union membership, and possible annual events for Union members.
- h) **SOCIAL ACTION COMMITTEE:** Shall consist of appointed activists from the general membership. It shall be responsible for determining and responding to the needs of the members with respect to social and human rights issues. This Committee will plan, organize and promote the necessary activities and measures to educate and mobilize all members
- i) **DISABILITY ACTION COMMITTEE:** Shall consist of appointed members from the general membership who have disabilities, whether physical, sensory or mental, either permanent or temporary in duration. It shall be responsible for determining and responding to the needs of disabled members with respect to promoting best practices for access and full inclusion in the workplace (prevention and removal of barriers for members with disabilities). The committee will plan, organize and promote the necessary activities toward this end. The committee will also identify current and emerging issues for workers with disabilities and build awareness and understanding of the impact illness and disability have in the workplace. The committee will work cooperatively with other committees to gather and disseminate information about rehabilitation, duty to accommodate, and disability management.

Section 5.3

Sub-Committees, with their terms of reference, shall be recommended by Standing Committee Chairpersons, and approved by the Executive Board.

Section 5.4

Special Committees shall be established by the Executive Board at its discretion. Their functions, numbers, and duration shall be ruled upon by the Executive Board.

BY-LAW VI: MEETINGS

Section 6.1

- (a) Regular membership meetings shall be held at a minimum two (2) times annually, in the months of May and November. A notice shall be sent to the members and posted on all Union billboards at least ten (10) days prior to the membership meeting being held.
- (b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than seven (7) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours' notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- (c) A quorum for the transaction of business at any regular or special meeting shall be 35 members, including at least 50% + 1 members of the Executive Board.

Section 6.2

The Executive Board shall normally meet bi-weekly except during summer vacation months when meets will be held as required. All Standing Committees shall meet as required. The quorum of the Executive Board and all Standing Committees shall be a majority of the voting members of each.

Section 6.3

All Union meetings, unless otherwise provided for, shall be open and public to CUPE 2424 members. At any Meeting wherein a majority of those entitled to vote

pass a motion to declare the meeting "in camera", only members of that body and officially invited guests may remain.

Section 6.4

Grievance meetings shall meet weekly. Only members of the Committee, Union Staff and invited members may attend.

BY-LAW VII: VOTING

Section 7.1

Questions arising at any meeting shall be decided by a majority of the members present by a show of hands or by a standing vote. In the event of a tie, the Chair shall cast the deciding vote.

Section 7.2

A roll-call vote, at a General Meeting, may be demanded by two-thirds of the members present, or at the request of the Chair.

Section 7.3

A roll-call vote, at an Executive Board meeting, may be demanded by one-third of the members present, or at the request of the Chair.

Section 7.4

A secret ballot, at an Executive Board or General Meeting, may be demanded by two-thirds of the members present.

Section 7.5

Any decisions on behalf of the Union, by which members of the bargaining unit are asked to withhold their services, or to ratify a proposed collective agreement, as part of the collective bargaining process as established in Ontario, must be approved by a majority vote in a secret ballot at a General Meeting held for this purpose, unless a referendum vote is approved at that meeting. If the meeting is to hold a strike vote, it shall be held, as is reasonably possible, at a time when a minimum number of members are scheduled to work (i.e. a Sunday evening).

Section 7.6

A referendum vote may be initiated on any policy question by a two-thirds vote of the Executive Board, or of the members present at a General Meeting. The referendum must be conducted within thirty days. The Executive Board will decide between a mail-in vote or the use of a polling station. The vote shall be conducted by the Elections Committee.

Section 7.7

Any decision to use a mail-in ballot shall require the standard double-envelope ballot system. The procedure will be conducted so as to allow voters ten days to return their ballots.

Section 7.8

Any decision to use a polling station shall require ten days written notice of the date, time and location of the poll. One or more polls shall be open on date(s), time(s) and location(s) convenient to the membership.

Section 7.9

No vote shall be counted until the end of the voting period.

BY-LAW VIII: ELECTIONS

Section 8.1

All elections shall be the responsibility of the Elections Committee. All elections shall be by secret ballot. No officer or candidate for office can serve on the Elections Committee.

Section 8.2

- a) Elections for Zone Officers shall be held biennially in even numbered years at the May meeting, **starting in May 2016.**

The terms of Zone Officers elected in the November 2014 General Meeting will end on June 30, 2016.

- b) The Electoral Officer for the Zone shall be appointed by the Elections Committee.
- c) Nominations shall be opened at least four weeks prior to the Biennial Meeting.
- d) Nominations may be submitted in writing to the Chairperson of the Elections Committee, bearing the signature of the nominee as consent to stand for office and the signatures of two other members in good standing from the zone.
- e) Nominations will be opened until the election takes place; nominations will be taken from the floor of the biennial meeting, providing there be a nominator and two seconders from the zone.
- f) Candidates for election to Zone Officer positions shall have been members in good standing of the Local Union for at least three months

prior to the close of nominations. It is the responsibility of the Elections Committee to verify the qualifications of the candidates.

- g) All candidates may submit an information sheet to the Elections Committee. The Committee will endeavour to disseminate this material to the membership, at Union expense, prior to the Biennial General Meeting.
- h) Candidates for contested positions may address the members at the Biennial General Meeting. Reasonable time limits shall be established by the Chair.
- i) Elections of Zone Officers shall require a clear majority (fifty percent plus one) of votes cast by a secret ballot. In the event that a clear majority of votes cast is not received by any candidate, the Elections Committee shall set up a run-off election between the two contestants with the highest number of votes.

Section 8.3

- a) The Table Officers shall be elected biennially at the May General Meeting in odd numbered years **starting in May 2015**. Table Officers will be sworn in at the May General Meeting and their terms of office will begin on July 1.

There will be a one time special General Membership Meeting in August 2013 to elect Table Officers. These Table Officers will be sworn in immediately at the August meeting and will take office on November 1. Those terms will end on June 30, 2015.

- b) Nominations shall be opened at least four weeks prior to the Biennial Meeting.
- c) Nominations shall be submitted in writing to the Chairperson of the Elections Committee, bearing the signature of the nominee as consent to stand for office and the signatures of two other members in good standing.
- d) Nominations shall be closed two weeks prior to the scheduled start of the Biennial General Meeting.
- e) Candidates for election to Table Officer positions shall have been members in good standing of the Local Union for at least nine months prior to the close of nominations. It is the responsibility of the Elections Committee to verify the qualifications of the candidates.

- f) All candidates may submit an information sheet to the Elections Committee. The Committee will send these sheets electronically and post to the website prior to the Biennial General Meeting.
- g) Candidates for contested positions may address the members at the Biennial General Meeting. Reasonable time limits shall be established by the Chair.
- h) Elections of Table Officers shall require a clear majority (fifty percent plus one) of votes cast by a secret ballot. In the event that a clear majority of votes cast is not received by any candidate, the Elections Committee shall set up a run-off election between the two contestants with the highest number of votes.

Section 8.4

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

Section 8.5

In the event of an Executive office becoming vacant, the Elections Committee shall hold a by-election within one month. The Executive Board may appoint an officer in the interim. In the event of a Zone Officer vacancy, an election in the Zone will be held within one month under the auspices of the Elections Committee. In the interim the Zone members may send a spokesperson to attend meetings on their behalf.

Section 8.5

Upon completion of elections for all positions, the newly elected officer(s), Executive Board member(s) and Trustee(s), shall come forward to the meeting platform and clearly and audibly speak the Oath of Office as laid out below:

I, _____, 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 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.

Section 8.6

Any member who wishes to protest any irregularity in the conduct of any election shall file written notice with the Trustees within ten days of the election. This protest shall be dealt with immediately by the Trustees. If there is no protest, the ballots shall be destroyed after fourteen days.

Section 8.7

In the event of extended contract negotiations, all elections shall be postponed, and terms of office extended. This provision will take effect if negotiations have not been successfully concluded by October 1. Once the collective agreement has been ratified by the membership, elections of Zone Officers or the Table Officer must take place within eight weeks. These provisions for the postponement of elections may be rescinded by a two-thirds majority vote at a general meeting.

BY-LAW IX: RECALL

Section 9.1

Any Executive Board member (other than Zone Officers) may be recalled. A recall vote may be initiated by petition to the Trustees of twenty-five percent of the general membership or one hundred and fifty members, whichever is less. The Trustees shall direct the Elections Committee to conduct a recall vote by the general membership by means of a mail-in ballot or polling stations. If a two-thirds majority of those voting is achieved, the office will be declared vacant. The Executive Board member who is the object of the recall procedure must be informed in writing of the charges against him or her, and must receive three weeks' notice that the vote will take place.

Section 9.2

Any Zone Officer may be recalled by a petition to the Executive Board by one-third of the members in the Zone.

Section 9.3

If a member in good standing of the Canadian Union of Public Employees (the "accuser") alleges that a member or an officer of the Local Union (the "accused") has committed an offence against the Constitution, the accuser may commence a complaint by sending a written statement of the conduct or action complained about, within ninety (90) days of the accuser becoming aware of the alleged offence, to the Recording Secretary of the Local Union. The accuser shall refer to the provisions of Article B.6.1 of the CUPE Constitution which the accused is alleged to have violated.

BY-LAW X: COLLECTIVE AGREEMENT PROCEDURES

Section 10.1

Each time the Union finds itself in a position to bargain for a Collective Agreement, the Negotiating Committee shall invite submissions from the general membership for the purpose of cataloguing and selecting meaningful bargaining topics in areas such as salaries, benefits, and working conditions. Prior to the commencement of bargaining, the draft proposals shall be presented for approval to the Executive Board and subsequently to the general membership.

Section 10.2

If an impasse has been reached in negotiations, the Negotiating Team shall inform the Executive Board. Any proposal to request Conciliation under the Ontario Labour Relations Act will require a simple majority (fifty percent plus one) vote of the Executive Board. (For withdrawal of Services Approval, refer to By-Law VII, Section 7.5)

Section 10.3

When a tentative agreement has been reached on the proposed contract, the Negotiating Team shall so inform the Executive Board. If the Executive Board approves the proposals by a two-thirds majority vote, a General Meeting shall be called to ratify the contract. (See By-Law VII, Section 7.5) If the Executive Board fails to approve the proposals by the required two-thirds majority vote, it must direct the Negotiating Team as to the specific appropriate action(s) required before it will reconsider the proposed contract.

BY-LAW XI: AMENDMENTS TO THE ADDITIONAL BY-LAWS

Section 11.1

These bylaws are always subordinate to the CUPE Constitution (including Appendix "B") as it now exists or may be amended from time to time, and in the event of any conflict between these bylaws and the CUPE Constitution the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.

Section 11.2

These bylaws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting following seven days notice at a previous meeting or at least sixty days written notice.

Section 11.3

No change in these bylaws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

BY-LAW XII: FISCAL YEAR

The Fiscal Year of the Union shall run from the first day of November in a given year to the thirty-first day of October in the following year.

BY-LAW XIII: PARLIAMENTARY AUTHORITY

Bourinot's Rules of Order in the latest available edition shall govern in all cases to which it can be applied and in which it is not inconsistent with the constitution and the By-Laws of the Union.