



BYLAWS

**CANADIAN UNION OF PUBLIC EMPLOYEES,
LOCAL 4642**

**EMPLOYEES OF
LOUIS RIEL SCHOOL DIVISION**

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PREAMBLE

In order to improve the social and economic welfare of its members without regard to sex, colour, race or creed, national or ethnic origin, marital or family status, sexual orientation, family relationship, mental or physical disability, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, this Local 4642 of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

The following Bylaws are adopted by the Local pursuant to, and to supplement, Appendix “B” of the CUPE Constitution, to safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

SECTION 1 – NAME

The name of this Local shall be: Canadian Union of Public Employees, Local No. 4642 Louis Riel School Division.

SECTION 2 – OBJECTIVES

The objectives of the Local are to:

- (a) secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- (b) support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- (c) provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (d) encourage the settlement by negotiation and mediation of all disputes between the members and their employer;
- (e) eliminate sexual and racial harassment or harassment based on sexual orientation, wherever it exists.

SECTION 3 – INTERPRETATION AND DEFINITIONS

- (a) Masculine pronouns shall be understood to include the feminine gender.
- (b) Numbers of articles at the end of sections or sub-sections refer to relevant articles of the CUPE Constitution which should be read in conjunction with the Bylaws.

SECTION 4 – MEMBERSHIP MEETINGS – REGULAR AND SPECIAL

- (a) Regular membership meetings shall be held each month on the third (3rd) Saturday at 9:30 a.m., except July and August. If a statutory holiday or unforeseen circumstance intervenes, the Executive Board shall give a week's notice of any change in the date of the regular meeting.
- (b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than ten (10) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least two (2) working days' 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 twelve (12) members, including at least (3) members of the Executive Board.
- (d) The order of business at regular membership meetings is as follows:
 - 1. Equality Statement
 - 2. Roll Call of Officers
 - 3. Initiation of New Members
 - 4. Reading of Minutes
 - 5. Matters Arising
 - 6. Treasurers' Report
 - 7. Communications and Bills
 - 8. Executive Board Reports
 - 9. Reports of Committees and Delegates
 - 10. Nominations, Elections, or Installations
 - 11. Old (Unfinished) Business
 - 12. New Business
 - 13. Good of Union
 - 14. Adjournment
- (e) In the event of a quorum not being met for two consecutive general meetings, the Executive Board shall then conduct all Union business. Advice as to the business conducted shall be given at the first meeting where a quorum is present.

SECTION 5 – VOTING OF FUNDS

Except for ordinary expenses and bills as approved at membership meetings, no sum over four hundred dollars (\$400.00) shall be voted for the purpose of a grant or contribution to a member of any cause outside CUPE, except by a Notice of Motion given in writing and dealt with at the following membership meeting.

SECTION 6 – OFFICERS

The officers of the Local shall be the President, Past President (1 year), Vice-President, Secretary-Treasurer, Recording-Secretary, three (3) Trustees (1 year, 2 year, 3 year), Shop Stewards [consisting of two (2) Stewards from Custodians, one (1) Steward from Maintenance, one (1) Steward from Bus Drivers, two (2) Stewards from Clerical/Technical], and the Warden. All Officers shall be elected by the membership.

SECTION 7 – TABLE OFFICERS

- (a) The Table Officers of the Local shall be the President, Vice-President, Secretary-Treasurer and Recording Secretary.
- (b) Table officers may hold such additional meetings as they deem necessary for the purpose of conducting the affairs of the Local.
- (c) Table Officers shall be the officers of the Local and shall have power and authority to act on behalf of the Local. Their decisions shall be reported to the membership.

SECTION 8 – EXECUTIVE BOARD

- (a) The Executive Board shall comprise all officers, except Trustees.
- (b) The election of the President and Secretary-Treasurer and one (1) Clerical Steward, one (1) Custodial Steward and Bus Driver Steward shall take place every even year with the alternate years being set for the election of the Vice-President, Recording-Secretary, one (1) Clerical Steward, one (1) Custodial Steward and Maintenance Steward on odd years. The Warden shall be elected annually. One (1) Trustee shall be elected for a three (3) year term each year.
- (c) The Executive Board shall meet at least once every month.
- (d) A majority of the Executive Board constitutes a quorum.
- (e) The Executive officers shall hold title to any assets of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any assets without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- (f) The Executive Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- (g) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.

- (h) Absences from membership meetings and executive meetings cannot be combined to declare a position vacant. This provision will require amendment to read as follows:

“If an Officer fails to attend three consecutive membership meetings or three consecutive executive meetings without good and sufficient reason, their office will be declared vacant and filled at the next meeting”.

SECTION 9 – DUTIES OF OFFICERS

All signing Officers of Local 4642 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

- (a) The President shall:

- enforce the CUPE Constitution and these Bylaws;
- preside at all membership meetings and preserve order;
- decide all points of order and procedure (subject always to appeal to the membership);
- have a vote on all matters (except appeals against his rulings) and in case of a tie vote in any matter, including elections, the Local Executive must conduct a revote of the membership;
- ensure that all Officers perform their assigned duties;
- fill Committee vacancies where elections are not provided for;
- introduce new members and conduct them through the initiation ceremony;
- sign all cheques and ensure that the Local’s funds are used only as authorized or directed by the Constitution, Bylaws, or vote of the membership;
- have first preference as a delegate to the CUPE National Convention;
- on termination of office, surrender all books, seals and other properties of the Local to his successor;

- (b) The Vice-President shall:

- if the President is absent or incapacitated, perform all duties of the President;
- if the office of President falls vacant, the Vice-President will be Acting President until a new President is elected;
- render assistance to any member of the Board as directed by the Board;

- Vice-President will be the Chairpersons at Executive Board meetings;
- any other duties assigned by the President;
- on termination of office, surrender all books, records and properties of the Local to their successor;
- circulate notices of meetings to membership.

(c) The Past President shall:

- step up in the absence of the Vice-President;
- render assistance to the President as directed by the Board.

(d) The Recording-Secretary shall:

- keep full, accurate and impartial account of the proceedings of all regular or special membership and Board meetings, ensuring that these records include a copy of the full financial report presented by the Treasurer;
- record all alterations in the Bylaws;
- answer correspondence and fulfil other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to members;
- have all records ready on reasonable notice for auditors and Trustees;
- preside over membership and Board meetings in the absence of both the President, the Past President and the Vice-President;
- be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
- on termination of office, surrender all books, seals and other properties of the Local to his successor.

(e) The Secretary-Treasurer shall:

- receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union;
- prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month;
- throughout his/her term, and on behalf of the Local Union membership, be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE headquarters, as well as records and supporting documents for all income received by the Local Union;
- record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- regularly make a full financial report to meetings of the Local's Executive Board, as well as a written financial report to each regular membership meeting, detailing all income and expenditures for the period;
- pay no money unless supported by a voucher or receipt duly signed by the Treasurer and a member of the Executive Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited semi-annually.
- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds;
- on termination of office, surrender all books, records and other properties of the Local to his successor or the President.

(f) The Trustees shall:

- act as an Auditing Committee on behalf of the members and audit the books and accounts of the Treasurer, the Recording-Secretary and the Standing Committees semi-annually.
- make a written report of their findings to the first membership meeting following the completion of each audit;

- submit in writing to the President and 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;
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- ensure that proper financial reports are made to the membership;
- audit the record of attendance;
- inspect at least twice 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 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;
- use audit forms supplied by the National office and send a copy of each half-yearly audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution;
- each Trustee shall attend at least three (3) membership meetings held in a twelve (12) month period after election, unless a valid reason, acceptable to the Local has been given for non-attendance.
- The financial books of the Local shall be audited at least every two (2) years by an external auditor.

(g) The Stewards shall:

- ensure that the Collective Agreement is adhered to by both the Employer and the members;
- ensure that grievances are investigated, researched and processed;
- ensure that members are fully informed about their rights, Division policies, Union policies and objectives, labour legislation and legislative programs.
- work for the welfare of the group; act promptly and decisively develop teamwork and fight for what is right;
- attend a training session for Stewards within the first year of election;

- attend all meetings that are called
- on termination of office, surrender all books, records and other properties of the Local to their successor or the President.

(h) The Sargent of Arms shall:

- guard the inner door at 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;
- assist in maintaining the record of membership attendance at meetings;
- perform such other duties as may be assigned by the Board from time to time.

SECTION 10 – HONORARIUMS

(a) The following expense allowance shall be provided:

President	\$1200.00 per year or \$100.00 per month
Vice-President	\$1200.00 per year or \$100.00 per month
Acting Past President	\$240.00 per year or \$20.00 per month
Recording Secretary	\$1200.00 per year or \$100.00 per month
Secretary-Treasurer	\$1200.00 per year or \$100.00 per month
Shop Stewards	\$900.00 per year or \$75.00 per month, each
Sargent of Arms	\$600.00 per year or \$50.00 per month
Trustees	\$100.00 per year (\$50.00 per audit) each
Negotiation Committee	\$100.00 each per contract negotiated

(b) Out of Pocket Expenses

Executive members attending union business shall be reimbursed mileage as per the School Division policy.

(c) Executive Board members will be reimbursed internet expenses at forty dollars (\$40) per month paid over ten (10) months, not to exceed \$400 per year upon submission of monthly statements.

** (NOTE: those claiming CRA home office expenses may choose to decline any of the above out-of-pocket expenses. It is a personal choice.)

SECTION 11 – FEES, DUES AND ASSESSMENTS

(a) The monthly dues shall be 1.25% of gross monthly earnings (less overtime).

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

- (c) A Local Union can set or change the initiation, re-admission fee, or regular monthly dues at a regular or special membership meeting in compliance with the provisions of B.4.3(c) of the National Constitution. Notice must be given to members during a previous meeting held at least seven (7) days in advance of the vote or written notice must be given to the membership at least sixty (60) days prior to the vote.
- (d) Article B.3.8 of the National Constitution was amended at the 2023 National Convention to remove the initiation fee requirement for each person admitted to membership. Locals are no longer required to remit a \$1.00 initiation fee to the National Union for each new member. If Local 4642 wishes to stop collecting initiation fees, it may be removed next time they review their bylaws but, in the meantime, it remains in effect, but the amounts received do not have to be sent to the National Union.

SECTION 12 - NON-PAYMENT OF DUES AND ASSESSMENTS

A member who fails to pay dues and assessments for three (3) months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union.

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

SECTION 13 – NOMINATIONS, ELECTION AND INSTALLATION OF OFFICERS

(a) Nominations and Election

1. Nominations shall be received at the regular membership meeting held in the month of January. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting his consent in writing, duly witnessed by another member. No member shall be eligible for nomination if he or she is in arrears of dues and/or assessments. Members must have attended two consecutive meetings prior to receiving nomination.
2. Elections shall take place at the annual general meeting held in the month of February. Nominations shall also be accepted at the annual general meeting. Nominations shall be received at the Annual General meeting held in the month of February.
3. The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Chairperson of the Election meeting.

4. I recommend that Local 4642 include a provision regarding the selection of an Elections Committee. It is of primary importance that the local maintain the integrity of the votes which is the role and purpose of the Returning Officer and scrutineers. Also, I would suggest that this provision stipulate that the Returning Officer cannot be an Officer nor a candidate for office.
5. The voting shall take place at the Annual General Meeting in February. The vote shall be by secret ballot.
6. Voting to fill one (1) office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office. When there are more than two (2) candidates, the lowest candidate drops off the ballot, then a new ballot to decide who is elected or who is the successful candidate will be conducted.
7. Officers and candidates for office cannot serve as members of the Elections Committee. Since the Local Executive are elected Officers, they cannot conduct a revote of the membership. An amendment will be needed here.
8. Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Section 4 (c).

(b) Installation

- All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office as per Section 7 (b) or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three (3) years.
- The terms of office for Trustees shall be as laid down in the CUPE Constitution.

(c) By-Elections

Should an office fall vacant pursuant to Section 7 of these Bylaws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section. In the case of vacancies occurring, elect the positions to fill only the unexpired terms in order to preserve overlapping terms of office.

SECTION 14 – DELEGATES TO CONVENTIONS

- (a) Except for the President's option [Section 8 (a)], all delegates to conventions shall hold office of either executive or committees. Delegates to conference or seminars may be chosen by election at general meetings or appointed by the Executive if a general meeting cannot be held.

(b) Local 4642 shall pay transportation to and from conventions, conferences or seminars at the following rates:

- Conventions outside the Greater Winnipeg area - economy class air transportation or group rate shall be paid (or the equivalent), and where it is impossible to obtain these rates, then the first-class airfare shall be paid. Ground transportation will be paid if required at out-of-town functions.
- Travel shall be reimbursed as per the Louis Riel School Division rate for a member providing his/her own vehicle. Parking shall be paid upon presentation of receipt.

(c) The per diem rates paid by Local 4642 will be as follows for conventions, conferences, seminars and meetings.

- In the Winnipeg area \$45.00 per day plus mileage and parking. Mileage to be determined as set out by CUPE National/LRSD whichever is greater.
- Outside of the perimeter of Winnipeg \$100.00 per day for the number of days of the convention, conference or seminar plus the cost of hotel accommodations plus transportation cost.
- Out-of-province \$150.00 per day for the number of days of the convention, plus the days of travel, and the cost of hotel accommodations plus transportation.
- Canadian Labour Congress and Canadian Union of Public Employees' residential schools will be paid at the rate of \$20.00 per day and board and room paid for by Local 4642 for the number of days of the school.
- Union business meetings shall be paid as follows:

Breakfast - \$25.00

Lunch - \$25.00

Supper - \$45.00

Mileage and parking to be determined as set by CUPE/LRSD whichever is greater.

(d) When a member attends a convention, conference, seminar or meeting authorized by the Local on a regular working day, no loss of pay or benefits will be suffered.

SECTION 15 – COMMITTEES

(a) Negotiation Committee

This shall be a three (3) person committee from MLB Certificate No. 6209 (Clerical/Technical Employees) and a three (3) person committee from MLB Certificate No. 6210 (Custodial/Maintenance/Bus Driver Employees) excluding the President) elected from the Executive Board at the Annual General Meeting. Each sector shall have one (1) representative on this committee. The function of the Committee is to prepare collective bargaining proposals and to negotiate a Collective Agreement. The CUPE Representative assigned to the Local shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership. The Negotiation Committee once elected shall remain until the conclusion of negotiations.

- (b) A special Ad Hoc Committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two (2) members of the Board may sit on any special Committee as ex-officio members.

(c) Standing Committees

The Chairperson of each standing Committee shall be elected by the members of that Committee. The Chairperson and the Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a Committee. The Vice-President shall be a member, ex-officio, of each Committee. There shall be six (6) standing Committees as follows:

(1) Education/Newsletter Committee

It shall be the duty of this Committee to:

- circulate Newsletter five (5) times yearly;
- arrange for representation for the Local at any appropriate and available educational seminar or conference and submit recommendations accordingly to the Executive Board;
- instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports;
- co-operate with the Executive Board in preparing press releases and other publicity material;
- co-operate with the Education and Public Relations Departments of CUPE, and with the Regional Education Representative, in implementing both the Local's and CUPE's policies in these fields.
- The Committee shall comprise between two (2) and four (4) members and shall appoint its secretary from among its members.

(2) Good of the Union Committee

This Committee may:

- May visit members who are ill;
- if a member is ill for more than ten (10) consecutive working days, they are sent a fruit basket, flowers or gift certificate from the Local, whether the member is at home or in a hospital at an allowance of \$25.00 for fruit basket, flowers or gift certificate (limited to one presentation per year);
- extend the Local's condolences in the event of the death of a member or one of his immediate family and make a donation to the family's charity of choice in the amount of \$30.00. Immediate family includes spouse, child, mother, father and grandchild. In the event of the death of a sister, brother, grandparent, sister-in-law, brother-in-law or parent-in-law, a card will be sent;
- for the birth or adoption of a child, an allowance of \$25.00 is set for a fruit basket, flowers or gift certificates;
- upon retirement, each member is presented in December or June, with a cheque totalling \$20.00 for each year of service, as of date of hire;
- upon achieving 25 years of service, a member will be presented with a watch, total cost not to exceed \$175.00.
- the Committee shall be comprised of two (2) members.

(3) Social Committee

It is the function of this Committee to arrange and conduct all social and recreational activities of the Local either on the Committee's own initiative or as a result of decisions taken at membership meetings. The Committee shall submit reports and proposals to the Executive Board and/or the membership as required. A ceiling for the Committee's net expenditures shall be fixed for each event by the membership. The Executive Board shall be held responsible for the proper and effective functioning of this committee. The Committee shall be comprised of four (4) members or more including the treasurer or designate.

(4) Health and Safety Committee

A standing Committee on health and safety shall be established. This Committee shall have a Chairperson, Co-Chairperson, and a Recording-Secretary, all of whom shall be elected by the membership of the Health and Safety Committee. The number of members on this Committee shall not be restricted. Members shall be appointed by the Local Union Executive Board.

The Committee shall meet as often as necessary. The Committee shall report its activities to the meetings of the Local Union.

The duties of the Committee shall include:

- assist members of Joint Workplace Health and Safety Committee to ensure the employer complies with the Health and Safety legislation;
- arrange for the education of Local members in Health and Safety matters;
- monitor employer Health and Safety rules and policies;
- arrange for the holding of elections of CUPE members to the Workplace Health and Safety Committee;
- assist in the preparation of Health and Safety proposals for contract negotiations.

(5) Bursary Committee

It is the function of this Committee to award Bursaries to successful applicants according to the Bursary Fund Guidelines.

- Make applications available to all members. Send letters including applications to all Schools
- Review all applications received
- The Union will entertain 10 successful applications per year
- Notify successful applicants in writing
- Upon proof of completion of the first term, prepare Bursary Certificate Awards
- Send copy of application form to Treasurer after approval by committee
- Review guidelines of the Bursary Fund when and if necessary

(6) Grievance Committee

This Committee will:

- oversee the handling of all local grievances;
- receive copies of all grievances;
- prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting;
- when a grievance is not settled in the initial steps provided for in the collective agreement, this Committee will decide whether or not the grievance should proceed to arbitration;

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

The Committee members will be the elected chairperson and stewards. The Committee shall appoint its Secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the Committee and shall be consulted at all stages. Complete executive excluding the officer representing the grievor.

SECTION 16 – RULES OF ORDER

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian Parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these Bylaws as Appendix “A”. These rules shall be considered as an integral part of the Bylaws and may be amended only by the same procedure used to amend the Bylaws.

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

SECTION 17 – AMENDMENT

- (a) These Bylaws are always subordinate to the CUPE Constitution (including Appendix “B”) as it now exists or may be amended from time to time, and in the event of any conflict between these Bylaws and the CUPE Constitution the latter shall govern. Constitution interpretation, including determination of conflict, is the prerogative of the National President.
- (b) 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 (7) days’ notice at a previous meeting or at least sixty (60) days written notice.
- (c) No change in these Bylaws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

APPENDIX “A”**RULES OF ORDER**

1. The President or, in his absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and Vice-President, the Recording-Secretary shall act as President, and in his absence a President pro tem shall be chosen by the Local.
2. No member, except the chairperson of a Committee making a report or the mover of a resolution, shall speak more than five minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution shall be limited to fifteen (15) minutes, except with the consent of the meeting.
3. The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: “Is the Local ready for the question?” Should no member rise to speak, the question shall then be put.
4. A Motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
5. A Motion to amend, or to amend an amendment, shall be in order, but no Motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.
6. On Motion, the regular order of business may be suspended by a two-thirds vote of those present, to deal with any urgent business.
7. All resolutions and Motions other than those named in Rule 17, or those to accept or adopt the report of a Committee, shall, if requested by the presiding Officer, be presented in writing before being put to the Local.
8. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
9. Any member having made a Motion can withdraw it with the consent of the sender, except that any Motion, once debated, cannot be withdrawn except by a majority vote of those present.
10. When a member wishes to speak on a question or to make a Motion, he shall rise in his place and respectfully address the presiding Officer, but except to state that he rises to a Point of Order or on a Question of Privilege, he shall not proceed further until recognized by the Chair.

11. When two (2) or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
12. Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Local or member thereof.
13. If a member, while speaking, is called to order, he shall cease speaking until the point is determined; if it is decided he is in order, he may again proceed.
14. No religious discussion shall be permitted.
15. The President shall take no part in debate while presiding but may yield the Chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
16. The presiding Officer shall have the same rights as other members to vote on any question. In case of a tie, he may, in addition, give a casting vote, or, if he chooses, refrain from breaking the tie, in which the Motion is lost.
17. When a Motion is before the Local, no other Motion shall be in order except (1) to adjourn, (2) to put the previous question, (3) to lay on the table, (4) to postpone for a definite time, (5) to refer, (6) to divide or amend, which Motions shall have precedence in the order named. The first three of these shall be decided without debate.
18. A Motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
19. A Motion to adjourn is in order except (1) when a member has the floor, and (2) when members are voting.
20. A Motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.
21. After the presiding Officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken, and the Secretary shall count same.
22. If any member wishes to challenge (appeal) a decision of the Chair, he must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for his challenge. The chairperson may then state briefly the basis for his decision, following which the chairperson shall immediately and without debate put the question: "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie the Chair is sustained.

23. After a question has been decided, any two (2) members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
24. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of Officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Vice-President.

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

Appendix

Code of Conduct

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination, and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff, and elected officers to carry out our work. CUPE's expectation is that mutual respect, understanding, and co-operation will be the basis of all our interaction.

This Code of Conduct sets out standards of behaviour for participants at national convention, conferences, schools, meetings, and any other union events organized by CUPE National, Local _____, or any other CUPE chartered body. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National and at events, meetings, and activities by other CUPE bodies. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As CUPE members, staff, and elected officers, we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement.
- Respect the views of others, even when we disagree.
- Recognize and value individual differences.
- Communicate openly.
- Support and encourage each other.
- Make sure that we do not harass or discriminate against each other.
- Commit to not engaging in offensive comment or conduct.
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating.
- Take responsibility for not engaging in inappropriate behaviour due to use of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding the Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. A complaint shall be brought to the attention of an ombudsperson when there is one available. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
3. The ombudsperson or the person in charge will work to seek a resolution. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge. The person in charge has the authority to expel members from the event for serious or persistent offenses.
4. If the complaint involves a national staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another CUPE chartered organization, the complaint shall be referred to the person responsible for their employment.
5. If the person in charge is a party to the complaint, an alternate will be designated to assume the role.
6. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For other events, the presiding officer shall receive a report on the matter.
7. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. For other events, the presiding officer shall consult the National President.

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

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