



LOCAL 815 BYLAWS

(Adopted by Membership, and Approved by CUPE National:

MARCH, 2007

APRIL, 2014

DECEMBER, 2016

APRIL, 2021

APRIL, 2022

JANUARY, 2023

SEPTEMBER, 2024)

Indigenous Land Acknowledgement	3
Equality Statement	4
PREAMBLE	5
SECTION 1 – NAME	5
SECTION 2 – OBJECTIVES	5
SECTION 3 – INTERPRETATION & DEFINITIONS	5
SECTION 4 – MEMBERSHIP	6
a) Membership	6
b) Approval of Membership	6
c) Oath of Membership	6
d) Continuation of Membership	6
e) Member Obligations	7
SECTION 5 – MEMBERSHIP MEETINGS – REGULAR AND SPECIAL	7
SECTION 6 – EXPENDITURES	9
SECTION 7 – OFFICERS	9
SECTION 8 – EXECUTIVE BOARD	10
SECTION 9 – DUTIES OF OFFICERS, CHIEF STEWARDS, STEWARDS, AND HEALTH AND SAFETY REPRESENTATIVES	11
A. President	11
B. Vice President	12
C. Secretary Treasurer	12
D. Recording Secretary	14
E. Trustees	14
F. Membership Officer	15
G. Chief Stewards	16
H. Stewards	16
I. Health and Safety Representative	16
SECTION 10 - HONORARIUMS	17
SECTION 11 – FEES AND DUES AND ASSESSMENTS:	18
SECTION 12 – NON-PAYMENT OF DUES AND ASSESSMENTS:	18
SECTION 13 – NOMINATION – ELECTION – AND INSTALLATION OF OFFICERS, steward and reps	19
a) NOMINATIONS	19
b) ELECTIONS	19
c) INSTALLATION	20
d) BY-ELECTIONS:	20
SECTION 14 – DELEGATES TO CONVENTIONS, CONFERENCES, EDUCATIONAL SEMINARS ETC.:	21

SECTION 15 – COMMITTEES:	21
a) Negotiating Committees	22
815	22
815.1	22
b) Special Committees	22
c) Standing Committees	22
(i) Grievance Committee (815 Halton Healthcare)	22
(ii) Grievance Committee (815.1 EllisDon)	23
(iii) Educational Committee	23
(iv) Social Committee	23
(v) Budget Committee	24
(vi) Bylaw Committee	24
SECTION 16 – RULES OF ORDER	24
SECTION 17 – AMENDMENT	25
SECTION 18 - PAID EXECUTIVE POSITIONS (BOOK-OFF)	26
1) President	26
2) Vice President(s)	26
YOU ARE THE UNION	27
Appendix A	28
Rules of Order	28
Appendix B	31
Code of Conduct	31

Indigenous Land Acknowledgement

At the beginning of the (insert event name) we acknowledge that we are meeting on aboriginal land that has been the traditional territory of the Haudenosaunee, Mississauga, Mississaugas of the Credit First Nation, Attiwonderonk, and Anishinabewaki people.

As settlers, we're grateful for the opportunity to meet here and we thank all the generations of people who have taken care of this land - for thousands of years.

We recognize and deeply appreciate their historic connection to this place. We also recognize the contributions of Métis, Inuit, and other Indigenous peoples have made, both in shaping and strengthening this community in particular, and our province and country as a whole.

As settlers, this recognition of the contributions and historic importance of Indigenous peoples must also be clearly and overtly connected to our collective commitment to make the promise and the challenge of Truth and Reconciliation real in our communities, and in particular to bring justice for murdered and missing indigenous women and girls across our country.

Equality Statement

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic or homophobic hurts and thereby divides us. So too, does discrimination on the basis of ability, age, class, religion, language and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff and elected officers must be mindful that all persons deserve dignity, equality and respect.

PREAMBLE

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

The following By-laws 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 815

Local 815 Consists of the following units:

Local 815 – Employees of Halton Healthcare – Milton and Oakville Site

Local 815.1 Employees of EllisDon – Oakville Hospital

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 11 of the CUPE Constitution.
- C. Provide an opportunity for its members to influence and shape their future through free and democratic trade unionism.
- D. Encourage the settlement by negotiation and mediation of all disputes between the members and their employers.

SECTION 3 – INTERPRETATION & DEFINITIONS

Numbers of articles at the end of sections or subsections refer to relevant articles of the CUPE Constitution which should be read in conjunction with these by-laws.

SECTION 4 – MEMBERSHIP

a) Membership

An individual employed within the jurisdiction of Local 815 can apply for membership in Local 815 by signing an application.

(Article B.8.1)

b) Approval of Membership

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

(Article B.8.2)

c) Oath of Membership

New members will take this oath:

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

(Article B.8.4)

d) Continuation of Membership

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

e) Member Obligations

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

Members will provide the Recording Secretary with their current address, home telephone contact number and their e-mail address. The member will advise the Recording Secretary of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of mail, e-mail blasts or telephone town halls.

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

Upon request, the Local Union will share the telephone contact and/or email information with CUPE National, or Ontario Council of Hospital Unions (OCHU). The purpose of sharing this telephone contact and/or email information with CUPE National, or OCHU is so that the National Union or Provincial Division can conduct a telephone town hall or email blast with members on important matters.

SECTION 5 – MEMBERSHIP MEETINGS – REGULAR AND SPECIAL

- a) Regular general membership meetings shall be held in the months of January, February, March, April, May, June, September, October, November and December. Regular general membership meetings will be on the 1st Wednesday of the month. Notice of each regular membership meeting outlining the date, time and location shall be given to members at least seven days in advance of the meeting. If a statutory holiday intervenes the Executive Board shall give a weeks notice of any change in the date of the regular meeting. The meeting locations shall be held and rotate between the Town of Milton and the Town of Oakville when in person. The executive will choose the online platform that virtual meetings are held.
- b) Special membership meetings may be ordered by the Executive Board 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 seven (7) members, including at least three (3) members of the Executive board.

- d) The order of business at regular membership meetings is as follows:
 - 1. Acknowledgement of Indigenous Territory
 - 2. Roll call of officers
 - 3. Reading of the Equality Statement
 - 4. Swearing in of new members
 - 5. Reading of minutes of previous meeting
 - 6. Matters arising out of minutes
 - 7. Treasurer's report
 - 8. Communications and bills
 - 9. Executive board report
 - 10. Reports of committees and delegates
 - 11. Nominations, elections, or installations
 - 12. Unfinished business
 - 13. New business
 - 14. Good of the union
 - 15. Adjournment

- e) The Local Union may hold regular or special membership meetings in person or virtually. Where virtual meetings are held, all voting will be conducted electronically provided secrecy can be maintained, where mandated.

- f) Bargaining Unit meetings may be called to deal with matters that affect only members of one bargaining unit. Such meetings are not to be used to replace regular membership meetings and will not make decisions that affect the Local Union as a whole or another bargaining unit. The President shall advise members of the bargaining unit seven days in advance of the meeting providing the time and location and an agenda.

The minimum number of members required to be in attendance for the transaction of business at any bargaining unit meeting shall be 3 bargaining unit members plus) 2 members of the Executive Board. Members from other bargaining units in the Local Union

may attend these meetings without vote but with voice and are not counted as part of quorum.

SECTION 6 – EXPENDITURES

a) Payment of Local Union Funds

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

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

Article B.4.4

b) Payment of Per Capita Tax and Affiliation Fees

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

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

In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than \$100, a notice of motion must be made at a regular membership meeting and then approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven days after the meeting where notice of motion has been given.

d) No Officer or member of Local 815 will be allowed to spend any Local Union funds without first having received authorization under Section 6(a) of these bylaws.

e) Executive members shall have their cellular phone costs covered up to One Hundred Twenty dollars (\$120) per month with receipt.

SECTION 7 – OFFICERS

The officers of the Local shall be the President, a Vice-President from each site, Secretary-Treasurer, Recording-Secretary, three (3) trustees, Chief Stewards and a Membership Officer. All officers shall be elected by the membership except each of the Vice-Presidents, and Chief Stewards shall be elected by their constituency membership.

SECTION 8 – EXECUTIVE BOARD

- a) The executive board shall be comprised of the President, Vice-Presidents, Treasurer and Recording Secretary.

Article B.2.2

- b) The Executive Board will meet at least ten times a year. The Executive Board may meet virtually and/or in person.

Article B.3.14

- c) A majority of the Board constitutes a quorum.
- d) The executive officers shall hold title to any real estate of the local as trustees for the local. They shall have no rights to sell, convey or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- e) The board shall do the work delegated to it by the local and shall be held responsible for the proper and effective functioning of all committees
- f) All charges against members of officers must be made in writing and dealt with in accordance of the CUPE constitution

Article B.11.1 to B. 11.5

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

Article B.2.5

- h) The executive board shall appoint first and second vice-president where applicable.

SECTION 9 – DUTIES OF OFFICERS, CHIEF STEWARDS, STEWARDS, AND HEALTH AND SAFETY REPRESENTATIVES

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

All signing Officers of Local 815 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

Any member in any position (including but not limited to; Steward, Chief Stewards or Representatives) that fails to answer roll-call for 3 consecutive meetings, without having submitted reason for those failures, their office or position shall be declared vacant and shall be filled by an election at the following membership meeting.

A. President

The President shall:

- a. Enforce the CUPE Constitution and these by-laws
- b. Preside, or appoint another executive member to preside, at all membership and Executive Board meetings and preserve order:
- c. Decide all points of order and procedure (subject always to appeal to the membership)
- d. Have a vote on all matters (except appeals against their rulings).
- e. Fill committee vacancies where elections are not provided for.
- f. Introduce new members and conduct them through the initiation ceremony;
- g. Has signing authority and ensures that the local's funds are used only as authorized or directed by the Constitution, by laws or vote of the membership;
- h. Have preference as a delegate to the CUPE National Convention, and Provincial Conventions, Conferences, CUPE sponsored events and workshops.
- i. Maintain and organize grievances in collaboration with grievance committee
- j. Attend all committee meetings
- k. Attend all mediations, arbitrations and hearings.
- l. Attend OCHU Area meetings, or send an alternate executive member in their place

Article B. 3.1

Any President who cannot qualify for bond shall immediately be disqualified from their office and local union shall proceed with the election of another President.

B. Vice President

The Vice-President shall:

- a. If the President is absent or incapacitated, each Vice-President shall share in the performance of all duties of the President.
- b. If the office of President falls vacant, be Acting President until a new President is elected.
- c. Renders assistance to any member of the Board as directed by the Board.
- d. Represent members in the WSIB process
- e. Act as the chief Grievance officer and participate as required.

Article B.3.2

Any Vice President who cannot qualify for bond, shall immediately be disqualified from their office and the Local shall immediately proceed with the election of another Vice President.

C. Secretary Treasurer

The Secretary Treasurer shall:

- a. Receive all revenue, dues assessments, keeping a record of all payments and deposit all monies with a bank or Credit Union.
- b. Prepare all CUPE National per capita forms and remit payment.
- c. Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signed officer during prolonged absences.
- d. Record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices.
- e. Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union
- f. Be bonded for not less than five hundred (500) dollars (or any greater sum as may

be decided at a membership meeting, taking into account the assets of the local and the amount of cash and cheques handled by the Secretary-Treasurer through the master bond held by the National office.)

- g. Pay no money unless supported by a voucher signed by the President or two other members of the Board, except that no voucher shall be required for payment of per capita fees to any organization to which the local is affiliated.
- h. Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period
- i. Make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited annually and within a reasonable time, respond in writing to any recommendations and concerns raised by the trustees.
- j. Provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE:
- k. Not later than February 28th each year, provide members who were paid lost wages paid within the preceding calendar year, with a T-4 slip for income tax purposes (All union dues paid by members show on the T-4 which is issued by the employer.)
- l. Be empowered, with approval of the members, to employ necessary clerical assistance to be paid for out of the Local's funds:
- m. Notify all members who are one month in arrears and report to the Board all members two or more months in arrears: (Article B.3.4 to B. 3.8)
- n. Submit at the February membership meeting an annual financial statement prior to elections:
- o. Any Secretary-Treasurer who cannot qualify for bond shall immediately be disqualified from their office and the local union shall proceed with the election of another Secretary-Treasurer.
- p. All cheques must have two signatures, i.e, treasurer/president/v.president/secretary
- q. Chair budget committee and present such budget annually no later than the February General Membership Meeting for approval by membership
- r. Extend the Local's condolences and token of concern in the event of the death of a member or one of his immediate family (mother, mother-in-law, father, father-in-law, stepmother, stepfather, brother, brother-in-law, sister, sister-in-law, son or daughter, stepson or stepdaughter, grandchild, and grandparent)

D. Recording Secretary

The Recording Secretary shall:

- a. Keep full, accurate and impartial account of the proceedings of all membership and Board meetings:
- b. Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.
- c. Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval prior to implementing.
- d. Answer correspondence and fulfill other secretarial duties as directed by the Board:
- e. File a copy of all letters sent out and keep on file all communications;
- f. Prepare and distribute all circulars and notices to members;
- g. Prepare and give all circulars and notices to Stewards for distribution to membership:
- h. Have all records ready on reasonable notice for auditors and Trustees:
- i. On termination of office, surrender all books, seals and other properties of the Local to his successor:
- j. Preside over membership and Board meetings in the absence of both the President and Vice Presidents:
- k. Be empowered, with the approval of the President, to employ necessary stenographic or other assistance to be paid for out of the local's funds: (Article B. 3.3)

E. Trustees

Trustees shall:

- a. Audit the books of the Secretary-Treasurer and shall exercise general supervision over the property of the local union.
- b. They shall be elected so that one shall serve for a period of three (3) years, one for a period of two (2) years and one for the period of one (1) year. Trustees do not attend Executive meetings unless requested to do so by the President and/or Secretary/Treasurer of the Local.

- c. The Trustees shall examine the books and records of the Secretary-Treasurer, Recording Secretary and committees, at least annually
- d. Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to use the Local Union's funds, records and accounts have been maintained by the Secretary-Treasurer in an organized, correct and proper manner.
- e. Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- f. Ensure that proper financial reports have been given to the membership
- g. Audit record of attendance
- h. Inspect at least once a year any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union, and report their findings to the membership.
- i. Written report to the next regular membership meeting of the Local union on the condition of the funds and accounts, the number of members in good standing, the number initiated, expelled or suspended, admitted or withdrawn, together with such other information they may deem necessary to the efficient and honest administration of the Local Union.
- j. Send to National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
 - i. Completed Trustee Audit Program
 - ii. Completed Trustees' Report
 - iii. Secretary-Treasurers Report to Trustees
 - iv. Recommendations made to the President and Secretary-Treasurer of the Local Union
 - v. Secretary-Treasurer's response to recommendations
 - vi. Concerns that have not been addressed by the Local Executive Board

F. Membership Officer

The Membership Officer shall:

- a. Guard the inner door at membership meetings and admit no one but members in good standing or Officers of CUPE except on the order of the President and by consent of the members present.
- b. Assist in maintaining the record of membership attendance at meetings.

- c. Perform such other duties as may be assigned by the Board from time to time.

G. Chief Stewards

The Chief Stewards shall:

- a. Monitor stewards:
- b. Be available to others for advice:
- c. Ensure that notices of meetings are posted and look after the distribution of literature to membership:
- d. Meet with new employees during the allotted time at orientation and acquaint them with the union:
- e. There shall be one chief steward for the Oakville site and the Milton Site.
- f. Perform such other duties as may be assigned by the Board from time to time.
- g. Attend all grievance committee meetings.

H. Stewards

The Stewards Shall:

- a. In addition to regular duties – sign up new employees, and supply union cards to same
- b. Act as liaison person between workers in their area and CUPE executive:
- c. Act on grievance committee as required.
- d. There shall be as many stewards at each site as is agreed upon as per the collective agreement.
- e. Perform such other duties as may be assigned by the Board from time to time.
- f. Monitor working conditions and the Collective Agreement and report all suspicions of contracting out to the Chief Steward and/or Executive Board

I. Health and Safety Representative

The Health and Safety Representatives Shall:

- a. Attend regular Health and Safety meetings
- b. Report Health and Safety information relevant to Bargaining Unit at General

Membership Meetings

- c. Be resource person for members regarding Health and Safety
- d. Provide recommendations to Joint Health and Safety Committee
- e. Failure to attend 3 consecutive Joint Health and Safety Committee meetings without just cause shall result in their position being declared vacant and shall be filled by election at the following General Membership Meeting.
- f. There shall be as many Health and Safety representatives as outlined in the Collective Agreements for 815 and 815.1

SECTION 10 - HONORARIUMS

Annual honorariums for elected officers and committee members to be divided by the number of meetings held annually and paid in accordance to attendance at membership meetings and committee meetings. Failure in attendance at these meetings (without just cause) shall be a reduction in honorariums. Absences to be communicated to the Recording Secretary.

President	\$ 2500/year
Vice Presidents	\$ 2100/year
Sect. Treasurer	\$ 2100/year
Recording Secretary	\$ 2100/year
Chief Steward	\$ 1200/year
Health and Safety Officer	\$ 1000/year
Steward	\$ 750/year
Health and Safety Rep	\$ 750/year
Membership Officer	\$ 500/year
Trustee	\$ 300/year

Current Health and Safety Officer as of March 2024 will remain in current position for term of office and receive currently listed honorarium. Health and Safety Officer will be deleted as of March 2026.

Honorariums to be paid annually after February meeting. Recognition of the services of these

officers and these allowances are to compensate them in part for their time and personal resources spent in the service of the local. However, honorariums should not be regarded as a form of salary.

SECTION 11 – FEES AND DUES AND ASSESSMENTS:

A. Monthly dues:

The monthly dues shall be 1.5% of gross wages.

Article B.4.3

B. Changes in the levels of the initiation fee, the re-admittance fee, or the monthly dues can be affected only by the following procedures for amendment of these by-laws (see section 17) with the additional provision that the vote must be by secret ballot.

Articles B.4.3

C. 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 CUPE minimum.

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

SECTION 12 – NON-PAYMENT OF DUES AND ASSESSMENTS:

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

Article B.8.6

SECTION 13 – NOMINATION – ELECTION – AND INSTALLATION OF OFFICERS, steward and reps

a) NOMINATIONS

Nominations for all positions shall be received at the regular membership meeting held in the month of February in all even numbered years. Nominations for Trustee shall occur yearly at the general membership meeting in February.

No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed their consent in writing, duly witnessed by another member at least 24 hours prior. No member shall be eligible for nomination if they are in arrears of dues and/or assessments.

b) ELECTIONS

Elections for all positions will occur at the general membership meeting in March in all even numbered years. Trustee positions will be elected yearly at the general membership meeting in March.

At a membership meeting at least one month prior to election day the President shall, subject to the approval of the members present, appoint an Elections committee consisting of a Returning officer, and assistants. The Committee shall include members of the Local who are neither officers nor candidates for office. It shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.

The Elections Committee shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the returning officer. If electronic balloting is the form, then the committee will determine the independent firm to conduct the electronic vote.

The Elections Committee will also decide the time frame that polls are open. The Election notice will specify the method of voting.

The designated Returning Officer shall be responsible for issuing, collecting and counting ballots. They must be fair and impartial and see that all arrangements are unquestionably democratic. All campaign material (such as posters, flyers, website content, etc.) must be submitted to the Election committee within two weeks of the nomination for approval by the election committee prior to distribution or posting.

A majority of votes cast shall be required before any candidate can be declared elected. In the event of a tie vote, a second and subsequent ballot(s) will be taken, if necessary, until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership

meeting.

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

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 6 (c)

C) INSTALLATION

All duly elected officers shall be installed at the General Membership Meeting in March and shall continue in office for two (2) years or until a successor has been elected and installed, provided however that no term of office shall be longer than three (3) years.

Article B.2.4

The terms of office for Trustees shall be as laid down in Article B.2.4 on the CUPE Constitution

A member who is elected to office must take this oath:

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

d) BY-ELECTIONS:

Should an office fail vacant pursuant to Section 9 (g) of these bylaws, or for any reason, the resulting by-election should be conducted as closely as possible in conformity with this section. The term of office for any position filled through a by-election will be the term that the vacated position was initially elected to fulfill.

In the event of a vacancy or resignation, the position may be filled temporarily by appointment from the Executive board. This appointment will be filled temporarily for no longer than 3 months.

SECTION 14 – DELEGATES TO CONVENTIONS, CONFERENCES, EDUCATIONAL SEMINARS ETC.:

- a) Except for the President's option (Section 9(a)), all delegates to any of the above shall be chosen by the Executive. The Executive will endeavour to include members from all equity seeking groups.

- b) All members attending any council meetings, conventions, or educational etc. outside the towns of Milton and Oakville shall be paid transportation expenses and an amount equal to any salary incurred by attendance. Those desirous of using their own vehicle shall receive an allowance per kilometre equal to that of CUPE National. The meal allowance shall be equal to that of CUPE National per day when meals are not provided. When meals are provided, members will receive \$40 per day for incidentals. The cost of overnight accommodations will also be paid by the local.

Members to any of the above held locally shall be paid transportation expenses and shall be allowed a meal allowance of twenty-five (\$25) dollars per day. If requested the Local will provide delegates with their per diem allowances prior to their attending the convention, conference or educational.

- c) Members will present a written and verbal report on the proceedings at the following membership meeting.

SECTION 15 – COMMITTEES:

a) Negotiating Committees

815

This shall be a special ad hoc committee elected at six (6) months prior to the expiry of the local's collective agreement or as legislative changes require, and automatically disbanded when a new one has been signed. The function of the Committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of a maximum of three (3) from Milton site and six (6) from Oakville site. There will also be 2 alternates from each site. One member of the Committee must be the President and at least one RPN. 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 negotiation, to contract ratification by the membership.

815.1

This shall be a special ad hoc committee elected at six (6) months prior to the expiry of the local's collective agreement or as legislative changes require, and automatically disbanded when a new one has been signed. The function of the Committee is to prepare collective bargaining proposals and to negotiate a collective agreement. This committee shall consist of a maximum of 2 members and one alternate. The President will also be a member of this committee. 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 negotiation, to contract ratification by the membership.

b) Special Committees

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

c) Standing Committees

The Chairperson of each standing committee shall be elected by the members at a membership meeting, except for the grievance committee. The Chairperson and the Executive Board may, with concurrence of the membership, jointly appoint other members to serve on a committee. There shall be standing committees, as follows:

(i) Grievance Committee (815 Halton Healthcare)

This committee, that meets monthly and as needed shall process all grievances not settled at the initial stage and its reports shall be submitted first to the Executive Board, with a copy to the CUPE representative and then to the membership meeting. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement. The President and Vice President(s) will automatically chair the Grievance Committee. The Grievance

Committee shall also consist of the number of members specified in the applicable collective agreement and will include the steward(s) associated with the grievance(s) being heard at each of the grievance meetings with the respective employer. The committee shall appoint its Secretary from among its members.

(ii) **Grievance Committee (815.1 EllisDon)**

This committee, that meets monthly and as needed shall process all grievances not settled at the initial stage and its reports shall be submitted first to the Executive Board, with a copy to the CUPE representative and then to the membership meeting. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement. The President and Vice President(s) will automatically chair the Grievance Committee. The Grievance Committee shall also consist of the number of members specified in the applicable collective agreement and will include the steward(s) associated with the grievance(s) being heard at each of the grievance meetings with the respective employer. The committee shall appoint its Secretary from among its members.

(iii) **Educational Committee**

Shall consist of three (3) members

It shall be the duty of this Committee to:

- Arrange for representation of the Local at any appropriate and available educational seminar or conference and submit recommendations accordingly to the Executive Board.
- Instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file on these reports.

(iv) **Social Committee**

This committee will:

- Arrange and conduct all social, cultural, and recreational activities of the Local Union, either on the committee's own initiative or as a result of decisions taken at membership meetings. The committee shall submit reports and proposals to the Executive Board or to the membership as required.

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

The committee will consist of 3 members, and elect a chairperson from within the committee.

(v) Budget Committee

This Committee will:

Consist of the Secretary Treasurer, 3 Officers, and an elected member in good standing.

The Committee shall be responsible for formulating a yearly budget to be presented to and approved by the Executive and the Membership.

The budgeting process should be completed annually and presented to the Executive and the Membership in February.

The Committee shall make recommendations on budget variances if required. Any variances must be presented to the Executive and Membership for approval.

(vi) Bylaw Committee

This Committee will:

- Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.

The Bylaw Committee shall be chaired by the Recording Secretary and shall be composed of a minimum of two other members of the Executive Board (but may contain all executives), and 3 members at large. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process. The Bylaw review process shall be conducted by the Bylaw Committee during the period of April to June, each calendar year.

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 by-laws 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) CUPE Constitution

These bylaws are always subordinate to the CUPE Constitution (including Appendix B) as it now exists or may be amended from time to time, and in the event of any conflict between these bylaws and the CUPE Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE Constitution.

Articles 9.2(c), 13.3 and B.5.1

(b) Additional Bylaws

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

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

Articles 13.3 and B.5.1

(c) Effective Date of Amended or Additional Bylaws

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

Articles 13.3 and B.5.1

SECTION 18 - PAID EXECUTIVE POSITIONS (BOOK-OFF)

1) President

The office of the President, including when filled in an acting capacity, may be provided with a full-time leave as follows:

- a) The office of the President shall be a full-time position comprised of thirty-seven and one-half (37.5) hours per week.
- b) Wage will be paid at their current rate on their current wage grid and wage increases shall be the same as all negotiated increases for the local.
- c) Benefits will be maintained at the rate at which they were prior to book off.

2) Vice President(s)

- a) The Vice President(s) will be entitled to book off up to 3 days a week, unless otherwise requested by the local or hospital, and approved by the Executive Board. Wage will be paid at their current rate on their current wage grid and wage increases shall be the same as all negotiated increases for the local.
- b) Benefits will be maintained at the rate at which they were prior to book off.

YOU ARE THE UNION

DO STUDY THE CONSTITUTION

DO STUDY THE BY-LAWS

DO STUDY THE AGREEMENT

DO ATTEND AS MANY MEETINGS AS POSSIBLE

DO GET ACQUAINTED WITH THE STEWARD IN YOUR DEPARTMENT

DO LEARN THE DIFFERENCE BETWEEN A LEGITIMATE GRIEVANCE AND A COMPLAINT, WHETHER SUCH BE FRIVOLOUS OR WELL-FOUNDED

DO MEMORIZE THE ORDER OF BUSINESS AND FOLLOW IT WHEN ATTENDING MEETINGS

DO THINK BEFORE WE VOTE

DON'T SAY "WHY DOESN'T THE UNION...." INSTEAD OF "WHY DON'T WE:

DON'T GO "OVER THE HEAD" OF OUR STEWARD

DON'T HESITATE TO BRING TO THE ATTENTION OF THE MEETING YOUR PROBLEMS, THEY ARE THE UNION'S PROBLEMS TOO

REMEMBER YOU ARE THE UNION!

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 Presidents, 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 Chairman 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 consent of the meeting or until all who wish to speak have had an opportunity. Chairmen and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.
3. The President shall state every question coming before the local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?"

Should no member rise to speak, the question shall then be put.

4. A motion to be entertained by the presiding officer must be moved and seconded: both the mover and the seconder must rise and be recognized by the chair.
5. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.
6. On motion, the regular order of business may be suspended, by a two-thirds vote of those present, to deal with any urgent business.
7. All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local
8. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.

9. Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
10. When a member wishes to speak on a question or to make a motion, he shall rise in his place and respectfully address the presiding officer, but except to state that he rises to a point of order or on a question of privilege, he shall not proceed further until recognized by the chair.
11. When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
12. Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection of the local or member thereof.
13. If a member, while speaking, is called to order, he shall cease speaking until the point is determined, if it is decided he is in order, he may again proceed.
14. No religious discussion shall be permitted.
15. The President shall take no part in debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
16. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he may in addition give a casting vote, or, if he chooses, refrain from breaking the tie, in which case the motion is lost.
17. When a motion is before the Local, no other motion shall be in order except (1) to adjourn, (2) to put the previous question, (3) to lay on the table, (4) to postpone for a definite time, (5) to refer, (6) to divide or amend, which motions shall have precedence in the order named. The first three of these shall be decided without debate.
18. A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to

their priority. If an amendment or an amendment to an amendment is adopted, the original resolutions, 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 of for his challenge. The chairman may then state briefly the basis for his decision, following which the chairman shall immediately and without debate put the question: "Shall the decision of the chair be sustained?". A majority vote shall decide except in the event of a tie the chair is sustained.
23. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
24. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote: and no member shall be allowed to leave without the permission of the Vice President.
25. The Local's business and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

Appendix B

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 815, 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:

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. At national convention, national conferences, schools, meetings, and all other events organized by CUPE National, a complaint shall be brought to the attention of an ombudsperson.
3. At a meeting, event, or activity held by a structure of CUPE, should an ombudsperson be available, the same process would be used. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
4. If the complaint involves a 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 part of CUPE, the person responsible for their employment will be the one to whom a complaint is referred and the relevant collective agreement, should it exist, would be applicable.
5. Once a complaint is received where an ombudsperson is being used, the ombudsperson will work to seek a resolution.
6. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.
7. At CUPE National events where an ombudsperson is not available, a person properly appointed and designated to be in charge shall receive the complaint. Depending on the

nature of the problem, the person in charge may attempt to resolve it through conflict resolution. If this fails to resolve the matter, the person in charge shall determine whether there is a need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses. The same process is to be used for other parts of CUPE where an ombudsperson is not available.

8. For National events, if the person in charge is a party to the complaint, the director or designate shall assume that role. For all other parts of CUPE, an alternate will be designated to assume the role.
9. In a case where a member has been expelled from an event, the National President shall receive a report on the matter. For all other structures of CUPE, the presiding officer shall receive a report on the matter.
10. 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. A similar process may be applicable to the other parts of CUPE, done in consultation with the National President.
11. This Code of Conduct is designed to create a safe, respectful and supportive environment within all parts of 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.
12. All chartered organizations are subject to this Code of Conduct, to apply to conventions, conferences, schools, and meetings which they organize.