



BYLAWS

**CANADIAN UNION OF PUBLIC EMPLOYEES
LOCAL 4270**

**EMPLOYEES OF
SOUTHERN HEALTH-SANTÉ SUD**

**Approved by Membership: October 20, 2022
Approved by National: January 4, 2023**



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.



MARK HANCOCK
National President



CANDACE RENNICK
National Secretary-Treasurer



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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 4270 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. 4270.

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 employers;
- (e) eliminate all forms of harassment including but not limited to sexual and racial harassment and harassment based on sexual orientation, wherever it exists;
- (f) establish strong working relationships with the public we serve and the communities in which we work and live.

SECTION 3 - INTERPRETATION AND DEFINITIONS

- a) 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.
- b) **Executive Board** – The Executive Board shall consist of the Local Table Officers.
- c) **Local Council** – The Local Council shall include the Executive Board (as listed in Section 5 [a] and site Vice-President).
- d) **Facilities Member** – refers to any member who is working in a physical facility in the Southern Health Area.
- e) **Homecare Member** – refers to any member who is working out of the Southern Health Area offices.
- f) **Regional Program Member** – refers to Family First, Mental Health, Primary Care, Crisis Stabilizations, and Regional offices.
- g) **Member in Good Standing** – A member working in the Southern Health Area, paid up in full their dues to CUPE Local 4270, has signed and submitted a declaration card to the Local, and has not defamed the CUPE Local 4270 organization.

SECTION 4 - EXECUTIVE BOARD, LOCAL COUNCIL, CENTRAL COUNCIL AND FACILITY MEETINGS - REGULAR AND SPECIAL

- (a) Executive Board shall meet monthly.
- (b) **Local Council to meet tri-annually or on the first Monday of Feb, June, Oct.**
- (c) Central Council meetings shall be held twice a year, **with it being the 3rd Thursday of April and October** Delegate representation from each **Facility (23), Homecare (7), Regional programs (1)** Unit shall be as follows:

0 - 50 members	2 delegates
51 - 100 members	4 delegates
101 - 150 members	6 delegates
151 or more	8 delegates

Any member in good standing but not a delegate from their Facility shall be entitled to attend Central Council meetings with voice but no vote.

- (i) Regular Central Council meetings shall, whenever possible, be held in April and October, rotating as determined by the Executive Board. The Executive Board shall give four (4) weeks' notice to time, place and date of all Central Council

membership meetings.

- (ii) Special Central Council meetings may be ordered by the ***Executive Board*** requested in writing by no fewer than fifteen (15) 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) weeks' 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.
- (iii) Quorum

Local Council Quorum

The council consists of 23 facilities, Homecare (7), Regional Program (1), Executive Board members (7). A quorum of at least ten (10) including two (2) *Executive Board* shall be required to conduct any regular business of the *Local Council*.

Local Council Meetings

The ***Council*** consists of twenty-**three** (23) facility vice-presidents and five (5) ***Executive Board members***.

Central Council Meetings: A quorum or at least twelve (12) members including three (3) members of the ***Local Council***, two (2) of which must be ***Executive Board*** are needed to conduct any regular or special Central Council meeting. Where a quorum cannot be met, a motion from the floor to continue any non-voting business shall be considered. All other business that cannot be put into abeyance shall be forwarded to the ***Local Council***.

Facility Meetings

Site quorums should be five (5) members, including the Facility Vice-President or the Facility Chief Shop Steward or the Shop Steward.

- (iv) The usual order of business at Central Council meetings is as follows. They may be amended as required by the Executive Board:

(A) Land/Territory Acknowledgement of Indigenous Nations

- (B) Read Equality Statement
- (C) Roll Call of Officers
- (D) Voting on New Members and Initiation
- (E) Reading of Minutes
- (F) Matters Arising
- (G) Treasurer's Report
- (H) Communications and Bills

- (I) Executive Board Reports and Recommendations
- (J) Reports of Committees and Delegates
- (K) Facility Meeting Reports
- (L) Nominations, Elections, or Installations
- (M) Unfinished Business
- (N) New Business
- (O) Good of the Union
- (P) Adjournment

(d) Facility Meetings

- (i) **Facility membership meetings shall be called in the months of October and April by the Facility Vice-President. Notice of an agenda of such meeting will be posted two weeks in advance on the bulletin board. Additional meetings can be called by the Facility Vice-President within 48 hours notice to all members.**
- (ii) **Members would attend meetings scheduled for their area only to discuss matters pertaining to the local.**
- (i) Members would attend facility meetings scheduled for their place of employment only to discuss matters pertaining to the local.
- (ii) Officers of the Local shall be entitled to attend all facility meetings.

SECTION 5 - OFFICERS

As per Section 12, the officers of the local shall be President, 1st Vice-President at large, 2nd Vice-President at large, 3rd Vice-President Homecare, Secretary Treasure, Recording Secretary, Warden and 3 trustees.

(a) Area Vice-Presidents, Chief Shop Stewards, and Assistant Chief Shop Steward

The membership of each of the following facilities shall elect and be represented by one (1) Facility Vice-President, one (1) Chief Shop Steward and one (1) Assistant Chief Shop Steward for each one hundred (100) members at the **area** or portion thereof:

- Altona Community Memorial Health Centre - Altona
- Bethesda Hospital/East Borderland Primary Health Care - Steinbach
- Bethesda Place - Steinbach
- Boundary Trails Health Centre - Morden/Winkler
- Boyne Lodge/Carman Memorial Hospital - Carman
- DeSalaberry District Health Centre/Repos Jolys - St. Pierre-Jolys
- Douglas Campbell Lodge - Portage la Prairie

- **East Area Homecare**
- Emerson Hospital - Emerson
- Lions Prairie Manor - Portage la Prairie
- Lorne Memorial Hospital - Swan Lake
- MacGregor and District Health Centre – MacGregor
- **Menno Home**
- **Morden/Winkler Homecare**
- **North Area Homecare**
- Notre Dame Medical Nursing Unit - Notre Dame de Lourdes
- Pembina-Manitou Health Centre - Manitou
- Portage District General Hospital/Southport Clerical - Portage la Prairie
- **Portage Homecare**
- Red River Valley Health District – Morris
- **Regional Programs**
- Rock Lake Health District/Prairie View Lodge/Medical Clinic - Pilot Mound
- Seven Regions Health Centre - Gladstone
- St. Claude Hospital - St. Claude
- **St. Anne Homecare**
- Ste. Anne Hospital - Ste. Anne
- **South Area Homecare**
- **Steinbach Homecare**
- Tabor Senior Citizen's Home – Morden
- **Villa Youville – St. Anne**
- **Villa Youville – St. Anne**
- Vita & District Health Centre/Whispering Pine Lodge– Vita

These facility representatives shall be elected at **their** meetings held in the month of April **with the term of office commencing May 1st.**

Should a position as listed above fall vacant during the term of office, the President shall be authorized to fill the vacant position temporarily until a by-election can be held.

SECTION 6 -LOCAL COUNCIL

- (a) The **Local Council** shall comprise all Officers **as listed in Section 5**, except Trustees, **and the Area Vice-Presidents**. Where the **Area** Vice-President is unable to attend **Local Council** meetings, the Facility Chief Shop Steward may attend as their alternate.
- (b) It shall meet in ~~September, December, March,~~ **February, June and October** and June on the first ~~Wednesday~~ **Monday** of the month.
- (c) A majority of the **Local Council** constitutes a quorum.
- (d) The **Local Council** may grant paid Union Leave to members deemed necessary by the Executive Board.

- (e) The Executive Board shall hold title to any real estate of the Local as trustees for the Local. They shall have no right 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.
- (f) The Council 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) Should any Council member fail to answer the roll-call for three (3) consecutive membership meetings or three (3) consecutive Local Council meetings without having submitted good reasons for those failures, **their** office shall be declared vacant and shall be filled by an election at the following membership meeting.
- (h) The officers shall be elected at the April membership meeting of the Local. The Facility Vice-President shall be elected during the month of April for effective date of office to be May 1st.
- (i) The terms of office for all officers shall be for two (2) years. President, Secretary-Treasurer, **Warden** Facility Chief Shop Stewards, and Assistant Chief Shop Stewards shall be elected in even years. The Recording Secretary, 1st Vice-President, 2nd Vice-President, **Homecare Vic-President** and Facility Vice-Presidents shall be elected in odd years. A Trustee will be elected each year for a term of three (3) years.
- (j) The **Local Council** will conduct all business of the Local union deemed necessary between Central Council meetings including the spending funds for budgeted expenses, bills and, for sums under five hundred dollars (\$500), for purpose of grants or contribution to a cause outside of CUPE. Grants or contributions outside of CUPE over five hundred dollars (\$500) must be dealt with at a Central Council meeting.

SECTION 7 - DUTIES OF OFFICERS

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.

- (a) The President shall be a full-time officer and shall.
 - (i) be bonded through the master bond held by National Office, any President who cannot qualify for the bond shall be disqualified from office;
 - (ii) enforce the CUPE Constitution and these bylaws;
 - (iii) preside at all Central Council and Executive Board meetings and preserve order;
 - (iv) decide all points of order and procedure (subject always to appeal to the Local membership);

- (v) have a vote on all matters (except appeals against **their** rulings) and in case of a tie vote in any matter, including elections, **after a re-vote shall** have the right to cast an additional vote to break the tie;
 - (vi) attend Labour/Management Committee meetings when required;
 - (vii) ensure that all officers perform their assigned duties;
 - (viii) ensure that all committee vacancies are filled where elections are not provided for;
 - (ix) sign all approved expense vouchers;
 - (x) introduce new members and conduct them through the initiation ceremony;
 - (xi) be ex-officio on all committee meetings with voice but no vote;
 - (xii) 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 Local membership;
 - (xiii) have first preference as a delegate to the CUPE National or Provincial Convention;
 - (xiv) represent the majority decision of the Executive Board or the Local membership at all times;
 - (xv) perform any other duties assigned by the Executive Board or the Local membership;
 - (xvi) on termination of office, immediately surrender all books, records, and other properties of the Local to their duly elected successor;
 - (xvii) adhere to the Guidelines for Grievance Procedures.
 - (xviii) **Create budget in conjunction with the Secretary-Treasurer to present to the Executive Board for consideration.**
- (b) The 1st Vice-President shall:
- (i) if the President is absent or incapacitated, perform all the duties of the President;
 - (ii) if the office of President falls vacant, be Acting President until a President is elected by the Central Council at the next regular membership meeting;
 - (iii) adhere to the Guidelines for Grievance Procedures;

- (iv) be authorized as a signing officer in the absence of the President;
 - (v) sign all approved expense vouchers;
 - (vi) be bonded through the master bond held by National Office, any Vice-President who cannot qualify for the bond shall be disqualified from office;
 - (vii) render assistance to any member of the **Local Council** as directed by the **Executive Board**;
 - (viii) perform any other duties assigned by the Executive Board or the **Local Council or Local** membership;
 - (ix) on termination of office, immediately surrender all books, records, and other properties of the Local to their duly elected successor;
 - (x) in absence of President, the 1st Vice-President may be authorized to 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 Local membership.
- (c) The 2nd Vice-President shall:
- (i) adhere to the Guidelines for Grievance Procedures;
 - (ii) be bonded through the master bond held by National Office, any Vice-President who cannot qualify for the bond shall be disqualified from office;
 - (iii) render assistance to any member of the **Executive Board or Local Council** as directed by the President;
 - (iv) perform any other duties assigned by the Executive Board, **Local Council or Local** membership;
 - (v) on termination of office, immediately surrender all books, records, and other properties of the Local to their duly elected successor;
- (d) The 3rd Vice-President Homecare shall:
- i) **adhere to the Guidelines for Grievance Procedures;**
 - ii) **be bonded through the master bond held by National Office, any Vice-President who cannot qualify for the bond shall be disqualified from office;**
 - iii) **render assistance to any member of the Executive Board or Local Council as directed by the President;**

- iv) **perform any other duties assigned by the Executive Board, Local Council or Local membership;**
 - v) **on termination of office, immediately surrender all books, records, and other properties of the Local to their duly elected successor;**
 - vi) **Reports Homecare issues to the Executive Board and Local Council.**
- (e) The Recording Secretary shall:
- (i) be bonded through the master bond, held by National Office, any Recording Secretary who cannot qualify for the bond shall be disqualified from office;
 - (ii) **keep full, accurate, and impartial account of the proceedings of all regular or special membership and Local Council meetings. These records must also include a copy of the full financial report (Local Council meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports;**
 - (iii) submit a written copy of all minutes to the next Executive Board or Central Council meeting;
 - (iv) record all alterations in the bylaws;
 - (v) answer correspondence and fulfil other secretarial duties as directed by the **Executive Board and Local Council.**
 - (vi) file a copy of all letters sent out and keep on file all communications;
 - (vii) notify all new members of their obligation to be sworn in at a membership meeting;
 - (viii) prepare and make available all circulars and notices to members;
 - (ix) have all records ready on reasonable notice for auditors and Trustees;
 - (x) preside over Central Council meetings in the absence of both the President and the Vice-Presidents;
 - (xi) 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;
 - (xii) keep accurate minutes of all grievance meetings they attend with or for the grievor at **all** meetings;
 - (xiii) read out the names of new members to each Central Council meeting;

- (xiv) perform any other duties as assigned by the Executive Board, or the Local **Council or Local** membership;
 - (xv) on termination of office, surrender all books, seals, and other properties of the Local to **their** successor.
 - (xvi) **Be responsible for the administration of RREF application.**
 - (xvii) **Maintain updated membership list.**
 - (xviii) **Maintain Local 4270 website 4270.cupe.ca**
- (f) The Secretary-Treasurer shall:
- (i) 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;
 - (ii) prepare a yearly budget for consideration of the delegates attending Central Council;
 - (iii) prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month;
 - (iv) throughout **their** 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. *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 signing officer during prolonged absences;*
 - (v) record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
 - (vi) 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;
 - (vii) be bonded through the master bond held by the National Office, and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;

- (viii) pay no money unless supported by a voucher duly signed by the President and one (1) other member of the Board or any two (2) 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;
 - (ix) make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees;
 - (x) provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
 - (xi) file necessary documentation with the Manitoba Labour Board as required;
 - (xii) complete and return all forms requested by CUPE National Office such as dues survey;
 - (xiii) be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds;
 - (xiv) on termination of office, surrender all books, records and other properties of the Local to **their** successor;
 - (xv) receive all current Local unions' accounts;
 - (xvi) be authorized to 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 Local membership.
- (g) **The Warden shall:**
- (i) **guard the inner door at Central Council 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 the consent of the members present; keep records of delegates representing areas at Central Council meetings;**
 - (ii) **maintain the record of membership attendance at meetings with an attendance book supplied by and being the property of Local 4270-**
 - (iii) **the warden will assist in maintaining the assets of the local**
- (h) **The Local Council Vice-President shall:**
- (i) be bonded through the master bond, held by National Office;

- (ii) attend all Labour/Management meetings for the facility that they represent;
- (iii) ensure CUPE is represented on the workplace OS&H Committee by election or if necessary by appointment;
- (iv) present to the Executive Board the names of the Shop Stewards and workplace OS&H representatives;
- (v) call and chair all facility meetings and act as a representative for their **Area** and bring opinions and concerns of their members to the Executive Board meetings;
- (vi) post notices for all union activities and meetings endorsed by the Local at least seven (7) days prior, whenever possible;
- (vii) with the help of the Shop Stewards, maintain an updated list and co-ordinate a workplace communication system and phone fan-out list for the facility they represent;
- (viii) perform any other duties assigned by the Executive Board, **Local Council**, or membership;
- (ix) verify all authorized union leaves of absence for the facility they represent and forward a copy of such to the Treasurer;
- (x) adhere to the Guidelines for Grievance Procedures;
- (xi) generally know and enforce the collective agreement and provincial or federal legislation affecting labour;
- (xii) greet and ensure new employees are signed up, encourage the participation of all members of the unit in union activity and meet new employees at facility orientation;
- (xiii) provide communications and information from the members in the unit to the Executive Board;
- (xiv) maintain daily contact with the members to provide on-going union awareness and education;
- (xv) each ~~Facility~~ Vice-President shall have the authority to select in consultation with the membership in their own ~~facility~~ Shop Stewards;
- (xvi) on termination of office, immediately surrender all books, records and other properties of the Local to their duly elected successor;

(xvii) responsible to notify members who the executive is for the term.

(i) The Chief Shop Stewards shall:

- (i) be bonded through the master bond, held by National Office, any Recording Secretary who cannot qualify for the bond shall be disqualified from office;
- (ii) act as the Chief Shop Steward for the facility that they represent;
- (iii) set up Shop Steward system in their facility and delegate activities to the Assistant Chief Shop Steward;
- (iv) prepare, and present grievances at the initial level;
- (v) attend all grievance meetings where required between Union and Management when dealing with grievances from their appointed area in their facility;
- (vi) act as a representative for their area and bring the opinions and concerns of their members to the **Local Council** Vice-President;
- (vii) generally know and police the collective agreement and provincial or federal labour legislation;
- (viii) greet and ensure new employees are signed up, and encourage the participation of all members of the unit in union activity;
- (ix) provide communications and information to and from the members in the unit, including distribution of union literature and newspapers utilizing workplace communicators or Shop Steward;
- (x) maintain contact with the members to provide ongoing union awareness and education;
- (xi) perform such other duties as may be assigned by the Executive Board, **Local Council** or membership;
- (xii) on termination of office, immediately surrender all books, records and other properties of the Local to their successor.

(h) The Assistant Chief Shop Steward shall:

- (i) assist the Chief Shop Steward in all delegate functions.

(i) The Trustees shall:

- (i) act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary, and the committees

at least once every calendar year;

- (ii) make a written report of their findings to the first membership meeting following the completion of the audit;
- (iii) submit in writing to the President and Secretary-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 Secretary-Treasurer in an organized, correct and proper manner;
- (iv) be responsible to ensure that monies are not paid out without proper Constitutional or membership authorization;
- (v) ensure that proper financial reports are made to the membership;
- (vi) audit the record of attendance;
- (vii) inspect at least once a year any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership;
- (viii) 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 Secretary-Treasurer and the Secretary-Treasurer's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative.

SECTION 8 - EXPENSES

(a) Paid Leaves of Absence

- (i) (A) The Executive Board **and Local Council** officers shall receive a paid leave of absence for all Executive meetings as required.
- (B) The *Executive Board* shall receive a paid leave of absence, if necessary, for all Central Council meetings.
- (ii) All persons requiring **requesting** union paid leaves of absence must fill in a form with all information and submit to the Local Recording Secretary.
- (iii) Members will be paid an amount equal to any loss of salary, **premiums**, applicable per diem and receipted expenses, if any, incurred while attending to the Local's business. The Union shall reimburse the Employer for all authorized union leaves.

- (b) Out-of-pocket expenses to be as per the CUPE Local 4270 membership approved per diem:

Full Day	\$3035
Extended Day	6570
Out-of-Province Overnight	8590

Extended Day will be defined as any day over seven (7) hours, including overnight.

- (c) Lodging and parking/transportation expenses while attending union business to be covered by the Local (receipt required). Whenever possible, the Local shall pay these expenses directly.

Mileage will be paid **based on the provincial rate**, as below ~~based on the quarterly average of fuel prices. The Executive Board will record the price of fuel on the 1st Monday of each month from Portage la Prairie MB. The new price will be set for the quarter on November 1st, February 1st, May 1st, August 1st, based on the average for the previous three months. Mileage: fifty two cents (52¢) per kilometre or the provincial rate, whichever is higher, for the use of a member's personal vehicle, or actual travel costs.~~

Mileage:

~~.52 cents up to 1.00 dollar per litre
.53 cents up to 1.05 per litre
.54 cents up to 1.10 per litre
.55 cents up to 1.15 per litre and so on~~

- (d) Child care: up to thirty-five dollars (\$35) a day per child. Receipts required. **Claims cannot be paid to a spouse, partner, or family member who normally provides care without charge, or for periods of time where a member would normally have paid for care such as during normal hours of work at their job.**

- (e) Honorariums shall be as follows for executive officers:

Offices held for the full year will be paid in May. The only exception is when the offices are held for part of the year. It will then be paid out for the time it is held only when that person submits a letter of resignation, indicating the resignation date, to the Secretary-Treasurer.

President	Two hundred dollars (\$200) per month
1 st Regional Vice-President	Two hundred dollars (\$200) per month
2 nd Regional Vice-President	Two hundred dollars (\$200) per month
3 rd Regional Vice-President	Two Hundred dollars (\$200) per month

Home care Vice-President	Two Hundred dollars (\$200) per month
Recording-Secretary	Two hundred dollars (\$200) per month
Secretary-Treasurer	Two hundred dollars (\$200) per month
Local Council Vice-Presidents	Six hundred dollars (\$600) per year
Chief Shop Stewards	three hundred dollars (\$300) per year
Warden	two hundred dollars (\$200) per month
Assistant Chief Shop Stewards	one hundred and fifty dollars (\$150) per year
Trustees	one hundred dollars (\$100) per year

Honoraria, if any, for Shop Stewards shall be determined and paid by the Facility Units.

- (f) Expenses for Central Council meetings:
- (i) No per diem is paid to attend meetings.
 - (ii) Lost wages will only be paid to Executive Board required to attend meetings.
 - (iii) **For Central Council meetings, mileage will be paid for delegates coming from each area per carload. Where more than (1) one person is attending car pooling must occur.**

SECTION 9 - FEES, DUES AND ASSESSMENTS

(a) Monthly Dues

- (i) The membership dues shall be the total amount payable by Local 4270 to the National Union plus dues payable to Local 4270.
 - (A) The per capita payable by Local 4270 to the National Union is in accordance with the Constitution passed at the National Convention (presently .85%).
 - (B) Should the National Defence Fund fall below the levels as noted in the National Constitution and the automatic assessment is levied, the Local Union dues will be adjusted accordingly and shall remain in place at such time as prescribed by the National Constitution.
 - (C) The Local Union dues shall be 1.15% over the per capita payable to the National Union, currently .85%.
- (ii) The Local Union **may** have its dues remitted by direct dues remittance from the Employer to the National Secretary-Treasurer's Office.

- (iii) Employees granted leave of absence under the terms of the Union contract shall maintain full membership in the Union during their period of absence.

Dues will not be collected from employees on maternity leave, unpaid leave of absence, or LTD. Dues will be collected from employees on paid leave of absence and Workers' Compensation contributions made by the Employer.

- (iv) Special assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.
- (v) Payment of initiation fees and re-admission fees are a tangible confirmation of the desire to become, or return as, a member of your Local Union and the Canadian Union of Public Employees. Each application for membership in the Local Union will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of one dollar (\$1) which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

SECTION 10- VOTING OF FUNDS

- (a) (i) Expenditures shall only be for the purposes of the Local or facility membership and, in all cases, shall be by cheque signed by the Treasurer and the President. In their absence, the 1st Vice-President of the Local may act as signing officer.
- (ii) All expenditures and budgets shall be approved by the membership at a Central Council or facility meeting or as deemed necessary by the Executive Board.
- (iii) In the case of regular monthly per capita taxes or affiliation fees, the Treasurer shall pay such per capita taxes or affiliation fees without obtaining prior approval by the membership, providing such approval by the membership for such affiliation or per capita taxes was given at time of affiliation to the particular organization.
- (iv) A Local Union can set or change the regular monthly dues at a regular or special membership meeting. Notice of at least seven (7) days at a previous meeting or sixty (60) days in writing must be given. **The motion must be passed by a 2/3 majority.**

SECTION 11- NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) Nominations

- (i) Nominations and elections shall take place at the annual membership meeting

held in April, with officer to take over **their** office in May. **To be eligible for nominations a member must be in good standing, employed by Southern Health – Sante Sud in a classification of the local bargaining unit and have the ability to perform the duties of their office.** No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting **their** consent in writing.

- (A) The President, Vice-Presidents, Recording Secretary, **Warden**, Trustees and Secretary-Treasurer shall be elected at large in the month of April. The elected officers will assume their office effective immediately.
- (B) To be eligible for election the **Local Council** Vice-Presidents, Chief Shop Stewards, and Assistant Chief Shop Stewards shall be employed **by Southern Health – Sante Sud** and shall be nominated and elected at **their area** meeting.
- (ii) Additional Shop Stewards shall be selected or appointed according to membership wishes.

(b) Elections

- (i) At a Local meeting 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 assistant(s). 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.
- (ii) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- (iii) The 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.
- (iv) The voting shall take place by ballot amongst all **delegates** in attendance.
- (v) A simple majority of votes cast shall be required before any candidate can be declared elected. ~~and a second and subsequent ballot shall be taken, if necessary, to obtain a majority. On the second and subsequent ballot the candidate receiving the lowest number of votes in the previous ballot shall be dropped.~~ **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.** Voting to fill one (1) office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.

- (vi) When two (2) or more nominees are to be elected 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.
 - (vii) 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 per Section 4 (b).
 - (viii) Each candidate may appoint a scrutineer for the purpose of vote counting.
 - (ix) No proxy vote shall be allowed.
 - (x) In order to run for office, the member must **be in good standing**, ~~have attended fifty percent (50%) of the facility meetings in the previous twelve (12) months.~~
- (c) By-Election
- (i) Should an office fall vacant pursuant to Section 6 (g) of these Bylaws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section.
 - (ii) When vacancies occur between the annual elections or when there are insufficient nominees for the various elected positions, the following procedure will take place:
 - (A) The 1st Vice-President shall be Acting President until the next meeting where elections for a new President will take place.
 - (B) If a vacancy occurs on the Executive Board **or Local Council** the Officers shall be empowered to appoint members to fill the vacancy until the next meeting where elections will take place.

SECTION 12- RETURNING OFFICER

The Returning Officer shall be present to ensure the proper procedures for the nomination and election of officers. **They** shall also oversee all proceedings of the election to ensure compliance with procedure and protocol. It also shall be the Returning Officer's duty to report to the general membership the results of the election.

SECTION 13 - COMMITTEES

Committees appointed by the Executive Board are subject to approval by Local membership.

- (a) 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 or the Executive Board. Two (2) members of the Board may sit on any special committee as ex-officio members.

(b) Local Union Grievance Committee

The Committee shall be comprised of the President, 1stVice-President, the Facility Vice-President, and the Facility Chief Shop Steward. The Facility Vice-President or the Facility Chief Shop Steward shall act on behalf of the grievor through Step 1 and Step 2 of the Collective Bargaining Agreement. The Facility Vice-President or Facility Chief Shop Steward may seek advice from the President or 1stVice-President. At all stages, the Facility Vice-President or Facility Chief Shop Steward shall keep the President or 1stVice-President informed of any ongoing grievance activity. Copies of any written grievance shall be forwarded to the President, 1stVice-President as well as the National Staff Representative

(c) Bargaining Committee

The Bargaining Committee shall be comprised of the Executive Board **and members of the Local Council to be appointed by the Executive Board not to exceed (11) eleven in total**. It is the function of this Committee to receive bargaining proposals, review proposals, present to the general membership for approval, and negotiate on behalf of the Local, with the assistance of the National Staff Representative.

SECTION 14 - CONVENTIONS, CONFERENCES, SCHOOLS - FINANCIAL AND SUPPORT

- (a) The Local's Education Committee, which is comprised of the Executive Board, shall select delegates for conventions, schools, and conferences equitably as possible from all facilities, subject to budget allocations.
- (b) Members will be encouraged and financially supported for attendance at schools on an equitable basis subject to budget allocations.

SECTION 15- 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 16- AMENDMENT

- (a) These Bylaws are always subordinate to the CUPE National 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 National Constitution, the latter shall govern. Constitutional interpretation, including determination of conflicts, is in the prerogative of the National President.
- (b) 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.
- (c) Any member may present to the Local Executive, in writing, any proposed amendment or alteration to the Constitution (these Bylaws) and after being read at one (1) Central Council meeting it shall lay over to the next regular Central Council meeting and in the interval between the two (2) meetings the proposed amendment or alteration shall be posted on the Local Union bulletin boards. The amendment or alteration shall be voted on at the meeting following its presentation to the Local. If it receives a majority vote of the members present, it shall then be adopted by the Local, subject to (b) above.

APPENDIX "A"**RULES OF ORDER**

1. The President, or in **their** absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and the Vice-President the Recording Secretary shall act as President, and in **their** absence a President pro-term 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 (5) 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 ($\frac{2}{3}$) 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.

When a member wishes to speak on a question or to make a motion, **they** shall rise in **their** 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, **they** shall not proceed further until recognized by the chair.

10. 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.
11. 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.
12. If a member, while speaking, is called to order, **they** shall cease speaking until the point is determined; if it is decided **they are** in order, **they** may again proceed.
13. No religious discussion shall be permitted.
14. 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.
15. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, **they** may in addition give a casting vote, or if **they** choose refrain from breaking the tie, in which case the motion is lost.
16. When a motion is before the Local, no other motion shall be in order except (a) to adjourn; (b) to put the previous question; (c) to lay on the table; (d) to postpone for a definite time; (e) to refer; (f) to divide or amend, which motions shall have precedence in the order named. The first three of these shall be decided without debate.
17. 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.
18. A motion to adjourn is in order except (a) when a member has the floor; and (b) when members are voting.
19. 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 (15) minutes have elapsed.
20. 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.

21. If any member wishes to challenge (appeal) a decision of the chair, **they** 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 **their** challenge. The Chairperson may then state briefly for the basis **their** 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.
22. 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.
23. 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.
24. 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.

The Code of Conduct sets out standards of behaviour for participants at national convention, national conferences, schools, meetings, and all other events organized by CUPE National. It is also applicable to structures of CUPE – locals, Provincial and Service Divisions, District Councils, Provincial Unions, Councils of Unions, Provincial Councils of Unions, and Provincial Sectoral Groups. 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 parts of CUPE referenced above. 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. 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.

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.

All chartered organizations are subject to this Code of Conduct, to apply to conventions, conferences, schools, and meetings which they organize.

GB/mn/cope491
February 13, 2025