

**CUPE** / *Canadian Union  
of Public Employees*

**LOCAL 4070**  
**WestJet Cabin Crew Members**

**BYLAWS**

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## **INTRODUCTION**

Local 4070 of the Canadian Union of Public Employees has been formed to:

- Improve the social and economic well-being of all of its members;
- Promote equality for all members and to oppose all types of harassment and discrimination;
- Promote the efficiency of public services; and
- Express its belief in the unity of organized labour.

The following bylaws are adopted by Local 4070 in accordance with the CUPE National Constitution, to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organizations' activities. The CUPE National Equality Statement can be found in Appendix A to these bylaws.

CUPE chartered organizations shall respect and apply the Code of Conduct to membership meetings and other functions organized by the chartered organization. The Code of Conduct can be found in Appendix B to these bylaws.

## **SECTION 1 – NAME**

The name of this Local shall be Canadian Union of Public Employees, Local 4070 (WestJet Cabin Crew Members).

## **SECTION 2 – OBJECTIVES**

The objectives of Local 4070 are to:

- (a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- (b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (c) Encourage the settlement by negotiation and mediation of all the disputes between the members and their Employers;

- (d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
- (e) Establish strong working relationships with the public we serve and the communities in which we work and live; and
- (f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

### **SECTION 3 – MEMBERSHIP**

#### **(a) Membership**

An individual employed within the jurisdiction of Local 4070 can apply for membership in Local 4070 by signing an application and paying the initiation fee set out in Section 10 of these bylaws.

#### **(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.

#### **(c) Oath of Membership**

New members will take this oath:

***“I promise to support and obey 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.”***

#### **(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 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, personal telephone contact number, and a personal 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 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 personal contact information with CUPE National, CUPE Alberta, CUPE British Columbia or CUPE Ontario. The purpose of sharing this contact information with CUPE National, CUPE Alberta, CUPE British Columbia or CUPE Ontario is so that the National Union or Provincial Division(s) of CUPE can conduct a telephone town hall with members on important matters.

## **SECTION 4 – AFFILIATIONS**

In order to strengthen the labour movement and work toward common goals and objectives, Local 4070 shall be affiliated to and pay per capita tax to the following organization(s):

- The CUPE Alberta, CUPE British Columbia and CUPE Ontario Provincial Divisions with per capita paid by respective base numbers.
- The Alberta, British Columbia and Ontario Federations of Labour with per capita paid by respective base numbers.

## **SECTION 5 – MEMBERSHIP MEETINGS**

### **(a) General Membership Meetings**

General membership meetings of Local 4070 shall be held every four (4) months either in person, through a town hall, video conferencing, or a combination of all three (3). The meeting date shall be posted at least twenty-four (24) hours prior to scheduling bid closure of the month prior to the month of the meeting. Due consideration shall be given to consistency and regularity in the creation of the meeting schedule. Notice of each General membership meeting outlining the time and location shall be given to members at least seven (7) days in advance of the meeting.

When a situation beyond the control of the Local Union arises which causes the cancellation of a General membership meeting, the Board shall reschedule the General membership meeting, and will give members seven (7) days' notice of the date of the rescheduled General membership meeting.

(b) **Special Membership Meetings**

Special membership meetings of Local 4070 may be required and shall be called by the Board or may be requested in writing by no fewer than five (5) percent of the total membership. The President shall immediately advise members when a Special membership meeting is called and ensure that all members receive at least twenty-four (24) hours' notice of the Special membership meeting, the subject(s) to be discussed, the date, time and location. No business shall be transacted at the Special membership meeting other than that for which the meeting is called, and notice given.

(c) **Base Membership Meetings**

Base membership meetings shall be called and conducted by the Base Vice-President of the base on an as needed basis with a minimum of once every six (6) months, these meetings shall not conflict with the General membership meeting. The base CUPE National Representative and one of the President, Vice-President, Recording Secretary or Secretary-Treasurer shall be present at all Base meetings.

(d) **Quorum**

The minimum number of members required to be in attendance for the transaction of business at any General or Special meeting shall be one hundred and fifty (150) members, plus at least two (2) members of the Board.

The minimum number of members required to be in attendance for the transaction of business at any Base meeting shall be twenty-five (25) members, plus at least two (2) members of the Board.

Should quorum not be obtained at any General membership meeting, the Board shall have the authority to conduct the business of the Local and will report at the next General membership meeting.

(e) **Membership Meeting Agenda**

The order of business at General and Base membership meetings is as follows:

- (1) Roll call of Officers
- (2) Reading of the Equality Statement
- (3) Voting on new members and initiation
- (4) Reading of the minutes
- (5) Matters arising from the minutes
- (6) Secretary-Treasurer's Report
- (7) Communications and bills

- (8) Board Report
- (9) Reports of committees and delegates
- (10) Nominations, elections, or installations
- (11) Unfinished business
- (12) New business
- (13) Good of the Union
- (14) Adjournment

## **SECTION 6 – OFFICERS**

The Officers of Local 4070 shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, three (3) Trustees and three (3) Base Vice-Presidents; one (1) for each base.

## **SECTION 7 – BOARD**

- (a) The Board shall include all Officers, except Trustees.
- (b) The Board shall meet at least eight (8) times per year either in person or via conference call.
- (c) A majority of the Board constitutes a quorum.
- (d) The Board shall hold title to any real estate of the Local Union as trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.
- (e) The Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.
- (f) Should any Board member fail to answer the roll call for three (3) consecutive General meetings or three (3) consecutive Board meetings without having submitted good reasons, their Office shall be declared vacant and shall be filled by an election.
- (g) All charges against members or Officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.

- (h) The Board has authority over all grievances in consultation with the Grievance Committee.
- (i) The Board can refer a grievance to the next step, including arbitration.
  - (ii) The Board can withdraw a grievance at any step, including arbitration.
  - (iii) If a decision to proceed or withdraw a grievance is opposed by the grievor, the grievor shall have the opportunity to appear before the Board at the next scheduled Board meeting to explain the merits of their grievance.

## **SECTION 8 – DUTIES OF OFFICERS, TRUSTEES AND SHOP STEWARDS**

Each Officer of Local 4070 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

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 4070 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

### **(a) President**

The President shall:

- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement and the Code of Conduct.
- Interpret these bylaws as required.
- Preside at all General, Special, and Board meetings and preserve order.
- Inform the Board in all matters involving the overall operation of the Local Union.
- Report to the Board and to the General membership all significant issues discussed with the Employer.
- Serve on the Bargaining Committee.
- Serve as ex-officio member of all other committees and be responsible for coordination between the committees and the Board.
- With assistance from the assigned CUPE National Representative, be responsible for matters directly related to press releases, public relations and public statements.



- Decide all points of order and procedure (subject always to appeal to the membership).
- Have the same right to vote as other members.
- Ensure that all Officers perform their assigned duties.
- Perform other duties required by the Local Union, its bylaws or the National Constitution.
- Fill committee vacancies where elections are not provided for.
- Introduce new members and conduct them through the initiation ceremony.
- Sign all cheques along with the Treasurer 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.
- With assistance from the assigned CUPE National Representative and in consultation with the Education Committee, arrange for representation of the Local at any educational seminars or conferences and submit recommendations accordingly to the membership.
- Ensure motions passed at any membership meeting are acted upon in a timely and effective manner.
- Have first preference as a delegate to the CUPE National Convention, Division Conventions and any other Convention or function the Local membership votes to send representation to.
- On termination of office, surrender all books, seals and other properties of the Local to her/his successor.

(b) **Vice-President**

The Vice-President shall:

- If the President is absent or not eligible, perform all duties of the President.
- Have signing authority along with the President, Secretary-Treasurer, and Recording Secretary 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.
- Preside over General, Special, and Board meetings in the absence of the President.
- If the office of the President falls vacant, be Acting President until a new President is elected through a by-election.
- Render assistance to any member of the Board as directed by the Board.

- Perform other duties required by the Local Union, its bylaws or the National Constitution.
- Have first preference as a delegate to the CUPE National Convention, Division Conventions and any other Convention or function the Local membership votes to send representation to if the President declines.
- On termination of office, surrender all books, seals and other properties of the Local to her/his successor.
- Preside as Chair of the Grievance Committee and preserve order.
- Act as Chief Shop Steward and oversee the handling of all grievances in conjunction with the Base Vice-Presidents with the assistance of the assigned CUPE National Representative.
- Be responsible for keeping updated records of all grievances and provide reports to the Board and the assigned CUPE National Representative.
- Provide recommendations to the Board on decisions regarding grievances on behalf of the Grievance Committee.
- Work in conjunction with all Base Vice-Presidents and the assigned CUPE National Representative(s) to recruit and train Shop Stewards.

(c) **Recording Secretary**

The Recording Secretary shall:

- Keep an up-to-date record of names, addresses, personal email addresses and phone numbers of all members.
- Keep full, accurate, and impartial account of the proceedings of all General or Special membership and Board meetings. These records must also include a copy of the full financial report (Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.
- Record all amendments and/or additions in the bylaws with the assistance of the assigned CUPE National Representative, and make certain that these are sent to the National President for approval prior to implementing.
- Answer correspondence and fulfil other administrative duties as directed by the Board.
- Keep a record of all correspondence received and sent out.
- Prepare and distribute all notices to members.

- Have all records ready on reasonable notice for the Trustees or Auditors.
- Preside over General, Special, and Board meetings in the absence of both the President and Vice-President.
- Perform other duties required by the Local Union, its bylaws or the National Constitution.
- On termination of office, surrender all books, seals and other properties of the Local to her/his successor.
- Have signing authority along with the President, Vice-President, and Recording Secretary 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.

(d) **Secretary-Treasurer**

The Secretary-Treasurer shall:

- Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union.
- Perform other duties required by the Local Union, its bylaws or the National Constitution.
- Sign all cheques and transfer of funds authorizations 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 Board, designate a signing officer during prolonged absences.
- Ensure that per capita tax is paid by direct remittance to CUPE National and remit payment of initiation fees of one (1) dollar for each member admitted, no later than the last day of the following month.
- 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.
- Record all financial transactions using the CUPE electronic ledger.
- Make a full financial report to meetings of the Local Union's Board.
- Make a written financial report to each General membership meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.

- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one (1) other member of the Board. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.
- Make all books available for inspection by the Trustees and/or Auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- Where required, no later than February 28<sup>th</sup> of each year, furnish each member with a statement showing the net amount of out-of-pocket paid during the preceding calendar year.
- On termination of office, surrender all books, records, and other properties of the Local to her/his successor.

(e) **Base Vice-Presidents**

The Base Vice-Presidents shall:

- Preside at all Base meetings and preserve order.
- Sit on the Grievance Committee.
- Perform other duties required by the Local Union, its bylaws or the National Constitution.
- Work in conjunction with the Vice-President, Shop Stewards and the base CUPE National Representative in handling of all issues at the bases.
- Be responsible for keeping updated records of all grievances in the base and provide reports to the Vice-President.
- Work in conjunction with the Vice-President and the base CUPE National Representative to recruit and train Shop Stewards.
- On termination of office, surrender all books, records, and other properties of the Local to her/his successor.

(f) **Trustees**

The Trustees shall:

- 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.
- Make a written report of their findings to the first membership meeting following the completion of each audit.
- Submit in writing to the President and 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.
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- 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.
- Send to the 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-Treasurer Report to the 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 Union Board

(g) **Shop Stewards**

The Shop Stewards shall:

- Take the Introduction to Shop Stewarding course as soon as possible after being elected to the position.

- Represent the members in grievances brought to their attention in consultation with the Base Vice-President and the base CUPE National Representative.
- Provide assistance, advice, and encouragement to all members of Local 4070.
- Perform other duties as may be assigned by the Board from time to time.
- Attend all General, Base, and Special membership meetings of the Union unless circumstances prevent attendance.
- Solicit attendance of members at General, Base, and Special membership meetings.
- Should any Shop Steward fail to attend three (3) consecutive meetings or training without having submitted good reasons, their office shall be declared vacant and filled by an election.

## **SECTION 9 – NOMINATION, ELECTION, AND INSTALLATION OF OFFICERS**

### **(a) Nominations**

- (i) Electronic Nominations for all positions will be received in the month of October.
- (ii) To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.
- (iii) A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.
- (iv) No member will be eligible for nomination if they are in arrears of dues and/or assessments.
- (v) Each candidate may provide the Chief Returning Officer with an electronic one (1) page resume that will be provided to each voting member prior to the election.

### **(b) Elections Committee**

- (i) **Starting in 2019**, at a membership meeting, at least two (2) months prior to Election Day, the President will, subject to the approval of the members present, appoint an Elections Committee consisting of a Chair and two members. The Chair and members of the Elections Committee are neither Officers nor candidates for Office. The assigned CUPE National Representative shall serve as an Advisor to the Elections Committee.
- (ii) The Elections Committee shall oversee all elections at the Local.

- (iii) The Elections Committee shall have full responsibility as the liaisons with the service provider and will ensure there is a secure and confidential electronic voting system for all elections by which members will cast their ballots.
- (iv) All election complaints by members will be submitted in writing to the Chief Returning Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven (7) days after the election. The Chief Returning Officer in conjunction with the Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next General membership meeting.
- (v) Members in good standing will be notified that a vote will be taking place. Notifications will be sent via email prior to the election.

(c) **General Membership Elections**

- (i) The President and Recording Secretary are elected for a two (2) year term in even years. The Vice-President and Secretary-Treasurer are elected for a two (2) year term in odd years.
- (ii) The terms of Office for Trustees shall be so that one (1) serves for a period of three (3) years, one (1) for two (2) years, and one (1) for one (1) year. ***Starting in 2019, the Local Union shall elect one (1) Trustee for a three (3) year period.*** No member who has been a signing officer for the Local Union is eligible to run for Trustee, until at least one (1) full term of office has elapsed.
- (iii) Voting to fill one (1) office will be conducted and completed before balloting may begin to fill another office.
- (iv) Balloting for each office will be open for one (1) day longer than the longest pairing. All voting will begin in November.
- (v) In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives the most votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
- (vi) The candidates who get the most votes will be elected.

(d) **Base Vice-President and Shop Stewards Elections**

- (i) There will be one (1) Base Vice-President at each base and fifteen (15) Shop Stewards for each permanent base. The Base Vice-President and Shop Stewards shall be elected to two (2) year terms in even years.
- (ii) The Base Vice-President and the Shop Stewards shall be elected by the membership at the respective base.
- (iii) The candidates who get the most votes will be elected.

- (iv) The mandate of these positions shall be two (2) years within the base and will end on their resignation date or on the date of transfer to another base.
- (v) Balloting for each position will be open for one (1) day longer than the longest pairing. All voting will begin in November.
- (vi) In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives the most votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
- (vii) When two (2) or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

(e) **Committee Elections**

- (i) Balloting for each position will be open for one (1) day longer than the longest pairing. All voting will begin in November.
- (ii) The candidates who get the most votes will be elected.
- (iii) The mandate of these positions shall be two (2) years within the base and will end on their resignation date or on the date of transfer to another base.
- (iv) In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives the most votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
- (v) When two (2) or more nominees are to be elected to any committee by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

(f) ***For the purposes of obtaining a full complement of all positions outlined in 9(c)(i), 9(d)(i) and Section 15, all positions shall be voted upon at the Local's inaugural elections beginning in November 2018. As such, the term for the positions of Vice-President and Secretary-Treasurer shall expire in November 2019.***

(g) **Voters List**

- (i) Eligible voters must be members in good standing of Local 4070. (Administrative note - voter's name must appear on the Membership List for voting.)
- (ii) The list of eligible voters will be completed from membership records and will be referred to as the 'Membership List'. The Recording-Secretary will provide this to the Chief Returning Officer.



(h) **By-elections**

- (i) Should an Office or Committee position fall temporarily vacant for three (3) months or less, the Board shall have the ability to appoint a member to fulfil the duties of the position.
- (ii) Should an Office or Committee position fall vacant for longer than three (3) months, the resulting by-election should be conducted as closely as possible in conformity with Section 9. 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.

(i) **Installation of Officers**

- (i) All duly elected Officers shall be installed immediately following the elections and shall continue in office for two (2) year(s) or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three (3) years.
- (ii) The Oath of Office to be read by the newly-elected Officers is:

***“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.”***

**SECTION 10 – FEES, DUES, AND ASSESSMENTS**

(a) **Initiation Fee**

Payment of initiation fees is a tangible confirmation of the desire to become 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 five (5) dollars 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.

(b) **Readmittance Fee**

The readmittance fee shall be five (5) dollars.

(c) **Monthly Dues**

***Transitional Provision: the dues structure will be the responsibility of the elected Board to prepare a budget and propose a dues rate to be voted on by the membership. Once adopted, the rate shall be included in the bylaws under [Section 10(c)].***

(d) **Assessments**

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. The assessment will only be applied after the National President approves the assessment.

**SECTION 11 – NON-PAYMENT OF DUES AND ASSESSMENTS**

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

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

**SECTION 12 – 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 the members present and voting at a General or Special membership meeting, or in a referendum vote.
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members voting at a General or Special membership meeting, or in a referendum vote.

(b) **Payment of Per Capita Tax and Affiliation Fees**

Authorization to pay per capita tax to CUPE National, to CUPE Alberta, CUPE British Columbia and CUPE Ontario Provincial Divisions, Alberta, British Columbia, and Ontario Federations of Labour, or any labour organization the Local Union is affiliated with, is not required.

(c) **Payment of Local Union Funds to Causes Outside of CUPE**

In the case of a grant or a contribution to a cause outside of CUPE greater than one hundred (100) dollars, a notice of motion must be made at a General membership meeting and then approved at the following General or Special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven (7) days after the meeting where notice of motion has been given.

- (d) No Officer or member of Local 4070 will be allowed to spend any Local Union funds without first having received authorization under Section 12(a) of these bylaws.

**SECTION 13 – EXPENSE CLAIM POLICY**

All expenses will be reimbursed with the agreement of the President and the Secretary-Treasurer according to the expense claim policy located in Appendix D.

**SECTION 14 – CONFERENCES, CONVENTIONS AND EDUCATIONALS**

- (a) Except for the President's option [Section 8(a)], all delegates to conventions, shall be elected by General membership meetings.
- (b) Except for the President's option [Section 8(a)], all participants to conferences and educationals shall be appointed to the Board.
- (c) Local 4070 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.

**SECTION 15 - COMMITTEES**

(a) Special Committees

A Special Committee may be established for a specific purpose and a specified period of time by the membership at a General meeting. These members shall be elected by the membership, or may, by specific authorization of the membership, be appointed by the Board.

(i) Bargaining Committee

This will be a Special Committee established at least one (1) year prior to the expiry of the Local Union's Collective Agreement and automatically disbanded when a new Collective Agreement has been signed. The function of the committee is to prepare collective bargaining proposals, subject to the approval of the membership and to negotiate a Collective Agreement.

The committee shall consist of the President or designate, and six (6) members comprised of two (2) members per base elected by the base. The assigned CUPE National Representative(s) shall be a non-voting member(s) of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

All members of Local 4070's Bargaining Committee shall attend CUPE's Bargaining Solidarity course.

(b) Permanent Committees

The Chairperson and Secretary of each Permanent Committee will be selected by the committee members. Permanent Committees will have a term of two (2) years. Committees will provide written reports to each General membership meeting. The Vice-President shall be a member, ex-officio, of each committee. There shall be ten (10) Permanent Committees as follows:

(i) Grievance Committee

This Committee will:

- Receive copies and oversee the handling of all grievances at the bases.
- Prepare a report on the status of all grievances to be submitted to the Board, the base CUPE National Representative, and to the General and Base membership meetings.
- The committee members will be the Vice President, the Base Vice Presidents, and six (6) Shop Stewards, comprised of two (2) from each Base elected by the Base. The assigned CUPE National Representative shall be a non-voting member of the committee and shall be consulted at all stages.

(ii) Education Committee

This Committee will:

- Gather information about appropriate courses, the availability of courses, and make recommendations to the Board on whether or not members should be attending.
- Assist delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports.
- Cooperate with CUPE Union Education and the CUPE National Representatives in implementing both the Local Union's and CUPE's policies in these fields.

- There will be three (3) members on this committee, comprised of one (1) member per base elected by the base.

(iii) Women's Committee

This Committee will:

- Advise and give guidance to the Board, Stewards, and the general membership on all issues that affect women in the workplace and the union movement.
- Increase and support the active participation of women and promote leadership in the Local Union level and the broader labour movement.
- Strive to eliminate gender discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in human rights activities both in and outside of the labour movement.
- Prepare and present reports to the General and Base membership meetings.
- There will be three (3) members on this committee, comprised of one (1) member per base elected by the base.

(iv) Committee Against Racism and Discrimination (CARD)

This Committee will:

- Advise and give guidance to the Board, Stewards and the General membership on all issues that affect equality-seeking groups, including people of colour, Aboriginals, LGBTQI2S+workers in the workplace and the union movement.
- Increase and support the active participation of equality-seeking workers and promote leadership in the Local Union level and the broader labour movement.
- Strive to eliminate racism and discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in human rights and anti-racism activities both in and outside of the labour movement.
- Prepare and present reports to the General and Base membership meetings.
- There will be three (3) members on this committee, comprised of one (1) member per base elected by the base.

(v) Health and Safety Committee

This Committee will:

- Work to educate members on the importance of workplace health and safety as outlined in the Canada Labour Code Part II Occupational Health and Safety.
- Prepare and present reports to the General and Base membership meetings.
- Organize an April 28<sup>th</sup> Day of Mourning ceremony each year.
- Participate on the Joint Worksite Health and Safety Committees (JWH&SC) at their base.
- Ensure that the worker representatives on the JWH&SC meet separately from the Employer to prepare for meetings with the Employer.
- Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.
- Immediately bring to the attention of the Employer any workplace hazard that has the potential to cause members' illness or injury.
- Work to eliminate all workplace hazards, be they physical, environmental, or social.
- There will be six (6) members on this committee, comprised of two (2) per base elected by the base.

(vi) Hotel and Transportation Committee

This Committee will:

- Be in charge of ensuring that the provisions pertaining to the Crew's accommodations and transportation within the Collective Agreement are being followed. It shall invest all efforts necessary before the Company so that members may benefit from quality accommodations and transportation.
- Committee representatives shall answer to members when the latter raises questions regarding its field of activities.
- This Committee shall inform the Board as soon as possible of any issues affecting its members.
- Prepare and present reports to the General and Base membership meetings.

- Make recommendations necessary to the Board in order to advance the conditions of its field of activities.
- This Committee shall consist of up to three (3) members, comprised of one (1) per base elected by the base.

(vii) Uniform Committee

This Committee will:

- Be responsible for ensuring that the provisions of the Collective Agreement, in matters of uniforms are being respected.
- Committee representatives shall answer to members when the latter raises questions regarding its field of activities.
- This Committee shall inform the Board as soon as possible of any issues affecting its members.
- Prepare and present reports to the General and Base membership meetings.
- Make recommendations necessary to the Board in order to advance the conditions of its field of activities.
- This Committee shall consist of three (3) members, comprised of one (1) per base elected by the base.

(viii) Scheduling and Reserve Committee

This Committee will:

- Be responsible for ensuring that the provisions of the Collective Agreement, in matters of scheduling and reserve, are being followed.
- Committee representatives shall answer to members when the latter raises questions regarding its field of activities.
- This Committee shall inform the Board as soon as possible of any issues affecting its members.
- Prepare and present reports to the General and Base membership meetings.
- Make recommendations necessary to the Board in order to advance the conditions of its field of activities.
- This Committee shall consist of six (6) members, comprised of two (2) per base elected by the base.

(ix) Return to Work and Accomodation Committee

This Committee will:

- Be responsible for ensuring that the provisions of the Collective Agreement, Human Rights, and Worker's Compensation legislation, in matters of return to work and accomodation, are being followed.
- Committee representatives shall answer to members when the latter raises questions regarding its field of activities.
- This Committee shall inform the Board as soon as possible of any issues affecting its members.
- Prepare and present reports to the General and Base membership meetings.
- Make recommendations necessary to the Board in order to advance the conditions of its field of activities.
- This Committee shall consist of six (6) members, comprised of two (2) per base elected by the base.

(x) Communications Committee

This Committee will:

- Be responsible forthe Local's internal and external communications directed by the Board.
- Maintain the Local's website and social media platforms.
- Any other duties as assigned by the Board.
- This committee shall consist of three (3) members, comprised one (1) per base elected by the base.

## **SECTION 16 – COMPLAINTS AND TRIALS**

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.



## **SECTION 17 – RULES OF ORDER**

All meetings of the Local Union will 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 C. 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 C to these bylaws, the CUPE National Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

## **SECTION 18 – BYLAWS**

### **(a) CUPE Constitution**

These bylaws are always subordinate to the CUPE Constitution 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.

### **(b) Amendments**

These bylaws can only be amended if:

- (i) the amendment does not conflict with the CUPE Constitution;
- (ii) the amendment is approved by a two-thirds (2/3) majority of members voting at a General membership meeting, at a Special membership meeting called for that purpose, or a referendum vote; and
- (iii) notice of the intention to propose the amendment was given at least seven (7) days before at a previous membership meeting or sixty (60) days before in writing.

### **(c) Effective Date of Amended or Additional Bylaws**

The amended bylaws do not come into effect until they have been approved in writing by the National President

- (d) A link to Local 4070's bylaws will be available on the Local's website.

## **APPENDIX A**

### **CUPE NATIONAL 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 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.

## **APPENDIX B**

### **CODE OF CONDUCT**

Local 4070 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

Local 4070 strives to promote 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.

Local 4070 is committed to creating a Union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 4070 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 4070 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 4070 sets out standards of behaviour for members at meetings, and all other events organized by Local 4070. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. 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 members of Local 4070 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; and
- Take responsibility for not engaging in inappropriate behaviour due to abuse 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 this 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 the person 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) Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.
- (3) If this fails to resolve the matter, the designated Officer of the Local Union 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.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of Local 4070, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

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

**APPENDIX C**  
**RULES OF ORDER**

- (1) The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President will be the Chairperson at the membership meeting. In the absence of the President and Vice-President, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
- (2) Members are not allowed to speak about an issue for more than five (5) minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
- (3) The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen (15) minutes. With the agreement of the members present, the fifteen (15) minutes may be expanded.
- (4) The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: "Is the Local ready for the motion?" If no member rises to speak, the motion will be voted upon.
- (5) A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
- (6) A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
- (7) An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
- (8) On motion, the regular order of business at a membership meeting may be suspended where two-thirds (2/3) of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
- (9) Motions other than those named in Rule (19), or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
- (10) At the request of a member, and upon a majority vote, a motion which contains more than one (1) action or issue can be divided.
- (11) The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.

- (12) A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
- (13) The Chairperson will keep a speakers list and, in all cases, will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
- (14) A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
- (15) A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
- (16) Religious discussion of any kind is not permitted.
- (17) The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule (1).
- (18) The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
- (19) When a motion is before the members, no other motion is in order except a motion to (1) adjourn; (2) put the previous question; (3) lay on the table; (4) postpone for a definite time; (5) refer; or (6) divide or amend. These six (6) motions shall have precedence in the order indicated. Motions one (1) through three (3) shall be decided without debate.
- (20) The Chairperson will ask "Will the main question be now put?" where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
- (21) A motion to adjourn is in order except when a member is speaking or when members are voting.
- (22) A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen (15) minutes have elapsed.
- (23) After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.

- (24) If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, "Will the decision of the Chair be upheld?" A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
- (25) At a membership meeting where a question has been decided any two (2) members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds (2/3) majority of members who vote. If two-thirds (2/3) majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.
- (26) Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
- (27) The Local Union's business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.

## APPENDIX D

### EXPENSE CLAIM POLICY

Claims for expenses will follow these guidelines:

(a) Transportation

(i) Mileage

When using a personal vehicle to conduct regular Union business, mileage shall be paid at the current Canada Revenue Agency (CRA) Automobile allowance rate established on a yearly basis for each kilometer to a maximum of five hundred dollars (\$500) monthly. The CRA Automobile allowance for 2018 is fifty-five cents (\$0.55) per kilometer.

(ii) Transit

When travelling on public transit to conduct regular Union business a transit pass will be paid for with submission of receipt.

(iii) Flights

When conducting Union business away from your assigned base including conventions, conferences, or educationals, flights shall be provided at the lowest fare available, as determined by the Secretary-Treasurer.

(b) Meal Allowance

The meal allowance applies as follows:

- Breakfast: twenty dollars (\$20)
- Lunch: twenty-four dollars (\$24)
- Dinner: forty-two dollars (\$42)

The meal allowance can be claimed for in town or out of town Union business.

If the work is away from your assigned base and overnight, the maximum of eighty-six dollars (\$86) per day may be claimed for all three meals.

If the work is in your assigned base, the allowance can be claimed if you work through a meal time. You will typically only claim the allowance for lunch. If required to come in before breakfast or stay beyond supper, an explanation of the reason must be submitted on the expense form.

Local 4070 will provide members with their meal allowance prior to their attending multi-day conventions, conferences, or educationals.



(c) Hotel Accommodation

All hotel accommodations must be pre-approved by the Secretary-Treasurer.

- (i) Receipted hotel charges (excluding incidentals) shall be reimbursed when conducting Union business away from home base.
- (ii) Receipted hotel charges (excluding incidentals) at your assigned base may be granted under the following circumstances:
  - During Convention/conferences.
  - During Union training.
  - During bargaining and/or bargaining preparation if the time between the end and start of the meeting the following day is twelve (12) hours or less.
  - At the request of the Local.

(d) Child and Elderly Care

Caring for children, dependents or the elderly may be barriers to actively participate in the Union. Local 4070 is committed to removing barriers within its control so that all members have equal access to participation in their Union structure.

- (i) Any member who is conducting authorized Union business shall be eligible for child care, dependent care, and/or elder care expenses where required. Receipted claims shall be reimbursed to a maximum of fifteen dollars (\$15) per hour for each hour of care required.
- (ii) A claim will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

(e) Miscellaneous

- (i) Parking with receipt while using a personal vehicle (or rental vehicle when away from base),
- (ii) Taxi fare with receipt while away from your assigned base.
- (iii) Secretary-Treasurer pre-approved car rental and fuel with receipt when away from your assigned base.

(f) Any expense submitted after six (6) months will not be reimbursed.