

Bylaws

Local Union 3314



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INTRODUCTION

Local 3314 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 3314 in accordance with the CUPE National Constitution (Articles 12.3 and B.5.1), 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 may also wish to adopt a Local Union Code of Conduct that would apply to membership meetings and other functions organized by the chartered organization. The Local Union Code of Conduct can be found in Appendix B to these bylaws.

SECTION 1 – NAME

The name of this Local Union shall be Canadian Union of Public Employees, Local 3314.

Local 3314 consists of the following bargaining units:

3314.0 Hastings & Prince Edward Public Health
3314.3 Children's Mental Health for Hastings &
Prince Edward Counties

SECTION 2 – OBJECTIVES

The objectives of Local 3314 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, gender identity, 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 – REFERENCES

Numbers of articles at the end of sections or sub-sections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

Local shall be understood to include the membership as a whole of Local 3314.

SECTION 4 – MEMBERSHIP

Member Obligations

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

SECTION 5 – AFFILIATIONS

In order to strengthen the labour movement and work toward common goals and objectives, Local 3314 shall be affiliated to and pay per capita tax to the following organization(s):

- The CUPE Ontario Provincial Division

SECTION 6 – MEMBERSHIP MEETINGS

(a) Regular Membership Meetings

General membership meetings of Local 3314 shall be held four (4) times per year in the months of January, April, September, and November and may be conducted in person, virtually or in a hybrid fashion. Notice of each general membership meeting outlining the date, time and location or format of the meeting, shall be given to members at least seven days in advance of the meeting.

When a statutory holiday or a situation beyond the control of the Local Union arises which causes the cancellation of a regular membership meeting, the Executive Board shall reschedule the regular membership meeting, and will give members seven days' notice of the date of the rescheduled regular membership meeting.

If there is need for a secret ballot voting, this will be done only in person, members attending in a hybrid fashion will have voice but no vote, and therefore will not count towards quorum.

(b) Special Membership Meetings

Special membership meetings of Local 3314 may be required and shall be called by the Executive Board or may be requested in writing by no fewer than six (6) members and may be conducted in person, virtually or in a hybrid fashion. The President shall immediately advise members when a special meeting is called and ensure that all members receive at least twenty-four (24) hours' notice of the special meeting, the subject(s) to be discussed, the date, time and location or format of the meeting. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

(c) Bargaining Unit Meetings

Bargaining Units of Local 3314 may host meetings to deal with matters that affect only members of the bargaining unit. Such meetings are not to be used to replace regular meetings and attendees will not make decisions that affect the Local Union as a whole or another bargaining unit. The Unit Vice-President will advise members of the bargaining unit seven (7) days in advance of the meeting providing the time, location/format and agenda. A Unit member in good standing will be appointed at each meeting to take minutes. A copy of such minutes must be forwarded to the Local Union's Recording Secretary.

The purpose of such meeting(s) is to discuss current issues with the intent to resolve and formulate a plan of action as required. In the event issues remain unresolved or require intervention, they will be referred to the Local Executive Board for discussion and/or action.

(d) Quorum

The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be eight (8) members, plus two (2) members of the Executive Board.

(e) Membership Meeting Agenda

The order of business at regular membership meetings is as follows:

1. Acknowledgment of Indigenous territory
2. Roll call of officers
3. Reading of the Equality Statement
4. Voting on new members and initiation
5. Reading of the minutes
6. Matters arising from the minutes
7. Secretary-Treasurer's Report
8. Communications and bills
9. Executive ~~Committee~~ **Board** Report
10. Reports of committees and delegates
11. Nominations, elections, or installations
12. Unfinished business
13. New business
14. Good of the Union
15. Adjournment

(Article B.6.1)

SECTION 7 – OFFICERS

The Officers of Local 3314 shall be the President, two Vice-Presidents (VP) (one from each subunit), Secretary-Treasurer, Recording Secretary, and three (3) Trustees and a Grievance officer from each **sub**unit.

Executive officers of the Local shall be voted in by the general membership, only members of each **sub**unit will vote for their respective VP, Grievance Officer and stewards.

The **Sub**unit will decide how it will maintain its minutes from any meetings. Copies of those records will be given to the Local's Recording Secretary so that all records are maintained in one place.

(Articles B.2.1 and B.2.2)

SECTION 8 – EXECUTIVE BOARD

~~(a)~~ The Executive Board shall include all Officers, **except Stewards and Trustees.**

(Article B.2.2)

(b) The Executive Board shall meet at least eight (8) times per year.

(Article B.3.14)

(c) A majority of the Executive Board constitutes a quorum.

(d) The Executive 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) **Should any Executive Board member fail to answer the roll call for three consecutive regular meetings or three consecutive regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting.**

(f) The Executive 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.

(Article B.2.5)

SECTION 9 – DUTIES OF OFFICERS AND STEWARDS

Each Officer of Local 3314 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.

(Article B.3.9)

All signing Officers of Local 3314 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.

(Article B.3.5)

(a) President

The President shall:

- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
- Interpret these bylaws as required.
- Preside at all membership and Executive Board meetings and preserve order.
- Decide all points of order and procedure (subject always to appeal to the membership).
- Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.
- Ensure that all Officers perform their assigned duties.

- Be a signing authority 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.
- Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.
- Have first preference as a delegate to the CUPE National Convention.

(Article B.3.1)

(b) Vice-President

The Vice-President shall:

- If the President is absent or not eligible, perform all duties of the President.
- Preside over membership and Executive 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. **Unit 3314.0 Vice President will act as the acting president until by-election, if they are unable the 3314.3 Vice President will act as President.**
- Take reports from Grievance officers for their respective subunits
- Fill committee vacancies where elections are not provided for, including grievance committee
- Chair ~~sub~~ unit meetings should they be held
- Render assistance to any member of the Executive as directed by the Executive Board.
- Act as an alternate signing authority for the locals finances

(Article B.3.2)

(c) Recording Secretary

The Recording Secretary shall:

- Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.
- Maintain a record of all ~~Sub~~ Local meeting minutes.
- Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval prior to implementing.
- Answer correspondence and fulfil other administrative duties as directed by the Executive 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 membership and Executive Board meetings in the absence of both the President and Vice-President.
- Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union's funds.
- Performs other duties required by the Local Union, its bylaws or the National Constitution.

(Article B.3.3)

(d) Secretary-Treasurer

The Secretary-Treasurer shall:

- Receive all revenue, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit 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.
- Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment 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 in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular 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 other member of the Executive Board as determined by the Executive 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, not later than February 28th each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid by him during the preceding calendar year.

(Articles B.3.4 to B.3.8)

(e) 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.
- ~~Serve a 3 year term— upon initiation of these by laws, trustees will be elected on a 3 year, 2 year and 1 year term respectively~~
- 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 Executive Board.

(Articles B.3.10 to B.3.12)

(g) Stewards

The Stewards shall:

- Attend stewards meetings.
- Report to the President/Chair status of membership concerns and grievances.
- Follow CUPE grievance procedures.
- Inform and mediate issues and grievances between members and management.
- Stewards work with the President/Chair to encourage membership's involvement in union activities and
- Assists with the recording of **Sub** Unit meetings.
- Sit on the grievance committee for their subunits
- **Attend interviews with supervisors, as required.**
- **Keep a supply of grievance forms and contracts**
- **Process or assist in processing grievances in accordance with the grievance procedures as set forth in the collective agreement.**
- There will be 3 stewards for each **sub** unit; one steward will be selected as the "grievance officer" and will act as **chief Lead** steward to maintain records of the grievances of the sub unit and report to the sub units vice president re. ongoing grievances
- **A steward will provide orientation presentation and take the application of new members.**

(h) Grievance Officer

- **Will act as lead steward for each unit**
- **Maintain records of the grievances of their unit**
- **Report to their unit Vice President re. Ongoing grievances**
- **Keep Stewards informed of meetings and issues to be included on the agenda for membership meetings.**
- **Communicate regularly with Stewards in order to collect information for the Executive Board.**
- **Maintain grievance files and ensure the confidentiality of the grievance files.**

SECTION 10 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) Nominations

1. Nominations will be received at the regular membership meeting held in the month of January.
2. Nominations will be accepted from members in attendance at the nomination meeting or from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member.

3. To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.

(Articles B.8.1, B.8.2 and B.8.3)

4. 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.
5. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

(b) **Elections**

1. The President, Recording Secretary, 1 Chief Steward per unit, and one steward per unit are elected in the odd years. 1 Vice President per unit, Secretary-Treasurer and a 2nd steward per unit are elected in the even years. Each role is a 2 year term.
2. At the January membership meeting, following nominations for that year's vacancies, the President will, subject to approval of the members present, appoint an Elections Officer and Assistant (the committee). They shall be members in good standing ~~and not candidates~~ **not be an officer nor a candidate** for office. The Elections Officer and Assistant will have full responsibility for voting arrangements and will treat information submitted to them in connection with its responsibilities as confidential. The National Representative assigned to the Local Union will serve as an advisor to the committee when requested by the Local Union.
3. The Elections Committee will administer the electronic voting system ensuring all information is input accurately, and released at the correct time.
4. The voting will take place electronically, using a confidential software system/company agreed upon by the executive, 48 hours in advance of the April membership meeting. **This voting platform will provide a secured access or personalized link to ensure the secrecy and integrity of the vote.**
 - (i) Each delegate has only one vote. To be elected, a candidate must receive a majority of votes cast.
 - (ii) If no candidate receives a majority of votes cast, a second vote will be held. The candidate who received the fewest votes on the first vote will be removed from the second vote. This process will continue until a candidate is elected by a majority of votes cast.
 - (iii) After each vote, the Chairperson will declare which candidates have been elected and which candidate must withdraw. In a vote to fill multiple positions, the Chairperson will also declare the number of positions to be elected on the next vote.

5. In a vote to fill more than one position, each delegate must vote for the full number of positions to be filled or the vote is spoiled.
6. Voting will close 24 hours in advance of the April membership meeting to allow for 2nd and subsequent votes in the case of a tie.
7. Any member may request a review of the votes for any election and a review will 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 set out in section 6(c).
8. All election complaints by member will be submitted in writing to the Elections Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven days after the election. The Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.

(c) **Unit Elections**

Unit specific positions (VP, grievance officer, stewards) will be elected by members of their subunit only.

The voting will take place electronically in accordance with 10(b).

(d) **Installation of Officers**

1. All duly elected Officers shall be installed as soon as possible after the election results are released and shall continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office shall be less than one year and no longer than three years.

(Article B.2.4)

2. The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three year period. No member who has been a signing Officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed.

3. **A candidate who is elected to office must clearly communicate or affirm this oath:** ~~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.”

(Article 11.6(b))

(e) **By-elections**

Should an office fall vacant for any reason, the resulting by-election should be conducted as closely as possible in conformity with this section. The term of office for any position filled through a by-election will be the term that the vacated position was initially elected to fulfill.

SECTION 11 FEES, DUES AND ASSESSMENTS

(a) **Monthly Dues**

The monthly dues shall be 1.325% of regular wages. (dues were not increased)

Union dues are extracted from members regular pays, includes any payment made by the employer which replaces regular pay (i.e. vacation etc.). Payment that does not constitute regular pay is exempt (i.e. mileage, overtime, compensating time, or payment in lieu of benefits).

(Article B.4.3)

suspension for Non-Payment of Dues A member who fails to pay dues and assessments for three months is automatically suspended from membership. The member may return to membership in good standing by paying a \$1.00 readmission fee and any outstanding dues. (Article B.8.6)

(b) **Amending Monthly Dues**

The regular monthly dues may be amended at a regular or special membership meeting. The vote must be by secret ballot. Notice of at least seven days at a previous meeting or 60 days in writing must be given.

(Article B.4.3)

(c) **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. Membership approval is required and the assessment will only be applied after the National President approves the assessment. (Article B.4.2)

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

(Article B.4.4)

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

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

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

In the case of a grant or a contribution to a member(s), or a cause(s) outside of CUPE greater than \$300, a notice of motion must be made at a regular membership meeting and then approved before the grant or contribution can be paid out.

(d) **Payment of Local Union Funds for Gifts for Retirees of Local 3314 and Sub-Unit 3314.3**

Beginning as of January 1, 2014, in the case of a monetary contribution for Local 3314 and Sub-Unit 3314.3 retirees who have been members in good standing for 10 years or more, greater than \$100, a notice of motion must be made at a regular membership meeting and then approved before the grant or contribution can be paid out.

(e) **Member Scholarships**

CUPE Local 3314 will offer two scholarships in the amount of \$1000.00 each, to be awarded in December of each year. These scholarships are open to any eligible dependants of current card carrying members. Please see Appendix D for eligibility requirements.

SECTION 13 – OUT-OF-POCKET EXPENSES ANNUAL HONORARIUM

Local Union Officers and committee members shall be provided an out-of-pocket expense allowance as follows:

| | |
|---------------------|---------|
| President | \$ 1000 |
| Vice President | \$ 850 |
| Recording Secretary | \$ 750 |
| Grievance Officer | \$ 750 |
| Secretary-Treasurer | \$ 850 |

Stewards ~~\$400 year~~ **\$600** 1 after steward training

Trustee \$75 - paid annually after completion of fiscal review

Negotiating Committee \$100 (following ratification of the new collective agreement)

SECTION 14 – DELEGATES TO CONFERENCES, CONVENTIONS AND SEMINARS

- (a) Except for the President's option [Section 9(a)], all delegates to conventions, conferences, and educationals shall be chosen by election at membership meetings.
- (b) The Local Union will reimburse the member's employer for any loss of wages when attending conference, conventions and educationals.
- (c) All delegates attending conventions, conferences, or educationals held outside the two counties (meaning Hastings & Prince Edward shall be paid transportation expenses (at economy, tourist or coach rates), hotel accommodations, as determined by the Secretary-Treasurer, and a per diem allowance of \$100 dollars for meals, if meals are not included. The Local Union will reimburse the member's employer for any loss of wages.
- (d) Any expenses as a result of attending union business (Ex. Tolls, parking) will be reimbursed as incurred, where receipts are provided.**
- (e) Members who are required to use their personal automobiles shall be compensated a per/km rate equal to the rate as stated in their collective agreement.
- (f) Local 3314 will provide members with their per diem allowance prior to their attending the convention, conference, or educational.
- (g) For CUPE events within the two counties, the local will provide a meal as appropriate.
- (h) Offence notices and fines are not reimbursable expenses.

SECTION 15 – COMMITTEES

Each committee shall determine chair and recording secretary at their meetings- notes from these meetings will be sent to recording secretary to maintain a record.

(a) Special Committees

A special committee may be established for a specified purpose and a specified period of time by the membership at a meeting. The members shall be elected at a membership

meeting, or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two members of the Board may sit on any special committee as ex-officio members.

1. Negotiating Committee (2)

This will be a special committee established at least two (2) months 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 and to negotiate a collective agreement. The committee shall consist in number as bargained for in their respective Collective Agreements, and be elected at a membership meeting. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership. Each subunit will elect their own negotiating committee.

(b) Permanent Committees

The Chairperson of each permanent committee will be selected by the members of the committee unless otherwise stated. Permanent committees will have a term of two years. The Chairperson and the Executive Board may, with the approval of the membership, jointly appoint other members to serve on a committee. Committees will provide reports to each regular membership meeting. The Vice-President shall be a member, ex-officio, of each committee.

There shall be four (4) permanent committees as follows:

1. Grievance Committee

Each subunit will have their own grievance committee. This committee will:

- Be composed of the grievance officer and stewards from each subunit
- Oversee the handling of all local grievances.
- Receive copies of all grievances.
- Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting.
- When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether or not the grievance should proceed to arbitration.
- If the decision is to not proceed, the grievor(s) may appeal the decision to the Executive Board.
- Hold steward meetings twice per year

The committee members will be the elected chairperson/president and all stewards. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages.

2. Bylaw Committee

This committee will:

- Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.
- Ensure that the Local Union's bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.

The committee shall be three (3) representatives from each unit and shall be elected at a General Membership of unit meeting. The committee shall appoint its chairperson and secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.

3. Social Committee

This committee will:

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

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

The committee members will be volunteers from the membership, and may appoint a secretary-treasurer from among its members.

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.

(Articles B.11.1 to B.11.5)

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 – AMENDMENTS

(a) CUPE Constitution

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

(Articles 9.2(c), 13.3 and B.5.1)

(b) Additional Bylaws

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

- (i) the amended or additional bylaws do not conflict with the CUPE Constitution;
- (ii) the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and
- (iii) notice of the intention to propose the amended or additional bylaws was given at least seven days before at a previous membership meeting or **60-30** days before in writing.

(Articles 13.3 and B.5.1)

(c) Effective Date of Amended or Additional Bylaws

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

(Articles 13.3 and B.5.)

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 behavior 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 behavior 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.

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.

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.
2. Members are not allowed to speak about an issue for more than five 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 minutes. With the agreement of the members present, the fifteen 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 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 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 motions shall have precedence in the order indicated. Motions 1 through 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 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 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 majority of members who vote. If two-thirds 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.

NOTE: All Sub Unit Meetings

Please substitute the position of President with Chair of Sub Unit

Appendix D - SCHOLARSHIP

CUPE Local 3314 is proud to offer two scholarships in the amount of \$1000.00 each, to be awarded in December of each year. These scholarships are open to any eligible dependants of current card carrying members. **Scholarships may be awarded to the same applicants more than once, however preference will be awarded to first time recipients. This is done to attempt to ensure as many applicants are awarded the scholarship as possible.**

Each applicant must be enrolled in full-time, post-secondary studies and they must submit an essay (maximum 1,000 words) on the following topic:

Why is a Union a Positive Addition to a Workplace?

The essays will be assessed on the following criteria; quality of research, degree of analysis and adherence to the chosen topic. Submissions will be evaluated by the CUPE Local 3314 Scholarship Committee.

Applicants please include your name, address, contact information and the name of the member you are a dependant of. Proof of enrollment must also be provided at the time of submission in the form of a transcript or student ID.

Applicants will be permitted to apply for a scholarship a maximum of 4 times, however applicants will only be awarded the scholarship once. This will be done to attempt to ensure as many applicants are awarded the scholarship as possible.

The deadline for submissions is **October 1st** of each year. Please submit your application through email to rmathersphillips@hotmail.ca. Successful applicants will be advised by letter or email and CUPE Local 3314 reserves the right to publish the names and essays of the winners.

For further information, please contact CUPE Local 3314's Scholarship Committee representative, Rebecca Mathers-Phillips, at rmathersphillips@hotmail.ca.