

Janice's

**BY-LAWS  
OF  
LOCAL 1334  
CANADIAN UNION OF PUBLIC  
EMPLOYEES**

**Amended and Approved  
April 2016**

# **BY-LAWS OF LOCAL 1334 CANADIAN UNION OF PUBLIC EMPLOYEES**

## **Section 1**

KNOWN AS UNDER THE CHARTER OF CANADIAN UNION OF PUBLIC EMPLOYEES LOCAL 1334 REPRESENTING TRADES, MAINTENANCE AND SERVICE EMPLOYEES AT THE UNIVERSITY OF GUELPH.

## **Section 2 Principals and Objectives**

- A. To place various Offices and committees of the membership upon a high plane of efficiency, co-operation and service.
- B. To encourage the sharing of duties by the many rather than the few.
- C. To elevate the moral, intellectual, social and economic welfare of its members without regard to race, colour, creed, gender, sexual orientation, or national origin.
- D. To encourage the settlement of all disputes between the members and the employers administration by mediation and arbitration.
- E. To support the Canadian Union of Public Employees in its objectives as set out in the C.U.P.E. Constitution.

## **Section 3 General Membership Meetings**

General Membership Meetings shall be held on the third Tuesday of each month, except for the months of July, August and December. There will be no general meeting held in the three named months.

In the event of a cancellation of CUPE Local 1334 monthly meeting, such meeting shall be rescheduled within seven days during that same month.

A quorum for the transaction of regular business at any general membership meeting shall consist of no less than thirteen of which three must be from the duly elected Executive Board.

#### **Section 4 Special Meetings**

Special meetings may be called by order of the Executive Board, by the President or by a written request of members provided, however, that no business shall be transacted at such a special meeting other than that for which the special meeting had been called. At least twenty four hours notice must be given to the Recording Secretary in writing. This time is to allow for proper notification of the membership either by personal contact or by posting of bulletin boards.

A quorum for special meetings shall consist of no less than thirteen members in good standing of which three must be from the duly elected Executive Board.

#### **Section 5 Executive Board**

- A. The Executive Board shall comprise all officers, except Trustees and Sergeant of Arms.
- B. The Board shall meet at least once every month prior to the general membership meetings.
- C. Four Members of the Board constitutes a quorum.
- D. The executive officers shall hold title to any real estate of the local. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to the membership meeting and having it approved.
- E. The Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- F. All charges against members or officers must be made in writing and dealt with in accordance with the provision of the CUPE Constitution.
- G. Should any officer fail to answer the roll-call for three consecutive regular membership meetings or two regular Board meetings without having submitted good reasons for those failures, his/her office shall be declared vacant and shall be filled by an election at the following membership meeting.

## **Section 6 Officers**

- A. The officers of the Local shall consist of eight (8) Executive Officers comprising the President, Vice-President, Second Vice-President, Recording Secretary, Secretary Treasurer, Chief Steward, Day Shift Deputy Chief Steward and Night Shift Deputy Chief Steward; plus a Sergeant at Arms and three (3) Trustees. The Sergeant at Arms and the Trustees shall not be members of the Executive Board.
- B. All of these Officers, except the Chief Steward and the Deputy Chief Stewards, shall be elected by a majority of unspoiled ballots cast at an election meeting for which adequate notice has been given to all members. The Chief Steward and the Deputy Chief Stewards shall be elected in accordance with Section 11 (a) of these By-Laws.
- C. The term of office for the members of the Executive Board shall not be for less than two (2) years nor more than three (3) years to be determined at a general membership meeting preceding the election.
- D. The Trustees shall be elected so that one will serve for a period of three (3) years, one for two (2) years and one for one (1) year. At each annual election, the term of one trustee shall end and one new trustee shall be elected for a three (3) year term. In the case of a vacancy occurring amongst the Trustees, the members shall elect a new Trustee or Trustees to fill only the unexpired terms.
- E. No Board member may hold more than one elected position on the Executive Board.
- F. The Recording Secretary and Health and Safety Chair will be allowed to spend not more than \$50.00 per month and be reimbursed from petty cash for the local, such as: stationary, postage, printing of notices, etc. Reimbursement shall be made only upon presentation of suitable receipts.

## **Section 7 President**

- A. It shall be the duty of the President to preside at all meetings; to preserve order and enforce the constitution of CUPE and the By Laws of this Local; to see that all Officers perform their respective duties; to fill vacancies on all committees where elections are not provided or, and to decide all questions of order, subject to an appeal by any member of the local, upon which appeal the President shall not vote.
- B. The President shall announce the results of all votes; shall enforce all fines and penalties; shall have the power to call special meetings, or as requested to do so in writing by the Executive Board or thirteen (13) members.
- C. The President may have a vote on all matters, including the election of officers.
- D. The President shall be the Chairperson of the Negotiating Committee.
- E. The President may attend committee meetings with voice, but no vote except under Section 11 (a).
- F. The President shall sign all orders on the Treasury for such money as shall, by the constitution and By-Laws, or by vote of the Local, be ordered paid; sign all cheques and drafts on bank or credit union; and perform such other duties as the constitution and By-Laws of the Local may require.
- G. The President in office at the time of any National or Provincial convention of the Canadian Union of Public Employees, Ontario Federation of Labour or Canadian Labour Congress shall have first preference as delegate to that convention.

### **Section 8 Vice Presidents**

- A. It shall be the duty of the Vice-President, in the absence of the President, to preside and to perform all duties pertaining to the office of President; and, in the case of a vacancy in the office of President to act as President until such time as the Local elects a President to fill the vacancy.
- B. The Vice Presidents shall render assistance to any member of the board as directed by the board related to CUPE 1334 business.
- C. Duties of 2<sup>nd</sup> Vice President shall be to perform the duties of the 1<sup>st</sup> Vice President in his/her absence, except for in matters dealing with monetary issues.

### **Section 9 Recording Secretary**

- A. The Recording Secretary shall keep a correct, full and impartial account of the proceedings of all meetings; shall record all motions in the record or minute/motion book of the Local; shall record all alterations in the Rules and By-Laws by motion or amendment; shall fulfill other secretarial duties as directed by the President.
- B. The Recording Secretary shall file a copy of all letters sent out, and shall keep on file all communications and answer all correspondence.
- C. The Recording Secretary shall prepare all circulars and notices for issuance to the members; shall arrange for the printing in sufficient numbers of these circulars and notices; and shall arrange to have them distributed by the President. *gets*
- D. The Recording Secretary shall have all books and papers ready at all times on reasonable notice for inspection by Auditors and Trustees; upon termination of office shall surrender all books, seals and other properties of the Local to the successor.
- E. The Recording Secretary shall preside over meetings in the absence of the President, 1<sup>st</sup> Vice President and 2<sup>nd</sup> Vice President.
- F. The Recording Secretary may have an elected assistant or may employ an assistant.

## **Section 10 Secretary Treasurer**

- A. It shall be the duty of the Secretary Treasurer to receive all the dues and assessments and to keep a record of each member's payments; to prepare the necessary per capita tax forms and to remit payment.
- B. The Secretary Treasurer shall be bonded in an amount not less than \$500.00 or in such greater amount as may be decided by the Local through the master bond held by CUPE.
- C. The Secretary Treasurer shall record all transactions in a manner acceptable to the Executive Board and shall have a written financial report at all general membership meetings; and upon reasonable notice shall have all books and records available at all times for inspection by the auditors or trustees.
- D. The Secretary Treasurer shall deposit promptly all money received by the Local in the bank or credit union selected by the Local; and shall co-sign with the President all cheques and drafts. The President and the Secretary Treasurer shall hold a credit card issued to the Local and such officers. The card shall be used for the purpose of travel, accommodations and supplies. Such card shall be returned to the Local upon termination of office.
- E. The Secretary Treasurer shall be allowed to maintain a petty cash fund of up to \$100.00 for the purpose of paying small bills, but only on submission to the President, of properly signed expense vouchers charged to the petty cash fund. Such accounts shall be included in the financial report presented to the membership meeting.
- F. The Secretary Treasurer shall ensure office insurance including coverage for delegates travelling on Union business is in place.
- G. At the end of his/her term of office, the Secretary Treasurer shall turn over to his/her successor, all properties and assets, including funds, books and records belonging to the Local. Any Secretary Treasurer who cannot qualify for a bond shall immediately be disqualified from his/her office and the Local shall proceed with the election of another Secretary Treasurer.

### **Section 11 Chief Steward and Deputy Chief Stewards**

- A. The Chief Steward and Deputy Chief Stewards shall be elected from the steward body, by the stewards and the Executive Board and Officers, at the meeting of the Executive Board and the Stewards following the election. The term of the office of Chief Steward and Deputy Chief Stewards shall be not less than two (2) years and not more than three (3) years.
- B. The Chief Steward shall be the Chairperson of the Grievance Committee; and shall be responsible for the informing of the Stewards of the time and place of any special meetings.
- C. The Chief Steward shall be responsible for the maintenance and upkeep of the Union bulletin boards; for the posting of such notices as shall be prepared by the Recording Secretary; and for such other duties and tasks as may be given from time to time by the President or the Executive Board.
- D. The Chief Steward shall be assisted by the Deputy Chief Stewards.
- E. In the absence of the Chief Steward, the Deputy Chief Stewards shall perform all duties pertaining to the office of the Chief Steward.

### **Section 12 Sergeant at Arms**

- A. It shall be the duty of the Sergeant at arms to guard the inner door and to admit no one but members in good standing or Officials of CUPE, except on the order of the President and by consent of the members present.
- B. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
- C. The Sergeant at Arms shall assist in maintaining the record of membership attendance at meetings and perform such other duties as may be assigned from time to time.



### **Section 13 Trustees**

A. The Trustees shall be elected by the membership at large so that one shall serve for a period of three years, one for two years, and one for one year. At each annual election, the term of office of one Trustee shall end, and one Trustee shall be elected for a three year period. In case of a vacancy occurring amongst the Trustees, the members shall elect a new Trustee or Trustees to fill only the unexpired terms.

B. The Trustee 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 Standing Committees semi-annually;

-use audit forms supplied by the National Office and send a copy of each half yearly audit to the National Secretary Treasurer in accordance with the provisions of the CUPE Constitution;

-report their findings to the first membership meeting following the completion of each audit;

-be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;

-ensure the proper financial reports are made 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 from time to time be owned by the Local, and report their findings to the membership.

## **14 Stewards**

- A. Each steward shall be elected by the members who work in the area to be serviced by the steward. At the election meeting held in November, the Chief Steward must be in receipt of a form nominating the Steward and signed by at least 50% plus one of the members working in the area to be serviced by the Steward. If no form is submitted for any specific area, the position of steward for that area shall be declared vacant. The term of office for stewards shall be in accordance with Executive Board term.
- B. The stewards shall be responsible for processing of grievances on behalf of any members whenever requested to do so by the member or members concerned, and when the grievance has been approved by the Grievance Committee.
- C. The stewards shall inform the members of the time and place of any special meetings which may be called, and of any decisions taken by the Executive Board.
- D. The stewards should attend all steward's meetings, all regular membership meetings and all special meetings and shall encourage the members to attend all regular and special membership meetings.
- E. The stewards may perform such other tasks or duties as may be given from time to time, by the Chief Steward.
- F. Any steward may be removed from office at any time if it is learned that this position was used to place the steward's own self interests ahead of the workers; that the steward deliberately failed to represent the interests of the members in any given area; or otherwise acted in such a way as to bring discredit upon, or do harm to, the Local or its members.

### **Section 15 Committees**

- A. The Standing Committees of the Local shall be: Negotiating Committee, Grievance Committee, Education Committee, Sick and Bereavement Committee, Health and Safety Committee, Social Committee and the Job Evaluation Rating Committee.
- B. Special Committees may be set up either by elections at any meeting or by appointment by the President as directed by the meeting. At least two (2) Executive Officers shall sit on all Special Committees.
- C. The Representatives from CUPE shall be included in, or in addition to, the Negotiating and Grievance Committees.
- D. All standing Committees and their Chairpersons shall be elected in accordance with the executive term of office by the membership, a committee shall elect its own Chairperson. Notwithstanding the above, the President shall be Chairperson of the Negotiating Committee and the Chief Steward shall be the Chairperson of the Grievance Committee.
- E. All Committee Chairpersons shall report to the membership meetings the activities of the Committees, including suggestions for action deemed necessary.
- F. The Executive Board shall be held responsible for the proper functioning of all Committees, and shall have authority to request the Trustees to audit the operations of any Committee which may, in the course of its duties, handle significant sums of money.
- G. The Executive Board and all Standing Committee members shall have an annual lunch paid for by the local in recognition of their contribution to the Union.

### **Section 16 Negotiating Committee**

- A. The Negotiating Committee shall consist of seven (7) members, plus one (1) alternate, plus the Representative from CUPE and shall be elected by the membership.
- B. The President of the Local shall automatically be included as a member of the Negotiating Committee and shall be its Chairperson.

- C. Prior to the expiry date of the Collective Agreement, the negotiating Committee, in consultation with the Representative from CUPE, shall prepare a new proposed agreement. It shall be the duty of the Negotiating Committee to do its utmost to effect a new agreement before the expiry date of the current agreement.

### **Section 17 Grievance Committee**

- A. The Grievance Committee shall comprise of the executive board and the steward(s) who initiated the grievance. The Chief Steward shall serve as Chairperson of this committee.
- B. It shall be the duty of the Grievance Committee to judge which grievance shall be process, and to process all such grievance which are not settled in the initial stage.
- C. All reports of the Grievance Committee shall be submitted first to the Executive Board, then to the membership meeting, and to none other, except as may be directed by the Executive Board.

### **Section 18 Education Committee**

- A. The Education Committee shall consist of not less than three (3) and not more than (5) members.
- B. It shall be the duty of the Education Committee to arrange for representation of the Local at such seminar, courses, schools and conferences as may be available. The committee shall make recommendations on such representation in accordance with the provisions in Section 24 of these By-Laws. The committee shall instruct delegates in the arrangement and composition of reports to the membership and shall maintain a reference file of such reports in co-operation with the Recording Secretary and the Executive Board.
- C. The Education Committee shall co-operate with the Education and Public Relations Departments of CUPE.

### **Section 19 Social Committee**

- A. The Social Committee shall consist of not less than three (3) members. It shall arrange and conduct such social and recreational functions as may, from time to time, be decided upon by the members.
- B. All reports of the Social Committee shall be submitted first to the Executive Board, then to the membership and to none other except as directed by the Executive Board.
- C. Members of the Social Committee shall be reimbursed for legitimate expenses upon presentation of receipts and properly signed expense vouchers.
- D. Upon retirement, for every year of service as a CUPE 1334 member, said retiree will receive ten (10) dollars per year as a gift.

### **Section 20 Sick and Bereavement Committee**

- A. The Sick and Bereavement Committee shall consist of not less than three (3) members, any of whom may be reimbursed for legitimate expenses upon presentation of receipts and properly signed vouchers.
- B. In the event of the death of a member of the Local, the committee shall have sent a floral tribute or, if requested, a donation of a \$100.00 will be sent to an organization designated by surviving members of the family.
- C. In the event of the death of a member's next of kin, the Committee shall have sent an approved sympathy card. For the purpose of this section, next of kin shall be in accordance with the Collective Agreement.
- D. It is the duty and responsibility of every member to co-operate in notifying the Committee of any bereavement or serious illness of another member.

## **Section 21 Health and Safety Committee**

- A. The Health and Safety Committee shall consist of not less than three (3) and not more than five (5) members who will sit on the Physical Resources Joint Health and Safety Committee as representatives for the member of CUPE 1334 in that department.
- B. The Physical Resources Health and Safety Committee, through the Chairperson or designated spokesperson, shall report to the membership at each monthly meeting any and all health and/or safety related issues brought forward by the University of Guelph at the Joint Health and Safety Committee meetings.
- C. The Physical Resources Health and Safety Committee shall not agree to any new health and safety rules brought forward by the University of Guelph without first reporting the issue to the members at the next scheduled general meeting and as such shall vote according to the wishes of the majority of the members present at the meeting and in accordance with the Occupational Health and Safety Act.
- D. No member of the Physical Resources Health and Safety Committee shall bring forward to the Physical Resources Joint Health and Safety Committee any health and safety issue without the approval of a majority of members present at the general meeting.
- E. Notwithstanding the above, a health and/or safety issue outside the Occupational Health and Safety Act which jeopardizes the immediate health and/or safety of a member, must be brought to the attention of the Union Executive and the appropriate agent for the University by the Chairperson or designated spokesperson of the Health and Safety Committee.

## **Section 22 Voting of Funds**

Donation of three hundred dollars (\$300.00) per local for strike appeals and emergency welfare cases within the Local may be approved by the Executive Board. Any repeated or larger amounts or donations to charitable organizations, must be approved at a membership meeting, and based on circumstances.

### **Section 23 Initiation Fees and Dues**

- A. The initiation fee shall be \$5.00 and the readmittance fee shall be \$1.00. The dues shall be not less than the combined total of the per capita tax payable to the various organizations to which the Local is affiliated. The formula by which the Local shall calculate bi-weekly dues is 1.5 hours per pay period.
- B. Any change in the Local Union dues can be made only at a membership meeting when a notice of motion to change the dues has been posted on the Union bulletin boards at least seven (7) days before the question is to be discussed.
- C. Upon receipt by the Secretary Treasurer of application for membership in the Local, every individual candidate shall remit the sum of not less than one \$5.00 initiation fee. This amount shall be collected by the Secretary Treasurer, and receipt given in each case.

### **Section 24 Delegates to Conventions, Conferences, etc.**

Except as provided for in Section 7 (g), all delegates shall be chosen by election at a membership meeting. Designated or elected delegates attending Union business, Union schools, seminars, conferences or conventions shall be reimbursed for all legitimate expenses as follows:

- A. The approximate amount of expenses may be paid in advance.
- B. All travelling expenses, at reduced rates where applicable.
- C. Member's own automobile at the current CUPE Ontario rate per kilometre, provided the trip is over eight (8) kilometres away.
- D. Per Diem shall be seventy-five dollars (\$75.00) per full day or fifty dollars (\$50.00) per half day.
- E. Hotel accommodations, when necessary, at reduced rates, where applicable.
- F. Members will be reimbursed for any loss of wages suffered while attending Union functions.
- G. Subsections (D) and (E) do not apply where a registration and cover charge are included.

- H. Delegates attending conventions or conferences are expected to attend all meetings, and to prepare a brief report of the business conducted for presentation to the Local, and to turn business conducted for presentation to the Local and to turn over all material received to the Local's files or Library.
- I. Representation at educational institutes and seminars shall be on the recommendation of the Education Committee, subject to final approval of the membership or by the Executive Board in the event that there is not enough time to be passed by the membership.

**Section 25 Property of the Local**

- A. The Executive Board shall hold title to any real estate of the Local. They shall have no right to sell, convey or encumber any real estate without first submitting the proposition to a Special Meeting and having such proposition approved.
- B. A yearly inventory of all office equipment shall be conducted and submitted to the trustees for submission with the audit.
- C. The inventory shall include any recommendations for new equipment and any replacement equipment required.



## **Section 26 Nominating for Election to Office**

- A. Nominations for all elective offices, to the terms of which have expired, shall be received at the regular membership meeting held in the month of October. Nominations will remain open until 14 calendar days prior to the Special Election Meeting which shall be held on the third Tuesday in the month of November.
- B. No nomination shall be accepted unless the member has indicated willingness to stand, either in person at the October meeting, or in writing by the first Tuesday in the month of November, properly signed and witnessed by another member.
- C. Any member in good standing shall be eligible for nomination to executive office.
- D. A list of all members nominated for office shall be posted on the bulletin boards at least seven (7) days before the Special November meeting.
- E. A candidate defeated in the vote for office to which he or she was nominated may stand for election to one other position.

## **Section 27 Elections**

- A. For the purpose of conducting the elections, the President shall appoint a Returning Officer and assistants, and they shall be members in good standing of the Local, but not candidates for any office.
- B. The Returning Officer and assistants shall have full responsibility for the conduct for the election as set out in these By-Laws, and treat all information submitted to them in connection with that office as confidential. The Returning Officer shall report to the meeting only at the time appointed.
- C. The method of election shall be by secret ballot, immediately following the close of voting, the Returning Officer and assistants shall proceed to count the ballots. Upon completion of the same, the Returning Officer shall notify that a report is ready and shall be given immediately.
- D. A majority of votes cast shall be required before any candidate can be declared elected, and a second and subsequent ballot or ballots shall be taken, to obtain such a majority. On the second and subsequent ballots, the

candidate receiving the lowest number of votes in the previous ballot shall withdraw.

- E. Any candidate may appeal for a recount of the vote for whichever office he or she was a candidate provided that the vote of the membership is passed by a simple majority when put to the floor by the Chairperson.

### **Section 28 Installation of Officers**

- A. All duly elected officers shall be installed at the meeting in which the elections are held, and shall continue in office for a period of not less than two (2) years nor more than three (3) years, or until such time as a successor has been elected and installed.
- B. In the event that any elective office becomes vacant during the normal period between elections, a special election shall be held to fill the vacancy at the next Regular Membership meeting.

### **Section 29 Rules of Order**

1. The President, or in the absence of the President, the Vice-President shall take the chair at the time specified, at all regular and special meetings. In the absence of both the President and the 1<sup>st</sup> Vice President, the 2<sup>nd</sup> Vice President shall act as President. In the absence of the 2<sup>nd</sup> Vice President then the Recording Secretary shall take the chair.
2. The president shall state every question coming before the Local and before allowing debate there on, and immediately before putting it to a vote shall ask "Is the Local ready for the question?". Should no member rise to speak, and the Local indicates readiness, the question shall then be put. After the president has risen, no member shall be allowed to speak on the question.
3. A motion to be entertained by the presiding officer must be seconded and the mover as well as the seconder must rise and be recognized by the chair.
4. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment which is a direct negative of the resolution shall be permitted.
5. On motion, the regular order of business may be suspended by a two thirds vote of those present, to deal with urgent business.

6. All resolutions and motions, other than those named in rule 17, or those to accept or adopt the report of a Committee shall, if requested by the presiding officer, be presented in writing before being put to the Local.
7. At the request of any member, upon a majority vote of those present, a question may be divided when the sense will admit of it.
8. Any member, having made a motion, can withdraw it with consent of the seconder, but a motion, once debated, cannot be withdrawn except by a majority vote of those present.
9. When a member desires to speak on a question, or offers a motion, he shall rise in his place and respectfully address the presiding officer, but he shall not proceed further until recognized by the chair, except to state that he rises to a point of order or on a question of privilege.
10. When two or more people rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
11. If a member, while speaking, is called to order, he or she shall cease speaking until the point is determined, when, if in order, discussion may continue.
12. Every member, while speaking, shall adhere to the question under debate, and avoid all personal, indecorous or offensive language, as well as any reflection on the Local or on the character of any member.
13. No sectarian discussion shall be permitted in the meeting at any time.
14. No member except the Chairperson of a committee, or the mover or seconder of a resolution, shall speak more than five minutes at any one time, or more than once on the same question, until all members wishing to speak have had an opportunity to do so, when by permission of the chair, the member may be allowed to speak a second time.
15. The president shall take no part in debate while presiding, but may yield the chair to the vice-president in order to speak on any question before the Local, or to introduce a new question.
16. The presiding officer shall have the same rights as other members to vote on any question. In the case of a tie vote, the presiding officer may cast the

deciding vote, or refrain from voting, in which case the motion does not prevail, and the decision is in the negative.

17. When a question has been put, no motion shall be in order except: (i) to adjourn; (ii) the previous question; (iii) to lay on the table; (iv) to divide or amend, which motion shall have precedence in the order named. The first of these shall be decided without debate.
18. A motion for the previous question, when regularly moved and seconded, shall be put in this form: "shall the main question be now put?" If it is adopted, the president shall proceed with the vote on the resolution and amendments thereto, if any, according to their priority. If an amendment, or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
19. A motion to adjourn is in order except; (i) when a member has the floor; and (ii) when a vote is being taken.
20. A motion to adjourn, having been put and lost, shall not be in order again if there is further business before the Local, until fifteen minutes have elapsed.
21. Before the presiding officer declares the vote on a question, or after a vote has been declared lost or carried by acclamations and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall than be taken, and the Recording Secretary shall record the same.
22. If any member shall feel aggrieved by a decision of the chair, an appeal from such decision can be made to the Local.
23. When the decision of the president is appealed from floor, the decision, together with the reasons, shall be stated from the chair. The member making the appeal shall then state briefly the reasons for the appeal, after which, without further debate, the question shall be put thus: "shall the decision of the Chair stand as the decision of the Local?". It shall require a majority vote to sustain such an appeal.
24. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration.

25. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers or taking of a vote. No member shall be allowed to leave without the permission of the president.
26. All business done in the Local shall be strictly secret to all outside the Local.
27. All rules and proceedings of debate not herein provided for shall be as defined in the Constitution of the Canadian Union of Public Employees.
28. All meetings of the Local shall be conducted in accordance with the basic principles of Canadian Parliamentary Procedure. Some of the more important rules to ensure free and fair debate are appended to these By Laws as in this section. These rules shall be considered as an integral part of the By-Laws and may be amended only by the same procedure used to amend By-Laws.
29. In situations not covered in Section 29 (Rules of Order), the CUPE Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

### **Section 30 Amendment**

- A. These By-Laws 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 By-laws and the CUPE Constitution, the latter shall govern. Constitutional interpretation, including determination of conflict is the prerogative of the National President.
- B. These By-Laws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting following written notice given at a previous regular membership meeting.
- C. No change in these By-Laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

## **RULES OF ORDER**

1. Before a vote, the president shall ask the Local if they are ready for the question.
2. Every motion must be seconded.
3. A motion to amend or amend an amendment shall be in order, but never in the negative.
4. A question may be divided when the sense will admit of it.
5. A motion cannot be withdrawn once debated, except by majority vote.
6. A member who desires to speak shall not do so until recognized by the chair.
7. No sectarian discussion is permitted.
8. While speaking, adhere to the question under debate.
9. No member shall speak more than five (5) minutes at any one time or more than once on the same question until everyone wishing to do so, has had an opportunity.
10. When a question has been put, no other motion shall be in order except those specified in Rules of Order #17 of the By-Laws.
11. A motion to adjourn is in order except (1) when a member has the floor, and (2) when members are voting.
12. A lost motion to adjourn shall not be in order again.
13. No member shall enter or leave a meeting without the consent of the Vice President.
14. All business done in the Local shall be strictly secret to all outside the Local.

**NOTE:** the above is just a brief outline and specifics, reference is to be made to Rules of Order, Section 29 of the By-Laws of the Local.

### Section 31 Order of Business

1. Roll call of Officers
2. Voting on new members and initiation
3. Reading of minutes of previous meeting
4. Business arising out of minutes
5. Treasurer's report
6. Communications and Bills
7. Executive Board report
8. Reports of committees and delegates
9. Nominations, elections or installations
10. Unfinished business
11. New business
12. Good of the Union
13. Adjournment