

Sun West School Division No. 207

CUPE / Canadian Union
of Public Employees

Local 4802

BYLAWS

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EQUALITY STATEMENT

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

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

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

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

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

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




MARK HANCOCK
National President


CANDACE RENNICK
National Secretary-Treasurer

PREAMBLE

In order to improve the social and economic welfare of its members without regard to sex, colour, race or creed, age or disability, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, this Local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

The following Bylaw is adopted by the Local pursuant to, and to supplement, Appendix "B" of the CUPE Constitution, to safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

SECTION 1 – NAME

The name of this Local is Canadian Union of Public Employees, Local No. 4802.

SECTION 2 – OBJECTIVES

The objectives of the Local are to:

- a) secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- b) 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 disputes between the members and their employer;
- d) support CUPE in reaching the goals set out in Article II of the CUPE Constitution.

SECTION 3 – INTERPRETATION AND DEFINITIONS

- a) Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the National Constitution which should be read in conjunction with these bylaws.

SECTION 4 – MEMBERSHIP

- a) The Local Union means all employees of the Sun West School Division No. 207, except those excluded by order of the Labour Relations Board under the *Trade Union Act of Saskatchewan*.
- b)
 - i) All eligible employees shall complete the necessary forms for membership in the Union.
 - ii) Every new employee shall, as a condition of employment, apply for and maintain membership in the Union.
 - iii) Every employee shall maintain membership in the Union as a condition of employment.
- c)
 - i) The names of applicants are read out to the first regular membership meeting after the applications have been submitted. The applicants will be automatically accepted as members unless there is an objection sustained by the majority vote of the members present.
 - ii) Once a member has been accepted, they remain in good standing as long as they remain employed within the jurisdiction covered by the charter of the CUPE Local, provided they do not lose their standing by virtue of the application of other relevant sections of this constitution.

SECTION 5 – MEMBERSHIP MEETINGS – REGULAR AND SPECIAL

Regular meetings are held as follows:

- a) At least one regional meeting shall be held in the area covered by each VP in each school year. The executive board shall give at least a week's notice of time, place and date of the meeting.
- b) General membership meetings shall be held at least once yearly with preference given to a spring meeting at a central location to be determined by the Executive Board. The executive board shall give at least a week's notice of time, place and date of the meeting.
- c) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than ten (10) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least forty-eight (48) hours' notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

- d) The usual order of business at a regular membership meeting is as follows. It may be amended as required by the Executive Board:
1. Acknowledgement of Indigenous Territory (see Appendix “D”)
 2. Read Equality Statement
 3. Roll call of officers and members
 4. Voting on new members and initiation
 5. Reading of minutes
 6. Matters arising
 7. Treasurer's report
 8. Communications and bills
 9. Executive Board reports and recommendations
 10. Reports of committees and delegates
 11. Nominations, elections or installations
 12. Unfinished business
 13. New business
 14. Good of the Union
 15. Adjournment
- e) A quorum for the transaction of business at any regional or special meeting shall be five (5) members, including at least one (1) member of the Executive Board.
- f) A quorum for the transaction of business at the annual general membership meeting shall be ten (10) members, including at least three (3) members of the Executive Board.

SECTION 6 – RULES OF ORDER

All meetings of the Local are conducted in accordance with the basic principles of Canadian parliamentary procedure to ensure free and fair debate. The basic rules of procedure as specified in Appendix A form an integral part of this Bylaw and can be amended only by the procedure for amending bylaws.

Further guidance for situations not included in Appendix A is found in, first, the CUPE Constitution, and second, Bourinot's Rules of Order.

SECTION 7 – OFFICERS

The Officers of the Local shall be the President, six (6) Vice-Presidents, Secretary-Treasurer, Recording Secretary, **Communications Officer** and three (3) Trustees.

Shop Stewards and Workplace Communications Liaisons:

One (1) Shop Steward is elected for each of the towns with a school, as necessary. Each Steward is elected by the membership in that town. Stewards shall receive training.

One (1) Workplace Communications **Liaison** is elected for each school. Each Workplace Communications **Liaison** is elected by the membership in that school.

SECTION 8 – EXECUTIVE BOARD

- a) The Executive Board is comprised of all Officers except Shop Stewards, Trustees and Workplace Communications **Liaisons**.
- b) The Executive Board shall meet at least once a month. Such meetings may be held by teleconferencing if necessary.
- c) A majority of the Board constitutes a quorum.
- d) The Executive Board may grant paid Union Leave to members as deemed necessary by the Executive Board.
- e) The Executive Officers hold title to any real estate of the Local as Trustees for the Local. They have no right to sell, convey, or encumber any real estate without first giving notice of, and then submitting, the proposition to a membership meeting and having it approved.
- f) The Board does the work delegated to it by the Local and is held responsible for the proper and effective functioning of all committees.
- g) When a Board member fails to answer the roll-call for three consecutive regular membership meetings or three (3) consecutive regular Board meetings without having submitted good reasons for those failures, their office is declared vacant and filled by an election at the following membership meeting.
- h) The terms of office for all officers are for two (2) years. President, Treasurer, two (2) Vice Presidents (first two listed below) and Shop Stewards shall be elected in odd years. The Recording Secretary, **Communications Officer** and four (4) Vice Presidents shall be elected in even years. At the first election of officers in a Local Union the Trustees shall be elected so that one shall serve for a period of three years, one for two years and one for one year. Each year thereafter the Local Union shall elect one Trustee for a three-year period or, in the case of vacancies occurring, elect Trustees to fill only the unexpired terms in order to preserve overlapping terms of office.
- i) Each Vice President shall represent a region as follows (outlined in Appendix “E”):
 - One (1) Vice President shall represent Biggar
 - One (1) Vice President shall represent Rosetown
 - One (1) Vice President shall represent Kindersley
 - One (1) Vice President shall represent Davidson
 - One (1) Vice President shall represent Outlook
 - One (1) Vice President shall represent Eston/Elrose
- j) The Vice President shall be nominated by members in that region, but elected by the membership as a whole.
- k) The President and/or the Executive Board shall have the authority to appoint Committee members.

- l) The Executive Board conducts all business of the Local Union deemed necessary between regular membership meetings.
- m) All charges against members or officers must be made in writing and dealt with in accordance with Article B.XI of the National Constitution.

SECTION 9 – DUTIES OF EXECUTIVE OFFICERS, SHOP STEWARDS AND WORKPLACE COMMUNICATIONS LIAISONS

All signing Officers of Local 4802 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) The President shall:
 - enforce the CUPE Constitution and these bylaws;
 - preside at all general membership and Executive board meetings and preserve order;
 - decide all points of order and procedure (subject always to appeal to the membership);
 - have a vote on all matters (except appeals against his rulings) and in case of a tie vote in any matter, have the right to cast an additional vote to break the tie;
 - ensure that all officers perform their assigned duties;
 - fill committee vacancies where elections are not provided for;
 - introduce new members and conduct them through the initiation ceremony;
 - sign all cheques and all approved expense vouchers and ensure that the Local's funds are used only as authorized or directed by the Constitution, bylaws or vote of the membership;
 - have first preference as a delegate to the CUPE National Convention;
 - on termination of office, immediately surrenders all books, seals, records and other properties of the Local to the duly elected successor.
- b) The Vice-Presidents shall:
 - if the President is absent or incapacitated, perform all duties of the President; Vice-Presidents shall alternate duties as mutually agreed upon;
 - if the office of the President falls vacant, Vice-Presidents shall elect one to be Acting President until a new President is elected;

- receive training as Shop Stewards;
- inform the Communications Officers of the dates of all Executive Board meetings;
- maintain contact with members working at Hutterian Colonies in their region;
- render assistance to any member of the Board as directed by the Board;
- be the liaison between the Executive Board and the Workplace Communication **Liaisons**;
- call and chair all workplace meetings and bring options, concerns, motions and voting results of the members at the workplace to the Executive Board;
- on termination of office, immediately surrenders all books, seals, records and other properties of the Local to the duly elected successor.

c) 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;
- record all alterations in the bylaws;
- answer correspondence and fulfill other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- have all records ready on reasonable notice for auditors and Trustees;
- be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
- on termination of office, immediately surrenders all books, seals, records and other properties of the Local to the duly elected successor;
- include the full financial report presented by the Secretary-Treasurer with the record of all membership meetings.

d) 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;
- prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month until such time as direct remittance can be arranged with the Employer;
- work with the Executive to create an annual budget to present to a general membership meeting for debate and approval. The report shall include the actual expenditures from the previous year;
- record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- make a written financial report to the Local Union at each regular membership meeting;
- be bonded through the master bond held by the National Office. Any Secretary-Treasurer who cannot qualify for the bond is disqualified from office;
- pay no money unless supported by a voucher duly signed by the President and one other member of the Board or any two other members of the Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited at least once each calendar year and, within reasonable time respond in writing to any recommendations and concerns raised by the Trustees;
- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- on termination of office, immediately surrenders all books, seals, records and other properties of the Local to the duly elected successor;
- be responsible for maintaining, organizing, safeguarding, and keeping on-file all supporting documents, authorizations, invoices, and/or vouchers for all disbursements made, receipts for all money sent to CUPE headquarters, as well as records and supporting documents for all income received by the Local;
- make a full financial report to meetings of the Local's Executive Board, and a written financial report to each regular membership meeting, detailing all income and expenditures for the period.

e) **The Communications Officer shall:**

- **handle all communication to and from Local 4802 members, Executive and Committees in regard to communicating meeting dates, CUPE functions or workplace events, etc.;**
- **any communications/inquiries received from the membership in regard to issues in the workplace, and any other questions that should be answered by a shop steward, shall be brought to the Executive Board for response;**
- **administer all surveys for information pertaining to the Local (ex. request for suggestions for bargaining, location work problems);**
- **manage any social media or online presence, including the Local 4802 website;**
- **ensure all communications are copied to the Recording Secretary; and**
- **work with the Executive to create and maintain a contact/email list of members.**

f) **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 Standing Committees annually;
- report their findings in written format 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 that proper financial reports are made to the membership;
- audit the record of attendance;
- inspect at least annually any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership;
- use audit forms supplied by the National Office and send a copy of each yearly audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution;
- make a written report of their findings to the first meeting following completion of each audit;

- submit to the President and Secretary-Treasurer, in writing, 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;
- send a copy of the complete audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their recommendations and/or concerns to the President and Secretary-Treasurer's response, to the national Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative.

f) The Workplace Communication Liaisons shall:

- be the liaison between the members at the workplace and the Vice-Presidents of the Local;
- provide new members with a copy of the collective agreement;
- maintain the Union binder in their workplace;
- post notices for all Union activities and meetings endorsed by the Local;
- greet new employees and encourage the participation of all members of the school in union activities;
- notify all new members of their obligation to be sworn in at a membership meeting;
- maintain contact with members and provide on-going Union awareness and education;
- perform any other duties assigned by the Executive Board or membership;
- on termination of office, immediately surrenders all books, seals, records and other properties of the Local to the duly elected successor;

g) The Shop Stewards shall:

- assist in defining, detecting, preparing and presenting grievances at the initial level;
- generally know and police the Collective Agreement;
- encourage the participation of all members of the unit in union activity and maintain regular contact with members to provide ongoing union awareness and education;
- upon appointment to the position of Shop Steward, take the appropriate course or courses required to perform their role as determined by the Executive Board.

SECTION 10 – COMMITTEES

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

a) **Special Committees**

A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. The members are elected at the same or another membership meeting or may be appointed by the President or the Executive Board. Two (2) members of the Board may sit on any special committee as ex-officio members.

b) **School Union Grievance Committee**

The Committee is comprised of the Vice President of the Region and Steward of the school involved. The President shall be consulted before a formal grievance is submitted and shall present a written grievance report to the Executive Board, and to the membership, a copy of which will be sent to the national representative. The Committee processes any grievances not settled at the second step.

c) **Negotiating Committee**

The Negotiating Committee is comprised of the President and the six (6) Vice Presidents. The Negotiating Committee may also appoint member advisors as required based on job classification or geographic area.

The Negotiating Committee shall stay in effect until a collective agreement has been ratified and signed at which time the committee shall be disbanded.

Further, the national representative assigned to the Local shall be a non-voting member of the committee, and shall be consulted at all stages of negotiation, from formulation of proposals, through negotiations, to contract ratification by the membership.

SECTION 11 – EXPENSES

The following expense allowances shall be provided:

- Mileage – Will be paid according to Sun West School Division policy.
- Living allowance – twenty-five dollars (\$25.00) per day – in-town conference, meeting, convention, etc. plus any lost wages as a result of attendance.
- Living allowance – seventy-five dollars (\$75.00) per day – out-of-town conference, meeting, convention, etc. plus any lost wages, accommodation and transportation costs as a result of attendance.
- Living allowance – one-hundred dollars (\$100.00) per day – outside Saskatchewan conference, meeting, convention, etc. plus any lost wages, accommodation, and transportation costs as a result of attendance.

- Lodging expenses for reasonable costs at a standard hotel will be reimbursed only with submitted receipts.
- Honorariums will be paid in April and October of each calendar year, where applicable according to Policy #1.

Paid Leaves of Absence

- a)
 - i) The table officers receive a paid leave of absence for all Executive meetings if required.
 - ii) The table officers receive a paid leave of absence, not to exceed eight (8) hours, for all membership meetings. If more hours are required, such leave must have the approval of the Executive Board prior to the meeting.
- b) All persons requiring union paid leaves of absence must fill in a form with all information and submit same to the Treasurer.
- c) Members are paid an amount equal to any loss of salary and receipted expenses incurred while attending to the Local's business. The Union reimburses the Employer for all authorized union leaves.

Retirement Gifts

Retiring employees shall receive a token of appreciation valued at five dollars (\$5.00) for each year of employment.

Memorials

In the event of a death of a member, a memorial gift or donation valued at one-hundred dollars (\$100.00) will be given in memory of the member and provided to the employees at the member's school to provide suitable recognition. This does not include any donations that the school or individual members may wish to make.

SECTION 12 – RETIREES

Members reaching retirement age or becoming incapacitated, whether in receipt of a pension or not, and providing they are in good standing and free from delinquency in the union can, on leaving employment, make application to the Secretary-Treasurer of the union for an honorary retiring card. The application for an honorary retiring card shall be voted on at a regular meeting of the union and if passed as favourable the Secretary-Treasurer shall forward the name of the retiring member, his/her address and necessary particulars to the National Secretary-Treasurer of the Canadian Union of Public Employees who will issue the retiring card. Should a member in possession of an honorary retiring card resume his/her employment for any reason he/she will immediately deposit or forward his/her retiring card to the Secretary-Treasurer of his union. A member while holding such retiring card shall be exempt from all dues to the union and per capita tax to the National Office of the Canadian Union. A member possessing a retiring card is entitled to voice but not vote at union and convention meetings.

SECTION 13 – FEES, DUES AND ASSESSMENTS

a) Monthly Dues

- i) The monthly dues are 1.5% of regular earnings, effective January 1, 2007. Changes in the levels of the monthly dues can be effected only by following the procedure for amendment of this Bylaw.
- ii) Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established, this Bylaw will be deemed to have been automatically amended to conform to the new CUPE minima.
- iii) All dues are recovered through payroll deduction coinciding with monthly pay periods and are paid to the Treasurer of the CUPE Local.

Employees terminating their service with the Sun West School Division are subject to dues deduction up to and including the date of termination.

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

Dues are not collected from employees on maternity leave, unpaid leave of absence, or D.I.P. (LTD only). Dues are collected from employees on paid leave of absence and Workers' Compensation contributions made by the Employer.

b) Picket Line Solidarity

Any member who is found guilty, under the trial procedure, of crossing our own Local's picket line, in the event of a strike or other job action, may be fined an amount of not more than the net earnings the employee earned during the strike.

SECTION 14 – AFFILIATIONS

The Local affiliates with the following Labour Organizations:

- CUPE Saskatchewan;
- CUPE Saskatchewan Education Workers Steering Committee;
- Saskatchewan Federation of Labour.

SECTION 15 – VOTING OF FUNDS

- a)
 - i) Expenditures are made only for the purposes of the Local, and in all cases, are paid by cheque signed by the Treasurer and one of either of the following: the President or one of the Vice Presidents.
 - ii) An annual budget shall be submitted and approved at the Annual General Membership meeting.
 - iii) In the case of regular monthly per capita taxes or affiliation fees, the Treasurer pays such per capita taxes or affiliation fees without obtaining prior approval by the membership, providing such approval by the membership for such affiliation or per capita taxes was given at the time of affiliation to the particular organization.
 - iv) The President may, at her discretion, pledge or donate up to one-hundred dollars (\$100.00) per instance on behalf of the Local, for strike assistance or for charitable purposes at conventions and conferences.
- b) The Local may, from time to time, establish policies pertaining to monetary or non-monetary items. These policies shall not be amended, added to, or suspended except upon a simple majority vote of those present and voting at a membership meeting following written notice given at a previous membership meeting.
- c) At all times, when meetings are cancelled for lack of a quorum or unavoidable cause, the Executive Board is empowered to conduct the normal business and to make payments of the normal and necessary bills and report to the following membership meeting.

SECTION 16 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

CUPE members from each of the regions identified in Section 8(i) will bring forth nominations for, and elect one (1) Vice-President.

a) Nomination

Nominations shall be made in writing and submitted to the union office thirty (30) days prior to the annual General Membership Meeting when elections are held. To be eligible for nomination, a member shall be in good standing. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting his consent in writing, duly witnessed by another member. No member shall be eligible for nomination if **they are** in arrears of dues and/or assessments.

b) Election

- i) At a membership or executive meeting at least one month prior to election day the President shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The committee shall include members of the Local who are neither officers nor candidates for office, it shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
- ii) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- iii) The Returning Officer shall be responsible for issuing, collecting, and counting ballots. They must be fair and impartial and see that all arrangements are unquestionably democratic.
- iv) The voting shall take place at the annual General membership meeting. The vote shall be by secret ballot.
- v) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- vi) A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken, if necessary, to obtain a majority. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped.
- vii) When two or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
- viii) Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Section 4 (c).
- ix) In the event of a tie vote a second and subsequent ballot (s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the even the tie vote persist, subsequent ballots may be deferred to the next membership meeting.

c) Installation

- i) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three years.
- ii) The terms of office for Trustees shall be as laid down in Article B.2.4 of the CUPE Constitution.

d) By-Election

- i) Should an office fall vacant pursuant to Section 8 (g) of this Bylaw or for any other reason, the resulting by-election is conducted as closely as possible in conformity with this Section.
- ii) When vacancies occur between the annual elections or when there are insufficient nominees for the various elected positions, the following procedure takes place:
 - 1) One of the Vice Presidents is Acting President until an election for a new President takes place. The Executive Board shall meet within ten (10) days and by majority vote will elect one of the Vice Presidents to become Acting President until a by-election can be held.
 - 2) If a vacancy occurs on the Executive Board, the Board is empowered to appoint members to fill the vacancy until the next meeting where elections take place.

SECTION 17 – RETURNING OFFICER

The Returning Officer ensures the proper procedures of the nominations for election. They also oversee all proceedings of the election to ensure compliance with procedure and protocol. It also is the Returning Officer's duty to report to the general membership the results of the election under Article 16, Sections 2 (a) through (h) or any other election where a Returning Officer is required.

SECTION 18 – TRIALS

The trial procedure laid out in the National Constitution is used if necessary.

SECTION 19 – AMENDMENT

- a) This Bylaw and its amendments are always subordinate to the CUPE National Constitution (including Appendix "B") as it now exists or may be amended from time to time, and in the event of any conflict between this Bylaw and the CUPE National Constitution, the latter shall govern. Constitutional interpretation, including determination of conflicts, is in the prerogative of the National President.
- b) Bylaw amendments shall be considered at the Annual General Membership meeting, provided seven (7) days notice at a previous meeting, or sixty (60) days written notice has been given.
- c) No change in this Bylaw is valid or takes effect until approved by the National President of CUPE. The validity dates from the letter of approval of the National President.

- d) Any member may present to the Local, in writing, any amendment or alteration to this Bylaw. After being read at each of the regional meetings it lays over to the Annual General Membership meeting and in the interval between the two meetings the proposed amendment or alteration is posted on the Local Union bulletin boards. The amendment or alteration is voted on by secret ballot at the Annual General Membership meeting. If it receives a majority vote of the members voting, it is then adopted by the Local.

SECTION 20 – DELEGATES TO CONVENTIONS, CONFERENCES & EDUCATIONALS

- a) Except for the President's option [Section 9 (a)], all delegates to conventions, conferences and educationals shall be appointed by the executive board.
- b) All delegates to the conventions, conferences and educationals held out-of-town shall be paid as per Section 11.
- c) Delegates to conventions, conferences and educationals held locally shall have no travel allowance. There shall be a per diem allowance of twenty-five dollars (\$25.00) and compensation for any loss of salary incurred by attendance at the convention.

APPENDIX "A"

RULES OF ORDER

1. The President or, in their absence, one of the General Vice Presidents, takes the chair at all membership meetings. In the absence of both the President and Vice-President, the Recording Secretary acts as President, and in their absence a President pro-tem shall be chosen by the Local.
2. No member, except the Chairperson of a committee making a report or the mover of a resolution, speaks more than five minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution are limited to fifteen minutes, except with the consent of the meeting.
3. The President states every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, asks: "Is the Local ready for the question?" Should no member rise to speak, the question is then put to the members.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
5. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment is permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution is in order.
6. On motion, the regular order of business may be suspended by a two-thirds vote of those present, to deal with any urgent business.
7. All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local if requested by the presiding officer.
8. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
9. Any member, having made a motion, can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
10. When a member wishes to speak on a question or to make a motion, they shall rise in their place and respectfully address the presiding officer, but, except to state that they rises to a point of order or on a question of privilege, they shall not proceed further until recognized by the chair.
11. When two or more members rise to speak at the same time, the presiding officer decides which one is entitled to the floor.
12. Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Local or member thereof.

13. If a member, while speaking, is called to order, they shall cease speaking until the point is determined; if it is decided they are in order, they may again proceed.
14. The President shall take no part in debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
15. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, they may in addition give a casting vote, or, if they choose, refrain from breaking the tie, in which case the motion is lost.
16. When a motion is before the Local, no other motion shall be in order except (1) to adjourn (2) to put the previous question (3) to lay on the table (4) to postpone for a definite time (5) to refer (6) to divide or amend, which motions shall have precedence in the order named. The first three of these shall be decided without debate.
17. A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
18. A motion to adjourn is in order except (1) when a member has the floor, and (2) when members are voting.
19. A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.
20. After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.
21. If any member wishes to challenge (appeal) a decision of the chair, they must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for their challenge. The Chairperson may then state briefly the basis for their decision, following which the Chairperson shall immediately and without debate put the question: "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie the chair is sustained.
22. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
23. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Vice-President.
24. The Local's business, and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

APPENDIX “B”

CUPE LOCAL #4802

SUN WEST SCHOOL DIVISION #207

POLICY #1

1. Mileage:

Mileage shall be paid in accordance with SWSD and shall be provided for travel to conferences, conventions, union schools, grievance and executive meetings and committee work. Executive members shall receive mileage for travel to meetings where their attendance is requested.

2. Childcare:

Up to fifty dollars (\$50.00) per day. Receipts required.

3. Honorariums:

As follows (per month):

- President: Two-hundred dollars (\$200.00);
- Vice President: One-hundred dollars (\$100.00);
- Recording Secretary: One-hundred dollars (\$100.00);
- Treasurer: One-hundred and fifty dollars (\$150.00);
- **Communications Officer: One-hundred dollars (\$100.00);**
- Trustees: One-hundred dollars (\$100.00) per year, upon completion of audit.

Honorariums for the table officers may be paid out twice (2x) a year unless otherwise requested.

APPENDIX “C”

GRIEVANCE HANDLING POLICIES AND PROCEDURES

WHAT HAPPENS WHEN AN ISSUE IS RAISED?

When a member raises an issue with a member of the Grievance Committee or the Executive, the issue must first be investigated to determine if in fact there is a grievance. The Grievance Committee has the responsibility to define, detect, prepare and present grievances at the initial level.

Prior to filing the grievance, the Local should make use of Problem Solving opportunities.

If problem solving does not resolve the issue, a grievance may be filed. The Grievance Committee or Local President should file grievances after the decision has been made by the Grievance Committee. In circumstances where timelines need to be met, grievances may also be filed by one of the Table Officers. In all circumstances, the Local, not the grievor, has authority regarding the handling of the grievance.

All Executive members who have filed grievances are responsible to ensure that a copy of all grievances filed are forwarded to the President and the National Representative. Subsequently, when the grievance is dropped, settled, etc., the Executive member is responsible to notify the President and National Representative when the resolution occurred and the nature of the resolution, as well as provide copies of any resulting documentation.

APPEALS PROCEDURE

Any union member who believes they have a grievance and submits same in writing and such grievance is not processed by the Grievance Committee

OR

Any grievance which is terminated at any stage of the grievance procedure without the consent of the grievor:

The grievor shall have the right to appeal such decision to the Local Executive Board, in writing, within fourteen (14) calendar days from the time that they were notified by registered mail of said decision.

- a) A special meeting shall be called by the Table Officers of the Union, where the grievor or designate may present the details of their grievance. The grievor or their designate must be a member in good standing of the Union.
- b) The Table Officers that made the decision to not proceed with the grievance shall not be permitted to be present at the grievor's grievance appeal meeting.
- c) To ensure that a grievance is not lost due to time limits, the Grievance Committee or the President shall either initiate a grievance or secure an extension of the time limits until the appeal process has been settled.

- d) In either step of the Appeal Process, the Grievance Committee or President will clarify its position as to why the grievance was denied or terminated.

After due process and consideration, the decision of the Appeal Committee shall be final and not subject to further appeal; and in all circumstances, the Local, not the grievor, has authority regarding the handling of the grievance.

All grievances, whether processed or terminated, shall be reported to the General Membership by the Grievance Committee.

APPENDIX “D”

LAND ACKNOWLEDGEMENT

We acknowledge that we are meeting on land that has been inhabited by Indigenous peoples from the beginning.

We gather today on Treaty 6 territory; the traditional land of diverse Indigenous peoples including the Cree, Dene and Salteaux, and the homeland of the Metis Nation.

We recognize the contributions of Métis, Inuit, and other Indigenous peoples, both in shaping and strengthening communities throughout our province. We are all treaty people and should commit to support Indigenous rights to self-determination.

We recognize the contributions and historic importance of Indigenous peoples must be clearly connected to our collective commitment to make the promise and the challenge of reconciliation real in our communities. Each of us has a part to play in making Canada a more just society.

I pay my respects to the traditional caretakers of this land.

APPENDIX "E"

VICE PRESIDENT REGIONS

SD1 - VP Kindersley

Kindersley
Coleville
Eatonia
Marengo
Glidden Hutterite
Eatonia Hutterite
Springfield Hutterite
Smiley Hutterite

SD3 - VP Biggar

Biggar
Golden View Hutterite
Springwater Hutterite
Big Rose Hutterite

SD5 - VP Eston/Elrose

Eston
Elrose
Kyle
Beechy
Lucky Lake
Beechy Hutterite
Matador Hutterite
Kyle Hutterite

SD2 - VP Rosetown

Rosetown
Darcy
Plenty
Harris
Sovereign Hutterite
McGee Hutterite
Valley Center Hutterite
Rosetown Hutterite

SD4 - VP Outlook

Outlook
Dinsmore
Dinsmore Hutterite
Milden Hutterite

SD6 - VP Davidson

Davidson
Kenaston
Loreburn
Loreburn Hutterite
Clearspring Hutterite

APPENDIX “F”

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 national 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 a National 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.