

Local 5200 Bylaws

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INTRODUCTION

Local 5200 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 5200 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 5200.

(Educational Assistants, Designated Early Childhood Educators and Language Instruction for Newcomers to Canada/English as a Second Language Instructors, Halton Catholic District School Board)

Local 5200 consists of the following bargaining units:

Educational Assistants 5200.00

Designated Early Childhood Educators 5200.01

LINC/ESL Instructors 5200.02

SECTION 2 – OBJECTIVES

The objectives of Local 5200 are to:

- a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- c) Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers;
- d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
- e) Establish strong working relationships with the public we serve and the communities in which we work and live;
- f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution; and
- g) To educate our members to work together, in true solidarity and professionalism toward one another and according to CUPE's 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.

SECTION 4 – MEMBERSHIP

(a) Membership

An individual employed within the jurisdiction of Local 5200 can apply for membership in Local 5200 by signing an application and paying the initiation fee set out in Section 11(a) of these bylaws.

(Article B.8.1)

(b) Approval of Membership

At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting object, the applicant(s) will be accepted into membership.

(Article B.8.2)

(c) Oath of Membership

New members will take this oath:

“I promise to support and comply with the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union.”

(Article B.8.4)

(d) Continuation of Membership

Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local Union unless the member loses good standing under the provisions of the CUPE National Constitution.

(Article B.8.3)

(e) Member Obligations

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

Members will provide the Membership Officer with their current address, telephone contact number and where available, e-mail address. The member will advise the Membership Officer of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of mail, e-mail blasts, virtual meetings or telephone town halls. Members will check their CUPE 5200 email. All correspondence between the Union and its members shall pass primarily thru CUPE 5200 email.

In the case of a telephone town hall, the telephone number may be shared with a service provider under contract to the Local Union to provide the technical equipment to support such a virtual meeting.

Upon request, the Local Union will share the contact information with CUPE National, CUPE Ontario, and the Ontario School Board Council of Unions. The purpose of sharing this contact information is so that the National Union, Provincial Division and the Ontario School Board Council of Unions can communicate with members on important matters.

SECTION 5 – AFFILIATIONS

As approved by the membership at a membership meeting and in order to strengthen the labour movement and work toward common goals and objectives, Local 5200 may be affiliated to and pay per capita tax to the following organization(s):

- The CUPE Ontario Provincial Division (OD)
- The Ontario Federation of Labour (OFL)
- Ontario School Board Council of Unions (OSBCU)
- Oakville District Labour Council (ODLC)

SECTION 6 – MEMBERSHIP MEETINGS

(a) Regular Membership Meetings

Regular membership meetings of Local 5200 shall be held in October, January, and May. There will be no membership meetings held in July or August. Notice of each regular membership meeting outlining the date, time and location 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.

(b) Special Membership Meetings

Special membership meetings of Local 5200 may be required and shall be called by the Executive Board or may be requested in writing by no fewer than 10 members. 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. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

(c) Quorum

The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be 10 members, plus four (4) members of the Executive Board.

(d) Membership Meeting Agenda

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

1. Acknowledgement 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 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)

(e) Bargaining Unit Meetings

Bargaining Unit meetings may be called to deal with matters that affect only members of the bargaining unit. Such meetings are not to be used to replace regular membership meetings and will not make decisions that affect the Local Union as a whole or another bargaining unit. The President shall advise members of the bargaining unit seven days in advance of the meeting providing the time and location and an agenda.

The minimum number of members required to be in attendance for the transaction of business at any bargaining unit meeting shall be 5 bargaining unit members plus 2 members of the Executive Board. Members from other bargaining units in the Local Union may attend these meetings without vote but with voice and are not counted as part of quorum.

SECTION 7 – OFFICERS

The Officers of Local 5200 shall be the President, Unit Vice-Presidents three (3), Secretary- Treasurer, Recording Secretary, Health and Safety Officer, Lead Steward, Membership Officer and three (3) Trustees.

(Articles B.2.1 and B.2.2)

SECTION 8 – EXECUTIVE BOARD

- a) The Executive Board shall include all Officers, except 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. No executive officer shall encumber any personal expense as the result of holding any aforementioned title.
- e) 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.
- f) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
- g) Should any Executive Board member fail to answer the roll call for three (3) consecutive regular meetings or three (3) 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. (Article B.2.5)
- h) The Executive Board shall fill committee vacancies where elections are not provided for.
- i) The Executive Board will appoint a member to fill the duties of a vacant executive position. The appointment will only be valid until the next membership meeting where a by-election will be held. Such by-election shall not exceed a three (3) month period. (a special membership meeting may be required)
- j) In the case of an emergency and only with the majority of executive approval, will any Executive Board member who is a signing officer sign any cheque that is payable to themselves. All cheques must have two (2) signatures.

SECTION 9 – DUTIES OF OFFICERS AND STEWARDS

Each Officer of Local 5200 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 5200 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.
- Fill committee vacancies where elections are not provided for.
- Introduce new members and conduct them through the initiation ceremony.
- Receive a copy of all grievances prior to submission.
- Attend all steps of grievance meetings.
- Answer correspondence and fulfil other administrative duties.
- Be paid at a rate of thirty-five dollars (\$35) per hour for a forty (40) hour work week during their paid leave of absence. All wage increases shall be applied to

the President's wage as achieved through Collective Bargaining and/or otherwise obtained.

- Be paid an additional two (2) weeks, immediately prior to ten (10) month employees returning to their regularly scheduled employment, to perform duties for CUPE Local 5200.
- 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.
- 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.
- If the President is absent or not eligible to carry out their duties, an Executive Officer will be voted by the remaining Executive Board and will perform all duties of the President. The appointment will be valid for no more than three (3) months or until the next general membership meeting occurs, where a by-election will be held. A special membership meeting will be held if a general membership meeting is more than three (3) months away.
- Have first preference as a delegate to the CUPE National Convention, National Sectoral Conference, CUPE Ontario Conference and OSBCU Conference or any other Conferences, Conventions that may be of interest to the members.

(Article B.3.1)

(b) Unit Vice-Presidents

The Unit Vice-Presidents shall:

- A Unit Vice President (as decided by the Executive Board) will preside over membership and Executive Board meetings in the absence of the President
- Preside over Bargaining meetings.
- Preside over the Unit Bargaining Committee.
- Chair the Unit Labour Management Meeting.
- Render assistance to any member of the Executive as directed by the Executive Board.

(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.
 - Keep in a separate book all motions, including the names of all movers and seconders.
 - Keep on hand a copy of the CUPE National Constitution and the Local Bylaws.
 - 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.
 - Have all records ready on reasonable notice for the Trustees or auditors.
 - 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)
- Attend any meetings with the Employer requested by the Executive Board.

(d) Secretary-Treasurer

The Secretary-Treasurer shall:

- Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union.
- 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, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.

- Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
- Record all financial transactions 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 are completed prior to June 30th or as stipulated by CUPE to be eligible for bonding.
- 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.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union's funds.

- Notify all members who are one month in arrears and report to the Executive Board all members two or more months in arrears in the payment of union dues.
(Articles B.3.4 to B.3.8)
- An official Audit may be completed upon the Secretary-Treasurer leaving the position.
- Answer correspondence and fulfil other administrative duties.

(e) Membership Officer

The Membership Officer shall:

- Guard the inner door at membership meetings and admit no one but members in good standing or Officers and officials of CUPE, except on the order of the President and with consent of the members present.
- Maintain the record of membership attendance at meetings.
- Be responsible for the Attendance Roll Call Book.
- Ensure that 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.
- Record the names of new members attending meetings and advise the Recording Secretary at the commencement of the meeting.
- Be a liaison for new members, including sending each new member a Local Orientation Brochure and Welcome Letter.
- Maintain and update all social media accounts – monitor members’ posts to ensure CUPE’s Equality Statement is upheld, verifying members prior to acceptance, update members.
- Maintain cupe5200.ca website – verifying members prior to acceptance on website, update members’ status, updating name changes, ensure retired, resigned, and removed members are updated.
- Perform such other duties as may be assigned by the Executive Board from time to time.

(f) Health and Safety Officer

The Health and Safety Officer shall:

- Complete all necessary training at the first available opportunity through CUPE National (cupe.ca) to perform their duties
- Where possible, sit on the Joint Health & Safety Committee at their worksite.
- Be aware of and review issues with the general membership.
- Maintain a current list of certified worker representatives of the Joint Health and Safety Committee at each location.
- Receive all health and safety concerns or complaints from the membership and ensure they are carried forward to Labour Management Meetings.
- Maintain accurate Workplace Safety Insurance Board (WSIB) records organized by site for data points.
- Submit a report in writing to Executive Board meetings and General Membership meetings.

(g) Chief Steward

The Chief Steward shall;

- Preside in the absence of the President and Unit Vice-President at all Unit meetings and to render such assistance as is deemed necessary to the President and Unit Vice-President upon request.
- Preside over Stewards meetings.
- In the absence of the Unit Vice-President, attend Labour Management meetings.
- Coordinate all grievances within the Unit and shall sit on the Grievance Committee. Attend all related meetings and may attend grievance mediation at the discretion of the President or their designate.
- Process all grievances according to the Collective Agreement.
- Attend all steps of grievance meetings.
- Prepare a copy of any grievance and all responses for the National Representative if requested.

- Keep accurate files on all grievances.
- Assist with the preparation of documentation for arbitration and will attend arbitration hearings, as required.
- Offer advice or training to Location Stewards as required regarding the grievance procedure, protocol etc.
- Perform duties of a Location Steward(s) for those sites allowed same where the positions are vacant in that location. There shall be no additional expenses paid for performing these duties save and except for their work location and for mileage expenses.
- The Chief Steward's Paid Leave of Absence will be paid at eight (8) hours per day at a rate of thirty-five dollars (\$35) per hour. All wage increases shall be applied to Chief Steward's wage as achieved through Collective Bargaining and/or otherwise obtained.

(h) Trustees

The Trustees shall:

- Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary, and the committees at least once every calendar year.
- Make a written report of their findings to the first membership meeting following the completion of each audit.
- Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union and report their findings to the membership.

- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
 - i. Completed Trustee Audit Program
 - ii. Completed Trustees' Report
 - iii. Secretary-Treasurer Report to the Trustees
 - iv. Recommendations made to the President and Secretary-Treasurer of the Local Union
 - v. Secretary-Treasurer's response to recommendations
 - vi. Concerns that have not been addressed by the Local Union Executive Board.

(Articles B.3.10 to B.3.12)

(i) Stewards

The membership at each work site will elect their site steward. If there is a vacant position, the Executive Board may appoint a steward. Steward candidates must gather petition signatures from a majority of their CUPE 5200 members. If there is more than 1 candidate, then an election will be held to determine who will be the representative at that location (see section 10 (b)).

Stewards shall;

- Be responsible for the creation and maintenance of the bulletin board at their work site.
- Be responsible to post notices on the bulletin board at their worksite.
- Communicate information from the members to the Executive Board and from the Executive Board to the members.
- Investigate and document complaints and concerns.
- Do the initial interviewing of members using the fact-finding sheet for the purposes of filing grievances.
- Attend Stewards Meetings and General Membership Meetings.
- Must take Introduction to Stewarding Part 1 and Part 2 as per CUPE National Education.

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 May.
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, Membership Officer and Health and Safety Officer are elected in odd years. The Unit Vice-President, Secretary-Treasurer, Chief Steward are elected in even years.
2. A returning officer and two assistants will be selected by the members prior to proceeding with the elections. The returning officer and assistants will include members of the Local Union who are neither Officers nor candidates for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union.
3. The Executive Board will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Chief Returning Officer.
4. The Chief Returning Officer will be responsible for issuing, collecting, and counting ballots. The Chief Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.

5. The voting will take place at the regular membership meeting in May. The vote will be by secret ballot.
6. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.
7. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will 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 will be dropped.
8. In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary, until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
9. When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
(Article 10.4)
10. Any member may request a recount of the votes for any election and a recount 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).
11. All election complaints by members will be submitted in writing to the Chief Returning Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven days after the election. The Chief Returning Officer in conjunction with the Elections Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.

(c) Bargaining Unit Elections

Nominations and elections for bargaining unit positions will take place after the elections outlined in Section 10(b). Bargaining unit nominations and elections will be conducted for the following positions:

Unit Vice-Presidents

The voting will take place at the membership meeting in even years and will be by secret ballot. A majority of votes cast by unit members will be required before any candidate can be declared elected, and second and subsequent ballots will 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 will be dropped.

(d) Installation of Officers

1. All duly elected Officers shall be sworn in at the end of the election and will assume their duties on July 1st and shall continue in office for 2 year(s) 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. 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 10.7(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) Initiation Fee

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. Each application for membership in the Local Union will be directed to the Secretary Treasurer and will be accompanied by an initiation fee of one dollar (\$1.00), which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

(Articles B.4.1 and B.8.2)

(b) Readmission Fee

The readmission fee may be \$1.00.

(Article B.4.1)

(c) Monthly Dues

The monthly dues shall be 1.75% of regular wages.

Notwithstanding the above provisions, if the CUPE National Convention raises minimum fees and/or per capita dues above 0.94%, these by-laws will be deemed to have been automatically amended by an equal amount.

(d) Amending Monthly Dues

The regular monthly dues may be amended by referendum. 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)

(e) 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 – NON-PAYMENT OF DUES AND ASSESSMENTS

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

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

(Article B.8.6)

SECTION 13 – 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, 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 \$250 a notice of motion must be made at a regular membership meeting and then approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven days after the meeting where notice of motion has been given.

- (d)** No Officer or member of Local 5200 will be allowed to spend any Local Union funds without first having received authorization under Section 13(a) of these bylaws.

SECTION 14 – HONORARIUMS

Local Union Officers and committee members shall be provided an Annual Honorarium as follows half of which will be paid in December and the other half in June:

President \$500
Unit Vice-President \$400
Recording Secretary \$400
Secretary Treasurer \$400
Steward \$150

Trustee (per audit) \$100
Membership Officer \$400
Health and Safety Officer \$250
Chief Steward \$500

Honorariums will be prorated to reflect the amount of time, to the nearest month, the member holds the position and will be based on the ten-month school year.

A mileage allowance at the current Canada Revenue Agency rate will be paid for attendance at all union related activities between home or work location to the meeting location and return, except membership meetings which all members are required to attend.

SECTION 15 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

- (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) A member responsible for reporting back to the Local Union membership shall be appointed by the President from among these delegates, and the member appointed shall make a written report at the following Local Union membership meeting.
- (c) All delegates attending conventions, conferences, or educationals held outside the area of Halton, Hamilton or Peel shall be paid transportation expenses and reasonable accommodation expenses if required (at economy, tourist or coach rates or compensated per kilometre at the current Canada Revenue Agency mileage rate) as determined by the Secretary-Treasurer, and a daily per diem allowance of \$100 dollars for meals and expenses as outlined below.
The Local Union will reimburse the member's employer for any loss of wages. No vouchers for alcohol will be reimbursed. Any conference, seminar or course that is scheduled for three hours or less will be considered a half day and will be paid a per diem depending on meal consumed as outlined below:

\$20 for breakfast, \$30 for lunch and \$50 for dinner.

Daily Rate – CUPE Local 5200 will provide a per diem of one hundred dollars (\$100) for meetings, including travel time, greater than three hours in one day.

½ Daily Rate – CUPE Local 5200 will provide a meal allowance of twenty dollars (\$20) for breakfast, thirty dollars (\$30) for lunch and/or fifty dollars (\$50) for dinner for meetings, including travel time, equal to or less than three hours in one day occurring over a meal period.

All per diems will be paid according to in person attendance.

(d) Delegates to conventions, conferences, and educationals held locally shall have travel allowances. There shall be a per diem allowance of \$50.00 dollars for meals and expenses incurred by attendance at the convention, conference or educational. Any conference, seminar or course that is scheduled for four hours or less will be considered a half day and will be paid a per diem of \$25.00. The Local Union will reimburse the member's employer for any loss of wages. All per diems will be paid according to in person attendance.

(e) Representation at educational institutes and seminars shall be on the recommendation of the Executive Board.

(f) Local 5200 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.

SECTION 16 – COMMITTEES

(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 Committees

Bargaining Committee

These will be special committees established at least 12 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 committees is to prepare collective bargaining proposals.

Bargaining Team

The Bargaining Team shall consist of the President plus three (3) elected members from the negotiating Bargaining Committee for the EA Unit and the President plus two (2) elected members from the Bargaining Committee for the DECE Unit and the President plus two (2) elected members from the Bargaining Committee for the LINC/ESL Unit. The function of the committee is to negotiate a collective agreement.

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.

(b) Permanent Committees

The Chairperson of each permanent committee will be elected by the members at a membership meeting. 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 written reports to each regular membership meeting. Unit Vice-Presidents shall be a member, ex-officio, of each committee.

There shall be 2 permanent committees as follows:

1. Grievance Committee

This committee will:

- 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. The committee members will be the Executive Board members and two (2) 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 members will be the Executive Board members and 5 members. 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 during the review process.

SECTION 17 – 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 and Appendix F)

SECTION 18 – 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 19 – 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 8.2(c), 12.3 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 days before in writing.

(Articles 12.3 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.5.1)

SECTION 21 – PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 5200 bylaws, either in paper format or via the Local Union website at cupe5200.ca. Members requesting a copy of these bylaws will be provided a copy in either French or English as requested. Members with special needs may request a copy of the bylaws in larger font.

SECTION 22 – RELEASE TIME

1. In the event the President is on a leave of absence for more than one (1) month, the Acting President may remain on full time release for up to one (1) week upon the President's return to assist the returning President with all CUPE Local 5200 business.
2. The Chief Steward shall be on four (4) day release each week to perform their duties for CUPE Local 5200.
3. The Recording Secretary shall be released to attend any meeting requested by CUPE Local 5200.

SECTION 23 – INTERIM EXECUTIVE POSITIONS

In the event a member of the Executive Board is covering another Executive position due to a leave, for longer than one month, a Special Membership Meeting will be held to elect an interim Executive Officer to one of the positions, as deemed appropriate by the Executive Board.

Appendix A

CUPE NATIONAL EQUALITY STATEMENT

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

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

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

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

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

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

Appendix B

CODE OF CONDUCT

The mandate of our union, the Canadian Union of Public Employees (CUPE) Local 5200, 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 5200 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 Local 5200 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 5200 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 5200 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. In the absence of the President, Vice-President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five 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.