



Updated March 2006

CONSTITUTION AND BY-LAWS

**LOCAL 1936
(Lower Mainland Social Services)**

CANADIAN UNION OF PUBLIC EMPLOYEES

PREAMBLE

In order to improve the social and economic welfare of its members without regard to sex, colour, sexual orientation, race or creed; to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, this Local 1936 of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

The following Bylaws are 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.

ARTICLE I – NAME

The name of this Local shall be: **The Canadian Union of Public Employees, Local 1936
Greater Vancouver Community Social Service Workers.**

ARTICLE II – INTERPRETATION

1. “Local” shall mean the Canadian Union of Public Employees, Local 1936.
2. “National Union” shall mean the Canadian Union of Public Employees;
3. “Unit” shall mean all “bargaining units with a particular employer”;
4. “Bylaws” shall mean the rules and regulations of the Local;
5. “Local Officer”, the officers of the Local shall be the President, the Vice-President, the Grievance Officer(s), the Secretary and the Treasurer;
6. “Local Executive Board” shall mean a committee composed of the President, Vice-President, Secretary, Treasurer and Grievance Data Officer, who are the Administrative Committee; The Unit Chairs or their alternates, and the Parent Local Stewards;
7. “Unit Chairperson” shall mean a member who has been elected to represent a Bargaining unit;
8. “Unit Committee” shall mean the committee comprised of the Unit Chairperson, the Unit Secretary and the stewards established within each unit;
9. Central Membership Meetings shall mean a meeting of the membership all the Bargaining Units comprising the Local;
10. “Member” shall mean an employee who has signed an application for membership in the Union;
11. “Steward” shall mean a member who has been elected or appointed to assist a Unit chairperson, both as a grievance steward and as a member of the Unit Committee;
12. “Gender” words used in these Bylaws in the feminine gender shall include the masculine or vice versa.

ARTICLE III – OBJECTIVES

The objectives of the Local are to:

1. Secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
2. Support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
3. Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
4. Encourage the settlement by negotiation and mediation of all disputes between members and their employers.

ARTICLE IV – HUMAN RIGHTS

1. Every member has the right to equal benefit, equal protection and equal treatment under these by-laws without discrimination and in particular, without discrimination based on age, colour, family status, gender, marital status, mental or physical disability, national or ethnic origin, political affiliation, religion, sexual orientation or social and economic status.
2. Subsection 1 does not preclude any by-laws, program or activity that has as its objective the amelioration of conditions of disadvantaged members or groups of members including those that are disadvantaged because of age, colour, family status, gender, marital status, mental or physical disability, national or ethnic origin, political affiliation, religion, sexual orientation or social and economic status.

ARTICLE V – MEMBERSHIP

1. All employees who sign an application for membership, and pay the Initiation fee established herein shall be eligible for and shall be admitted to membership in the Union subject to the provisions of the National Union Constitution.
2. A card certifying membership in the Union shall be forwarded to each member upon acceptance and processing into membership.
3. A copy of these Bylaws shall be forwarded to each new member together with a copy of the Constitution of the National Union.

ARTICLE VI – AFFILIATION

1. Local 1936 shall maintain its affiliation with the following labour organizations and shall participate in their activities;
CUPE BC
B.C. Federation of Labour
Local 1936 shall attempt to affiliate and participate in the CUPE District Councils and Labour Councils that are associated with their Local 1936 geographical bargaining unit locations.

ARTICLE V11 – UNITS

1. Local 1936 shall be comprised of Community Social Services bargaining units in the Vancouver, BC Lower mainland area, or as deemed appropriate by the Local Executive Board and approved by the membership.

ARTICLE VIII – UNIT COMMITTEE

1. Each Unit Chairperson shall convene monthly meetings of the Committee.
2. The Unit Chairperson shall arrange to have the Unit Secretary and each Steward notified not less than seven (7) calendar days in advance of a Unit Committee meeting.
3. A majority of the Unit Committee meeting constitutes a quorum.
4. Any member in good standing may attend a meeting of their Unit Committee and shall have voice but no vote at such meeting.
5. An agenda shall be established for all Unit Committee meetings.
6. Any member of the Unit Committee who is absent from three (3) consecutive meetings shall be requested by the Unit Secretary to forward a written statement explaining the absence. The Committee shall immediately determine the validity of the reasons for the absence. If found invalid by a two-thirds (2/3) majority of the Committee, the following shall apply: the office shall be declared vacant and shall be filled by an election at the following membership meeting. (Article B 2-5)
7. A Unit Chair or a Unit Secretary may also function as a steward or chief Steward if the Unit and the Administrative Committee of the local so approves.
8. Duties of the Unit Chairperson
It shall be the duty and responsibility of a Unit Chairperson to:
 - a. In conjunction with the Local President, or designate, represent the employees in her Unit when dealing with management at the Unit level.
 - b. Keep the members of her Unit informed with respect to relations between the members of her Unit and the employer.
 - c. Report to the Unit Committee any matters affecting the members of her Unit.
 - d. Respect the confidence of any members when dealing with matters personal to such members.
 - e. Advise the Administrative committee, in writing, that the Unit Secretary has assumed her duties and responsibilities when the Unit Chairperson is temporarily unable to perform her duties.
 - f. Be the Chairperson at meetings of the Unit Committee and of the Unit membership.
 - g. Call emergency meetings when deemed necessary and when requested to do so by a majority of the Committee members and/or twenty per cent (20%) of the unit members who request a meeting in writing.
 - h. Have no authority or jurisdiction beyond her own Unit and to undertake or initiate only such procedures within her Unit, as will have no effect on other units. Procedures, which will affect other units, must have the approval of the President of the Local.

9. Duties of a Unit Secretary

It shall be the duty and responsibility of a Unit Secretary to:

- a. Keep full and accurate account of the proceedings of all Unit meetings;
- b. Answer correspondence and fulfil other secretarial duties as directed by the Unit Chairperson;
- c. File a copy of all letters sent and keep on file all communications for the Unit;
- d. Prepare and distribute all circulars and notices to members in the Unit;
- e. If the Unit Chairperson is absent or incapacitated, perform all duties of the Unit Chairperson.

10. Duties of a Unit Chief Steward

Should a Unit have a Chief Steward it shall be the duty of a Unit Chief Steward to:

- a. Record and track all grievances in the Unit;
- b. Ensure all grievances are processed in a timely manner;
- c. Assist any steward as necessary.
- d. Prepare a grievance report for the Grievance Officer
- e. A unit may decide to have more than one chief steward due to size and workload of that unit.

ARTICLE IX – UNIT MEMBERSHIP MEETINGS

1. Each Unit Chairperson shall convene at least five (5) regular Unit membership meetings each year, one of which, in the even numbered years, shall be for the purpose of elections in accordance with Article XVIII.
2. Notice of a Unit Membership meeting shall be posted in an appropriate place not less than seven (7) calendar days in advance of the meeting.
3. A quorum for a Unit membership meeting shall be not less than ten percent (10%) of the membership, plus a majority of the Unit Committee.
4. At each membership meeting the Unit Secretary shall take the minutes.
5. A firm agenda shall be established for all unit membership meetings and shall include the following items:

“Order of Business”

Roll Call of Officers
Reading of the Equity Statement
Voting on new members and initiations
Reading of the minutes of the previous meeting and matters arising.
Local Financial Report (information only)
Communications and Bills
Report to membership by Unit Chairperson
Reports from Committees
Nominations, Elections or Installations
Unfinished Business
New Business
Good of the Union
Adjournment

ARTICLE X – BARGAINING COMMITTEES

1. Each Bargaining Unit shall elect a Bargaining Committee. Such committee shall include the Unit Chairperson, who shall act as Chairperson of the Bargaining Committee. The Committee, together with the National Representative shall be responsible for preparing bargaining proposals approved by the membership and for negotiating the Collective Agreement. The National Representative shall be consulted at all stages of the process from formulating proposals through negotiations and contract ratification by the membership. Under special circumstances the Unit Chairperson may appoint other members in good standing to substitute for absent or incapacitated members of the Bargaining Committee, or to contribute particular expertise during negotiations.
2. The Local and each unit shall participate in any central or coordinated bargaining for the sector. In such instances bargaining shall be in accordance with the Bargaining Protocol developed for each set of negotiations. Any settlement from a central Bargaining table shall be ratified in accordance with the terms of the Bargaining Protocol for that set of negotiations. Each Bargaining Unit shall ratify any settlement of Local issues.

ARTICLE XI – OFFICERS OF THE LOCAL AND NATIONAL STAFF

1. The Officers of the Local shall be the President, the Vice-President, the Secretary, the Treasurer and the Grievance Officer(s).
2. Executive Officers shall have the right to attend Unit meetings with voice but no vote unless the Executive Officer is a member of that Unit.
3. The National Representative(s) shall have voice but no vote on all committees and at all meetings.

ARTICLE X11 – EXECUTIVE BOARD

1. The Local Executive Board (hereinafter referred to as the “Executive Board”) shall be composed of the President, the Vice-President, the Secretary, the Treasurer, the Grievance Data Officer, the Unit Chairpersons or their Alternate, and the Parent Local Stewards.
 - a) The President, Vice President, Secretary, Treasurer and Grievance Data Officer shall constitute the Administrative Committee of the Local.
2. A member of the Executive Board may also hold a position within a Unit.
3. The Executive Board shall have the general powers of directing the affairs of the Local.
4. The Administrative Committee shall be responsible for the powers of administration and direction of the affairs of the Local between general meetings and shall submit written reports to the Executive Board.
5. The President shall convene regular meetings of the Executive Board at least once every month. Such other meetings as are required shall be at the call of the President or upon written request to the Secretary signed by one-third (1/3) of the members of the Executive Board.
6. The President shall call any other meetings of the Board when requested to do so in writing by not less than a majority of the Unit Chairpersons. A majority of the Executive Board constitutes a quorum.
7. The Executive Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees. Should any Board member fail to answer the roll call for three (3) Executive Board meetings without having submitted good reasons for those failures, her office shall be declared vacant and shall be filled by an election at the following Central Membership Meeting. (Article B 2.5).
8. Each Executive Officer shall be assigned an equal number of Bargaining Units that he or she will be responsible for.

ARTICLE XIII – DUTIES OF OFFICERS AND EXECUTIVE BOARD MEMBERS

1. The Duties of the President are of such a nature that they are required that she be booked off work full-time with remuneration being equivalent to 5% above the highest wage grid in the Collective Agreement.

It shall be the duty and responsibility of the President to:

- a. Enforce the CUPE Constitution and these by-laws;
- b. Preside at all central membership meetings and preserve order;
- c. Decide all points of order and procedure (subject always to appeal to the membership);
- d. Have a vote on all matters (except appeals against his rulings) and in case of a tie vote in any matter, including the elections, have the right to cast an additional vote to break the tie;
- e. Ensure that all officers perform their assigned duties;
- f. Shall be a member ex-officio of all committees;
- g. Shall have the option of attending all conventions, conferences and/or seminars as the delegate or one of the delegates of the Local.
- h. Be one of the signing officers of the Local.

4. Duties of the Vice-President

It shall be the duty and responsibility of the Vice-President to:

- a. If the President is absent or incapacitated, perform all duties of the President;
- b. If the office of the President falls vacant, shall be the acting President until a new President is elected;
- c. Render assistance to any member of the Executive Board as directed by the Board;
- d. Preside at all Executive Board meetings and preserve order;
- e. Be a committee member of any standing committee as assigned by the Executive Board;
- f. Be one of the signing officers of the Local.

5. Duties of the Secretary

It shall be the duty and responsibility of the Secretary to:

- a. Keep full and accurate account of the proceedings of all Executive Board and Central Membership meetings;
- b. Record all amendments to these bylaws;
- c. Answer correspondence and fulfil other secretarial duties as directed by the Executive Board;
- d. File a copy of all letters sent and keep on file all communications;
- e. Prepare and distribute all circulars and notices to members;
- f. Have all records ready on reasonable notice for auditors and Trustees;
- g. Preside over membership in the absence of both the President and Vice-President; In the absence of the Vice-President at Executive Board Meetings, nominate an alternate chair for that meeting from amongst the Executive Board Members present
- h. Be empowered, with the approval of the Executive Board, to employ necessary clerical or other assistance to be paid for by Local;
- i. On termination of office, surrender all books, seals and other properties of the Local to her successor.

6. Duties of the Treasurer:

It shall be the duty and responsibility of the Treasurer to:

- a. Be one of the signing officers of the Local;
- b. Receive all revenue, initiation fees, dues and assessments, keeping a record of each unit's payments, and deposit promptly all money with a bank or credit union;

- c. Forward to the National Secretary/Treasurer of the National Union, on the official monthly report forms provided, not later than the 15th day of each month all financial obligations owing to the Canadian Union except where the Union has arranged with employers for Union Dues cheques of all Units to be sent directly to the office of the National Secretary/Treasurer;
 - d. Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices;
 - e. Make a financial report to the Local each month with copies to all Units;
 - f. Be bonded in accordance with the recommendations of the National Secretary-Treasurer under the National Union Constitution. Any Treasurer who cannot qualify for a bond shall immediately be disqualified from her office and the local shall proceed with the election of another Treasurer;
 - g. 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;
 - h. Make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited semi-annually;
 - i. Provide the Trustees with any information they may need to complete the audit report forms supplied by the National Union;
 - j. Be empowered, with the approval of the Executive Board to employ necessary clerical assistance to be paid for out of the Local's funds;
 - k. On termination of office, surrender all books, records and other properties of the Local to her successor.
7. Duties of the Grievance Officer(s)
It shall be the duty and responsibility of the Grievance Officer(s) to:
- a. Compiles Unit grievance reports;
 - b. Prepares a report for each Executive Board meeting;
 - c. Chair the Grievance Committee meetings;
 - d. Ensure that all stewards are properly trained;
 - e. Assist any Unit chairperson or Unit chief Steward as requested.
8. Trustees
Local 1936 shall have 3 trustees.
It shall be the duty and responsibility of the Trustees to:
- a. Act as an auditing committee on behalf of the members and audit the books and accounts of the Treasurer, the Secretary and the Standing Committees, and inspect and examine all properties, bonds, and all other assets of the local at least half yearly or every six months;
 - b. Report their findings to the first Executive Board meeting following the completion of each audit;
 - c. Be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
 - d. Ensure that proper financial reports are being made to the membership;
 - e. Audit the record of attendance;
 - f. Inspect at least twice 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, and report their findings to the membership;
 - g. Use audit forms supplied by the National Office and send a copy of each half-yearly audit to the National Secretary/Treasurer in accordance with the provisions of the CUPE Constitution.

ARTICLE XIV – LOCAL MEMBERSHIP MEETINGS

1. Local 1936 shall convene five (5) central membership meetings in the months of September, November, January, March and May each year.
2. Notice of a regular membership meeting shall be posted in an appropriate place not less than seven (7) calendar days in advance of the meeting.
3. A quorum for the central membership meeting shall be not less than thirty (30) members, including a majority of the Executive Board.
4. At each membership meeting the Secretary shall take the minutes.
5. A firm agenda shall be established for all central membership meetings and shall include the following items:

“Order of Business”

Roll Call of Officers
Reading of the Equity Statement
Voting on new members and initiations
Reading of the Minutes of the previous meeting and matters arising.
Financial Report
Communications and Bills
Report to membership by President
Reports from Unit Chairpersons
Reports from Committees
Nominations, Elections or Installations
Unfinished Business
New Business
Good of the Union
Adjournment

ARTICLE XV – VOTING OF FUNDS

1. **Bonding**
All Executive Officers of the Local, unpaid or paid, who have anything to do with the direct handling of the finances of the Union shall be bonded in accordance with the recommendations of the National Secretary-Treasurer and, in any case, in sums not less than is required under Section B.3.5 of the National Constitution.
2. **Voting of Funds**
 - a. Except for expenses and bills approved for payment by the Local, no sum over five hundred dollars (\$500.00) may be paid by the Local to any cause outside of the National Union. All expenditures will be reported in writing to the next membership meeting.
 - b. Expenditures shall be only for the legitimate business of the Local and no disbursements shall be made for any business, which is considered to be the responsibility of the National Union or its other authorized bodies. Legitimate business of the Local shall include but not be limited to: Local meetings, bargaining sessions and meetings, regional meetings, conferences and

conventions, trustees meetings, committee meetings, training courses and schools, and special meetings.

- c. In any event, all expenditures of the Local must be approved at a membership meeting, preferably in advanced. However, in those circumstances when the Executive may have to authorize an expense between central membership meetings, those expenses shall be presented for approval at the central membership meeting immediately following the expenditure.
- d. The Local shall be responsible for expenses incurred through costs for meeting rooms.
- e. Each Unit Chair shall be provided a cash float as follows:
 - i. under 20 members \$100.00
 - ii. under 50 members \$200.00
 - iii. 51 or more members \$300.00

The cash float is to be used for unit incidental expenses such as stationary and meeting rooms only.

It is understood that all expenditures from the Cash Float must have receipts. Whenever necessary the Unit Chairs will submit the receipts to the Treasurer who will provide the Unit Chair with sufficient funds to bring the Cash Float back to the maximum amount permitted under these by-laws. Unit Chairs will turn in the cash Float immediately upon ceasing to hold office.

- f. Expenses shall be reimbursed as follows:
 - i. Lost wages and benefits for regularly scheduled days of work lost while the member is attending to authorized business on behalf of the Local or bargaining unit. Such leave must be authorized by two Executive Officers.
 - ii. While attending to union business over a regular meal period a member is entitled to a maximum of:
 - (a) Breakfast \$10.00
 - (b) Lunch \$15.00
 - (c) Dinner \$25.00

Receipts must be presented for payment. No reimbursement shall be payable for alcoholic beverages.

- iii. Expenses of \$65.00 per day shall be paid when the member submits a receipt for an overnight stay. This per diem is applicable for the second and subsequent days for which the member is required to remain away.
- iv. Hotel accommodations at double occupancy rates wherever possible, with receipts;
- v. A minimum travel allowance at the rate of 45 cents per kilometre for the first 5000 Km and 39 cents for additional Km's, shall be paid to members that are required to drive their vehicle for approved union business; unit chairs shall

be reimbursed for mileage at the current rate for all meetings and other union activities where the unit chair's attendance is required;

- vi. Parking fees, with receipts;
- vii. Public transportation, with receipts;
- viii. Telephone expenses: to be eligible for reimbursement, calls must be for legitimate business of the local, with receipts. The Local Officers of Local 1936 shall be reimbursed for cell phone use provided it is used for Union Business upon receiving a receipt (bill);
- ix. When on legitimate business of the Local, one call home per day qualifies for reimbursement, with receipts;
- x. Childcare expenses will be reimbursed to members while on Local business or as deemed by the Local. Receipts are to be provided to the Treasurer before being reimbursed. Up to \$50.00 per day will be paid. Any expenses outside the above shall be subject to approval at Executive Board Meetings;
- g. The Local shall operate on the voucher system to record all amounts paid covering expenses for travel, per diem, accommodation, etc. for officers and members, and properly covered by receipts. No payment shall be made with respect to such claims until such time as an authorized officer of the local approving payment signs the voucher;
- h. Only those expenses not covered by any other source shall be claimed by anyone for expenses incurred while attending to Local business;
- i. All expenditure reimbursements shall be made by cheque;
- j. The Local shall reimburse the Employer for all authorized union leaves;
- k. No expenditures by any Committee shall be incurred unless the expenditure has been approved in advance by the Executive Board;
- l. The total listing of expenses (including lost time payments) of each member of the Executive Board shall be reported in writing to each Executive Board meeting;
- m. The Treasurer shall retain all financial books and records of the local in safekeeping for a seven (7) year minimum period;
- n. No motion of a Unit membership that would require either directly, or indirectly, the expenditure of Local Union funds shall be binding upon the Local unless, and until, approved by a motion by the Executive Board or by a motion by the Local Membership.

ARTICLE XVI – FEES, DUES AND ASSESSMENTS

1. **Initiation Fee:** Each application for membership in the Local shall be directed to the Unit Secretary and shall be accompanied by an initiation fee of \$1.00 which shall be in addition to monthly dues. The Secretary shall issue a receipt.
2. **Admittance Fee:** The re-admittance fee shall be one dollar.
3. **Monthly Dues:** The monthly dues shall be two percent (2%) of regular pay with minimums as provided in the National Constitution from time to time. Changes in the levels of Initiation Fee, or of monthly dues shall be by amendment of these Bylaws.
4. **Special Assessments:** Special assessments may be levied in accordance with Article B.4.2 of the National CUPE Constitution.
5. **Waiver of Obligation:** No member shall be obliged to pay dues and/or assessments while on unpaid leave of absence; lay off; pregnancy, adoption or parental leave; WCB (either receiving or appealing) or on LTD.
6. Each Unit in Local 1936 shall be on Direct Dues Remittance to National.

ARTICLE XVII – NOMINATIONS, ELECTIONS AND INSTALLATION OF OFFICERS

1. **Nomination Conditions:** To be eligible for nomination a member shall be in good standing in her Unit and have attended at least 50% of the Local's membership meetings in the previous year or given valid reason for her absence as considered by the Executive Board. No nomination shall be accepted unless the member is in attendance at the election meeting or has allowed to be filed at the election meeting her written consent duly witnessed by another member.
2. **Holding Office:** A member may accept nomination for an office while holding another office. If successful in the election, the member's resignation from their current office is deemed to take place immediately.
3. **Vote for One Office:** Voting to fill one office shall be conducted and completed and recounts dealt with before balloting may begin to fill another office.
4. **Majority Required:** A majority, fifty percent (50%) plus one (1) of votes cast shall be required before any candidate can be declared elected. Second and subsequent ballots shall be taken if necessary to obtain a majority decision.
5. **Lowest Dropped:** On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped from the ballot.
6. **Tie Vote:** In the case of a tie vote the ballot shall be repeated until the tie is broken.
7. **Two or More Office Holders:** Where two or more nominees are to be elected to any office by single 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.
8. **Recount:** Any member may request a recount of the votes in any election. The recount will be held if supported in a vote by at least thirty-five percent (35%) of the voting members.

9. Election Years: Elections shall be held in even numbered years in the month of May.
10. Term: The term of office for Officers of the local shall be two (2) years with no limit on the number of terms served.
11. Installation: All duly elected officers shall be installed at the meeting at which the election occurred.
12. The terms of office for Trustees shall be as laid down in Article B.3.10 of the CUPE Constitution.
13. By-Elections: Should an office fall vacant for any reason the resulting by-election shall be conducted as closely as possible in conformity with this article.

ARTICLE XVIII – NOMINATIONS, ELECTIONS AND INSTALLATION OF UNIT COMMITTEE MEMBERS

1. Unit Chairpersons, Secretaries and Stewards shall be elected for a term of two years. Elections shall take place in even numbered years in the month of June.
1. Elections shall be in accordance with the procedure specified above in Article XVII, Subsection 1 to 11 and 13.

ARTICLE XIX – DELEGATES TO CONVENTIONS AND COUNCILS

1. Except for the President’s option (Article XIII, Section 1 (g)) all delegates to conventions and/or seminars shall be chosen by election at membership meetings of the local. Should the Executive Board make a recommendation with respect top delegates, the Executive Board shall give due consideration to recommendations from Unit Committees with respect to these matters.
2. Delegates to CUPE District Councils and Labour Councils shall be elected bi-annually. An official reporter for the delegates to each Council shall be appointed by the President from among the delegates to each Council, who she shall be required to report at each meeting of the Local membership on proceedings at recent meetings of the Councils.

ARTICLE XX – UNION EDUCATION

1. Education and Training Committee – Three members
The Education Committee shall consist of three (3) members to be elected at the September central membership meeting following the election of Officers in even years:
 - a. Ensure all members are made aware of educational courses as they may be offered.
 - b. Co-operate with the Education Department of CUPE, and with the CUPE Education Representative to implement schools.
 - c. Arrange for representation of the Local at any appropriate and available educational seminar or conference.
 - d. Instruct delegates with respect to the preparation of reports to the membership regarding seminars and conferences.

- e. Maintain a reference file on these reports.
2. Representation at educational institutes and seminars shall be on the recommendation of the Education Committee, subject to final approval by the Executive Board. The Education Committee shall give due consideration to the recommendations of Unit Committees in these matters.

ARTICLE XXI – GRIEVANCE COMMITTEE AND APPEAL PROCEDURE

1. Local 1936 Grievance Committee shall be comprised of the National Representative assigned to the Unit, the President, the Grievance Data Officer, the assigned Parent Local Steward and the Unit Chair or Unit Steward from the unit where the grievance originated.
 - i) **Parent Local Steward** shall mean a Steward appointed or elected to the Local Grievance committee;
 - ii) **Unit Steward** shall mean a qualified member appointed or elected to assist a Unit chairperson, both as a grievance steward and as a member of the Unit Committee
2. A member shall have the right of an appeal to be presented to the next central membership meeting, should the Grievance Committee have made a decision not to proceed to arbitration with a grievance filed on behalf of the grievor. Notice of such an appeal is to be filed in writing to the Executive Board at least two weeks prior to the central membership meeting. The grievance shall be held in abeyance until the matter is resolved.

ARTICLE XXII – RULES OF ORDER

1. All meetings of the Local shall be conducted in accordance with the principles of Canadian Parliamentary procedure. Appendix “A” appended to these by-laws outlines important rules to ensure free and fair debate and may only be amended by the same procedure used to amend these by-laws.
2. In situations not covered by Appendix “A” the CUPE Constitution may provide guidance, but, if not dealt with there, *Bourinot’s Rules of Order* shall apply.

ARTICLE XXIII – AMENDMENTS (Procedure to Amend the By-Laws)

1. These By-Laws are always subordinate to the National Union Constitution (including Appendix B), as it now exists or may be amended from time to time, and in the event of any conflict between these By-Laws and the National Union Constitution, the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.
2. The Executive Board, subject to appeal to the general membership, shall decide any dispute arising out of the interpretation or application of these Bylaws. Any question as to the validity of any Bylaw may be referred to the National President for a final decision.
3. These By-laws shall not be amended, added to, or suspended except upon a two-thirds (2/3) majority vote of those present and voting at a regular or special central membership

meeting following written notice given at a previous regular central membership meeting or in writing and addressed to the Secretary not less than twenty-one calendar (21) days before the next regular or special central Membership Meeting.

4. The Secretary shall immediately inform all units of the proposed by-law amendments or additions and the date of the meeting at which the proposed amendment shall be voted upon.
5. No change in these By-laws shall be valid and take effect until approved by the National President of the National Union. The validity shall date from the letter of approval of the National President.

ARTICLE XXIII – TRIALS PROCEDURE

1. Trials procedure for Local 1936 shall be in accordance with the provisions of the National Union Constitution, Article B-VI Trials. “A regularly constituted meeting of the “Local Union” shall be deemed to mean a meeting of the central membership of this Local to which the accused member belongs.

APPENDIX "A" TO THE BY-LAWS OF LOCAL 1936, CUPE

RULES OF ORDER

1. The President or, in his absence, the Vice-President, shall take the chair at all central membership meetings. In the absence of both the President and the Vice-President, the Secretary shall act as President, and in his absence the Local shall choose a President pro-tem.
2. No member, except the Chairperson of a committee making a report or the mover of a resolution, shall speak 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 shall be limited to fifteen minutes, except with the consent of the meeting.
3. The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.
4. A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be 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.
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, he shall rise in his place and respectfully address the presiding officer, but, except to state that he rises to a point of order or on a question of privilege, he 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 shall decide 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, he shall cease speaking until the point is determined; if it is decided he is in order, he may again proceed.

14. No religious discussion shall be permitted.
15. The President shall take no part in debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
16. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he may in addition give a casting vote, or, if he chooses, refrain from breaking the tie, in which case the motion is lost.
17. 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.
18. A motion for the previous question, when regularly moved and seconded shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed 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.
19. A motion to adjourn is in order except (1) when a member has the floor, and (2) when members are voting.
20. A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.
21. 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.
22. If any member wishes to challenge (appeal) a decision of the chair, he 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 his challenge. The Chairperson may then state briefly the basis for his 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.
23. 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.
24. 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 leave without permission of the Vice-President.
25. The Local's business, or proceedings of meetings, is not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.
26. These Rules of Order shall also apply to Unit membership meetings with appropriate modifications.