

Canadian Union of Public Employees

## **Local 2204**

Union of Child Care Workers of Eastern Ontario

BY-LAWS

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## **PREAMBLE**

Local 2204 of the Canadian Union of Public Employees has been formed to:

- Improve the social and economic welfare of its members without regard to gender, age, race, creed, colour, national origin, religion, political affiliation, sexual orientation or marital status,
- Promote efficiency in public employment
- Manifest its belief in the value of the unity of organized labour, this Local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

The following by-laws are adopted by Local 2204 in accordance with the CUPE National Constitution (Articles 13.3 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 organization's activities. The CUPE National Equality Statement can be found in Appendix B to these by-laws.

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 C to these by-laws.

## **SECTION 1 - NAME**

The name of this local shall be: Canadian Union of Public Employees, Local No. 2204 (Child Care Workers of Eastern Ontario).

Local 2204 consists of the following bargaining units:

- Andrew Fleck Children's Services
- Cityview for Child and Family Services
- Ottawa Federation of Parents' Day Care Inc.
  - Centretown Parents' Daycare
  - Dalhousie Parents' Daycare
  - Glebe Parents' Daycare
  - Vanier Co-operative School-Age Program
- YMCA/YWCA

## **SECTION 2 - OBJECTIVES**

The objectives of Local 2204 are to:

- a) Secure the best possible pay, benefits, working conditions, job security, pensions, and retiree benefits for its members;

- b) Support CUPE in reaching the goals set out in Article ii of the CUPE Constitution;
- c) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- d) Encourage the settlement by negotiation and mediation of all disputes between members and their employers;
- e) Work towards securing adequate government funding to provide quality non-profit child care for all parents and children who need it;
- f) Work to 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.

### **SECTION 3 - INTERPRETATIONS and DEFINITIONS**

- a) All third person pronouns shall be understood to include all gender identities, except where the context clearly denotes otherwise.
- b) These by-laws have been reviewed to ensure compliance to the 2019 National Constitution. Numbers of the Articles at the end of the sections and sub-sections refer to relevant articles of the CUPE Constitution, which should be read in conjunction with these by-laws.

### **SECTION 4- MEMBERSHIP MEETINGS- Regular, Special and Bargaining Unit**

- a) Regular Membership Meetings:
  - Regular membership meetings will be held within the first week of each month each month, or as deemed necessary by the Executive. A minimum of seven days' notice will be given for any regular membership meeting.
- b) Special Membership Meeting:
  - Special membership meetings may be required and shall be called by the Executive Board or may be requested in writing by no fewer than 25 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' notices 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:

A quorum for the transaction of business at any regular or special meeting shall be 5% (five percent) of the membership, including at least 3 (three) members of the Executive.

d) Membership Meeting Agenda:

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

Acknowledgment of Indigenous territory

*We [I] will begin this event (**Name the Event**) by acknowledging that we are meeting on aboriginal land that has been inhabited by Indigenous peoples from the beginning. As settlers, we're grateful for the opportunity to meet here and we thank all the generations of people who have taken care of this land - for thousands of years. Long before today, as we gather here, there have been aboriginal peoples who have been the stewards of this place*

*In particular, we acknowledge the traditional unceded territory of the Algonquin Anishinaabeg people. We recognize and deeply appreciate their historic connection to this place. We also recognize the contributions of Métis, Inuit, and other Indigenous peoples have made, both in shaping and strengthening this community in particular, and our province and country as a whole.*

*As settlers, this recognition of the contributions and historic importance of Indigenous peoples must also be clearly and overtly connected to our collective commitment to make the promise and the challenge of Truth and Reconciliation real in our communities, and in particular to bring justice for murdered and missing indigenous women and girls across our country*

1. Introduction of members present
2. Equality Statement Read
3. Welcome new members and initiation
4. Adoption of Agenda
5. Minutes of previous meeting
6. Secretary Treasurer's report
7. Correspondence report
8. Committee reports
9. Nominations, Elections, and Installations
10. Unfinished business
11. New business
12. Good of the Union / Unit Reports
13. Adjournment

Article B.8.2 of the National Constitution requires that names of applicants be read out to the first regular membership meeting and if there are no objections the applicants will be automatically accepted as members.

(Article B.6.1)

## 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, location, and 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 5 - MEMBER OBLIGATIONS**

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

Members will provide the Recording Secretary with their current address, home telephone contact number and, where available, an e-mail address. The member will advise the Recording Secretary 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, or telephone town halls.

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 telephone contact information with CUPE National or CUPE Ontario. The purpose of sharing this telephone contact information with CUPE National or CUPE Ontario is so that the National Union or Provincial Division can conduct a telephone town hall with members on important matters.

## **SECTION 6 - VOTING OF FUNDS**

Except for ordinary expenses and bills as approved at membership meetings, no sum over \$400 (four hundred dollars) shall be voted for the purpose of a grant or contribution to a member or any cause outside of CUPE, except by a notice given in writing and dealt with at the following membership meeting.

The Secretary-Treasurer may keep and administer a petty cash fund of \$200 (two hundred dollars).  
(Article B.4.4)

## **SECTION 7- EXECUTIVE OFFICERS**

The Executive Officers of the Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, Correspondence Secretary, and three (3) Trustees. All Officers shall be elected by the membership.

In addition, there can be a maximum of one (1) Past Executive Officer position which would be filled each year by an out-going officer in one of the following positions: President, Vice-President, Recording Secretary, Correspondence Secretary, or Secretary Treasurer. The intent of this position is to capture and transmit experience gained during past terms and to ensure on-going succession building in the local. This position shall have voice but not vote and shall not exceed a one-year term. A Past Executive Officer must be elected into the position by a majority of members in attendance at either an annual or general membership meeting.

- a) The Executive officers shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and have it approved.
- b) The Executive shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- c) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.  
(Article B.11.1 and B.11.5)
- d) Article B.2.5 of the National Constitution stipulates that if an Officer fails to attend three consecutive membership meetings or three consecutive executive meetings without good and sufficient reason, their office will be declared vacant and filled at the next meeting.  
(Article B.2.5)
- e) Executive officers have a duty to protect the confidentiality of any information received by the Members Council and to ensure that all such confidential information will only be used as authorized.



## **SECTION 8 - EXECUTIVE**

- a) Executive shall be comprised of all Table Officers (excluding Trustees).  
(Article B.2.2)
- b) The Unit President shall be a link between the union local and her Centre. She will be responsible for ensuring that information shared at regular membership meetings is shared with the members at her Centre, that those members are made aware of any pertinent union events or business, and that news from her Centre is reported at regular membership meetings.
- c) Members shall attend at least 10 membership meetings a year.
- d) Should any Executive Officer fail to answer the roll call for three consecutive regular membership meetings or three consecutive executive 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 membership meeting.
- e) All members have a duty to protect the confidentiality of any information received by the Executive and to ensure that all such confidential information will only be used as authorized.

## **SECTION 9 - DUTIES OF EXECUTIVE OFFICERS**

All Officers must give all properties, assets, funds, and records of the Local Union to their successors at the end of their term of office.

All signing Officers of Local 2204 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.

### **a) The President shall:**

- enforce the CUPE Constitution and these by-laws;
- preside at and chair membership and Executive meetings and preserve order;
- Interpret these by-laws as required;
- The President can have at least one (1) day booked-off weekly to complete work for the Local.
- decide all points of order and procedure (subject always to appeal to the membership);

- have a vote on all matters (except appeals against her rulings)
- work with the Vice President to ensure that all officers perform their assigned duties;
- work with the Vice President to introduce new members;
- sign cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, by-laws, or vote of the membership;
- have first preference as a delegate to the CUPE National Convention

(Article B.3.1)

**b) The Vice-President shall:**

- if the President is absent or incapacitated, perform all duties of the President
- Preside over membership and Executive Board meetings in the absence of the President.
- Vice President can have up to three (3) days booked-off monthly to complete work for the Local.
- work with the President to ensure that all officers perform their assigned duties;
- work with the President to introduce new members;
- if the office of President becomes vacant, become acting President until a new President is elected; render assistance to any member of the Executive as directed by the Executive.

(Article B. 3.2)

**c) The Recording Secretary shall:**

- keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive 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.
- prepare and distribute circulars and notices to members;

- fulfill other duties as directed by the Executive;
- have all records ready on reasonable notice for auditors and trustees;
- preside over membership and Executive meetings in the absence of both the President and the Vice-President;
- Recording Secretary can have up to one (1) day booked-off monthly to complete work for the Local.
- on termination of office, surrender all books, seals and other properties of the Local to her successor.

(Article B.3.3)

**d) The Correspondence Secretary shall:**

- report on all incoming correspondence, summarizing and giving recommendations to the Executive
- file incoming correspondence
- fulfill other duties as directed by the Executive;
- Correspondence Secretary can have up to one (1) days booked-off monthly to complete work for the Local.

**e) The Secretary Treasurer shall:**

- 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.
- Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union's funds.
- 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.

- receive all revenue, initiation fees, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union;
- receive all CUPE National per capita tax cheques and deposit cheques no later than the last day of the month received;
- record all financial transactions in a manner acceptable to the Executive and in accordance with good accounting practices;
- make a written financial report to each regular membership meeting, detailing all income and expenditures for the period
- Make a full financial report to meetings of the Local Union's Executive Board
- Secretary Treasurer can have up to two (2) days booked-off monthly to complete work for the Local.
- make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- ensure that the Local has at least three signing officers and that the Secretary Treasurer and one other officer signs each cheque issued by the Local;
- notify all members who are one month in arrears and report to the Executive all members two or more months in arrears in payment of union dues;
- on termination of office, surrender all books, records and other properties of the Local to her successor (Article B.3.4 to B.3.8 )
- be bonded for not less than the master bond held by the National Office and any Treasurer who cannot qualify for the bond shall be disqualified from office.

**f) The Past Executive Officer (when applicable) non-voting capacity:**

- support the Local Executive Officers and Members Council in building solidarity;
- help to ensure succession-building in the Local;

- act as a sounding board and resource for the Table Officers and Executive of the Local, and
- fulfill other duties as directed by the Executive;

**g) The Trustees shall:**

- act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary and the Standing Committees at least once every calendar year;
- make a written report for 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 are not paid out without proper constitutional or membership authorization;
- ensure that proper financial reports are made to the membership;
- audit the record of attendance;
- inspect at least 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, 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 )

## **SECTION 10 – POSITION OF THE UNION ADMIN OFFICER OR BUSINESS AGENT**

The Local shall maintain an office and a paid Union Administrative Officer or a Business Agent position. This position will work independently, but within a collective framework to provide office administration and communication support for the Local Executive. The Union Administrative Officer or Business Agent will report to the Local Table Officers (President, VP, Secretary Treasurer, Recording Secretary and Correspondence Secretary).

The Union Administrative Officer or Business Agent will assist the Local, its Committees and Officers through providing research, education, coordinating collective bargaining, assisting with grievances and member needs and will represent the Local in advocacy networks to advance the needs of members and high quality public and non-profit child care.

If members' needs can be better met, or if recruitment of an adequately qualified officer cannot occur, the President or Vice President may fulfill this role through book off.

## **SECTION 11 – HONOURARIUMS FOR TABLE OFFICERS**

For each of the positions of the executive there will be a yearly honourarium. This honourarium shall be paid prorated quarterly.

President shall receive: \$750

Vice President shall receive: \$700

Secretary Treasurer shall receive: \$600

Correspondence Secretary shall receive: \$500

Recording Secretary shall receive: \$500

Trustees shall receive: \$150 once the report is complete

Committees Honourarium

- Bargaining Committee
  - Members of the bargaining committee bargaining with the employer outside of scheduled hours, without remuneration from the employer, shall receive \$45 per meeting.

## **SECTION 12 - OUT-OF POCKET EXPENSES**

The following expense allowance shall be provided:

- a) i) Where a member is sent as a delegate of the Local for out-of-town conferences, conventions, meetings, or training where overnight accommodation is required: A \$90 per diem. If meals are provided, the member shall not receive a per diem, but shall be reimbursed for all reasonable costs incurred (receipts to be provided).

- ii) Where a member is sent as a delegate of the Local for in-town conferences, conventions, meetings, or training: A \$45 allowance for members attending more than 4 hours of sessions. If meals are provided, the member shall not receive a meal allowance, but shall be reimbursed for all reasonable costs incurred (receipts to be provided).
- b) Travel and accommodation expenses will be paid. Receipts must be submitted with an accompanying Expense Voucher form detailing the reasons for the expenses;
- c) Registration or attendance fees will be paid by the Local directly or the member will be reimbursed upon presentation of a receipt and Expense Voucher form;
- d) When necessary the Local will advance funds to a member who will then provide receipts and a completed Expense Voucher form.
- e) The President's monthly cellphone bill shall be reimbursed if necessary.

## **SECTION 13 - FEES, DUES, AND ASSESSMENTS**

### **Monthly Dues**

The monthly dues shall be 2% of gross wages.

Changes in the monthly dues can be effected only by following the procedure for amendment of these by-laws (see section 16 b) with the additional provision that the vote must be by secret ballot.

(Articles B.4.3)

Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established, these by-laws will be deemed to have been automatically amended to conform to the new CUPE minima.

Special assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.

### **Re-admission Fee**

The re-admission fee shall be \$1.00.

### **Initiation Fees**

An applicant for membership must pay a \$1.00 initiation fee.

## **Amending Monthly Dues**

The regular monthly dues may be amended at a regular or special membership meeting. The vote must be by secret ballot. Notice of at least seven (7) days at a previous meeting or sixty (60) days in writing must be given.

## **SECTION 14 – 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 of \$1.00 to 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 15 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

### **a) Nomination**

1. Nominations will be received at the Annual General Membership (AGM) Meeting held in the month of June.
2. Nominations will be accepted from members in attendance at the AGM or from those members who have allowed their name to be filled 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) At the Annual General Meeting the President shall appoint a Returning Officer subject to the approval of the membership. The Returning Officer shall be neither an Executive Officer nor a candidate for office. The Returning Officer shall have full responsibility for voting arrangements and shall treat information submitted to her in connection with her responsibilities as confidential.
- 2) The Executive shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- 3) The Returning Officer shall be responsible for issuing, collecting, and counting ballots. They must be fair and impartial and see that all arrangements are unquestionably democratic.
- 4) The voting shall take place at the Annual General Meeting normally held in June. The vote shall be by secret ballot.
- 5) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- 6) A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken, if necessary, to obtain a majority. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In case of a final tie vote, the membership will revote.
- 7) When two or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
- 8) Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in **Section 4 (c)**.

## **c) Installation**

- 1) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for one year 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 as laid down in Article B.2.4 of the CUPE Constitution.
- 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.”

**d) By-Election**

Should an office fall vacant, the resulting by-election should be conducted as closely as possible in conformity with this section.

**SECTION 16 - DELEGATES TO CONVENTIONS**

- a) Except for the President’s option [Section 9 (a)], all delegates to conventions shall be selected at membership meetings.
- b) Delegates to the Ottawa-Carleton CUPE District Council and the Ottawa-District Labour Council shall be elected annually. An official reporter for these delegates shall be appointed annually by the President from among these delegates, and she shall be required to report at each membership meeting of the Local on proceedings at recent meetings of the Councils.
- c) All delegates selected to attend the conventions held outside the city of Ottawa shall be paid transportation expenses (at economy, tourist or coach rates, parking, 52c per kilometre), a per diem allowance as outlined in Section 9 of these by-laws, and an amount equal to any loss of salary incurred by attendance at the convention.
- d) Delegates to convention held locally shall have no travel allowance. There shall be a per diem allowance as outlined in Section 9 of these by-laws and compensation for any loss of salary incurred by attendance at the convention (including parking reimbursement).
- e) Notice of upcoming labour educational will be communicated to all centers in the Local. The Executive shall determine funding and representation will be determined on a first come first served basis.
- f) **CHILD CARE, DEPENDENT CARE, AND ELDER CARE**

Caring for children, dependents, or the elderly are barriers to actively participating in the union or attending conventions. Local 2204 is

committed to removing barriers within its control so that all members have equal access to participation.

Any member who attends convention as a delegate for Local 2204 shall be eligible for child care, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of fifty dollars (\$50.00) per day, per dependent.

1. A delegate is not eligible for reimbursement when childcare is provided by CUPE conventions.
2. Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

## **SECTION 17 – COMMITTEES**

### **a) Bargaining Committee**

This shall be a special ad hoc committee established at least three (3) months prior to the expiry of the Local's collective agreements and automatically disbanded when a new collective agreement has been signed. The function of the Committee is to prepare collective bargaining proposals and to negotiate a collective agreement. In the case of,

- Ottawa Federation of Parents' Day Care Inc.
  - the Committee shall consist of a member representative for each Ottawa Federation of Parents' Day Care Inc. Centre.
- In the case of Andrew Fleck,
  - the committee shall consist of a minimum of three (3) members.
- In the case of the YMCA/YWCA,
  - the committee shall consist of a minimum of two (2) members.
- In the case of City View,
  - the committee shall consist of a minimum of three (3) members.

All representatives will be elected at a Unit membership meeting. The CUPE Representative and or the Local Administrative Officer or Business Agent may be non-voting member(s) of the Committee and may 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 membership at a membership meeting. Permanent committees will have a term of two years. The Chairperson and 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. The Vice-President shall be a member, ex-officio, of

each committee. Permanent committees shall have a minimum of two members in addition to the Vice-president. There shall be 6 permanent committees as follows:

**1. Grievance Committee**

This committee will:

- a) Oversee the handling of all local grievances.
- b) Receive copies of all grievances.
- c) Prepare a report on the status of all grievances to be submitted to the Executive Board, the National Representative, and to the membership meeting.
- d) 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.
- e) If the decision is to not proceed, the grievor(s) may appeal the decision to the executive board.

The committee members will be the elected chairperson and 5 stewards. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union and the Local Administrative Officer or Business Agent shall be a non-voting member of the committee and shall be consulted at all stages.

**2. Workers Compensation Committee**

This committee shall be responsible for assisting members in their worker compensation claims.

- a) education of membership on the correct procedures for reporting injuries in the workplace and the responsibilities of the worker, employer and physician concerning compensation claims;
- b) set up system for recording and monitoring compensation claims

**3. Political Action Committee**

This committee will work with the Local executive to develop relevant political action campaigns aimed at all three levels of government and the public to encourage and promote the development of accessible, affordable, quality childcare as a universal right for all parents and children;

- a) to act as a conduit for information between the executive and the membership by working within centres to encourage participation in political campaigns.

**4. Women's Committee**

The women's committee will work to raise equity issues within the local particularly as they pertain to women;

- a) to raise the issue of violence against women and to provide support and referral for members in abusive situations;
- b) to arrange for guest speakers on relevant issues;
- c) to work with the Local executive on pay equity.

## **5. Membership Support Committee**

This committee will:

- If a member is ill for more than a month, arrange some token of the Local Union's concern and desire to help, whether the member is at home or in hospital.
- Will support new members through their first three Local meetings to help them better understand the workings of the Local.
- Extend the Local Union's condolences in the event of the death of a member or one of their immediate family, and make other appropriate gestures in accordance with custom or the wishes of the family concerned.

The committee members will be the elected chairperson and 2204 members. The committee shall appoint its secretary from among its members.

## **6. Committee Against Racism and Discrimination (CARD)**

This committee will:

- Advise and give guidance to Officers, committee members, and the general membership on all issues that affect all equity-seeking groups, including people of colour, Indigenous peoples, lesbian, gay, bi-sexual, and transgender workers in the workplace and the union movement.
- Promote leadership of equity-seeking workers at the Local Union level and in the broader labour movement.
- Increase and support the active participation of equity-seeking workers in the Local Union and the broader labour movement.
- Strive to eliminate racism and discrimination in the workplace, Local Union, broader labour movement, and society through education and participation in human rights and anti-racism activities both in and outside of the labour movement.
- The committee members will be the elected chairperson and 2204 members. The committee shall appoint its secretary from among its members.

## **Ad Hoc Committees**

A special ad hoc committee may be established for a specified purpose and period 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. Two members of the Executive may sit on any special committee as ex-officio members.

## **SECTION 18 – STRIKE PAY**

The local will have a Strike fund to supply members with strike pay during a strike or lockout. The Strike fund will be kept at the amount necessary to support 350 members for the first nine (9) days of a strike at \$20 a day. Money will be transferred into the Strike fund from the local's Restricted

Savings through a motion presented at a membership meeting. During a strike or lockout, strike pay will be drawn from the Strike fund.

In the event of a strike or lockout, the local will pay each member a maximum of \$20 for a minimum of four (4) hours of picketing or other assigned duties per day of strike activity. Strike pay will be deducted from the Strike fund and is dependent on adequate resources in the Strike fund.

## **SECTION 19 - RULES OF ORDER**

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these by-laws as Appendix "A". These rules shall be considered as an integral part of the by-laws and may be amended only by the same procedure used to amend the by-laws.

In situations not covered by Appendix "A", the CUPE Constitution may provide guidance, but if the situation is not dealt with there, the Bourinot's Rules of Order shall be consulted and applied.

## **SECTION 20 - AMENDMENT**

### **a) CUPE Constitution:**

These by-laws are always subordinate to the CUPE Constitution as it now exists or may be amended from time to time, and in the event of any conflict between these by-laws and the CUPE Constitution the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.

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

A Local Union can amend or add to its by-laws only if:

- (i) the amended or additional by-laws do not conflict with the CUPE Constitution;
- (ii) the amended or additional by-laws 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 by-laws was given at least seven (7) days before at a previous membership meeting or sixty (60) days before in writing.

(Articles 13.3 and B.5.1)

### **b) Effective Date of Amended or Additional By-laws**

The amended or additional by-laws 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 by-laws within 90 days of receiving them and will withhold approval only where they conflict with the CUPE Constitution.

## **SECTION 21 – PRINTING AND DISTRIBUTION OF BY-LAWS**

Members will receive a copy of Local 2204 by-laws, either in paper format or via the Local Union website at <https://2204.cupe.ca/resources/collective-agreement/>.

Members requesting a printed copy of these by-laws will be provided a copy in French or English as requested. Members may request a copy of the by-laws in larger font.

## **APPENDIX “A” TO THE BY-LAWS OF CUPE LOCAL 2204**

### **RULES OF ORDER**

1. The President or, in their absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and Vice-President, the Recording Secretary shall act as President, and in her absence members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
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 Local 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 and be recognized by the chair.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
5. A motion to amend, or to amend and 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, to 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 of those present.
10. When a member wishes to speak on a question or to make a motion, she shall rise in her place and respectfully address the presiding officer, but, except to state that she rises to a point of order on a



question of privilege, she 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 it 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, she shall cease speaking until the point is determined” if it is decided she is in order she 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, she may in addition give a casting vote, or if she chooses to 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 and 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, she 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 her 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 mover reconsideration thereof.
24. During the course of a meeting the Vice-president shall ensure that quorum is maintained and inform the chair when quorum is lost.
25. The Local's business and proceedings of meetings are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

## **APPENDIX "B"**

### **CUPE 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 "C"**

### **CODE OF CONDUCT**

Local 2204 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor, and support new members and equity-seeking members.

Local 2204 strives to promote 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.

Local 2204 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination, and all types of bullying and intimidation. Local 2204 needs to ensure that it provides a safe environment for members, staff, and elected officers to carry out our work. Local 2204 expects that mutual respect, understanding, and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 2204 sets out standards of behaviour for members at meetings, and all other events organized by Local 2204. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution, and these by-laws. 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 members of Local 2204 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; and
- Take responsibility for not engaging in inappropriate behaviour due to abuse 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 this 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 the person 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. Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Local Union 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.

This Code of Conduct is designed to create a safe, respectful, and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the By-laws of Local 2204, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member's right to access the trial provisions of the CUPE National Constitution.