BYLAWS

LOCAL UNION 2204

Union of Child Care Workers of Eastern Ontario

CUPE | Canadian Union of Public Employees

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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 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 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
- City View Centre for Child and Family Services
- Ottawa Federation of Parents’ Day Care Inc.
    - Centretown Parents’ Daycare
    - Dalhousie Parents’ Daycare
    - Vanier Co-operative School-Age Program
- National Capital Region YMCA/YWCA
- Hawthorne Meadows Nursery School

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 the 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 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 monthly, or as deemed necessary by the Executive. A minimum of seven days' notice will be given for any regular membership meeting. Regular Membership Meetings may be hybrid, offering both in-person and virtual attendance. Should a secret vote be required during a hybrid meeting, it must be conducted as

an electronic vote for all participants, in accordance with Article B.6.2 of the National Constitution.

- Electronic voting for secret votes must be held using an electronic voting platform that ensures secure access, either using a password or a personalized link to ensure that the secrecy of the vote is guaranteed at all times and that the integrity of the vote is maintained.
- Should a secret vote be required during a hybrid meeting, it must be conducted as an electronic vote for all participants, in accordance with Article B.6.2 of the National Constitution.
- Electronic voting for secret votes must be held using an electronic voting platform that ensures secure access, either using a password or a personalized link to ensure that the secrecy of the vote is guaranteed at all times and that the integrity of the vote is maintained.

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' 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. Special Membership Meetings may be hybrid, offering both in-person and virtual attendance.
   - Should a secret vote be required during a hybrid meeting, it must be conducted as an electronic vote for all participants, in accordance with Article B.6.2 of the National Constitution.
   - Electronic voting for secret votes must be held using an electronic voting platform that ensures secure access, either using a password or a personalized link to ensure that the secrecy of the vote is guaranteed at all times and that the integrity of the vote is maintained.

c. Quorum:
   A quorum for the transaction of business at any regular or special meeting shall be 5 (five) members of the local, including at least 2 (two) 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 the 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)

<u>Bargaining Unit Meetings</u>

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. Bargaining Unit Meetings may be held as hybrid meetings to offer both in-person and virtual attendance.

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, personal 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, Member Engagement Officer, two (2) members-at-large, 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, Member Engagement Officer, 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 a 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 Appendix F)

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. The 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 their Centre. They will be responsible for ensuring that information shared at regular membership meetings is shared with the members at their Centre, that those members are

made aware of any pertinent union events or business, and that news from their 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, their 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 AND STEWARDS

All Officers must give all properties, assets, funds, and records, including but not limited to: passwords, usernames, passkeys, and credit cards of the Local Union to their successors at the end of their term of office (within fifteen working days).

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;
- If unable to be booked off full time, the President can have at least five (5) days booked-off monthly to complete work for the Local.
- Decide all points of order and procedure (subject always to appeal to the membership);
- Distribute circulars and notices to members;
- Have a vote on all matters (except appeals against their 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. <u>The Vice-President shall:</u>

- 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.

- The Vice-President can have at least three (3) days booked-off monthly to complete work for the Local.

- The Vice-President shall be booked off to cover the President's vacation, sick time or any other time they are unable to perform their duties as needed.

- 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. <u>The Recording Secretary shall:</u>

- 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.

- Monitor the attendance, motions, voting, and chat, including on the Simply Voting platform for hybrid meetings

- 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 at least three (3) days booked-off monthly to complete work for the Local.

- On termination of office, surrender all books, seals and other properties of the Local to their successor.

(Article B.3.3)

d. <u>Member Engagement Officer shall:</u>

- Chair the Social Committee and organize Union events

- Member Engagement Officer can have at least three (3) days booked-off monthly to complete work for the Local.

- Create a monthly e-newsletter to inform members about goings on at the local, in the childcare field, CUPE Ontario and national, and broader political actions

- Assist in new member orientations

- Send tokens of sympathy for members who are facing life challenges

- Research options for union SWAG

- Assist in updating the website and social media

e. <u>The Secretary Treasurer shall:</u>

- 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.

- The Secretary-Treasurer keeps all financial records of the Local Union and keeps a correct record of all its members. The Secretary-Treasurer must maintain and organize all financial records including all documents, authorizations, invoices and vouchers for all payments made, records and supporting documents for all income received by the Local Union and receipts for all money sent to the National Union.

- 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 at least three (3) 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;

- On termination of office, surrender all books, records and other properties of the Local to their 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.

- Work with the executive to prepare a yearly budget to be presented to the members to approve

f. <u>Member-at-Large</u>

- Attend meetings of the Local Executive Board and General membership Meetings.

- Participate in the activities and business of the Local Executive Board.

- The Members-at-Large can have at least one (1) day booked off monthly to complete work for the Local if required.

- Bring matters of concern raised by members to the attention of the Local Executive Board;

- Assist the Local Executive Board in carrying out the business and objectives of the Local;

- Each member-at-Large shall serve as an ex-officio representative on one of the following permanent committees: Health and Safety, Committee Against Racism and Discriminations;

- Members-at-large will have voice but not vote at executive board meetings .

g. <u>The Past Executive Officer (when applicable) non-voting capacity:</u>

- 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;

h. <u>The Trustees shall:</u>

- 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)

i. <u>The Stewards shall:</u>

- Represent members of the local in meetings with management

- Participate in ongoing steward training workshops and meetings
- Take accurate and precise notes and provide them to the executive promptly

- Attend meetings with the executive to discuss active grievances

- Travel to different centers to support members

- Name to be provided to members and employers, and appear on the website

- Provide up-to-date contact information to the local

- Attend monthly general membership meetings (GMMs)

SECTION 10 FULL-TIME PRESIDENT BOOK-OFF

The President may be released full-time from their employment to perform Local Union duties. While on full-time book-off, the President shall be paid by the Local Union a salary equal to the top rate / step of the highest paid classification in the local.

This salary is set by the position and does not depend on the President's wage or classification before release. Salary adjustments follow any general wage increases applied to that classification.

The employer will pay all wages and benefits to the President and will invoice the local for reimbursement. The President shall continue to accrue seniority and vacation entitlement under their home collective agreement.

The President returns to their former position on completing their term or when the release ends. The honorarium, per diem, travel and accommodation provisions of Article 11,12, and 16 apply in addition to this salary.

SECTION 11 – HONOURARIUMS FOR TABLE OFFICERS

For each of the positions of the executive, there will be a monthly honorarium. This honourarium shall be paid quarterly.

President shall receive: $200/ month

Vice-President shall receive: $200/ month

Secretary-Treasurer shall receive: $200/ month

Member Engagement Officer shall receive: $200/month

Recording Secretary shall receive: $200/ month

Members-at-large shall receive $100/month

Shop Stewards:

In addition to the executive fifteen appointed steward positions are available. Stewards will be paid an honorarium of $25 a month (paid quarterly), provided they attend General Membership Meetings, Steward meetings, and Steward Training.

- Andrew Fleck Children's Services: six (6)
- City View Centre for Child and Family Services: two (2)
- Ottawa Federation of Parents' Day Care Inc.: three (3) one at each site
- Centretown Parents' Daycare: one (1)
- Dalhousie Parents' Daycare: one (1)
- Vanier Co-operative School-Age Program: one (1)
- National Capital Region YMCA/YWCA: two (2)
- Hawthorne Meadows Nursery School: two (2)

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: $112 per diem.

   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.

b. Travel and accommodation expenses will be paid. Receipts must be submitted with an accompanying Expense Voucher form detailing the reasons for the expenses; receipts must be provided within 30 days of occurrence prior to reimbursement

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; receipts must be provided within 30 days of occurrence prior to reimbursement

d. When necessary**,** the Local will advance funds to a member who will then provide receipts and a completed Expense Voucher form. Receipts must be provided within 30 days.

e. Mileage will be reimbursed at the rate determined in the CRA allowance-per-kilometer rates

f. Additional baggage allowance may be provided upon request at the discretion of the executive team.

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.

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.

(Article B.8.6)

SECTION 15 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

a. Nomination

1. Nominations will be received at the General Membership Meeting held in June. Nominations will be received for President and Secretary-Treasurer and in even years and nominations for Vice-President, Recording Secretary, three-year trustee and Membership Engagement Officer in odd years. Member-at-large positions will be elected annually.

2. Nominations will be accepted from members in attendance, in person or virtually, 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. <u>Elections</u>

1. 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 them in connection with their responsibilities as confidential.

2. The form of the ballot shall be an electronic ballot.

3. The Returning Officer shall be responsible for issuing, collecting, ballots via the Simply Voting Platform. They must be fair and impartial and see that all arrangements are unquestionably democratic.

4. The voting shall take place at the June General Meeting. The vote shall be by secret electronic 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 electronic 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 one year (for member at large positions), two years (for all other table officers) or until a successor has been elected and installed, provided, however, that no term of office shall be less than two years 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. A candidate who is elected to office must clearly communicate or affirm this oath:
"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. 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,-CRA mileage rate per kilometre) When a delegate is authorized to travel by a given mode and class of transportation and uses an alternate mode of transportation that has not been approved the reimbursement must not exceed the cost of the authorized mode of transportation, 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.

b. 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).

c. Notice of upcoming labour education 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.

d. 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.

e. Showing a demonstrated need, within reason, the local may reimburse the member for other costs incurred that would otherwise be a barrier to their participation in convention. Such reimbursements must be approved in advance by the Executive Board and substantiated by receipts.

g. Attendance Requirements for Delegates.

1. Delegates to conventions, conferences, schools, workshops and educationals shall attend all daytime sessions on the official program, excluding sessions marked optional, unless prior arrangements are made with the executive board.

2. A delegate who misses sessions on the official program without just cause shall not be reimbursed by the Local Union for lost wages or book-off for the days or portions of days missed. Just cause includes family emergency, disability-related needs, religious observance, and any other reason the Executive Board finds reasonable.

3. A delegate who misses sessions because of illness or injury shall notify the Executive Board as reasonably possible. The Local Union shall notify the delegate's employer, and the missed days shall be paid by the employer as sick leave in accordance with the applicable collective agreement. The Local Union shall not reimburse the employer or the delegate for book-off for days covered by absence due to illness. The Local Union shall not require

repayment of per diem or travel expenses already paid for those days.

4. Where a delegate has received a per diem, travel reimbursement or lost-wage payment covering time missed without just cause, the Executive Board may require the delegate to repay the corresponding amount, calculated pro rata for the days or sessions missed.

5. The delegate has the right to explain their absence to the Executive Board when a concern is raised, and may appeal the decision to the next membership meeting.

6. A delegate who fails to repay an amount owing under this article shall not be eligible to attend further events at the Local's expense until it is repaid or a repayment arrangement is approved by the Executive Board.

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 four (4) members.
- In the case of the YMCA/YWCA,
    - The committee shall consist of a minimum of three (3) members.
- In the case of Cityview,
    - The committee shall consist of a minimum of three (3) members.
- In the case of Hawthorne Meadows,
    - 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 Executive Member 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. 1

b. <u>Permanent Committees</u>

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.

A Member-at-Large shall be a member, ex-officio, of each committee. Permanent committees shall have a minimum of two members in addition to the ~~Vice-~~ Member-at-Large. There shall be 3 permanent committees as follows:

1. Health and Safety Committee This committee will meet at least quarterly to:

   - Work to educate members on the importance of workplace health and safety
   - Prepare and present reports to the regular membership meetings
   - Organize an April 28th Day of Mourning ceremony each year
   - Participate on the Joint Worksite Health and Safety Committees (JWH&SC) at their workplace
   - Ensure that the worker representatives on the JWH&SC meet separately from the employer to prepare for meetings with the employer
   - Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors
   - Immediately bring to the attention of the employer any workplace hazard that has the potential to cause members' illness or injury
   - Work to eliminate all workplace hazards, be they physical, environmental, or social. Members of this committee should be designated as a "Certified Worker Representative" in accordance with the legislation in their respective jurisdictions (provincial, federal)

2. 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.

3. Social Committee
   This committee will:

   - Arrange and conduct all social, cultural, and recreational activities of the Local Union, either on the committee's own initiative or as a result of decisions taken at membership meetings. The committee shall submit reports and proposals to the Executive Board or to the membership as required.
   - A budget for the committee will be established annually by the membership, but all other social, cultural, and recreational events and activities shall be self-supporting.
   - The committee members will be the chairperson (Member Engagement Officer) and at least three (3) other members, and may appoint a secretary-treasurer 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 8.2 (c), 12.3 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 12.3 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

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff and elected officers to carry out our work. CUPE’s expectation is that mutual respect, understanding and co-operation will be the basis of all our interaction.

The Code of Conduct sets out standards of behaviour for participants at national convention, national conferences, schools, meetings, and all other events organized by CUPE National. It is also applicable to structures of CUPE – locals, Provincial and Service Divisions, District Councils, Provincial Unions, Councils of Unions, Provincial Councils of Unions, and Provincial Sectoral Groups. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National and at events, meetings and activities by other parts of CUPE referenced above. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As CUPE members, staff, and elected officers, we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement.
- Respect the views of others, even when we disagree.
- Recognize and value individual differences.
- Communicate openly.
- Support and encourage each other.
- Make sure that we do not harass or discriminate against each other.
- Commit to not engaging in offensive comment or conduct.
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating.
- Take responsibility for not engaging in inappropriate behaviour due to use of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding the Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. At national convention, national conferences, schools, meetings, and all other events organized by CUPE National, a complaint shall be brought to the attention of an ombudsperson.
3. At a meeting, event, or activity held by a structure of CUPE, should an ombudsperson be available, the same process would be used. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
4. If the complaint involves a 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.