



CANADIAN UNION OF PUBLIC EMPLOYEES

Local 1393 – University of Windsor

BY-LAWS

Amended from November 25, 2014

Revised & Approved May 23, 2017

By-Law No. 1 - NAME OF LOCAL

The name of the Local shall be:

Canadian Union of Public Employees
Local No. 1393
Windsor, Ontario

By-Law No. 2 - PRINCIPLES AND OBJECTIVES

- To place the various occupations of the membership upon a high plane of efficiency and skill
- To encourage the settlement of all disputes between the members and the employers administration by mediation and arbitration
- To secure adequate remuneration for work performed
- To reduce the hours of work by all legal and proper means, and to elevate the moral, intellectual and social conditions of all the workers in general and of this membership in particular
- To support the Canadian Union of Public Employees in its goals as set out in Article II of the CUPE Constitution

By-Law No. 3 - GENERAL MEMBERSHIP MEETINGS

The General Membership Meetings shall be held during the months of September, November, February, April, and June. The meetings shall be held at a time and place to be decided by the Executive Committee in each year, due notice of which shall be given. A Budget/Election meeting shall be held during the month of January of each year. A quorum for the transaction of any business shall consist of at least nine members in good standing (includes four members of the Executive Committee, and five members-at-large). Members required to work during meetings shall have their names written into the attendance record and declared as a member-in-attendance, if prior to the meeting the member provided notification to a Steward or the Recording Secretary of the local. Members on leave or vacation shall have their names added to the attendance record of meetings missed while on such leave or vacation, provided written notice is submitted to the Recording Secretary, within five calendar days after the first day of returning to work.

By-Law No. 4 - SPECIAL AND EMERGENCY MEETINGS

Special meetings may be called by the order of the Executive Committee or by a written request of nine members, six of whom are required to be present at said meeting. No business shall be transacted at such special meeting other than that for which the special meeting was called. All requests for special meetings must be given in writing to the Recording Secretary, who shall in turn notify the membership, providing a minimum 3 working days' notice, in the normal manner. Emergency meetings may be called by the order of the Executive Committee or by a written request of nine members, six of whom are required to be present at said meeting. No business shall be transacted at such emergency meetings other than that for which the emergency meeting was called. All requests for emergency meetings must be given in writing to the Recording Secretary. A member of the Executive Committee or their representative must individually notify union members of the emergency meeting, providing a minimum 24-hour notice.

By-Law No. 5 - ORDER OF BUSINESS AT MEMBERSHIP MEETINGS

Opening of meeting and Equality Statement
Roll Call of Officers
Voting of new members and initiations
Reading of Minutes of Previous meetings
Matters arising out of the Minutes
Cumulative Attendance Report
Secretary-Treasurer's Report
Communications and Bills
Executive Committee's Report
Reports of Committees and Delegates
 Grievance Committee
 Health & Safety report
 Trustees report
 Job Evaluation Committee
 Negotiating Committee
 Pension & Benefits Committee
 Professional Development Committee
 Special Committees (currently in existence)
Nominations, Elections or Installations
Unfinished Business
New Business
Good of the Union
Adjournment

By-Law No. 6 - EXECUTIVE AND OTHER ELECTED OFFICERS

The Executive Officers of the local shall consist of the President, Vice-President, Recording Secretary, and Secretary-Treasurer, whom shall be elected by the membership-at-large at a regular election meeting. The term of office will be as specified by the policies of the local.

The other elected officers of the local shall consist of the Stewards (7), Health & Safety Officers (2) and (1) Sergeant-at-Arms. These officers shall be elected by the membership-at-large at the regular election meeting.

There shall also be three Trustees, one elected each year for a three-year period by the membership at the annual elections meeting.

In the case of vacancies occurring, officials will be elected to fill only the unexpired terms in order to preserve overlapping terms of office. All officers must give all properties, assets, funds and all records of the Local Union to their successors at the end of their term of office.

All signing Officers of Local 1393 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.

By-Law No. 7 - PRESIDENT

It shall be the duty of the President:

- to chair all meetings of the Local Union
- to preserve order and enforce the CUPE Constitution and Local 1393 By-laws and Policies
- to see that all officers perform their respective duties
- to fill vacancies on committees where elections are not provided for and to decide all questions of order, subject to an appeal by a member of the local (but not vote on such appeal)
- to announce the results of all votes; enforce all fines and penalties and call special meetings when requested in writing by the Executive Committee or by nine members
- to vote on all matters
- to introduce and initiate all new members
- to Chair the Negotiating Committee

The President, or a designated Executive Officer, shall sign all orders on the Treasury for such money as shall, by the CUPE Constitution, local by-laws and policies, or by vote of the local, be ordered paid; sign all cheques and drafts on bank or credit union accounts and perform such other duties as the by-laws and policies of the local may require. The President shall be allowed monthly, necessary funds to reimburse officials of the local for expenses incurred on behalf of the local, upon submission of signed vouchers and receipts, such amount not to exceed those authorized in the yearly budget. The President in office at the time of the Convention of the Canadian Union of Public Employees shall have first preference as delegate to that convention.

By-Law No. 8 - VICE-PRESIDENT

It shall be the duty of the Vice-President:

- to, in the absence of the President, perform all duties pertaining to the office of President, and render such assistance as may be required, and, in case of a vacancy in the office of the President, until the local elects a President to fill the vacancy.

By-Law No. 9 - RECORDING SECRETARY

It shall be the duty of the Recording Secretary:

- to record full and accurate accounts of the proceedings of all membership meetings, including all motions, with the mover's and seconder's names, and officer attendance
- to record full and accurate accounts of the proceedings of all Executive Committee meetings, including attendance
- Keep full, accurate, and impartial records including 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
- to maintain records of all committee meetings, as submitted by the relevant Chair or secretary, and to notify the Executive Committee when those records are not received
- to deliver the Cumulative Attendance Report at general membership meetings
- to record all alterations in the policies and by-laws by motion or amendment
- to file a copy of all letters sent out, keep on file all communications and answer all correspondence
- to prepare all circulars and notices for issuance to the members and pass same on to the

- membership
- to have all books and papers ready at all times on reasonable notice for auditors and Trustees
- to employ any necessary clerical or other assistance approved by the Executive Committee

By-Law No. 10 - SECRETARY-TREASURER

It shall be the duty of the Secretary-Treasurer:

- to receive all initiation fees, dues and assessments and to keep a record of each member's payments
- to prepare the necessary per capita tax forms and remit payment as required without prior approval (except if the formula of fees is changed, then prior approval must be obtained)
- 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 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
- to report upon all cheques not signed by the Secretary-Treasurer at the next meeting of the membership
- to deposit promptly all money received, in the name of the local, in a bank or credit union selected by the local (national union dues shall be forwarded to the National Office by the 15th of each month)
- make a full financial report to meetings of the Local Union's Executive Committee
- to employ any necessary clerical or other assistance approved by the Executive Committee
- to ensure no blank cheques are issued under any circumstances
- pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated
- to submit a written financial report to the local union at each General Membership meeting (this financial report shall include an up-to-date report on the status of the budget; detailing all income and expenditures for the period)
- 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
- to approve sending cards/gifts appropriate to the occasion as provided for in the budget
- to preside over meetings in the absence of both the President and the Vice-President

By-Law No. 11 – STEWARDS

It shall be the duty of the Stewards:

- to receive complaints from grieved members and to act as their advocate to the grieved member's supervisor and through all stages of the grievance procedure
- to be responsible for the distribution of all notices for the membership
- to keep up-to-date records of the people they represent
- to perform other related duties as assigned from time to time by the Executive Committee and general membership

A member may choose any steward as their representative during the grievance procedure.

By-Law No. 12 - SERGEANT-AT-ARMS

It shall be the duty of the Sergeant-at-Arms:

- to guard the inner door and to admit no one but members in good standing or officers and officials of the Canadian Union, except on the order of the President and by consent of the members present
- to prevent any member from leaving without permission of the Chair
- to assist in maintaining the record of the membership attendance at meetings of the local on the official record kept in the charge of the Recording Secretary
- to examine all persons present at the meetings and report the presence of any non-members before the meeting commences (the Sergeant-at-Arms shall not allow non-members to remain except by presidential approval)
- to obtain the names of all those awaiting initiation and report such names to the President (the President shall introduce and conduct such candidates through the initiation ceremony)
- to perform other related duties as assigned from time to time by the Executive Committee and general membership

The President shall announce the presence of all non-members before the meeting commences and give all reasons for their attendance at the meeting. If a motion is presented by a member requesting the removal of non-members from a meeting, or any part of a meeting, and a majority of the members present agree that the presence of the non-member(s) is not desirable, the Sergeant-at-Arms shall escort the non-member from the meeting.

By-Law No. 13 - TRUSTEES

It shall be the duty of the Trustees:

- to act as an auditing committee on behalf of the members and audit the books and accounts of the Recording Secretary and the committees at least once a year
- to audit the books and accounts of the Secretary-Treasurer annually and make a written report of their findings to the local no later than the March membership meeting, or at the next available opportunity following the audit period
- to audit the books at the change of Secretary-Treasurer before the books are turned over to the new Secretary-Treasurer
- to inspect annually any stocks, bonds, securities, office furniture, and equipment, titles or deeds to property that may be at any time owned by the local and to report in writing those findings along with the Trustees' audit reports

- to prepare audit reports on audit forms supplied by the National Office and send a copy of such annual audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution
- 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
- to act as Returning Officer's Assistants and Tally Counters at all elections

By-Law No. 14 – HEALTH & SAFETY OFFICER

It shall be the duty of the Health & Safety Officer:

- to keep informed of all safety regulations, procedures, and legislation through courses, seminars and literature made available from safety associations and government publications
- to be the local's representative on the University Central Safety Committee, and at any Ministry of Labour inspections, if necessary
- to receive all inquiries and alleged violations of the Safety Act and unsafe working conditions and investigate the same while making certain these inquiries or violations are processed through the proper channels
- to keep all records dealing with safety
- to attend meetings of the Executive Committee as a non-voting member

By-Law No. 15 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

NOMINATIONS FOR ELECTION TO OFFICE:

Nominations for all elective offices shall be received at the November general membership meeting or the January election meeting. All those eligible for nomination shall be accepted if the member is in attendance at the nomination meeting or has allowed to be filed at such meeting consent in writing, duly witnessed by another member. No member in arrears of assessments shall be eligible for nomination. Special accommodations for nominations may be made, upon application, on an individual basis, by approval of the Executive Committee. No member may be elected to more than one office. Nothing contained in this policy shall be deemed to conflict with the provisions of the CUPE Constitution, Appendix "B," Article II, Officers.

ELECTIONS:

The annual election shall be held on the day of the special meeting in January of each year. The method of election shall be by secret ballot.

For the purpose of conducting the annual elections, the President shall, subject to the approval of the members at the special January meeting of each year, appoint a Returning Officer and Assistants. They shall be members of the local in good standing or the CUPE Area Representative (and not the candidates for office).

The Returning Officer and Assistants shall have the full responsibility for the conducting of the elections as set out in these by-laws and policies and shall treat all information submitted to them in connection with that office as confidential. The Returning Officer shall report to the meeting only at the time appointed. The Returning Officer shall be responsible for issuing the ballots to and

receiving them from the members. Immediately following the close of voting the Returning Officer and Assistants shall proceed to count the ballots. The Trustees shall certify the final ballot count. Upon completion, the Returning Officer shall notify the President that the report is ready.

The Executive Committee shall determine the format of the ballots and be responsible for the preparation of a sufficient number of ballots.

Any candidate may appeal for a recount of the votes; or any member, without an appeal, may order a recount of any or all elections, provided however, that in either instance 20% of the members present at the meeting shall vote in favour of such recount. Such recount shall be taken immediately and prior to election of any other office.

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 such a majority. On the second and subsequent ballots the candidates receiving the lowest number of votes in the previous ballot shall be dropped. In the case of consecutive tie votes, a by-election for this position shall be held at the March regular membership meeting.

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. Numerical results of the elections are not to be disclosed. All ballots shall be destroyed through a motion after confirmation of the election results.

INSTALLATION OF OFFICERS:

All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for the following terms or until such time as a successor has been elected and installed.

President:	2 years (elected on odd numbered years)
Vice-President:	2 years (elected on even numbered years)
Recording Secretary:	2 years (elected on odd numbered years)
Secretary-Treasurer:	2 years (elected on even numbered years)
Trustees:	3 years (one elected each year)
Health & Safety officer:	2 years (elected on odd numbered years)
Alt. Health & Safety officer:	2 years (elected on even numbered years)
Stewards:	1 year
Sergeant-at-Arms:	1 year

In the event that any elective office becomes vacant during the normal period between elections, a special election shall be held to fill the vacancy at the next regular meeting. All elected members are strongly recommended to complete the relevant courses, within the Windsor region, associated with their position.

The Oath of Office is to be taken by all of the newly-elected Officers upon being elected.

By-law No. 16 - PERMANENT COMMITTEES

Permanent committees are essential to the day-to-day operation of the local.

Only sworn members of the union are eligible to serve as committee members. Non-sworn members and other third parties may attend committee meetings, on invitation of the Chair, as non-voting resources.

Operating budgets shall be struck for each Permanent Committee listed below. These budgets shall be included and approved as part of the Annual Budget process. Budgeted funds shall be spent only with the approval of the Executive Committee.

In the event that any committee position becomes vacant during the normal period between elections, a special election shall be held to fill the vacancy at the next regular meeting.

There are eight permanent committees as follows:

1. Budget Review Committee
2. Executive Committee
3. Grievance Committee
4. Job Evaluation Committee
5. Negotiating Committee
6. Pension & Benefits Committee
7. Professional Development Committee
8. Strike Committee

16.1 - BUDGET REVIEW COMMITTEE

This committee will:

- prepare a budget using the projected income and expenses of the Local, for one year beginning on January 1 and ending on the last day of December
- present said budget for approval, by the general membership, at the Special Budget/Election meeting held in January. Should this approval not be received the Budget shall be returned to the Budget Review Committee and resubmitted at the next General Membership Meeting for passage.
- in conjunction with presenting the budget for approval, make a Notice-of-Motion to provide for Emergency Operating funds in the event that the budget is not passed

The Budget Review Committee shall be comprised of the Secretary-Treasurer, the Vice-President, and three members-at-large. The members-at-large shall be approved by the Executive Committee upon recommendation of the Secretary-Treasurer. The Chair of the committee is the Secretary-Treasurer. To maintain impartiality, Trustees are not eligible to serve on this committee.

The committee shall meet, as necessary, beginning in November of each year.

16.2 - EXECUTIVE COMMITTEE

This committee will:

- do the work delegated to it by the local
- be held responsible for the proper and effective functioning of all committees
- receive, consider and recommend actions all grievances made by members as submitted by the Grievance Committee
- hold title to any real estate of the local as trustees for the local
- have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved
- deal with written charges against members or officials in accordance with the provisions of Appendix B.XI - Trial Procedure of the CUPE Constitution
- report at each general membership meeting

The Executive Committee is comprised of all officers of the local, except the Trustees and Sergeant-at-Arms. The Health & Safety Officer, or alternate, attends as a non-voting member. The secretary of the committee is the Recording Secretary of the local.

A meeting quorum shall consist of no less than five members, one of whom shall be the President, Vice-President, Recording Secretary or Secretary-Treasurer.

The Executive Committee shall meet at least once a month. Members in good standing have the right to attend a meeting of the Executive Committee to present an appeal or concern.

16.3 - GRIEVANCE COMMITTEE

This committee will:

- endeavour to remedy any problem situations brought to their attention by a member
- process all grievances at all stages
- recommend arbitration cases to the Executive Committee
- keep an active log of all grievances including their stage in the grievance process
- report at each general membership meeting

This committee shall be comprised of the Vice-President and not less than three members of the steward body. A quorum for this committee shall be three members. The committee shall elect its own Chief Steward and committee secretary from amongst its members.

The Chief Steward shall chair all meetings of the Grievance Committee and, if absent; the Vice-President shall chair the meeting. The Chief Steward shall meet with the committee following all communications with the employer to determine their next position. The Vice-President, with the assistance of the Chief Steward and others as may be required, shall represent the local in grievance dealings with the employer.

The secretary of the Grievance Committee shall maintain all minutes of the meetings held. All reports of this committee shall be submitted by the Chief Steward, first to the Executive Committee, then to the general membership meeting. All formal reports of this committee shall be submitted by the Chief Steward to the Executive Committee, the national representative and be presented at each general membership meeting.

The Grievance Committee shall meet at least once a month.

16.4 - JOB EVALUATION COMMITTEE

This committee will:

- analyze and determine the relative value of work, using a methodology free from bias in accordance with the Collective Agreement
- report at each general membership meeting
- serve as the local's representation on the Joint Committee of the local and University management as set out in the collective agreement

The committee shall consist of six members of the local elected at the annual elections meeting, for staggered terms of three years each, with two members elected each year.

16.5 - NEGOTIATING COMMITTEE

This committee will:

- ask for membership input for bargaining proposals
- prepare collective bargaining proposals
- negotiate a collective agreement
- report to the Executive Committee

The committee shall consist of the President, who shall be the Chair, and four others who shall be elected by the general membership. The Negotiating Committee shall be elected during the Budget/Election meeting held in January of the calendar year previous to the year in which the Local's collective agreement will expire.

The Committee shall also make provisions for an alternate or "Negotiator in Training." The alternate is elected and will sit in on all committee meetings but will not have a vote. In the event of the absence of a committee member, the alternate will become a voting member of the committee. In the event of a Committee member's resignation, the alternate would move into the Committee position and a by-election would be held to replace the alternate.

The National Representative assigned to the local shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

Prior to the expiry date of the Collective Agreement, the Negotiating Committee, in consultation with the representative of the Canadian Union, shall prepare a new proposed agreement. It shall be the duty of the Negotiating Committee to endeavor to effect a new Agreement, so that the new Agreement may take effect the day following the expiry of the current Agreement, thus avoiding any necessity for retroactive adjustments.

The committee shall meet as needed.

16.6 - PENSION AND BENEFITS COMMITTEE

This committee will:

- act in an advisory capacity to the Local
- have at least one member attend all pension committee meetings of the University of Windsor
- have two members be the delegates on the Joint Negotiating Committee
- advise the Local as to all changes in the pension plan
- report on the function, status and performance of the pension plan at each general membership meeting

The Pension and Benefits Committee shall consist of the President or the Vice-President, a retiree appointed by the President, and not less than two members-at-large elected by the membership at the annual elections meeting, for staggered terms of three years each, with one member elected each year.

This Committee shall meet as needed.

16.7 - PROFESSIONAL DEVELOPMENT COMMITTEE

This committee will:

- allocate monies from a Global Fund administered by Human Resources in accordance with the Collective Agreement to support union members in furthering their skills through training, conferences, etc.
- report at each general membership meeting
- serve as the local's representation on the Professional Development Committee of the local and University management as set out in the collective agreement

The committee shall consist of three members of the local elected at the annual elections meeting, for staggered terms of two years each, with one member elected each year.

16.8 - STRIKE COMMITTEE

This committee will:

- prepare and co-ordinate all aspects of any legal strike in which the local is involved
- authorize and manage all expenses relating to the strike by majority vote of the committee

The committee shall consist of five members, namely the President, Vice-President, Secretary-Treasurer, a Trustee and a member-at-large (the latter two being appointed by the Executive Committee). The Executive Committee shall appoint the Chair of this committee and a quorum shall consist of three people (which includes either the President or the Vice-President).

The Secretary-Treasurer shall keep complete records of all strike expenditures. The normal signing officers shall be maintained. The committee shall make all members aware of the proper and legal conduct expected of them during the strike and they shall maintain accurate records of all members' participation during the strike.

The President, or authorized delegate, shall make all official statements on behalf of the local during a strike.

By-law 17 - SPECIAL COMMITTEES

A special committee may be established for a specified purpose by approval of the membership at a membership meeting or by the direction of the Executive Committee. The Chair of a special committee shall be elected at a membership meeting or appointed by the Executive Committee.

Membership of a special committee shall consist of the Chair and, at least one other member of the local, approved by the Executive Committee. Only sworn members of the union are eligible to serve as committee members. Non-sworn members and other third parties may attend committee meetings, on invitation of the Chair, as non-voting resources.

The President or Vice-President may, ex-officio, sit on any special committee.

The first task of a special committee shall be to define their terms of reference including:

- a list of members
- name of Chair
- name of committee secretary
- goals of the committee
- meeting schedule

That information is to be made freely available to the membership of the local. On an on-going basis the Chair and secretary of the committee are jointly responsible for ensuring that meeting dates, attendance, minutes and progress towards the goals of the committee are recorded. A copy of this information is to be forwarded to the Recording Secretary. The Chair, or designate, is responsible for reporting at general membership meetings.

By-Law 18 - STRIKE PAY

Strike Pay shall be paid from the Strike Pay Fund on the basis of 1.25 times the National strike pay rate per member per day only for the first 10 days of the strike provided that the member was on picket duty that day or was doing strike related duties as determined by the Strike Committee.

After 10 days the local shall supplement the strike pay from the National to a total of 1.25 times the National strike pay rate per day per member for the duration of the strike to the extent of the locals Strike Pay Fund or the ability of the executive to obtain additional monies in the form of donations to the local or obtain a bank loan on behalf of the Local.

At the point of strike the local's current cash assets will be applied in the following manner:

- 80% - to Strike Pay Fund
- 20% - to Strike Operating Fund

Any incoming funds shall be divided in the same proportions.

By-Law 19 - COMPLAINTS AND TRIALS

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

By-Law No. 20 - INITIATION FEES AND DUES

The initiation fee shall be five (5) dollars and the dues shall be no less than the National per capita tax using the formula for dues calculations as prescribed in Policy No. 11 per member per month. Any change in the local union dues or initiation fees can be made only at a membership meeting when a Notice-of-Motion has been given previously, except where the minimum dues are raised by an Amendment to the CUPE Constitution. Such a Notice-of-Motion can be given either at the previous membership meeting with a minimum of 7 day notice or in writing to all members at least sixty days before the question is to be discussed. The above fees shall be levied by payroll deduction and forwarded to the Local by the employer each month.

Should a member of the local be temporarily assigned to a position outside the local, the member shall continue to pay dues to the local until the temporary position becomes permanent.

DUES FORMULA:

Each member of the local will have deducted from his salary, effective the first day of the month, 2.0% of their gross regular wage, as shown in Schedules "A" and "B" of the Collective Agreement. No union dues will be collected from members on LTD or those receiving payments from the Workplace Safety Insurance Board.

Members on parental leave, when they are not receiving payments from the University, will pay no union dues.

There will be union dues deducted from retroactive payments made to a union member because of contract settlement or job re-classification.

These funds will be used for the operation of the local as prescribed by these by-laws and policies.

By-Law No. 21 - NON-PAYMENT OF ASSESSMENTS

Any member in arrears for a period of three months may be suspended and shall be reported to the Executive Committee by the Secretary-Treasurer. The Executive Committee shall report to the General Meeting with a recommendation. Any member under suspension wishing to be reinstated shall upon application pay a reinstatement fee of two (\$2.00) Dollars plus assessments in arrears. This money will be returned if application for reinstatement is refused.

By-Law No. 22 - VOTING OF FUNDS

The Executive shall have the authority to operate, by majority rule of the Executive Committee, within the prescribed Budget without further membership approval. All funds allocated to categories within the Budget shall not be transferable to other categories without a prior vote of the membership. Should the executive require special funds or additional funds to the Budget a vote of the membership is required prior to the spending of these funds. The Treasurer shall report on the status of the Budget at each regular membership meeting.

All voting of funds, by the membership, requires a Notice of Motion and a two-thirds majority of the votes cast to be passed.

By-Law No. 23 - FINANCIAL SIGNING OFFICERS

A minimum of two of any of the following "Designated Executive Officers" shall sign all orders on the treasury: President, Vice-President, and Secretary-Treasurer; one of which must be the Secretary-Treasurer.

By-Law No. 24 - PROPERTY OF THE LOCAL

The Executive Officers shall hold title to any assets of the Local as Trustees for the Local. They shall have no right to sell, convey or encumber any assets without first submitting the proposition to a special meeting and having such proposition approved. They have the right to rent or loan the use of any assets.

By-Law No. 25 - PROXY VOTES

No proxy votes shall be allowed at any time.

By-Law No. 26 - RULES OF ORDER

The President or, if absent, the Vice-President, shall take the Chair at the time specified, at all regular, special and emergency membership meetings. In the absence of both the President and Vice-President, the Secretary-Treasurer shall act as Chair, and if absent, a Chair shall be chosen by the membership.

The Chair shall state every question coming before the membership, and before allowing debate thereon, and immediately before putting it to a vote, shall ask: "Is the local ready for the question?" Should no member rise to speak and the local indicate readiness, the question shall then be put. After the Chair has risen, no member shall be permitted to speak upon the question.

A motion to be entertained by the Chair must be seconded, and the mover as well as the seconder must rise and be recognized by the chair.

A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment or amendment to an amendment, which is a direct negative of the resolution, shall be in order.

On motion, the regular order of business may be suspended, by a two-thirds vote of those present, to deal with any urgent business.

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 Chair, be presented in writing before being put to the Local.

At the request of any member, and upon a majority vote of those present, a question may be divided when the meaning of the question is not altered.

Any member having made a motion can withdraw it with the consent of the seconder, but a motion once debated cannot be withdrawn except by a majority of those present.

To speak on a question, or offer a motion, a member will rise in place and respectfully address the Chair; but not proceed further until recognized by the Chair. A member may proceed without recognition of the Chair if raising a point of order or a question of privilege.

When two or more members rise to speak at the same time, the Chair shall decide which one is entitled to the floor.

Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any reflection on the local or any member thereof.

Any member, who is called to order while speaking, shall cease speaking until the point is determined. Then, if decided by the Chair to be in order, the member may again proceed.

No member, except the Chair of a committee making a report or the mover or seconder of a resolution, shall speak more than five minutes at any time or more than once on the same question, until all members wishing to speak have had an opportunity to do so, by permission of the Chair, the member may be allowed to speak a second time.

The Chair shall not take part in debate while presiding but may yield the chair in order to speak on any question before the members, or to introduce a new question.

The Chair shall have the same rights as other members to vote. If the vote results in a tie, the Chair shall then cast the deciding vote.

When a question has been put, no motion shall be in order except:

- to adjourn;
- to put the previous question;
- to lay on the table;
- to postpone for a definite time;
- to refer;
- to divide or amend.

Motions shall have precedence in the order named.

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 Chair 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.

A motion to adjourn is in order except when a member has the floor, or when members are voting. A motion to adjourn is decided without debate.

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.

If any member feels personally aggrieved by the decision of the Chair, direct appeal to the membership is allowed. The Chair shall state the decision and the reasons therefore. The party appealing shall state briefly the reason for the appeal, after which, without further debate, the question shall be put thus: "Shall the decision of the Chair stand as the decision of the local?" It shall require a majority vote to sustain such appeal.

After a question has been decided any two members who have voted in the majority may at the same or next meeting move reconsideration thereof.

No member shall enter or leave a meeting during the reading of the minutes, the initiation of new

members, the installation of new officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Chair.

All business done in the local shall be strictly secret to all outside the local.

By-Law No. 27 - SPECIAL RULES OF ORDER

With the exception of the foregoing limit on debates (By-Law 26), the Rules of Order of this Union shall, first, be those laid down in the Constitution of the Canadian Union of Public Employees, and if absent therein, second, Bourinot's Rules of Order.

By-Law No. 28 - DELEGATES TO CONVENTIONS, SEMINARS AND EDUCATION COURSES

Except as provided in By-Law No. 7, all delegates to conventions shall be chosen by election by the membership. Representation of the local at educational institutions and seminars shall be subject to final approval by the membership.

All delegates elected to conventions, seminar or educational courses held outside the County of Essex shall be paid transportation and accommodation expenses (at economy, tourist or coach rates) and a per diem allowance for meals. If a delegate does not return home before 4:00 o'clock p.m. on any given day then an entire day's per diem allowance is paid:

- (a) \$13.00 (breakfast);
- (b) \$22.00 (lunch);
- (c) \$35.00 (dinner),
- (d) \$17.00 (incidentals)

and an amount equal to any loss of salary necessitated by attendance at the convention. With regard to conventions, seminars and educational courses held locally, there shall be an allowance for travel equal to that set by the University from time to time, and a per diem allowance (if meals are required) of:

- (a) \$10.00 (breakfast);
- (b) \$15.00 (lunch);
- (c) \$25.00 (dinner);
- (d) \$5.00 (incidentals);

Any loss of salary shall be as provided previously.

Representation of the local at educational institutions and seminars shall be subject to final approval by the membership.

The mileage allowance where applicable shall be that as allowed by the University at any particular time.

By-Law No. 29 - AMENDMENT

The by-laws of the local shall at all times be subordinate and subject to the provisions of the Constitution of the Canadian Union of Public Employees, as such constitution and by-laws exist, or may from time to time hereafter be altered or amended; and in the event of any conflict the Constitution of the Canadian Union of Public Employees shall govern.

Any changes in these by-laws shall not be valid until approved by the National President of the Canadian Union of Public Employees in accordance with Article XIII, Section 3(C), of the CUPE constitution. Amendments, including any changes whatsoever to these by-laws shall be made only with proper notice-of-motion and in all cases, two thirds of the votes cast are required to pass the motion. Notice of the intention to propose amendments to the bylaws must be given at least seven days before at a previous membership meeting or 60 days before in writing to the membership.

By-Law No. 30 - INFORMATION FOR MEMBERS

All members in good standing shall be provided, free of charge, with an up-to-date copy of the Local 1393 By-laws and Policies, the current Collective Agreement and the CUPE Constitution. All members shall receive amendments to the by-laws and policies from time to time, as required.

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.



CANADIAN UNION OF PUBLIC EMPLOYEES

Local 1393 – University of Windsor

POLICIES

Amended from November 25, 2014
Revised & Approved May 23, 2017

POLICY NO. 1 - EXECUTIVE AND COMMITTEE STIPENDS

The following executive stipends shall be paid on an annual basis, accrued monthly in December, prior to elections of the following year. In order to receive the appropriate stipend the Executive member must attend 75% of the appropriate meetings or have presented legitimate reasons for lack of attendance.

President	\$ 2200.00
Vice-President	\$ 1760.00
Secretary-Treasurer	\$ 1760.00
Recording Secretary	\$ 1760.00
Chief Steward	\$ 1100.00
Stewards	\$ 550.00
Health & Safety Officer	\$ 440.00
Alt. Health & Safety Officer	\$ 110.00
Trustees	\$ 330.00
Sergeant-at-Arms	\$ 110.00

The following committee stipends shall be paid on an annual basis, accrued monthly in December, prior to election of the following year. These amounts may be reduced by a majority vote of the Executive Committee, by \$20.00 per meeting, if it is felt that the committee did not meet the prescribed number of meetings without legitimate reason.

Pensions and Benefits Committee	\$ 110.00 per member
Negotiating Committee	\$ 330.00 per member
Job Evaluation Committee	\$ 550.00 per member
Professional Development Committee	\$ 50.00 per member

Executive Committee and Grievance Committee stipends are considered to be included in the individual executive stipends.

POLICY NO. 2 - BUDGET GUIDELINES

All funds allocated to categories within the budget shall not be transferred to other categories without prior approval of the membership. The Budget shall be struck solely from all projected sources of income (dues, interest, fund raising, etc.). All residual funds allocated to the Budget as of the expiry date, shall be considered savings and shall not be construed as income for the following Budget year.

POLICY NO. 3 – ARBITRATION

A lawyer must be present at all Arbitrations unless the members designate to the contrary on the recommendation of the Executive Committee.

POLICY NO. 4 - POLITICAL DONATIONS

To encourage members of the union to participate in public service, the union shall contribute up to the maximum legally allowable donation to the campaign of any member in good standing of CUPE Local 1393 running for election to public office in Ontario subject to receiving a request for such a donation and approval of the membership.

Such support shall not be considered endorsement of any candidacy.

The union may additionally issue endorsements of candidates for public office, upon vote by the membership.

POLICY NO. 5 - CAUCUSES

To encourage the communication of different viewpoints any group of members, with shared concerns, may form a caucus within the local (e.g. Women's Caucus, Trades' Caucus, ITS Caucus). Caucuses are formed voluntarily and without budget. They are not committees. The members informally determine their own meeting schedules, reporting, and activities. To discuss any issues they wish to bring forward a caucus may meet in person with, or submit a written report to the Executive Committee. They may also bring issues directly to the membership at a General Membership Meeting.

POLICY NO. 6 - CUMULATIVE ATTENDANCE RECORD

In order to provide greater transparency and accountability the Local has established a Cumulative Attendance Report to be delivered to the membership, by the Recording Secretary, at every General Membership Meeting. This report will record the attendance of every Executive member at meetings of the membership, Executive Committee and Grievance Committee. It will also record meetings and attendance of all committees of the Local and track committee reports to the Executive or membership. This report will be cumulative during the calendar year. A new report will be established in January of each year.

POLICY NO. 7 - NON-PERFORMANCE OF DUTY

If an elected or appointed official of the union has been deemed to be neglecting their duties the official must explain their actions or inactions to the President of the Local or a delegated member of the Union Executive. If the Executive finds their reasons unacceptable or the problem is not resolved, the official will be given the option of resigning. If the official refuses this option and the actions of the official may be a significant detriment to the union then the Union Executive shall schedule a review of the actions at the next general membership meeting.

The official involved shall be notified in writing at least 24-hours before the meeting. An election of a new officer can be made at this time if a two-third majority of the members present agree with the assessment made by the union executive. If the problem requires a more immediate resolution a Special Membership meeting shall be called if deemed necessary by the Executive Committee. Note that all members holding an elected position may come under review. This policy shall not conflict with any provision of the National Constitution.

POLICY NO. 8 – AMENDMENTS

Any changes in these policies shall not be valid until approved by the National President of the Canadian Union of Public Employees in accordance with Article XIII, Section 3(C), of the CUPE constitution. Amendments, including any changes whatsoever to these policies shall be made only with proper notice-of-motion and in all cases, two thirds of the votes cast are required to pass the motion. Notice of the intention to propose amendments to the policies must be given at least seven days before at a previous membership meeting or 60 days before in writing to the membership.