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| **Bylaws** **Local Union 139** |



Amended by membership:

Approved by National:



Table of Contents

[INTRODUCTION 1](#_Toc92463270)

[SECTION 1 – NAME 1](#_Toc92463271)

[SECTION 2 – OBJECTIVES 1](#_Toc92463272)

[SECTION 3 – REFERENCES 2](#_Toc92463273)

[SECTION 4 – AFFILIATIONS 2](#_Toc92463274)

[SECTION 5 – REGULAR AND SPECIAL MEMBERSHIP MEETINGS 2](#_Toc92463275)

[SECTION 6 – OFFICERS 3](#_Toc92463276)

[SECTION 7 – EXECUTIVE BOARD 4](#_Toc92463277)

[SECTION 8 – DUTIES OF OFFICERS 4](#_Toc92463278)

[SECTION 9 – NOMINATION, ELECTION, AND INSTALLATION OF OFFICERS 11](#_Toc92463279)

[SECTION 10 – FEES, DUES, AND ASSESSMENTS 14](#_Toc92463280)

[SECTION 11 – VOTING OF FUNDS 15](#_Toc92463281)

[SECTION 12 – HONORARIUMS 15](#_Toc92463282)

[SECTION 13 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS 16](#_Toc92463283)

[SECTION 14 – COMMITTEES 16](#_Toc92463284)

[SECTION 15 – RULES OF ORDER 18](#_Toc92463285)

[SECTION 16 – AMENDMENTS 19](#_Toc92463286)

[SECTION 17 – PRINTING AND DISTRIBUTION OF BYLAWS 19](#_Toc92463287)

[Appendix “A” - CUPE NATIONAL EQUALITY STATEMENT 20](#_Toc92463288)

[Appendix “B” - RULES OF ORDER 21](#_Toc92463289)

[Appendix “C” - Credit Card Policy 23](#_Toc92463290)

## INTRODUCTION

Local 139 of the Canadian Union of Public Employees has been formed to:

* Improve the social and economic well-being of all of its members;
* Promote equality for all members and to oppose all types of harassment and discrimination;
* Promote the efficiency of public services; and
* Express its belief in the unity of organized labour.

The following Bylaws are adopted by Local 139 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organizations’ activities. The CUPE National Equality Statement can be found in Appendix “A” to these bylaws.

## SECTION 1 – NAME

The name of this Local Union shall be Canadian Union of Public Employees, Local 139

Local 139 consists of the following units:

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| **139 – North Bay Regional Health Centre (all sites)** |
| **139-01 - Brookfield Global Integrated Solutions (BGIS)** |

## SECTION 2 – OBJECTIVES

The objectives of Local 139 are to:

1. Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
2. Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
3. Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers;
4. Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
5. Establish strong working relationships with the public we serve and the communities in which we work and live; and
6. Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

## SECTION 3 – REFERENCES

1. Masculine pronouns shall be understood to include the feminine gender.
2. Numbers of articles at the end of sections or sub-sections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

## SECTION 4 – AFFILIATIONS

In order to strengthen the labour movement and work toward common goals and objectives, Local 139 shall be affiliated to and pay per capita tax to the following organization(s):

* OCHU – Ontario Council of Hospital Unions
* North Bay and District CUPE Council

## SECTION 5 – REGULAR AND SPECIAL MEMBERSHIP MEETINGS

1. Regular membership meetings of Local 139 shall be held every month, except for July and August. Meetings shall be held on the second Wednesday at 7:30 p.m. Notice of each regular membership meeting, outlining date, time and location shall be posted for the membership at least seven (7) days in advance of the meeting.
2. When a statutory holiday or a situation beyond the control of the Local Union arises, which causes the cancellation of a regular membership meeting, the Executive Board shall reschedule the regular membership meeting, and will give members fourteen days’ notice of the date of the rescheduled regular membership meeting.
3. Special membership meetings of Local 139 or BGIS 139-01 may be required and shall be called by the Executive Board or may be requested in writing by no fewer than 1% of the membership. 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 and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called, and notice given.
4. The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be 10 members, including (2) members of the Executive Board. Sergeant at Arms will be appointed at each meeting by the Executive when the Membership Officer is absent.
5. The order of business at regular membership meetings is as follows:
	1. Roll call of officers
	2. Reading of the Equality Statement
	3. Reading of the Acknowledgement of the Indigenous Nations on whose land the meeting is taking place
	4. Voting on new members and initiation
	5. Reading and approval of minutes of previous meeting
	6. Matters arising
	7. Treasurer’s report and approving expenditures
	8. Correspondence
	9. Executive Board report
	10. Reports of committees and delegates
	11. Nominations, Elections, or Oath of Office
	12. Unfinished business
	13. New business
	14. Good of the Union
	15. Adjournment
6. Local 139 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.
7. When a quorum cannot be convened within (20) minutes of the scheduled meeting time the Executive Board can expedite matters of time sensitive issues. The Executive Board will report back for ratification at the next general membership meeting.

## SECTION 6 – OFFICERS

The Table Officers of Local 139 shall be the President, Vice-President NBRHC, Vice-President BGIS, Recording-Secretary, and Secretary-Treasurer. The other Officers of the Local are Chief Steward, Chief Steward from BGIS, Health and Safety/WSIB Steward, three (3) Trustees, and Membership Officer.

## SECTION 7 – EXECUTIVE BOARD

1. The Executive Board shall include all Table Officers, except Trustees and Membership Officer.
2. The Executive Board shall meet at least eight (8) times per year.
3. A majority of the Executive Board constitutes a quorum.
4. The ExecutiveBoard shall hold title to any real estate of the Local Union as trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.
5. The Executive Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.
6. Should any Executive Board member fail to answer the roll call for three consecutive regular meetings, or threeconsecutiveregularExecutiveBoardmeetingswithouthavingsubmittedgoodreasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting or at a special meeting within three weeks posted notice.

## SECTION 8 – DUTIES OF OFFICERS

Each Officer of Local 139 is required to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise. Table Officers will consist of President, Vice-Presidents’, Secretary- Treasurer, Recording-Secretary. All signing officers of Local 139 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. All Table Officers must attend Financial Officers Training and Leadership Executive Training within three (3) months of taking office.

1. The President shall:
	* Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
	* Be a paid officer, of CUPE Local 139, booked-off from their position for the term of office, at their regular rate of pay and at a Full-time equivalent. (subject to annual membership approval, and can be reviewed every three (3) months)
	* Preside at all membership and Executive Board meetings and preserve order.
	* Decide all points of order and procedure (subject always to appeal to the membership).
	* Provide a detailed report to the Membership of their daily Union activities for each month at the Regular Membership and Executive Board meetings
	* Ensure that all Officers perform their assigned duties.
	* Fill committee vacancies where elections are not provided for.
	* Introduce new members and conduct them through the initiation ceremony.
	* The President, Vice President and/or the Secretary-Treasurer must sign all cheques, except for payments to the President, and ensure that the Local Union’s funds are used only as authorized or directed by the CUPE National Constitution, Local Union bylaws, or vote of the membership.
	* Be allowed necessary and reasonable funds, to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense and with supporting receipt(s) attached.
	* Be ex-officio (by virtue of office) member of all committees
	* Have first preference as a delegate to the CUPE National Convention and all affiliate Conventions.
	* Attend all arbitrations and negotiations between each Local and their employer as per their respective collective agreements.
	* On termination of office, surrender all books, seals and other properties of the Local Union to their successor.
2. The Vice-President NBRHC shall:
	* If the President is absent or not eligible, perform all duties of the President.
	* Preside over membership and Executive Board meetings in the absence of the President.
	* If the office of the President falls vacant, be Acting President until a new President is elected.
	* Render assistance to any member of the Executive as directed by the Executive Board.
	* The President, Vice President and/or the Secretary-Treasurer must sign all cheques, except when payments are for the Vice-President, and ensure that the Local Union’s funds are used only as authorized or directed by the CUPE National Constitution, Local Union bylaws, or vote of the membership.
	* On termination of office, surrender all books, seals and other properties of the Local Union to their successor.
3. The Chief Steward shall:
* Conduct and chair all stewards’ meetings and preside over all grievance committee meetings
* Assist in all activities relating to grievances and membership queries.
* For all newly elected stewards provide 3 orientation/shadowing meetings
* Make sure time limits are met or extended
* See that all stewards perform their duties as assigned and hold a meeting with all stewards 8 times per year adjacent to the Executive meetings.
* Keep the President and Vice President informed of all steward activities
* On termination of office, surrender all books, seals and other properties of the Local Union to their successor
1. The Vice-President BGIS 139-01 shall:
	* Preside over duties of BGIS 139-01 in the absence of the President.
	* Render assistance to any members of BGIS 139-01.
	* On termination of office, surrender all books, seals and other properties of the Local Union to their successor.
	* Be the chief liaison with the President in all matters dealing with BGIS and the members.
2. Chief Steward BGIS 139-01 shall:
* Conduct and chair all stewards’ meetings and Preside over all grievance committee meetings for BGIS 139-01
* Assist in all activities relating to grievances, and membership queries for BGIS 139-01.
* Make sure time limits are met or extended
* See that all stewards perform their duties as assigned
* Keep the President, and Vice President BGIS 139-01 informed of all steward activities
* On termination of office, surrender all books, seals, and other properties of the Local Union to their successor.
1. The Recording Secretary shall:
	* Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (Membership meetings) presented by the Secretary-Treasurer. The record will also include Trustee reports.
	* Record all amendments and/or additions in the bylaws and make certain that these are sent to the National President for approval.
	* Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
	* Keep a record of all correspondence received and sent out.
	* Prepare and distribute all notices to members including electronic.
	* Have all records ready on reasonable notice for the Trustees or auditors.
	* Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union’s funds.
	* On termination of office, surrender all books, seals and other properties of the Local Union to their successor.
	* Arrange for representation of the Local at any appropriate educational seminar or conference as directed by the Executive Board.
	* Upon election to the position, the Recording-Secretary shall be registered for the CUPE Recording-Secretary training course at the earliest convenience to properly fulfill the responsibilities and ensure the records of the Local are properly prepared and maintained.
2. The Secretary-Treasurer shall:
* Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member’s payments, and deposit promptly all money with a bank or credit union.
* The President and the Secretary-Treasurer must sign all cheques, except for payments to the Secretary-treasurer and ensure that the Local Union’s funds are used only as authorized or directed by the CUPE National Constitution, Local Union bylaws, or vote of the membership. The Secretary-Treasurer shall arrange for the President and (1) other Executive member to provide secondary signatures on cheque if required.
* Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month.
* Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
* Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
* Make a full financial report to meetings of the Local Union’s Executive Board.
* Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
* Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
* Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President, or the Vice-President. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.
* Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least twice each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
* Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
* Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union’s funds.
* Notify all members who are one month in arrears and report to the Executive Board all members two or more months in arrears in the payment of union dues.
* The Secretary-Treasurer shall be afforded two paid Union Leave days per month to complete the duties of their office.
* The Secretary-Treasurer shall be a member of the By-Law Committee.
* On termination of office, surrender all books, records and other properties of the Local Union to their successor.
1. The Trustees shall:
	* Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary, and the Committees at least twice every calendar year. The Audits shall occur within four (4) months of each six (6) month period (Jan-June & July-Dec)
	* Make a written report of their findings to the first membership meeting following the completion of each audit.
	* Submit at the same time in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union’s funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.
	* Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
	* Ensure that proper financial reports have been given to the membership.
	* Audit the record of attendance.
	* Inspect at least twice a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union and report their findings to the membership.
	* Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
		1. Completed Trustee Audit Program
		2. Completed Trustees’ Report
		3. Secretary-Treasurer Report to the Trustees
		4. Recommendations made to the President and Secretary-Treasurer of the Local Union
		5. A copy of the Secretary-Treasurers or membership response to the recommendations/concerns they have raised.
* Upon election to this position, the Trustee shall be registered for the CUPE Financial Officer Training course at earliest convenience to ensure proper training to fulfill the duties and responsibilities of this office.
1. The Membership Officer shall:
	* Guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the President and with consent of the members present.
	* Assist in maintaining the record of membership attendance at meetings.
	* Perform such other duties as may be assigned by the Executive Board from time to time.
2. Health & Safety/WSIB Steward shall:
* Sit on a NBRHC JHSC (Joint Health & Safety Committee) as one of our 3 worker representatives
* Advise the membership with WSIB claims and Sick Leaves as per the Collective Agreement and applicable legislation.
* Advise and represent members in Return to Work programs.
* Report and update the Executive Committee at Executive Meetings. Give detailed monthly updates to the membership at regular membership meetings.
* Provide education to members at General Membership meetings in order to keep them abreast to their obligations
* Advise CUPE representatives re WSIB and Return to Work meetings and attend when requested.
* Provide recommendations to the JHSC and CUPE WSIB representatives after consultation and direction by the Executive board
* The Health & Safety/WSIB steward shall be provided Level 1 & 2 WSIB CUPE educations courses and Level 1 & 2 CUPE Health & Safety education courses at earliest convenience. Also, they will be expected to work toward completion of all six (6) Occupational Disability Response Team’s (ODRT) Certification courses, to enhance knowledge and skills to represent members in WSIB and Duty to Accommodate issues. Additional education to be approved by the Executive Board.
* Recommend training for CUPE WSIB/JHSC representatives to keep these stewards abreast of WSIB, Modified Work Programs, Return to Work, Accommodations and any other identified trend.
* On termination of office, surrender all books, seals, and other properties of the Local Union to their successor.
* Advise the membership and other CUPE JHSC worker representatives at all sites.
1. The Job Posting Tracker Steward shall:
* Review the job postings weekly and ensure each posting is posted as per the collective agreement and follow up with the employer on inaccuracies

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* Maintain and update the job posting spreadsheet.
* Monitor the Filled Posting Report and ensure postings are being filled appropriately as per the collective agreement.
* Monitor transfers, leaves, etc. and ensure the collective agreement is being adhered to.
* Provide monthly reports to membership.
* Monitor the orientation lists and attend orientation for external hires, and the MWP and LTD list to ensure job posting language is adhered to.
* Promptly respond to requests from the Executive Board.
* On termination of office, surrender all books, seals, and other properties of the Local Union to their successor.

## SECTION 9 – NOMINATION, ELECTION, AND INSTALLATION OF OFFICERS

1. Nominations
	1. Nominations will be received at the regular membership meeting held in the month of September.
	2. Nominations will be accepted from members in attendance at the nominations meeting or from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member. If accepting nomination, the candidate may campaign, should they wish to.
	3. 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.
	4. To be eligible for nomination, a member must be a member in good standing as set out in Article B.8.3 of the National Constitution.
	5. A member can only accept nomination for one Table Officer position at any time.
	6. If running for Chief Steward you cannot seek nomination as a Steward at time of election and vice versa.
2. Elections
	1. The President, Vice-President of Local 139, Vice-President BGIS 139-01, Recording- Secretary, Secretary-Treasurer, shall be nominated and elected in even numbered years (ie. 2018, 2020) and Trustees, Membership Officer Chief Steward, Health & Safety /WSIB Steward, Chief Steward BGIS, and all other Stewards will be elected in odd numbered years (ie. 2017, 2019). (Note: Vice-President and Chief Steward of BGIS 139-01 is elected based on votes cast from BGIS 139-01 members only).
	2. At a membership meeting, at least one month prior to Election Day, the President will, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee will include members of the Local Union who are neither Officers nor candidates for office. The Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
	3. The voting will be done electronically **on the second Wednesday of October. The electronic vote will only be done by secure e-voting platform to ensure the integrity of votes.**
	4. The Returning Officer and assistants will be responsible for:
* Maintaining the website of the Electronic Vote.
* Update the membership email list.
* Notification of Electronic Vote**: A reminder email will be sent one (1) week prior to the electronic vote to members who have provided their email addresses to the Union about the electronic vote. A second email will be sent on the day of the electronic vote for members to cast their electronic vote.**
* **In the event of a tie vote, a second and subsequent electronic vote will be taken, if necessary, until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.**
* Results of the Vote will be posted on the CUPE boards and on the Local’s website.
* The Returning Officer and assistants shall make all decisions regarding the election process, and their decision shall be final and binding.
* The Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
	1. There shall be only one vote for each candidate on the **electronic vote**. The person with the most votes (first past the post) shall be declared elected. Therefore, the determination is plurality not majority.
	2. When two or more nominees are to be elected to any office by **electronic vote**, each member voting will be required to vote for the full number of candidates to be elected or the member’s ballot will be declared spoiled.
	3. A Candidate may request a recount of the votes for their election within 10 days, and a recount will be conducted if the request is supported at the next General Membership meeting, in a vote, by at least the number of members equal to the quorum for a membership meeting as set out in Section 5(d).
	4. Any complaint regarding the Elections process must be filed with the Returning Officer/Committee within ten (10) days of the election results being announced. Electronic Results will be destroyed ninety (90) days after the election results have been announced
1. Installation
	1. All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office two year(s) or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three years.
	2. The terms of office for Trustees shall be so that one serves for a period of three years, one for two years, and one for one year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three-year period. No member who has been a signing officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed.
	3. The Oath of Office to be read by the newly-elected Officers is:

***“I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do most sincerely promise that I will truly and faithfully, to the best of my ability, perform the duties of my office for the ensuing term, as prescribed in the Constitution and laws of the Canadian Union of Public Employees, and as an Officer of this Local Union will at all times endeavour, both by counsel and example, to promote the harmony and preserve the dignity of its sessions.***

***I further promise that at the close of my official term, I will promptly deliver all monies, books, papers, or other property of this Local Union in my possession to my elected successor.”***

1. By-Election

Should an office fall permanently vacant pursuant to Section 7(f) of these bylaws or for any other reason, the resulting by-election will be held at the next regular meeting or at a special meeting within three weeks of notice given and should be conducted as closely as possible in conformity with this Section.

By-Elections will be held by Ballot Box.

The Committee will determine the form of the ballot for the By-Election and ensure that sufficient quantities are made in good time to the Returning Officer.

The Returning Officer and assistants will be responsible for: issuing, collecting and counting ballots. The Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.

* Assign assistants to manage all NBRHC site for the vote.
* Issuing, collecting and counting ballots.
* Results of the Vote will be posted on the CUPE boards and on the Local’s website.
* The Returning Officer and assistants shall make all decisions regarding the election process, and their decision shall be final and binding.
* The Returning Officer must be fair and impartial and se that all arrangements are unquestionably democratic.

For temporary vacancies, where the vacancy is more than three (3) months, the local shall hold elections at the next General membership meeting for an interim Officer. Should the vacancy be for less than three (3) months, the Executive Board shall appoint a member to the position.

## SECTION 10 – FEES, DUES, AND ASSESSMENTS

1. Monthly Dues

The regular monthly dues shall be established or altered by the Local Union only at a regular or special membership meeting, provided that at least seven (7) days notice at a previous meeting or at least sixty (60) days written notice has been given. Current monthly dues are 1.65% of your gross wages.

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

A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but not be required to pay arrears. (Article B.8.6)

1. Dues and dues increases shall be equal to and match national and division dues, dues, increases, per capita, special levies and other increases as outlined in the constitution and amendments to same.
2. Notwithstanding the above provisions, if the CUPE constitution 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.
3. Special assessments may be levied in accordance with the CUPE constitution.
4. An initiation or readmission fee will be collected in the amount of $1.00 to reinstate a member no longer in good standing.

## SECTION 11 – VOTING OF FUNDS

1. Local 139, BGIS 139-01 will pay out funds under the following circumstances:
	* When the expenditure has received prior authorization through a membership approved budget.
	* When these bylaws approve the expenditure; or
	* Through a vote of the majority of members at a membership meeting.

Authorization to pay per capita tax to CUPE National, or any labour organization the Local Union is affiliated with, is not required.

1. In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than $500.00, a notice of motion must be made at a regular membership meeting and then approved at the following regular membership meeting before the grant or contribution can be paid out.
2. No member of Local 139, and BGIS 139-01 will be allowed to spend any Local Union funds without first having received authorization under Section 11(a) of these bylaws.

(d) Local 139 Officers may use credit cards as outlined in Appendix C of these bylaws.

## SECTION 12 – HONORARIUMS

1. The President, Vice-President, Chief Steward, Health & Safety /WSIB Steward, Secretary-Treasurer and Recording Secretary shall be provided $600.00 per month.
2. The Vice President of BGIS 139-01 shall be provided $200.00 per month.
3. The Trustees shall each be provided $150.00 upon the completion of each report.
4. Chief Steward BGIS 139-01 shall receive $50.00 per month.
5. The Stewards shall receive $150.00 per month.
6. The Membership Officer shall receive $50.00 per month.

If there is a vacancy in any position for more than three (3) months, the incumbent shall cease to receive out-of-pocket expenses until their return to the position.

## SECTION 13 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

1. Except for the President’s option, all delegates to conventions and conferences must be members in good standing. If there are more candidates than opportunity the decision will be made by vote of membership. The Executive Board will make a recommendation of the number of attendees to any event, to the membership, for approval.
2. All delegates attending conventions, conferences, or educational held outside the City of North Bay shall be paid transportation and accommodation expenses and a per diem allowance equivalent to what any national representative would receive for meals and expenses. The Local Union will reimburse the member’s employer for any loss of wages.
3. Delegates to conventions, conferences, and educationals held locally shall have no travel or per diem allowance. The Local Union will reimburse the member’s employer for any loss of wages.
4. Local 139 will provide members with their per diem allowance prior to their attending the convention, conference, or educational.
5. All CUPE members required to book-off to attend any union business shall be paid the equivalent of a “days pay” (no overtime). This is to compensate members when participating in their Union.
6. Local 139 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educationals.

## SECTION 14 – COMMITTEES

1. Special Committees

A special committee may be established for a specified purpose and a specified period of time by the membership at a meeting. The members shall be elected at a membership meeting, or may, by specific authorization of the membership, be appointed by the President or the Executive Board. Two members of the Board may sit on any special committee as ex-officio members.

* 1. Negotiating Committee Local 139

This will be a special committee established at least 12 months prior to the expiry of the Local Union’s collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of 6 regular members and 2 alternate members. The President and Chief Steward shall automatically be regular member. The other 4 regular members shall be elected from the membership. Committee members must be members in good standing.In the event of an election during the term of this committee the past president will automatically bump out an alternate member.

The CUPE National Representative and/or the Legal Representative assigned to the Local Union shall be a non-voting member of the committee and shall be Lead negotiator, at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

139-01 (BGIS)

This will be a special committee established at least 12 months prior to the expiry of the Local Union’s collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of 3 regular members and 2 alternate members. The President and Vice-President BGIS shall automatically be regular member. The other 3 regular members shall be elected from the membership. Committee members must be members in good standing.

The CUPE National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be Lead negotiator at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

All members of Local 139’s and BGIS 139-01’s negotiating committee shall attend all of CUPE’s collective bargaining educationals, and/or other courses as directed by the Executive Board.

* 1. Grievance Committee Local 139 and BGIS 139-01

This committee will be, the Chief Steward and 4 Stewards from different classifications who are appointed by the Executive Board.

(a) Oversee the handling of all local grievances.

(b) Receive copies of all grievances.

(c) Chief Steward will prepare a report on the status of all grievances to be submitted to the Executive Board, the CUPE Representative, and to the membership meeting.

(d) When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether or not the grievance should proceed to arbitration.

(e) If the decision, of the Grievance Committee is to not proceed, the grievor(s) may appeal the decision to the Executive Board. However, the timelines for the grievance shall be protected.

 NOTE: The decision to proceed to arbitration is one that must be based on the facts in the particular situation. Asking members to vote on an issue when, due to confidentiality, they cannot be given all of the information can do harm to a local and the grievor(s).

3. Bylaw Committee:

(a) Review the bylaws annually and make the recommendation to the Executive Board on proposed amendments.

(b) Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendment will conform to the remainder of the bylaws and the CUPE National Constitution.

(c) Ensure that the Local Union’s bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.

The committee members will be the Secretary-Treasurer and 3 members elected by the membership.

4. Health & Safety Committee:

(a) Shall comprise of 3 members one being the Health & Safety/WSIB Steward and2 members elected by the membership.

(b) This committee to be elected every 2 years

(c) This committee shall attend NBRHC JHSC meetings and submit monthly reports to the Executive and membership meetings.

## SECTION 15 – RULES OF ORDER

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

In situations not covered by Appendix “B”, the CUPE National Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot’s Rules of Order shall be consulted and applied.

## SECTION 16 – AMENDMENTS

1. These bylaws are always subordinate to the CUPE National Constitution (including Appendix “B”) as it now exists or may be amended from time to time, and in the event of any conflict between these bylaws and the CUPE National Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE National Constitution.
2. These bylaws will not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting following seven days’ notice at a previous meeting or at least sixty days’ written notice.
3. No change in these bylaws will be valid and take effect until approved by the National President of CUPE. The validity will date from the letter of approval of the National President.

## SECTION 17 – PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 139 and BGIS 139-01 bylaws, either in paper format upon request or via the Local Union web site at [www.139.CUPE.ca](http://www.139.CUPE.ca). Members with special needs may request a copy of the bylaws in larger font.

## Appendix “A” - CUPE NATIONAL EQUALITY STATEMENT

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

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

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

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

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

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

## Appendix “B” - RULES OF ORDER

1. The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President will be the Chairperson at the membership meeting. In the absence of the President and Vice-President, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: “Is the Local ready for the motion?” If no member rises to speak, the motion will be voted upon.
5. A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
6. A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
7. An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
8. On motion, the regular order of business at a membership meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
9. Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
10. At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.
11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
13. The Chairperson will keep a speakers list and, in all cases, will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
15. A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
16. Religious discussion of any kind is not permitted.
17. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
18. The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote, or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
19. When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.
20. The Chairperson will ask “Will the main question be now put?” where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
21. A motion to adjourn is in order except when a member is speaking or when members are voting.
22. A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
24. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, “Will the decision of the chair be upheld?” A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
25. After a question has been decided, any two members who have voted with the majority can move reconsideration, provided that a motion for reconsideration is made at either the meeting where the decision proposed for reconsideration was made, or at the very next meeting.
26. Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.

The Local Union’s business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.

## Appendix “C” - Credit Card Policy

The Local 139 Credit Card was introduced as an alternative purchasing and payment mechanism to improve payment performance, simplify clerical processes, provided more effective cash management and better service delivery for your members.  The card system is specifically intended for, but not restricted to, use in conducting all in town orout-of-town union business.

 Benefits to the local and its members will be:

* Faster receipt of goods and services
* Increased flexibility
* Less reliance on cash and/or cheques
* Prompt and reliable recording of financial transactions

**Credit Limit**

The credit limit on the Local 139 credit card has been set at $10,000.00 and determined based on the largest monthly expense for travel and accommodations anticipated in the year it was implemented. It is also the amount that had to be secured with Northern Credit Union.

**Amending the Existing Credit Limits**

Proposed amendments to the existing credit limit shall be identified by the cardholders and brought to the Executive and the membership for approval.

**Retention and Use of the Credit Card**

The Local shall retain 3 copies of the credit card.

The President, Vice-President and Recording Secretary shall be the only authorized persons to use the credit card and sign on behalf of the Local and its members.

Each of the 3 credit cards shall be issued in the name of the Local, as well as indicate the name of the executive member holding the card, for increased accountability.

When the executive positions within the Local change person, the signing authority and responsibility of the credit card shall immediately change.  The card issued in the exiting executive member’s name shall be immediately submitted to the Local and immediately destroyed.  A new card shall be issued in the newly elected executive member’s name.

The use of the credit card shall be limited to the following transactions:

* office supplies
* hotel/accommodations;
* airline reservations and payment;
* ground transportation including bus service, car rental, shuttles, taxi, etc.;
* fuel;
* booking facilities for union functions.

An expense voucher shall be submitted for all charges on the credit card and a receipt shall be included.  Where a member does not submit a receipt, the amount charged on the credit card shall be deducted from any future expense claims of that member until that amount is repaid.

**Misuse**

The Local 139 credit card shall not be used for any personal purchases or financial transactions whatsoever.

The Local’s Executive, and/or membership shall have the authority to cancel/terminate usage of the credit card where misuse is suspected/determined.

**Accountability**

The Secretary-Treasurer shall make available all transaction records and monthly statements of the credit card available to the trustees for the bi-annual audits.