

**BYLAWS  
CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 110**

**APPROVED BY MEMBERSHIP: APRIL 10, 2016  
APPROVED BY NATIONAL OFFICE: OCTOBER 6, 2016**

**Article 1**

All former bylaws of the Local Union except those, which have been incorporated in these bylaws, are hereby repealed and the following substituted thereof.

**Article 2**

This organization shall be known as the Canadian Union of Public Employees, Local 110, being a chartered Local of the Canadian Union of Public Employees, C.L.C. being affiliated with the Manitoba Federation of Labour, C.L.C., and the Manitoba Division of C.U.P.E.

**Article 3**     Meetings

- A.1     The regular monthly meetings shall be held on the second Sunday of each month, except in the month of May, or when a long weekend occurs on the second weekend an alternate day will be announced.
- A.2     The regular executive meeting shall be held on the first Wednesday of each month.
- A.3     In the months of June, July, August and December, the Executive Board shall conduct the business of the Union on the first Wednesday of the month.
- A.4     The Executive Board must have a quorum of three (3) duly elected Executive Members to transact business of the Union.

Meeting Times

- B.1     Meetings shall be opened at 9:00 a.m. or 7:00 p.m. promptly. During the months of January, March, May, and October the meetings shall be opened at 9:00 a.m. During the months of February, April, September, and November the meetings shall open at 7:00 p.m.
- B.2     Special general meetings may be called by the President or at the request of twenty-five (25) members in writing on any special business and designated as "Special General Meeting".
- B.3     Special general meetings will be held on Sundays at 7:00 p.m. when possible.

- B.4 A quorum for the transaction of business at any regular or special meeting shall consist of at least fifteen (15) members in good standing, including at least three (3) members of the duly elected Executive Board.
- B.5 The Chairperson of their respective committee only with the consent of the President may call special committee meetings.

#### **Article 4**      Officers

The Officers shall consist of a President, Vice-President, Secretary-Treasurer, Recording Secretary, and Warden-Conductor, all of whom shall be elected by ballot at the bi-annual election of officers, which shall occur on the even year. The Trustees are to serve as per the National Constitution of C.U.P.E.

#### **Article 5**

1. The *President* shall:
  - enforce the C.U.P.E. Constitution and these bylaws;
  - 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);
  - have a vote on all matters (except appeals against his rulings) and in case of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie;
  - ensure that all officers perform their assigned duties;
  - fill committee vacancies where elections are not for provided for;
  - introduce new members and conduct them through the initiation ceremony;
  - administer all newsletter content and material and prepare for distribution to the members;
  - sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, bylaws, or vote of the membership;
  - have first preference as a delegate to the C.U.P.E. National Convention;
  - on termination of office, surrender all books, seals and other properties of the Local to their successor;
  - shall be bonded for one hundred thousand dollars (\$100,000) under the Secretary-Treasurer from C.U.P.E. National;
  - ex-officiary of all committees.

2. The *Vice-President* shall:
  - if the President is absent or incapacitated, the Vice-President will perform the duties of the President in conjunction with the Chair of Wage and Grievance;
  - if the office of President falls vacant, be Acting President until a new President is elected;
  - render assistance to any member;
  - be Chairperson at Executive Board meetings;
  - on termination of office, surrender all books, seals, and other properties of the Local to their successor.
  
3. 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;
  - forward to the C.U.P.E. National Secretary-Treasurer, on the official monthly report forms provided, not later than the 15<sup>th</sup> day of each month, all financial obligations owing to the National Union. He shall forward one dollar (\$1) of each initiation fee on all members admitted (except those named on the list forwarded with the application for a charter) along with the per capita tax on all dues received by the Local Union. The report should also set out the number of those initiated, reinstated, suspended or expelled and the number of members on whom per capita is being paid. The per capita tax shall require no motion of the Union to be paid;
  - record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
  - make a financial report to the Local Union monthly; which will also include per diems paid to each individual Executive member, each Steward and all standing and sub-committee members;
  - be responsible for paying rents of a room for all meetings of this Local, i.e. all Regular, Executive, Special or Committee meetings;
  - work in harmony with the Recording Secretary, and perform such other duties as the Union or Constitution may direct be bonded for not less than one hundred thousand dollars (\$100,000) or any greater sum as may be decided at a membership meeting, taking into account the assets of the Local and the amount of cash and cheques handled by the Secretary-Treasurer through the master bond held by the C.U.P.E. National Office, and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office and all elections;
  - make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited semi-annually;
  - provide the Trustees with any information they may need to complete the audit report forms supplied by C.U.P.E.;
  - be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds;

- on termination of office, surrender all books, records and other properties of the Local to their successor.
4. The *Recording Secretary* shall:
- keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive Board meeting;
  - read all minutes of previous meetings;
  - record all alterations in the bylaws;
  - answer correspondence and fulfil other secretarial duties as directed by the Board;
  - file a copy of all letters sent out and keep on file all communications;
  - prepare and distribute all circulars and notices to members;
  - have all records ready on reasonable notice for auditors and Trustees;
  - preside over membership and Executive Board meetings in the absence of both the President and the Vice-President;
  - on termination of office, surrender all books, seals and other properties of the Local to their successor.
5. The *Warden* shall:
- guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of C.U.P.E., except on the order of the President and by 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;
  - on termination of office, surrender all books, seals and other properties of the Local to their successor.
6. The *Trustees* shall:
- act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary and the Standing Committees semi-annually;
  - report their findings to the first membership meeting following the completion of each audit;
  - be responsible to ensure the monies are not paid out without proper constitutional or membership authorization;
  - ensure that proper financial reports are made to the membership;
  - audit the record of attendance;
  - inspect at least twice a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may be owned by the Local, and report their findings to the membership;
  - use audit forms supplied by the C.U.P.E. National Office and send a copy of each half-yearly audit to the National Secretary-Treasurer in accordance with the provisions of the C.U.P.E. Constitution;

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

**Article 6**      Nomination, Elections and Installation of Officers, Stewards and Committees

1.      Nominations

- (a)      No member shall be eligible for nomination if he/she is in arrears of dues and/or assessments. Nominations for Stewards' position must be from "group" being elected.
- (c)      All nominations for positions to be elected in October shall be nominated and accepted at the regular General Meeting in September. Mail-in nominations will be accepted. Mail-in nominations must include, position(s) nominated for; acceptance of nomination and must include name of nominator and be received by the Recording Secretary prior to the September meeting. All mail-ins will be read aloud to the members at the September General Meeting.

2.      Elections

- (a)      At a Regular General meeting, in the month of September the President shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee shall include members of the Local who are neither officers or candidates for office. It shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
- (b)      The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- (c)      The Returning Officer shall be responsible for issuing, collecting and counting ballots. He/she must be fair and impartial and see that all arrangements are unquestionably democratic.
- (d)      The voting shall take place of nominees nominated in September will take place at the General Meeting in October in the even years. The vote shall be by secret ballot.

- (e) Voting to fill one office shall be conducted and completed and recounts dealt with, before balloting may begin to fill another office.
- (f) A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken, if necessary, to obtain a clear majority. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In case of a final tie vote, the presiding officer may cast the deciding vote.
- (g) Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Article 3, B.4.
- (h) The Committees to be elected shall be:
  - Health and Safety (2 representatives)

3. Installation

- (a) All duly elected officers and stewards shall be installed at the meeting at which elections are held and shall continue in office as per Article 8 or until a successor has been elected and installed, provided however, that no term of office shall be longer than three (3) years.

**Article 7**     Officers and Term of Office

- 1. President, Vice-President, Treasurer, Secretary and Warden whose term of office shall be for a two (2) year term.
- 2. Stewards shall be as follows:

Group 1  
Head Caretakers, Chief Caretakers

Group 2 - Two (2) Shop Stewards  
Assistant Chief Caretakers, Assistant Caretakers, Caretakers and Substitute Caretakers, Cleaners and Substitute Cleaners

Group 3  
Utility Construction and Construction Trade

Group 4

Mechanical, Tradesmen and Utility Mechanical, Storekeeping Staff

Group 5

Certified Journeyman, Painters, Glaziers and Tapers

Nominees must be from the group being elected.

The President shall not necessarily represent the group being elected. The Stewards' term of office shall be for two (2) years.

3. Trustees term office shall be as laid down in the C.U.P.E. Constitution.

**Article 8** Standing Committees

1. There shall be the following Committees:
  - (a) Executive and Social Committee
  - (b) Negotiating and Grievance Committee
  - (c) Ways and Means Committee
  - (d) Health and Safety Committee (2 representatives)
  - (e) Newsletter Committee
2. The Executive Board shall consist of all the elected officers (except Trustees). They shall meet one (1) week before the regular meeting of the Union, together with the Negotiation and Grievance Committee, the Ways and Means Committee, the Pension Representatives, Health and Safety Committee prior to the commencement of the Executive Board meeting and submit a report of all their activities for ratification.
3. The Negotiation and Grievance Committee shall consist of the Stewards, plus the President, elected at the bi-annual election. It shall be the duty of the Committee to negotiate anything arising out of the amendments to the working agreement with the Committee of the Division, or the Head of the Department concerned.
4. The Chairperson of the Negotiation and Grievance Committee shall be responsible for seeing that all proposed amendments to the working agreement shall be properly phrased and edited before being presented in accordance with the working agreement.
5. That a special Executive meeting relative to the working agreement shall be held in September before the regular monthly meeting in October.

6. All Committees, other than the Executive Board, shall elect a Chairperson and Secretary at the first meeting of the Committee after general election.
7. All Committees shall submit a report in writing to a regular meeting, which on its adoption shall be filed for reference.
8. Special Committee meetings may be called by the Chairperson of their respective committees only with the consent of the President or Executive Board.

**Article 9**      Conventions and/or Conferences and Educational Seminars

1. All elected delegates to conventions or conferences and educational seminars shall be paid transportation expenses, a per diem allowance for expenses and compensation shall be paid to the Winnipeg School Division for loss of wages when booked off for attendance on behalf of the Union. In the event a member utilizes his annual vacation time in lieu of bookoff, he shall be reimbursed in the same manner as the Division.
2. If it is deemed necessary, a hospitality room may be set up at the discretion of the Executive Board prior to the Convention. The cost to be borne by the Union up to a maximum of one hundred and fifty dollars (\$150).
3. The President may attend all conventions, conferences and educational seminars at his option, authorized by Local 110.

**Article 10**      Dues and Fees

1. The fee for membership in this Union shall be two dollars (\$2) and must accompany the application form.
2. The regular monthly dues of each Local 110 member shall be 1.15% above C.U.P.E. National per capita tax of Local 110 Members average monthly salary effective January 1, 2014.

**Article 11**

1. All dues, entrance fees, etc. shall be entered in the casebook and transferred to the ledger. Each member to have a separate account, after all monthly expense approved by a regular meeting have been paid and the cash book closed.



2. Any balance remaining shall be deposited in a chartered bank approved by the Union and credited to its account.
3. All donations to any appeal for the assistance from any organization whatsoever, shall be left to the discretion of the general membership, but not to exceed one hundred and fifty dollars (\$150).
4. Union funds are not be used for any appeal of individuals.

**Article 12**     Retirements

- After 10 years, according to the seniority list, a member shall receive fifty dollars (\$50) and a wallet.
- After 15 years, according to the seniority list, a member shall receive one hundred dollars (\$100) and a wallet.
- After 20 years, according to the seniority list, a member shall receive two hundred dollars (\$200) and a wallet.
- After 25 years, according to the seniority list, a member shall receive five hundred dollars (\$500) and a wallet.

Along the same line the following should also apply upon the death of a member:

- After 10 years, according to the seniority list, a member's immediate family shall receive a fifty dollars (\$50) gift.
- After 15 years, according to the seniority list, a member's immediate family shall receive a one hundred dollars (\$100) gift.
- After 20 years, according to the seniority list, a member's immediate family shall receive a two hundred dollars (\$200) gift.
- After 25 years, according to the seniority list, a member's immediate family shall receive a five hundred dollars (\$500) gift.

**Article 13**

1. Any member who, in the opinion of the Table Officers, behaves in an objectionable manner shall be asked to leave the meeting by the Chairperson.
2. Whenever the singular or masculine is used in these bylaws, it shall be considered as if the plural or feminine has been used where the context of the party or parties hereto so require.
3. These bylaws when approved by the President of C.U.P.E. National shall not be amended, annulled or other substituted in their stead, except by notice of motion given one (1) month previous to the vote being taken on

such change, of which the Recording Secretary will send to each building for members to view.

4. The bylaws shall be reviewed every five (5) years, however amendments, additions, and suspensions can be considered at any time.

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