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# BYLAWS

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## CANADIAN UNION OF PUBLIC EMPLOYEES LOCAL 3912

**[Approved by CUPE National November 13, 2024]**

Except from changing the word '*committee*' to '**Board**' & changing '*Secretary-Treasurer*' to '**Treasurer**'

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## INTRODUCTION

Local 3912 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 3912 in accordance with the CUPE National Constitution (Articles 12.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of Local 3912, and to involve as many members of Local 3912 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 3912 (Halifax Universities including the Dalhousie University Truro Campus). Local 3912 consists of the following units:

- Part-time Instructors, Teaching Assistants, Markers and Demonstrators at Dalhousie University.
- Part-time Instructors at Mount Saint Vincent University.
- Part-time Instructors at Saint Mary's University.
- Instructors at The Language Centre (TLC), Saint Mary's University.
- Teaching Assistants, Research Assistants, and Individual Course Appointees at Nova Scotia College of Art and Design (NSCAD).
- Teaching Assistants at Saint Mary's University.

## SECTION 2 – OBJECTIVES

The objectives of Local 3912 are to:

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

- (b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism.
- (c) Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers.
- (d) 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.
- (e) Establish strong working relationships with the public we serve and the communities in which we work and live.
- (f) Promote the quality and accessibility of education at Dalhousie University, Saint Mary's University, Mount Saint Vincent University and Nova Scotia College of Art and Design (NSCAD) and safeguard the rights of all members.
- (g) Provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities; and
- (h) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

### SECTION 3 – REFERENCES

- (a) The pronoun "they" (as a singular) shall be used in the place of "he" or "she" to include all genders including transgender.
- (b) 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.
- (c) "Teaching Assistant" and its abbreviation "TA" refers to members at Dalhousie University (teaching assistants, tutor-markers, etc.) classified as "Teaching Assistant". (Collective Agreement between Dalhousie University and CUPE Local 3912)
- (d) "Markers and Demonstrators" refers to members at Dalhousie University classified as "Markers and Demonstrators". (Collective Agreement between Dalhousie University and CUPE Local 3912)
- (e) "Part-time Instructor" refers to members:
  - classified as "Part-time Academic" (Collective Agreement between Dalhousie University and CUPE Local 3912);

- classified as “Part-time Academic” (Collective Agreement between Mount Saint Vincent University and CUPE Local 3912);
- classified as “Part-time Faculty Member” (Collective Agreement between Saint Mary’s University and CUPE Local 3912).

(f) “Language Instructor” refers to members at Saint Mary’s University classified as “Instructor” (Collective Agreement between Saint Mary’s University/TLC and CUPE Local 3912).

## **SECTION 4 – MEMBERSHIP IN GOOD STANDING**

### **(a) Membership**

An individual employed within the jurisdiction of Local 3912 can apply for membership in good standing in Local 3912 by signing an application and paying the initiation fee set out in Section 11(a) of these bylaws.

**(Article B.8.1)**

### **(b) Approval of Membership**

At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting object, the applicant(s) will be accepted into membership.

**(Article B.8.2)**

### **(c) Oath of Membership**

Members will take this oath to become members in good standing:

“I promise to support and obey the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union.”

**(Article B.8.4)**

### **(d) Continuation of Membership**

A member who has been initiated as stipulated in Section 11 of these Bylaws shall remain in good standing for thirty-six (36) months following the expiration of an employment contract.

**(Article B.8.3)**

#### (e) Member Obligations

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

### SECTION 5 – AFFILIATIONS

In order to strengthen the labour movement and work toward common goals and objectives, Local 3912 shall be affiliated to and pay per capita tax to the following organizations:

- CUPE Nova Scotia
- The Nova Scotia Federation of Labour
- Halifax-Dartmouth and District Labour Council

### SECTION 6 – MEMBERSHIP MEETINGS

Decisions affecting the Local as a whole must be made at a Regular or Special Membership Meeting (SMM).

(a) Regular membership meetings of Local 3912 shall be held at least twice a year, as follows:

- (i) A Regular Membership Meeting shall be held between November 1 and December 18 each year, where the Financial Report and the Proposed Budget for the next calendar year shall be debated and voted on.
- (ii) A Regular Membership Meeting shall be held in March each year, where annual elections of officers shall take place.
- (iii) The Regular Membership Meeting held in March shall be designated as the Annual General Meeting (AGM).
- (iv) Each member of the Executive Board and each Committee Chair shall present oral and written reports to the membership at the AGM.
- (v) Additional Regular Membership Meetings may be held in accordance with the provisions below.
- (vi) Notice of each Regular Membership Meeting outlining the date, time, and location shall be given to members at least fourteen (14) days in advance of the meeting.
- (vii) 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 (14) days' notice of the date of the rescheduled regular membership meeting.

- (viii) The Executive Board shall call each Regular Membership Meeting by majority vote.
- (b) Special membership meetings of Local 3912 may be required and shall be called by the Executive Board or may be requested in writing by no fewer than fifteen (15) members and shall be accompanied by a proposed agenda. Upon receipt of a properly constituted petition, the President and/or the Executive Board shall call a Special Membership Meeting to take place within seven (7) working days and ensure that all members receive at least seventy-two (72) hours' notice of the SMM and the subject(s) to be discussed. No business shall be transacted at the SMM other than that for which the meeting is called, and notice given.
- (c) Notice of a regular or special membership meeting shall at minimum include: (1) posting the date, time, and location of the meeting on the CUPE Local 3912 website; and (2) emailing the date, time, and location of the meeting to members at their university address.
- (d) The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be fifteen (15) members, including three (3) members of the Executive Board.
- (e) Unit Membership Meetings: Bargaining Unit meetings may be called to deal with matters that affect only members of the bargaining unit. Elections of Vice-Presidents, Stewards, and delegates may be conducted at a Unit Membership Meeting.
  - i. A Unit Membership Meeting shall be held at least once a year between March 1st and March 30th.
  - ii. Unit Membership Meetings shall be called by the Vice-President of the bargaining unit or may be requested in writing by no fewer than ten (10) members of that unit seven days in advance of the meeting providing the time and location and an agenda.
  - iii. Unit Meetings shall be closed to all but Unit members in good standing, Executive Officers, members of any other standing Committees of the Local, invited guest such as the CUPE National Representative, members of the National Executive Board of the Union, Officers of any Council or Division of the Union to which the Local is affiliated, and staff of the Local.

- iv. The Recording Secretary or a volunteer shall take minutes to record attendance, author a correct, full, and impartial account of the proceedings and send the minutes to the Executive Board.
- v. The Vice-President of the bargaining unit shall report to the Executive Board on the issues raised by the Unit meeting.
- vi. Quorum for the transaction of business at a Unit Meeting shall be met when the following number of Unit members plus at least two (2) members of the Executive Board are in attendance:
  - Three (3) Unit members in good standing for Units with fifty (50) or fewer members.
  - Six (6) Unit members in good standing for Units with more than fifty (50) but less than one hundred (100) members.
  - Eight (8) Unit members in good standing for Units with more than one hundred (100) but less than five hundred (500) members.
  - Twelve (12) Unit members in good standing for Units with more than five hundred (500) members.

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

1. Territorial acknowledgement
2. Roll call of Officers
3. Reading of the Equality Statement
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

**(Article B.6.1)**

(g) Local 3912 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.



## SECTION 7 – OFFICERS

The Officers of Local 3912 shall be:

1. President
2. Vice President – Part-time Instructors at Dalhousie University
3. Vice President – Teaching Assistants at Dalhousie University (Sexton Campus)
4. Vice-President – Teaching Assistants at Dalhousie University (Studley Campus)
5. Vice-President – Dalhousie University, Truro Campus
6. Vice President – Part-time Instructors at Mount Saint Vincent University
7. Vice President – Part-time Instructors at Saint Mary's University
8. Vice President – Instructors at The Language Centre, Saint Mary's University
9. Vice President – Teaching Assistants, Research Assistants, and Individual Course Appointees at the Nova Scotia College of Art and Design (NSCAD)
10. Vice President – Teaching Assistants at Saint Mary's University
11. Recording Secretary
12. ~~Secretary~~-Treasurer
13. Communications Officer
14. Membership Officer
15. Three (3) Trustees
16. Steward – Part-time Instructors at Dalhousie University
17. Steward – Teaching Assistants at Dalhousie University (Sexton Campus)
18. Steward – Teaching Assistants at Dalhousie University (Studley Campus)
19. Steward – Part-time Instructors at Mount Saint Vincent University
20. Steward – Part-time Instructors at Saint Mary's University
21. Steward – Teaching Assistants at Saint Mary's University.

(Article B.2.1 & B.2.2)

## SECTION 8 – EXECUTIVE BOARD

- (a) The Executive Board shall include all Officers, except Stewards, Membership Officer, and Trustees.

(Article B.2.2)

- (b) The Executive Board shall meet at least eight (8) times per year, either in person or through telephone or video conferencing. When the Executive Board deems it necessary in emergency circumstances, a motion may be communicated to its members for vote via email.

(Article B.3.14)

- (c) A majority of the Executive Board constitutes a quorum.
- (d) The Executive Board 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.
- (e) 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.
- (f) Should any Executive Board member fail to answer the roll call for three consecutive regular meetings, or three consecutive Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting or in accordance with Section 10 (b).

**(Article B.2.5)**

## **SECTION 9 – DUTIES OF OFFICERS AND STEWARDS**

Each Officer and Steward of Local 3912 shall participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

**(Article B.3.9)**

All signing Officers of Local 3912 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 signing Officers must be available to carry out duties in person at the CUPE 3912 office.

**(Article B.3.5)**

Executive officers are required to report any extended absence (of five (5) or more working days) from union work to the Executive Board at least two (2) business days prior to their absence.

(a) The President shall:

- Enforce the CUPE National Constitution, these Local Union Bylaws and the Equality Statement.
- 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 the President's rulings).

- Submit a written report to the Recording Secretary at each Executive Board meeting.
- Ensure that all Officers perform their assigned duties.
- Provide newly elected Officers with materials and guidelines relevant to their position. This duty may be delegated to another member of the Executive Board.
- Fill committee vacancies where elections are not provided for.
- Introduce new members and conduct them through the initiation ceremony.
- Be a signing officer and ensure that the Local Union's funds are used only as authorized or directed by the CUPE National Constitution, Local 3912's 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.
- Have first preference as a delegate to the CUPE National Convention, the CUPE Nova Scotia Convention, and the Nova Scotia Federation of Labour Convention.
- Be a member of each Labour Management Committee in accordance with the applicable Collective Agreement.
- Assist in grievance proceedings when required.
- Act as spokesperson for Local 3912.
- On termination of office, surrender all books, seals, and other properties of the Local Union to their successor.
- If the office of President falls vacant, a member of the Executive Board will be appointed by the Executive Board to be Acting President on a temporary basis, and a by-election shall be held at the next Regular Membership Meeting, or at a Special Membership Meeting for that purpose, if the Regular Membership Meeting is more than six weeks away.

**(Article B.3.1)**

(b) The Vice President - Part-time Instructors at Dalhousie University shall:

Act as Lead Steward and be responsible for the administration of grievances for Part-time Instructors at Dalhousie University, as defined in Section 17 and in conjunction

with the relevant Steward or with the President or another Vice-President when required or in the absence of a Steward.

- Represent to the best of their abilities the interests of all members at Dalhousie University.
- If necessary, create an advisory committee to help assess and represent those interests.
- Endeavor to create and maintain a network of departmental representatives at Dalhousie University in conjunction with the Communications Officer.
- Participate in all discussions and decisions of the Executive Board regardless of whether the discussion/decision directly affects the members at Dalhousie University.
- Be a member of the Labour Management Committee at Dalhousie University.
- Submit a written report to the Recording Secretary at each Executive Board meeting.
- Render assistance to any member of the Executive as directed by the Executive Board.
- On termination of office, surrender all books, seals and other properties of the Local Union to their successor.

(c) The Vice President - Teaching Assistants at Dalhousie University (Sexton Campus) shall:

- Act as Lead Steward and be responsible for the administration of grievances for Teaching Assistants at Dalhousie University (Sexton Campus), as defined in Section 17 and in conjunction with the relevant Steward or with the President or another Vice-President when required or in the absence of a Steward.
- Represent to the best of their abilities the interests of all Teaching Assistants at Dalhousie University (Sexton Campus).
- If necessary, create an advisory committee to help assess and represent those interests.
- Endeavor to create and maintain a network of departmental representatives at Dalhousie University in conjunction with the Communications Officer.

- Participate in all discussions and decisions of the Executive Board regardless of whether the discussion/decision directly affects the members at Dalhousie University.
- Be a member of the Labour Management Committee at Dalhousie University.
- Submit a written report to the Recording Secretary at each Executive Board meeting.
- Render assistance to any member of the Executive as directed by the Executive Board.
- On termination of office, surrender all books, seals, and other properties of the Local Union to their successor.

**(Article B.3.2)**

(d) The Vice President - Teaching Assistants at Dalhousie University (Studley Campus) shall:

- Act as Lead Steward and be responsible for the administration of grievances for Teaching Assistants at Dalhousie University (Studley Campus), as defined in Section 17 and in conjunction with the relevant Stewards or with the President or another Vice-President when required or in the absence of a Steward.
- Represent to the best of their abilities the interests of Teaching Assistants at Dalhousie University (Studley Campus).
- If necessary, create an advisory committee to help assess and represent those interests.
- Endeavor to create and maintain a network of departmental representatives at Dalhousie University in conjunction with the Communications Officer.
- Participate in all discussions and decisions of the Executive Board regardless of whether the discussion/decision directly affects the members at Dalhousie University.
- Be a member of the Labour Management Committee at Dalhousie University.
- Submit a written report to the Recording Secretary at each Executive Board meeting.

- Render assistance to any member of the Executive as directed by the Executive Board.
- On termination of office, surrender all books, seals and other properties of the Local Union to their successor.

**(Article B.3.2)**

(e) The Vice President - Dalhousie University Truro Campus shall:

- Act as Lead Steward and be responsible for the administration of grievances for Part-time Instructors and Teaching Assistants at Dalhousie University's Truro Campus, as defined in Section 17 and in conjunction with the relevant Steward or with the President or another Vice-President when required or in the absence of a Steward.
- Represent to the best of their abilities the interests of all members at Dalhousie University Truro Campus.
- If necessary, create an advisory committee to help assess and represent those interests.
- Endeavor to create and maintain a network of departmental representatives at Dalhousie University Truro Campus in conjunction with the Communications Officer.
- Participate in all discussions and decisions of the Executive Board regardless of whether the discussion/decision directly affects the members at Dalhousie University Truro Campus.
- Be a member of the Labour Management Committee at Dalhousie University.
- Submit a written report to the Recording Secretary at each Executive Board meeting.
- Render assistance to any member of the Executive as directed by the Executive Board.
- On termination of office, surrender all books, seals and other properties of the Local Union to their successor.

**(Article B.3.2)**

(f) The Vice President - Part-time Instructors at Mount Saint Vincent University shall:

- Act as Lead Steward and be responsible for the administration of grievances for Part-time Instructors at Mount Saint Vincent University, as defined in Section 17 and in conjunction with the relevant Steward or with the President or another Vice-President when required or in the absence of a Steward.
- Represent to the best of their abilities the interests of Part-time Instructors at Mount Saint Vincent University.
- If necessary, create an advisory committee to help assess and represent those interests.
- Endeavor to create and maintain a network of departmental representatives at Mount Saint Vincent University in conjunction with the Communications Officer.
- Participate in all discussions and decisions of the Executive Board regardless of whether the discussion/decision directly affects the members at Mount Saint Vincent University.
- Be a member of the Labour Management Committee at Mount Saint Vincent University.
- Submit a written report to the Recording Secretary at each Executive Board meeting.
- Render assistance to any member of the Executive as directed by the Executive Board.
- On termination of office, surrender all books, seals, and other properties of the Local Union to their successor.

**(Article B.3.2)**

(g) The Vice-President - Part-time Instructors at Saint Mary's University shall:

- Act as Lead Steward and be responsible for the administration of grievances for Part-time Instructors at Saint Mary's University, as defined in Section 17 and in conjunction with the relevant Steward or with the President or another Vice-President when required or in the absence of a Steward.

- Represent to the best of their abilities the interests of Part-time Instructors at Saint Mary's University.
- If necessary, create an advisory committee to help assess and represent those interests.
- Endeavor to create and maintain a network of departmental representatives at Saint Mary's University in conjunction with the Communications Officer.
- Participate in all discussions and decisions of the Executive Board regardless of whether the discussion/decision directly affects the members at Saint Mary's University.
- Be a member of the Labour Management Committee at Saint Mary's University.
- Submit a written report to the Recording Secretary at each Executive Board meeting.
- Render assistance to any member of the Executive as directed by the Executive Board.
- On termination of office, surrender all books, seals and other properties of the Local Union to their successor.

**(Article B.3.2)**

(h) The Vice President - Instructors at The Language Centre, Saint Mary's University shall:

- Act as Lead Steward and be responsible for the administration of grievances for Instructors at The Language Centre, Saint Mary's University, as defined in Section 17 and in conjunction with the relevant Steward or with the President or another Vice-President when required or in the absence of a Steward.
- Represent to the best of their abilities the interests of Instructors at The Language Centre, Saint Mary's University.
- If necessary, create an advisory committee to help assess and represent those interests.
- Endeavor to create and maintain a network of representatives at The Language Centre, Saint Mary's University, in conjunction with the Communications Officer.



- Participate in all discussions and decisions of the Executive Board regardless of whether the discussion/decision directly affects the members at The Language Centre, Saint Mary's University.
- Be a member of the Labour Management Committee at The Language Centre, Saint Mary's University.
- Submit a written report to the Recording Secretary at each Executive Board meeting.
- Render assistance to any member of the Executive as directed by the Executive Board.
- On termination of office, surrender all books, seals and other properties of the Local Union to their successor.

**(Article B.3.2)**

(i) The Vice President - Teaching Assistants, Research Assistants, and Individual Course Appointees at Nova Scotia College of Art and Design (NSCAD) shall:

- Act as Shop Steward and be responsible for the administration of grievances for Teaching Assistants, Research Assistants, and Individual Course Appointees at Nova Scotia College of Art and Design (NSCAD) as defined in Section 17 and in conjunction with the relevant Steward or with the President or another Vice-President when required or in the absence of a Steward.
- Represent to the best of their abilities the interests of Teaching Assistants, Research Assistants, and Individual Course Appointees at Nova Scotia College of Art and Design (NSCAD).
- If necessary, create an advisory committee to help assess and represent those interests.
- Endeavor to create and maintain a network of departmental representatives at Nova Scotia College of Art and Design (NSCAD) in conjunction with the Communications Officer.
- Participate in all discussions and decisions of the Executive Board regardless of whether the discussion/decision directly affects the members at Nova Scotia College of Art and Design (NSCAD).

- Be a member of the Labour Management Committee at Nova Scotia College of Art and Design (NSCAD).
- Submit a written report to the Recording Secretary at each Executive Board meeting.
- Render assistance to any member of the Executive as directed by the Executive Board.
- On termination of office, surrender all books, seals, and other properties of the Local Union to their successor.

**(Article B.3.2)**

(j) The Vice President - Teaching Assistants at Saint Mary's University shall:

- Act as Shop Steward and be responsible for the administration of grievances for Teaching Assistants at Saint Mary's University as defined in Section 17 and in conjunction with the relevant Steward or with the President or another Vice-President when required or in the absence of a Steward.
- Represent to the best of their abilities the interests of Teaching Assistants, Research Assistants, and Individual Course Appointees at Saint Mary's University.
- If necessary, create an advisory committee to help assess and represent those interests.
- Endeavor to create and maintain a network of departmental representatives at Saint Mary's University in conjunction with the Communications Officer.
- Participate in all discussions and decisions of the Executive Board regardless of whether the discussion/decision directly affects the members at Saint Mary's University.
- Be a member of the Labour Management Committee at Saint Mary's University.
- Submit a written report to the Recording Secretary at each Executive Board meeting.
- Render assistance to any member of the Executive as directed by the Executive Board.

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

(Article B.3.2)

(k) The Recording Secretary shall:

- Ensure that a record of the full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings is kept. 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. Minutes for Executive Meetings shall be prepared within two (2) weeks of the meeting for which they are prepared. Minutes for General Meetings shall be prepared within four (4) weeks of the meeting for which they are prepared.
- Record all amendments and/or additions to the Bylaws and make certain that these are sent to the National President (through the CUPE National Representative) for approval.
- Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
- 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 3912's funds.
- On termination of office, surrender all books, seals, and other properties of the Local Union to their successor.

(Article B.3.3)

(l) The Treasurer shall:

- Be responsible for the preparation and drafting of each yearly budget. The draft budget must be approved by majority vote of the Local Executive before it is presented and debated at a General Membership Meeting.
  - i. This draft shall be distributed to the membership so as to allow no less than one (1) week examination prior to the date of that General Membership Meeting.

- ii. After the budget has been approved by the membership, any major change in the categories or amounts outlined in the annual budget must be reported and receive approval at a membership meeting (for which a Notice of Motion has been given to the membership).
- 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.
- Be a signing officer and ensure that the Local Union's funds are used only as authorized or directed by the National Constitution, Local Union bylaws, or vote of the membership.
- In consultation with the Executive Board, designate a signing officer during prolonged absences.
- 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, including \$1.00 of each initiation fee on all members admitted, 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 Executive Board including but not limited to advising on the financial implications of strategic and operational plans, financial forecasts based on actual spending, investment opportunities and outcomes.
- Be empowered to invest funds in guaranteed assets with the approval of the majority of the Executive ~~Committee~~ **Board**, if no investment plan has been approved by the membership.
- 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 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 Local 3912 is affiliated.

- Submit within fourteen (14) calendar days upon request by either the Trustees, President or the Executive ~~Committee~~ **Board** all record books and vouchers; all receipts, cheques, and bank statements issued and received; and a detailed written report of all expenditures and disbursements of the funds of the Local; and/or a summary of the audited financial statements of the Local.
- Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Facilitate the yearly auditing process engaged by the Trustees, including responding in writing to any of their recommendations and concerns raised during the audit process within 72 hours.
- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- Where required, not later than February 28th each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid by him during the preceding calendar year.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local 3912'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.
- On termination of office, surrender all books, records, and other properties of the Local 3912 to their successor.

(Article B.3.4 to B.3.8)

(m)The Communications Officer shall:

- Participate in all discussions and decisions of the Executive Board, regardless of whether the discussion/decision involves the communication strategies they manage.
- Receive and respond to general inquiries.
- Assist the Vice Presidents in creating and maintaining a network of departmental representatives for each unit.

- Devise and implement strategies as directed by the Executive Board by majority vote.
- Work with the Local 3912 webmaster (who shall be the only person with full privileges on all the communications accounts, except for the Communications Officer's email account), to write and send out emails as directed by the Executive Board, except when sending emails to just one bargaining unit. In that case, the approval of the Vice-President of that bargaining unit and the President is required. If the approval of the President has been sought but not obtained within 24 hours another executive member can give approval. A test email shall be sent out for authorization before it is sent out.
- Chair the Education and Newsletter Committees.
- Produce a newsletter at least once per regular session (September to December term and January to April term) and post each issue on the Local 3912 website.
- Issue membership bulletins and updates as directed by the Executive Board and/or President.
- On termination of office, surrender all books, records, and other properties of the Local Union to their successor.

(n) 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.
- Provide union literature and supplies (for example, membership applications) at membership meetings.
- Perform such other duties as may be assigned by the Executive Board from time to time.

(o) 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 once every calendar year.
- Make a written report of their findings to the first membership meeting following the completion of each audit.
- Submit in writing to the President and ~~Secretary~~-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the ~~Secretary~~-Treasurer in an organized, correct, and proper manner.
- Be responsible to ensure that monies 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 once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union and report their findings to the membership.
- Send to the National Secretary-Treasurer, with a copy to the assigned CUPE National Representative, the following documents:
  - i. Completed Trustee Audit Program
  - ii. Completed Trustees' Report
  - iii. ~~Secretary~~-Treasurer Report to the Trustees
  - iv. Recommendations made to the President and ~~Secretary~~-Treasurer of the Local Union
  - v. ~~Secretary~~-Treasurer's response to recommendations
  - vi. Concerns that have not been addressed by the Local Union Executive Board.

(Article B.3.10 to B.3.12)

(p) The Stewards shall:

- Be members of the bargaining unit whose members they represent.
- Represent Bargaining Units with one hundred (100) members or more in good standing.

- Encourage the participation of all members of the unit in union activity and maintain regular contact with the members to provide ongoing union awareness and education.
- Endeavour to identify candidates for Steward and other Local positions in their workplace, including but not limited to filling Steward vacancies and soon-to-be vacancies.
- Advise the members of their departments and Units, as applicable, with regard to matters involving the Collective Agreement.
- Report on issues facing Unit members.
- Be part of the Grievance committee of their Unit and in conjunction with the VP represent their members in grievance meetings.
- With the VP of their Unit, organise meetings and activities for their Unit and coordinate member outreach such as orientations and information sessions.
- Provide a written report of their activities to the membership at Unit meetings and to their VP.

## SECTION 10 – NOMINATION, ELECTION, AND INSTALLATION OF OFFICERS

### (a) Nominations

1. Nominations will be received at a regular membership meeting held between January 1<sup>st</sup> and April 30<sup>th</sup>.
2. Nominations will be accepted from members in attendance from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member.
3. All members of the Local are eligible for nomination for the office of President, Recording Secretary, ~~Secretary~~ Treasurer, Communications Officer, Membership Officer, and Trustee.
4. Vice-Presidents and Stewards for instructors must be teaching or have taught as an instructor of the bargaining unit whose CUPE 3912 members they will represent to be eligible for nomination, within the last three years. The Vice-Presidents and Stewards for Teaching Assistants must be working or have worked as a Teaching Assistant or Marker/ Demonstrator at the campus or university at which they will represent CUPE 3912 members to be eligible for



nomination. In the event that no member meeting the nomination criteria accepts nomination, other members of the Local will be eligible for nomination.

5. The President and ~~Secretary~~-Treasurer, both Signing Officers, must be available to carry out duties in person at the CUPE 3912 office.
6. 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.
7. 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.
8. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

(b) Elections

1. The President, ~~Secretary~~-Treasurer, Communications Officer, Recording Secretary, and Membership Officer shall be elected at the AGM.
2. The Vice-President - Dalhousie University (Truro Campus), The Vice President - Teaching Assistants at Dalhousie University (Studley Campus), Vice-President - Part-time Instructors at Mount Saint Vincent University, Vice-President - Instructors at The Language Centre, Saint Mary's University, Vice President-Part-time Instructors at Dalhousie University, Vice President - Teaching Assistants at Dalhousie University (Sexton Campus), Vice President - Part-time Instructors at Saint Mary's University, Vice President - Teaching Assistants, Research Assistants, and Individual Course Appointees at Nova Scotia College of Art and Design (NSCAD), Vice President - Teaching Assistants at Saint Mary's University, Steward-Part-Time Instructors at Dalhousie University, Steward-Teaching Assistants at Dalhousie University (Sexton Campus), Steward-Part-Time Instructors at Saint Mary's University, Steward-Teaching Assistants at Saint Mary's University, Steward-Teaching Assistants at Dalhousie University (Studley Campus), Steward Part-time Instructors at Mount Saint Vincent University, shall be elected at a Unit Membership Meeting.
3. At least two (2) weeks before the meeting in which elections are to be held, the President shall appoint an Elections Committee consisting of a Returning Officer and assistants(s). The appointments must be approved by the Executive Board. The Committee will include members of Local 3912 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. The National Representative assigned to the Local Union shall serve as an advisor to the committee when requested by the Local Union.

4. The Executive Board will determine the form of the ballot, including the option of electronic voting, and ensure that sufficient quantities are made available in good time to the Returning Office. E-voting will be done through a secure e-voting program such as Simply Voting or SurveyMonkey to ensure the integrity and secrecy of votes.
5. The Returning Officer 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.
6. The voting to elect the executive officers listed in point 1 of this section, will take place at the AGM held in March. Elections of Vice-Presidents, Stewards, and delegates shall be conducted at a Unit Membership Meeting held also in March. The vote will be by secret ballot.
7. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office. Only members of the bargaining unit or constituency may participate in the election of the Vice-President and Steward(s) for their Unit. For the purpose of clarity, only members of MSVU are eligible to vote for the MSVU VP. Similarly, only members TLC are eligible to vote for the TLC VP and so forth.
8. A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will be taken if necessary to obtain a majority. On the second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot will be dropped. In the event of a tie vote, a second and subsequent ballot(s) 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.
9. When two or more nominees are to be elected to any office by ballot, 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.
10. Any member may request a recount of the votes for any election and a recount will 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 set out in Section 6(d).

11. If no member accepts nomination for an office at the AGM held in March or if an office is vacated, the Executive Board may appoint any member in good standing to fill the vacant position on an interim basis. However, a by-election must be conducted as soon as possible in accordance with Article B.2.5 of the CUPE Constitution. It is understood that a member appointed to office on an interim basis will perform the duties associated with the office and receive an honorarium in accordance with these Bylaws. An interim position shall last no more than three (3) months.

(c) Installation

1. All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office for one year or until a successor has been elected and installed, provided, however, that no term of office shall be 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.

**(Article B.2.4)**

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."*

**(Article B.10.7(b))**

4. The term of office for Officers (except Trustees) shall be one (1) year.

(d) By-Election

Should an office fall vacant pursuant to Section 8(f) of these bylaws or for any other reason, the resulting by-election will be held as soon as practical and should be conducted as closely as possible in conformity with this Section.

## SECTION 11 – FEES, DUES, AND ASSESSMENTS

(a) Initiation Fee

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. Each application for membership in the Local Union will be directed to the ~~Secretary-~~Treasurer and will be accompanied by an initiation fee of two (2) dollars which shall be in addition to monthly dues. The ~~Secretary-~~Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

(Article B.4.1 & B.8.2)

(b) Readmittance Fee

The readmittance fee shall be two (2) dollars.

(Article B.4.1)

(c) Monthly Dues

The monthly dues shall be 1.9% of regular wages.

(Article B.4.3)

(d) Amending Monthly Dues

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

(Article B.4.3)

(e) Assessments

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. Membership approval is required, and the assessment will only be applied after the National President approves the assessment.

(Article B.4.2)

## **SECTION 12 – NON-PAYMENT OF DUES AND ASSESSMENTS**

Any member in arrears for a period of three months or more will be automatically suspended and 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. Any member under suspension wishing to be reinstated will, upon application, pay the readmittance fee plus any dues and assessments in arrears. This money will be returned if the application is rejected. A member who has been unemployed or unable to work because of sickness shall pay the readmittance fee but may not be required to pay arrears.

For clarification, suspension is not applicable to a member who retains membership status in accordance with Section 4 (d).

(Article B.8.6)

## **SECTION 13 – VOTING OF FUNDS**

(a) Local 3912 will pay out funds under the following circumstances:

- When the expenditure has been approved by the Executive Board, for expenditures up to five hundred (500) dollars.
- 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.

(Article B.4.4)

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

(b) In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than five hundred (500) dollars, 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.

(c) The annual budget for donations and delegates' expenses shall be approved by members at the Regular General Membership Meeting. Donations made by the Executive Board and delegates' expenses incurred by the membership shall be reported at each General Membership Meeting.

## SECTION 14 – OUT-OF-POCKET EXPENSES

### 1. Accommodation and transportation expenses

#### A. For Events Outside of the Municipality of Their Residence

Any member who is on authorised Local 3912 business outside of the municipality of their residence shall be entitled to reimbursement for lost wages and benefits, accommodation (with receipt), and transportation expenses (at economy, tourist, or coach rates) or kilometrage at the current CUPE National rate plus receipted parking and toll fare expenses. Any increases to National's mileage would automatically increase this Local's mileage rates.

##### a) Accommodation

Expenses will be reimbursed for hotel or other commercial lodging charges upon presentation of receipts from the relevant accommodation provider(s). Members are encouraged to book accommodations as early as possible prior to the event. Members making private arrangements for accommodation (for example, staying with friends, relatives, colleagues) can claim an allowance of \$50.00 per night and receipts are not required for this claim.

##### b) Travel arrangements and transportation

i) Flight, train and bus fares: Receipted flight, train or bus fares in economy classes are reimbursable. Members are expected to finalise travel arrangements as early as possible to take advantage of reduced fares.

ii) Taxis: Taxis from and to the airport are also reimbursable upon submission of receipts. Taxis should be shared when possible. When available, members are encouraged to take public transit or shuttles to and from the airport to the event/hotel location.

iii) Rental cars: In some cases, the rental of a car may be the most economical way to travel on local business (for example: multiple people travel to the same event and renting a car once arriving, travelling from city-to-city, etc.). Please indicate your intent to rent a car on your travel authorization if known at that time.

iv) Your own car: The drive to the event should normally not exceed 450 kms one way. If more than one delegate travels in the same vehicle, the mileage will only be paid to the owner of the vehicle and not to the rest of the delegates. The current CUPE National rate is \$0.62 cents per kilometre.

#### B. For Events Held in The Municipality of Their Residence:

i) Mileage or transportation claims of less than 15 km are the responsibility of the member. Members may be reimbursed for transportation claims of 15 km or more.

ii) Mileage or transportation do not apply for attendance at Executive Board Meetings, General and Special Membership Meetings, Committee Meetings (ex. Negotiating or Mobilization Meetings) or other CUPE 3912 meetings.

iii) Carpooling and the use of public transportation is encouraged wherever possible. When that's not an option, taxi to and from the meeting place upon submission of receipts shall be reimbursed. Taxis should be shared when possible.

iv) Members, including Executive Officers and Stewards, attending conventions, conferences, and educationals held in the municipality of their residence shall have no transportation or hotel allowance.

## 2. Per diem

### A. For Events Outside Of The Municipality of Their Residence:

Any member (including Officers, Trustees and Committee members) who is on authorised Local 3912 business outside of the municipality of their residence shall receive a per diem allowance at the current CUPE National rate to cover meals and incidentals as follows (no receipts shall be required):

- without an overnight stay when no meals are provided. – fifty dollars (\$50.00)
- travel with an overnight stay when some meals are provided – fifty dollars (\$50)
- with an overnight stay when no meals are provided—one hundred dollars (\$100.00)

### B. For Events In The Municipality of Their Residence:

- Per diem for members attending a pre-authorized union conference, convention, or educational on behalf of Local 3912 in the municipality of their residence shall be \$50.00 (fifty dollars) if no meals are provided.
- No per diem will be provided to members attending CUPE 3912 meetings.
- No per diem will be provided to any member attending an event or meeting online.

## 3. Lost wages

Lost wages for regularly scheduled hours of work under a CUPE 3912 collective agreement shall be repaid at cost directly to the employer. Wage loss will not be paid directly to individuals. In all instances, the invoice or statement from the employer must indicate the applicable dates and include a breakdown of the daily or hourly salary and benefits, if applicable

## 4. Expense Form

A CUPE expense form showing the date of the event must be completed and signed by the member and submitted with receipts to substantiate all eligible expenditures (no receipts are needed for per diem). Expenses, for which receipts are required, will not be

reimbursed until the receipts have been provided. Expense forms must be submitted within 3 months of when the expense(s) were incurred.

### SECTION 15 – CHILD CARE, DEPENDENT CARE AND ELDER CARE

Any member who is on authorized Local 3912 business shall be eligible for child care, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of fifty (50) dollars per day.

### SECTION 16 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

CUPE 3912 will advocate such that accessible online/virtual or hybrid options will be requested of conference organisers. CUPE 3912 will give priority to participate in conferences that have an accessible option (at minimum permitting hybrid attendance).

(a) Selection criteria and obligations:

All Delegates are expected to apply their knowledge to the benefit of CUPE 3912. Except for the President's option [Section 9 (a)], all delegates to conventions, conferences, and educationals shall be chosen by election at membership meetings. Preference will be given to Executive Officers and Stewards wishing to attend an event on issues relevant to their activity in the Local.

Any member who holds a position as an affiliate of this Local, shall automatically be appointed as a full delegate of this Local to attend the conference or convention of the affiliate.

Members in good standing who have been actively involved in the union over the past year and who have not been elected as delegates in the last 12 months will be given priority over other nominees.

Local 3912 encourages the participation of all equity-seeking groups in its delegation to conventions, conferences, and educationals.

Prospective delegates to conferences will be required to present, in no more than two minutes:

- where they will be departing from
- their involvement in the union
- what they will be contributing to the conference
- what knowledge they hope to bring back to the Local

(i) Total number of delegates shall be contingent upon the budget approved by the membership at the General Meeting. The Executive ~~Committee~~ **board** will give notice as to the number of delegates the Local Union has budgeted to send to represent the Union at such Conventions and Conferences. The Membership will



nominate and elect the required number of delegates within the approved budgeted amount.

(ii) All delegates will be chosen by election at membership meetings. However, if time is of the essence, the Executive ~~Committee~~ **Board** may appoint them. Only members of the bargaining unit shall participate in the election of their delegates for said bargaining unit.

(iii) All delegates to conventions and conferences must submit a written report no more than thirty (30) days after the last day of their delegation and present it at the next Regular Membership Meeting. The report must be emailed to the Recording-Secretary of the Local and to the VP of their Bargaining Unit. This requirement must be met in order to receive their reimbursement and any financial support for future conferences.

(b) Conventions, Conferences, and Councils:

Delegates to CUPE National Convention, CUPE NS Convention, CUPE Women's Convention, the Halifax-Dartmouth District Labour Council and to CAUT council, forums, conferences, and conventions shall be elected annually.

i) CUPE Conventions

If financially feasible, CUPE Local 3912 will send up to three (3) officers including the President plus up to two (2) members to attend the Annual CUPE Nova Scotia Division Convention when the Convention takes place in the HRM. For this event, preference will be given to members who live locally.

If financially feasible, CUPE Local 3912 will send up to two (2) officers including the president plus up to one (1) member to attend the Annual CUPE Conventions when the Convention takes place outside of the HRM.

ii) Halifax-Dartmouth District Labour Council meetings

CUPE Local 3912 will send up to two (2) officers members including the President plus up to two (2) regular members to attend the Halifax-Dartmouth District Labour Council.

iii) CAUT Councils, Conferences, Forums

If financially feasible, CUPE Local 3912 will send one (1) member including the president to attend CAUT events. An alternate will also be elected and will register to attend the event online. If there is an occurrence of a vacancy within reasonable timelines to the registration deadline, the alternate can make arrangements to attend in person.

iv) Other Conferences, Conventions, or events

If financially feasible, recommendations for the number of delegates attending other Conferences or Conventions (e.g. ANSUT, COCAL) will be forthcoming from the Executive ~~Committee~~ **Board**.

(c) Educationals

CUPE Weeklong Schools shall be open to members in good standing who have not participated in the course within the last 3 years. If financially feasible, CUPE 3912 will send up to two (2) Executive Officers and/or Stewards (including the President) plus up to one (1) regular member in good standing.

d) Financial Support

i) Delegates to conventions, conferences, and educationals shall be eligible for reimbursement for lost wages and benefits, expenses and per diems in accordance with Sections 14 and 15. If receipts are not provided, the individual member will incur the cost.

ii) Local 3912 will provide members with their per diem allowance prior to their attending the convention, conference, or educational provided that members submit the expense claim form at least two weeks prior to the event to give enough time for processing the request.

## **SECTION 17 – COMMITTEES**

### **(a) 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 (2) members of the Board may sit on any special committee as ex-officio members.

#### **1. Negotiating Committee**

This shall be a special ad hoc committee established for each bargaining unit at least three (3) months prior to the expiry of the respective collective agreement and automatically disbanded when a new collective agreement has been signed.

- (i) The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement.

- (ii) The committee shall consist of the President, Vice-President(s) for the bargaining unit, and up to two (2) members from the bargaining unit (who preferably have current contracts under the applicable Collective Agreement) elected at a membership meeting.
- (iii) Members of the Negotiations Committee must represent the interests of all members of the bargaining unit.
- (iv) Following the election of the Negotiating Committee, the union shall arrange for in-house CUPE Education. All members of the Negotiating Committee shall be required to attend this training session.
- (v) The CUPE 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.

## **2. Bylaw Committee**

This shall be a special ad hoc committee established at least three (3) months prior to the AGM and automatically disbanded after the recommendations have been presented to the membership for approval.

- (i) This committee will be composed of at least 3 and no more than 6 members in good standing elected at a Membership Meeting and the Recording-Secretary.
- (ii) Following the election of the Bylaw Committee, the union shall arrange for in-house CUPE Education. All members of the Bylaw Committee shall be required to attend this training session.

This committee will:

- (i) Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.
- (ii) Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.
- (iii) 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.
- (iv) Present any amendments to the membership for approval at a Regular Membership Meeting or an SMM.

## **(b) Permanent Committees**

1. A Labour Management Committee or Joint Committee for the Administration of the Agreement is provided for in the Collective Agreement for each bargaining unit. The President and the Vice-President(s) of the unit shall serve on these committees. The Executive Board may also appoint other members to serve on these committees in accordance with the respective Collective Agreement.

## **2. Grievance Committee**

A Grievance Committee shall be established for each bargaining unit. The Vice-President and the corresponding Steward of each bargaining unit shall serve on this committee. The President shall assist in grievance proceedings when required or in the absence of a Steward.

Members of the Grievance Committee are required to attend at least three (3) workshops offered by CUPE that focus on Duty of Fair Representation (DFR), stewardship, and handling grievances.

The Grievance Committee shall process all grievances from the initial stage as follows:

- (i) The relevant Steward will consult with the relevant Vice-President on any grievance or vice versa.
- (ii) The relevant Vice-President and relevant Steward shall determine the wording of the grievance, timelines, documentation, and attend meetings with the Employer in accordance with the applicable Collective Agreement.
- (iii) A grievance must be submitted on the form provided by CUPE National, be signed by the grievor(s) and the relevant Vice President or the President. A copy of the grievance and all related documentation shall be forwarded to the President and CUPE National Representative.
- (iv) A grievance not settled prior to the arbitration stage shall be submitted to the Executive Board to be considered for referral to arbitration, and to the CUPE National Representative for an opinion on the likelihood of success at arbitration.
- (v) The decision to file a grievance and to proceed to any step of the grievance procedure including arbitration rests exclusively with the Local Union and not an individual member.

## **3. Education and Newsletter Committee**

The committee shall be chaired by the Communications Officer and comprise up to six (6) members, one for each bargaining unit.

4. The **Health and Safety Committee** shall be comprised of the Health and Safety Representatives for each Bargaining Unit of the Local, and other interested Local members.

The Health and Safety Representatives shall:

- i. work to improve, with an emphasis on preventative measures, the health and personal safety of CUPE 3912 members by (a) improving the awareness of health and safety problems faced by members of the Local; and (b) informing members of solutions to health and personal safety hazards; and (c) conducting campaigns on health and personal safety issues;
- ii. represent the Local on the Joint Occupational Health and Safety Committee with the employer;
- iii. report the Executive Board and Membership on activities of the Joint Occupational Health and Safety Committee;
- iv. serve on the Local's Health and Safety Committee
- v. attend a CUPE health and safety course during their term;
- vi. make reports available to the National Staff Representative, National Health and Safety Representative or any other such CUPE staff person who may, from time to time, request such information;
- vii. work with other local health and safety organisations that represent workers.

There shall be one health and safety representative from each of the Local's bargaining units. They shall take CUPE's Health and Safety training.

Only members of the bargaining unit may participate in the election of the JHSC representative for said unit Representatives. They shall be elected at the General Meeting or at a Unit Meeting.

## **SECTION 18 – 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.

(Article B.11 and Appendix F)

## **SECTION 19 – 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 20 – AMENDMENTS**

- (a) 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.

**(Articles 8.2 (c), 12.3 and B.5.1)**

- (b) 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.

**(Articles 12.3 and B.5.1)**

- (c) 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.

**(Articles 12.3 and B.5.1)**

## **SECTION 21 – PRINTING AND DISTRIBUTION OF BYLAWS**

Members will receive a copy of Local 3912 Bylaws via the Local Union website at [www.cupe3912.ca](http://www.cupe3912.ca).

## 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 Secretary-Treasurer will be the Chairperson at the membership meeting. In the absence of the President and Secretary-Treasurer, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Secretary-Treasurer 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 three 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 five minutes. With the agreement of the members present, the five 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.

Local 3912's business and the proceedings of meetings are not to be divulged to any persons outside Local 3912, or the Canadian Union of Public Employees.

## APPENDIX “C”

### CODE OF CONDUCT

*[The text below is taken from the CUPE National’s Code of Conduct as it appears in its Appendix E of the Constitution.]*

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

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

This Code of Conduct sets out standards of behaviour for participants at national convention, conferences, schools, meetings, and any other union events organised by CUPE National, Local 3912, or any other CUPE chartered body. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

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

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

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

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

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

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. A complaint shall be brought to the attention of an ombudsperson when there is one available. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
3. The ombudsperson or the person in charge will work to seek a resolution. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge. The person in charge has the authority to expel members from the event for serious or persistent offences.
4. If the complaint involves a national staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another CUPE chartered organisation; the complaint shall be referred to the person responsible for their employment.
5. If the person in charge is a party to the complaint, an alternate will be designated to assume the role.
6. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For other events, the presiding officer shall receive a report on the matter.
7. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organised by CUPE National. For other events, the presiding officer shall consult the National President.

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

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

## APPENDIX “D”

### HONORARIA

Local 3912 Officers shall be provided an honorarium as a function of the amount equivalent to the average of the minimum rates of a full-year course at Dalhousie University, Saint Mary’s University, Mount Saint Vincent University, and Nova Scotia College of Art and Design (NSCAD) (vacation included):

President	2.0 full-year courses
Vice Presidents	0.50 full-year course
Recording Secretary	0.50 full-year course
<b>Secretary</b> -Treasurer	0.75 full-year course
Communications Officer	0.50 full-year course
Stewards	0.25 full-year course
Membership Officer	\$500.00
Trustees	\$500.00 – per audit
Negotiating Committee Members	up to 0.125 full-year course, per position to all non-officers’ members.
Other Committee Members	up to \$500 per year, per position to non-executive members, payable upon completion of their role.

The allowances listed above for Officers and Negotiating Committee Members are yearly amounts to be paid in installments every three (3) months by the end of March, June, September, and December) except for the amount paid to the President, which is to be paid biweekly. Where an officer or member of a committee including the Executive ~~committee~~ **Board** does not, for any reason, serve their entire term of office they shall only receive honorarium proportional to the actual time spent in that position.

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