



BY - LAWS

CANADIAN UNION OF PUBLIC EMPLOYEES

LOCAL 4242

(Employees of the BRANDON REGIONAL HEALTH AUTHORITY)

Approved by membership: June 11, 2007

Approved by National: August 14, 2007

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, language and ethnic origin.

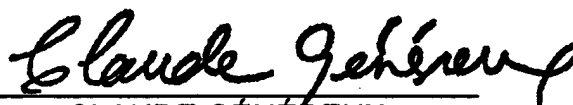
Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

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 sisters and brothers deserve dignity, equality and respect.



PAUL MOIST
National President



CLAUDE G N REUX
National Secretary-Treasurer

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PREAMBLE

In order to improve the social and economic welfare of its members without regard to sex, colour, race or creed, age or disability, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labour, this local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

The following By-laws are adopted by the Local pursuant to, and to supplement, Appendix "B" of the CUPE Constitution, to safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

SECTION 1 - NAME

The name of this Local shall be Canadian Union of Public Employees, Local No. 4242.

SECTION 2 - OBJECTIVES

The objectives of the Local are to:

- a) secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- b) support CUPE in reaching the goals set out in Article II of the CUPE Constitution.
- c) provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- d) encourage the settlement by negotiation and mediation of all disputes between the members and their employers;
- e) eliminate all forms of harassment including but not limited to sexual and racial harassment and harassment based on sexual orientation, wherever it exists;
- f) establish strong working relationships with the public we serve and the communities in which we work and live.

SECTION 3 – INTERPRETATION & DEFINITIONS

- a) Masculine pronouns shall be understood to include the feminine gender.
- b) Numbers or articles at the end of sections or sub-sections refer to relevant articles of the CUPE Constitution which should be read in conjunction with the by-laws.

SECTION 4 - MEMBERSHIP MEETINGS - REGULAR AND SPECIAL

- a) Local general membership meetings shall, whenever possible, be held in January, March, May, ~~July~~, September and November as required in a location as determined by the Executive Board. The Executive Board shall give one (1) week's notice to time, place and date of all general membership meetings. The general membership meeting shall be held on the third (3rd) Monday of the above months.
- b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than fifteen (15) members, representing two (2) facilities/units. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least one (1) weeks' notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- c) Quorum - a quorum of at least ten (10) members including two (2) Executive members are needed to conduct any regular or special membership meeting.
- d) The usual order of business at regular membership meetings is as follows. They may be amended as required by the Executive Board:
1. Read Equality Statement
 2. Roll call of officers
 3. Voting on new members and initiation
 4. Reading of minutes
 5. Matters arising
 6. Treasurer's report
 7. Communications and bills
 8. Executive Committee reports & recommendations
 9. Reports of committees and delegates
 10. Facility/Unit meeting reports
 11. Nominations, elections, or installations
 12. Unfinished business
 13. New business
 14. Good of the Union
 15. Adjournment
- e) Facility/Unit meetings:
- (1) Facility/Unit membership meetings shall be held as the need arises and shall be called by the facility/unit Vice-President with forty-eight (48) hours' notice to all members.

- (2) Facility/Unit meetings shall be held in the following facilities/units:
- Brandon Regional Health Centre
 - Support Workers Unit
 - Clerical Unit
 - Maintenance & Trades Unit (consists of Maintenance, Bio-Med, and Protection Services)
 - Westman Laundry Unit
 - Fairview Home Unit
 - Rideau Park P.C.H. Unit (consists of Centre for Geriatric Psychiatry, Centre for Adult Psychiatry, and Child and Adolescent Treatment Centre)
 - and any other facility/unit approved by the Executive Board of the Local.
- (3) Members would attend facility/unit meetings scheduled for their place of employment to discuss matters pertaining to that facility/unit.
- (4) Officers of the Local shall be entitled to attend all facility/unit meetings.

SECTION 5 – OFFICERS

The Officers of the local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, three (3) Trustees, Vice-President and Chief Shop Steward for each facility/unit.

a) Facility/Unit Vice-Presidents, Chief Shop Stewards and Assistant Chief Shop Steward

Vice-Presidents shall represent the following facilities/units:

- Brandon Regional Health Centre
 - Support Workers Unit
 - Clerical Unit
 - Maintenance & Trades Unit (consists of Maintenance, Bio-Med, and Protection Services)
 - Westman Laundry Unit
- Fairview Home Unit
- Rideau Park Unit (consisting of Centre for Geriatric Psychiatry, Centre for Adult Psychiatry, and Child and Adolescent Treatment Centre)
- and any other facility/unit approved by the Executive Board of the Local.

These facility/unit representatives shall be elected at Facility/Unit meetings held in the month of December. The new facility/unit representative will take office following the January General Meeting of the following year.

b) Unit Chief Shop Stewards & Shop Stewards

The membership of each of the following Units shall elect and be represented by one (1) Unit Chief Shop Steward and one (1) Unit Shop Steward for each one hundred (100)

members and/or one (1) Shop Steward per satellite unit:

- Brandon Regional Health Centre
 - Support Workers Unit
 - Clerical Unit
 - Maintenance & Trades Unit (consists of Maintenance, Bio-Med, and Protection Services)
 - Westman Laundry Unit
 - Fairview Home Unit
 - Rideau Park Unit (consisting of Centre for Geriatric Psychiatry, Centre for Adult Psychiatry, and Child and Adolescent Treatment Centre)

SECTION 6 - EXECUTIVE BOARD

- a) The Executive Board shall comprise all Officers, except Trustees, Chief Shop Stewards and Assistant Chief Shop Steward.
- b) It shall meet monthly.
- c) A majority of the Executive Board constitutes a quorum.
- d) The Executive Board may grant paid Union Leave to members deemed necessary by the Executive Board.
- e) The Executive Board Officers shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- f) The Executive Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- g) Should any Executive Board member fail to answer the roll-call for three consecutive general membership meetings or four regular Executive Board meetings without having submitted good reasons for those failures, his/her office shall be declared vacant and shall be filled by an election at the following general membership meeting.
- h) The Executive Board (except for Facility/Unit Vice-Presidents) shall be elected at the November general membership meeting of the Local.
- i) The terms of office for all officers shall be for two (2) years. President, Secretary-Treasurer, Facility Chief Shop Stewards and Assistant Chief Shop Stewards shall be elected in odd years. The Recording Secretary, Vice-President and Facility Vice-Presidents shall be elected in even years. Elections for a 3 year Trustee will be held each year.

- j) The Executive Board will conduct all business of the Local Union deemed necessary between general membership meetings including the spending of funds for expenses, bills and for sums under \$500.00, for purpose of grants or contribution to a cause outside of CUPE. Grants or contributions outside of CUPE over \$500.00 must be dealt with at a general membership meeting.

SECTION 7 - DUTIES OF OFFICERS

A) The President shall:

- (1) be bonded through the master bond held by National Office, any President who cannot qualify for the bond shall be disqualified from office;
- (2) enforce the CUPE Constitution and these by-laws;
- (3) preside at all Local general membership and Executive Board meetings and preserve order;
- (4) decide all points of order and procedure (subject always to appeal to the Local membership);
- (5) have a vote on all matters (except appeals against his/her rulings) and in the case of a tie vote on any matter, excluding elections, have the right to cast an additional vote to break the tie;
- (6) attend all Labour/Management Committee meetings when required;
- (7) ensure that all officers perform their assigned duties;
- (8) ensure that all committee vacancies are filled where elections are not provided for;
- (9) sign all approved expense vouchers;
- (10) introduce new members and conduct them through the initiation ceremony;
- (11) be ex-officio on all committee meetings with voice but no vote;
- (12) sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, by-laws, or vote of the Local membership;
- (13) have first preference as a delegate to the CUPE National or Provincial Convention;
- (14) represent the majority decision of the Executive Board or the Local membership at all times;

- (15) perform any other duties assigned by the Executive Board or the Local membership;
- (16) on termination of office, immediately surrender all books, records, and other properties of the Local to their duly elected successor.

B) The Vice-President shall:

- (1) if the President is absent or incapacitated, perform all the duties of the President;
- (2) if the office of President falls vacant, be Acting President until a President is elected by the Local membership at the next general membership meeting;
- (3) act as Chair of the Union Grievance Committee;
- (4) be authorized as a signing officer in the absence of the President;
- (5) sign all approved expense vouchers;
- (6) be bonded through the master bond held by National Office, any Vice-President who cannot qualify for the bond shall be disqualified from office;
- (7) render assistance to any member of the Executive Board as directed by the Executive Board;
- (8) perform any other duties assigned by the Executive Board or the Local membership;
- (9) on termination of office, immediately surrender all books, records, and other properties of the local to their duly elected successor.

C) The Recording Secretary shall:

- (1) keep full, accurate and impartial account of the proceedings of all regular or special membership, board meetings, including attendance. All motions moved and seconded shall be recorded;
- (2) submit a written copy of all minutes to the next Executive Board or general membership meeting;
- (3) record all alterations in the bylaws;
- (4) answer correspondence and fulfil other secretarial duties as directed by the Executive Board;
- (5) file a copy of all letters sent out and keep on file all communications;
- (6) have all records ready on reasonable notice for auditors and Trustees;

- (7) preside over Local membership and Executive Board meetings in the absence of both the President and the Vice-President;
- (8) Maintain the record of membership attendance at meetings with an attendance book supplied by and being the property of Local 4242.
- (9) post all General and Board meeting minutes for members to review ;
- (10) perform any other duties as assigned by the Executive Board or the Local membership.
- (11) on termination of office, surrender all books, seals, and other properties of the Local to their duly elected successor;
- (12) be authorized to sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, By-laws or vote of the membership.

D) The Secretary-Treasurer shall:

- (1) receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a credit union;
- (2) prepare a yearly budget for consideration of the members. The budget will be reviewed at the Executive meeting in December and taken to the General Membership meeting in January for approval by the members;
- (3) insure Dues Remittance is forwarded to the National Office on a monthly basis.
(Article 9.3)
- (4) throughout his/her term, and on behalf of the Local union membership, be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE National Office, as well as records and supporting documents for all income received by the Local Union;
- (5) record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices;
- (6) regularly make a full financial report to meetings of the Local's Executive Board, as well as a written financial report to each general membership meeting detailing all income and expenditures for the period;
- (7) be bonded through the master bond held by the National Office, and any Treasurer who cannot qualify for the bond shall be disqualified from office;

- (8) pay no monies unless supported by a voucher duly signed by the President and one other member of the Executive Board or any two other members of the Executive Board, except that no voucher shall be required for payment of per capita fees to any organization to which the local is affiliated;
- (9) make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- (10) provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- (11) complete and return all forms requested by CUPE National Office such as dues survey and CALURA reports;
- (12) be empowered, with the approval of the membership, to employ necessary clerical assistant to be paid for out of the Local's funds;
- (13) Request all authorized union leaves of absence for the facility they represent and forward a copy of such to the President, Facility Vice-President and the person requesting the leave.
- (14) on termination of office, surrender all books, records and other properties of the Local to their duly elected successor.

E) The Facility/Unit Vice-President shall:

- (1) attend all Labour/Management meetings for the facility that they represent;
- (2) ensure CUPE is represented on the Workplace Safety & Health Committee by elections or if necessary by appointment;
- (3) present to the Executive Board the names of the Shop Stewards and Workplace Safety & Health representatives;
- (4) call and chair all Facility/Unit meetings and act as a representative for their Facility/Unit and bring opinions and concerns of their members to the Executive Board meetings;
- (5) post notices for all union activities and meetings endorsed by the local at least seven (7) days prior, whenever possible;
- (6) with the help of the Shop Stewards, maintain an updated list and co-ordinate a workplace communication system and phone fan-out list for the Facility/Unit they represent;

- (7) perform any other duties assigned by the Executive Board or membership;
- (8) request all authorized union leaves of absence for the Facility/Unit they represent and forward a copy of such to the Treasurer;
- (9) provide communications and information from the members in the Facility/Unit to the Executive Board;
- (10) maintain daily contact with the members to provide on-going union awareness and education;
- (11) each Facility Vice-President shall have the authority to select in consultation with the membership in their own Facility/Unit Shop Stewards;
- (12) maintain a record of Facility/Unit funds;
- (13) on termination of office, immediately surrender all books, records and other properties of the Local to their duly elected successor.

F) The Chief Shop Stewards shall:

- (1) act as a Chief Shop Steward for the Facility/Unit that they represent;
- (2) set up Shop Steward system in their Facility/Unit and delegate activities to the Assistant Chief Shop Steward;
- (3) prepare and present grievances at the initial level;
- (4) attend all grievance meetings between Union and Management when dealing with grievances from their appointed area in their Facility/Unit;
- (5) act as a representative for their area and bring the opinions and concerns of their members to the Facility/Unit Vice-President;
- (6) generally know and police the collective agreement and provincial or federal labour legislation;
- (7) greet and ensure new employees are signed up, and encourage the participation of all members of the Facility/Unit in union activity;
- (8) provide communications and information from the members in the Facility/Unit to the members, including distribution of union literature and newspapers utilizing workplace communicators or Shop Stewards as appropriate;
- (9) maintain contact with the members to provide on-going union awareness and education;

- (10) perform such other duties as may be assigned by the Executive Board or membership;
- (11) on termination of office, immediately surrender all books, records and other properties of the local to their successor.

G) The Assistant Chief Shop Steward shall:

- (1) assist the Chief Shop Steward in all delegate functions.

H) The Trustees shall:

- (1) act as an auditing committee on behalf of the members, in accordance with the policies of the National Constitution, and conduct an independent audit of the books and accounts of the Treasurer, every six (6) months (in January and June);
- (2) make a written report of their findings to the first general membership meeting following the completion of the audit;
- (3) 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;
- (4) be responsible to ensure that monies are not paid out without proper Constitutional or membership authorization;
- (5) ensure that proper financial reports are made to the membership;
- (6) audit the record of attendance;
- (7) inspect at least once a year any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the Local membership;
- (8) send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their report to the Local Union membership along with a copy of their recommendations and/or concerns to the President and Secretary-Treasurer and the Secretary-Treasurer's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative.

SECTION 8 - EXPENSESa) **Budget**

A budget will be drawn up each December, to include all Local expenses. This budget will be presented to and voted on at the general membership meeting each January.

b) **Paid Leaves of Absence**

- (1)
 - i) The Executive Board officers shall receive a paid leave of absence for all Executive meetings if required.
 - ii) The Executive officers shall receive a paid leave of absence, not to exceed four (4) hours, for all Local membership meetings. If more hours are required, it must have the approval of the Executive Board prior to the meeting.
 - (2) Leaves of absence for any member shall be approved at an Executive or General Membership meeting. If granted between meetings, the leave of absence must have the signatures of two (2) Table Officers
 - (3) All persons requiring union paid leaves of absence must fill in a form with all information and submit to the Vice-President of the Facility/Unit, who will then forward it on to the Secretary-Treasurer of the Local for approval.
 - (4) Members will be paid an amount equal to any loss of salary, applicable per diem and receipted expenses, if any, incurred while attending to the Local's business. The Union shall reimburse the Employer for all authorized union leaves.
- c) Out of pocket expenses to be as per the CUPE Manitoba policies;
- d) Mileage: as per the policy of CUPE Manitoba;
- e) Lodging and parking/transportation expenses while attending union business to be covered by the Local, receipt required.
- f) Child care: as per the policy of CUPE Manitoba. Receipts required.

- g) Honorariums shall be paid as follows: on a per month basis and payable on a quarterly basis:

President:	\$100.00
Vice-President:	\$100.00
Recording-Secretary:	\$100.00
Secretary-Treasurer	\$100.00
Facility/Unit Vice-President	\$75.00
Facility/Unit Chief Shop Stewards	\$75.00
Facility/Unit Shop Stewards	\$25.00
Trustees	\$50.00 per audit

SECTION 9 - FEES, DUES AND ASSESSMENTS

a) Monthly Dues

- (1) The membership dues shall be the total amount payable by Local 4242 to the National Union plus dues payable to Local 4242.
 - The per capita payable by Local 4242 to the National Union is in accordance with the Constitution passed at the National Convention. (presently .85%).
 - Should the National Defense Fund fall below the levels as noted in the National Constitution and the automatic assessment is levied, the Local Union dues will be adjusted accordingly and shall remain in place at such time as prescribed by the National Constitution.
 - Amount payable to Local .40%. The Local Union dues shall be 1.5%.
- (2) Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established, these By-laws will be deemed to have been automatically amended to conform to the new CUPE minima.
- (3) The Local Union shall ensure dues are remitted to the National Secretary-Treasurer's Office on a monthly basis.
- (4) Employees granted leave of absence under the terms of the Union contract shall maintain full membership in the Union during their period of absence.

Dues will not be collected from employees on unpaid maternity leave, unpaid leave of absence, E.I., or LTD. Dues will be collected from employees on paid leave of absence such as income protection, Workers Compensation, compassionate leave, Union leave, etc.

ARTICLE 10 – AFFILIATIONS

The Local shall be affiliated to the following Labour Organizations:

- CUPE Manitoba
- Provincial Health Care Council

SECTION 11 - VOTING OF FUNDS

- a)
 - (1) Expenditures shall only be for the purposes of the Local or facility/unit membership, and in all cases, shall be by cheque signed by the Treasurer and one of either of the following: the President, the Vice-President or the Recording Secretary
 - (2) All expenditures shall be approved by the membership at a general membership or facility/unit meeting or as deemed necessary by the Executive Board.
 - (3) In the case of regular monthly per capita taxes or affiliation fees, the Treasurer shall pay such per capita taxes or affiliation fees without obtaining prior approval by the membership, providing such approval by the membership for such affiliation or per capita taxes was given at time of affiliation to the particular organization.
- b) The Local may, from time to time, establish policies pertaining to monetary or non-monetary items. These policies shall not be amended, added to, or suspended except upon a simple majority vote of those present and voting at a general membership meeting following written notice given at a previous membership meeting.
- c) At all times when meetings have been cancelled for lack of a quorum or unavoidable cause, the Executive Board shall be empowered to conduct the normal business and to make payments of the normal and necessary bills and report to the following Local general membership meeting.
- d) Any equipment purchased over five hundred dollars (\$500.00) must have the Local membership's prior approval.

SECTION 12 – UNIT FUNDS

- a) Each Facility/Unit's operating fund will be reviewed with the budget in January each year. The current amounts for each Facility/Unit are:

Brandon Regional Health Centre	
- Support Workers Unit	\$2,500.00
- Clerical Unit	\$2,000.00
- Maintenance & Trades Unit	\$1,500.00
- Westman Laundry Unit	\$1,500.00
Fairview Home Unit	\$2,500.00
Rideau Park Unit	\$2,000.00

- b) Unit funds shall be replenished at the start of each fiscal year. The fiscal year shall run from January 1st to December 31st.
- c) These Unit funds can only be spent according to set guidelines as follows:
- member and family social events such as dinners, picnics, etc.
 - retirement gifts:

0 – 20 years	\$50.00
20 years and over	\$100.00 (cash or gift)
 - resignation – employment of 10 years or more \$50.00 (cash or gift)
 - sick – serious illness or over seven (7) days \$30.00 limit
 - bereavement memorials for immediate family members
to include partner, parents, children and siblings \$30.00 limit
- An expense form for each expense must be submitted to the Local Secretary-Treasurer with any applicable receipts.
- d) The Facility/Unit Vice-President will maintain a record of expenditures.

SECTION 13 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

a) Nominations

- (1) Nominations and elections to office shall be held at the general meeting in November of each year. No nomination shall be accepted unless the member is in attendance at the nomination meeting or his/her consent in writing to run for office is presented and duly witnessed by another member. No member shall be elected to more than one office. Any member running for office must have attended five (5) meetings in the immediately preceding 12 month period (this includes the month in which the election is being held).
- i) The President, Vice-President, Recording Secretary, Trustees and Secretary Treasurer shall be elected in the month of November. The elected officers will assume their office on January 1st.
 - ii) To be eligible for election the Facility/Unit Vice-Presidents, Chief Shop Stewards and Assistant Shop Stewards shall be employed at the Facility/Unit and shall be nominated and elected at a Facility/Unit meeting.
 - iii) Members shall not be entitled to hold more than one elected position, i.e. Vice-President and Chief Shop Steward or President of Local and Vice-President of a Facility/Unit, etc.
- (2) Additional Facility Shop Stewards shall be selected or appointed according to Facility/Unit membership.

b) Elections

- (1) Voting shall take place by ballot amongst all members in attendance.
- (2) A simple majority of votes cast shall be required before any candidate can be declared elected, and a second and subsequent ballot shall be taken, if necessary, to obtain a majority. On the second and subsequent ballot the candidate receiving the lowest number of votes in the previous ballot shall be dropped.
- (3) When two or more nominees are to be elected by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
- (4) Any member may request a recount of the votes at the meeting and a recount shall be conducted if the request is supported, in a vote, by a simple majority of those members present.
- (5) Each candidate may appoint a scrutineer for the purpose of vote counting.
- (6) No proxy vote shall be allowed.

c) By-Election

- (1) Should an office fall vacant pursuant to Section 6 (g) of these By-laws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section.
- (2) When vacancies occur between the annual elections or when there are insufficient nominees for the various elected positions, the following procedure will take place:
 - i) The Vice-President shall be Acting President until the next meeting where elections for a new President will take place.
 - ii) If a vacancy occurs on the Executive Board, the Board shall be empowered to appoint members to fill the vacancy until the next meeting where elections will take place.

SECTION 14 – COMMITTEES

Committees appointed by the Executive Board are subject to approval by the Local Union membership.

a) Special Committees

A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another

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.

b) Local Union Grievance Committee

The Committee shall be comprised of the President or Vice-President as Chairperson and Chief Shop Steward of each facility/unit. This Committee shall process all grievances not settled at the initial stage and its reports shall be submitted first to the Executive Board, with a copy to the CUPE Representative, and then to a General Membership meeting.

Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement. The Committee shall review each grievance thoroughly. In the investigation and processing of grievances, up to and including the decision whether or not to refer a matter to arbitration, the Committee shall not deal in an arbitrary, discriminatory or bad faith manner. Any appeals of the decision of the committee will be referred to the Executive Board.

SECTION 15 – CONVENTIONS, CONFERENCES, SCHOOLS
– FINANCIAL AND SUPPORT

- a) Attendance to all conventions and conferences is subject to budget feasibility.
- b) The Local will only send the four Table Officers and two other Executive members to the CUPE Manitoba Provincial Conference, when it is held outside Brandon. If a Table Officer cannot attend, an alternate will be chosen.

When held in Brandon, the Local will send as many representatives as possible.

A maximum of four Table Officers will be sent to Nationals when they are held in Manitoba.

- c) Delegates to Conventions within Manitoba shall be the President, Vice-President, Recording Secretary, Secretary-Treasurer, and two other Executive Board Members. If there is more than two Executive Board Members are interested in attending, names will be drawn.
- d) Delegates to Conventions outside Manitoba shall be only the President, Vice-President, Recording Secretary, and Secretary-Treasurer. The Unit Vice-Presidents will have first option of accepting if one of the above officers is unable to attend. If more than one (1) of these individuals is interested in attending, names will be drawn.
- e) Conventions held in Brandon, the Local may send as many representatives as possible.
- f) Members from all facilities/units will be encouraged and financially supported for attendance at schools on an equitable basis subject to budget allocations.

SECTION 16 - RULES OF ORDER

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

In situations not covered by Appendix "A", the CUPE Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

SECTION 17 – AMENDMENT

- a) These By-laws 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 By-laws and the CUPE National Constitution, the latter shall govern. Constitutional interpretation, including determination of conflicts, is in the prerogative of the National President.
- b) No change in these By-laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.
- c) Any member may present to the Local, in writing, any amendment or alteration to these By-laws and after being read at one (1) regular meeting it shall lay over to the next regular meeting and in the interval between the two meetings the proposed amendment or alteration shall be posted on the Local Union bulletin boards. The amendment or alteration shall be voted on at the meeting following its presentation to the Local. If it receives a majority vote of the members present, it shall then be adopted by the Local.

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**APPENDIX "A" TO THE BY-LAWS OF
REGIONAL HEALTH AUTHORITY, LOCAL 4242 C.U.P.E.**

RULES OF ORDER

1. The President, or in his/her absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and the Vice-President the Recording Secretary shall act as President, and in his/her absence a President pro-tem shall be chosen by the Local.
2. No member, except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than five minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution shall be limited to fifteen minutes, except with the consent of the meeting.
3. The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
5. A motion to amend or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.
6. On motion, the regular order of business may be suspended by a two-thirds vote of those present, to deal with any urgent business.
7. All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
8. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
9. Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
10. When a member wishes to speak on a question or to make a motion, he/she shall rise in his/her place and respectfully address the presiding officer, but, except to state that he/she rises to a point of order or on a question of privilege, he/she shall not proceed further until recognized by the chair.

11. When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
12. Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous or offensive language, as well as any poor reflection on the Local or member thereof.
13. If a member, while speaking, is called to order, he/she shall cease speaking until the point is determined; if it is decided he/she is in order, he/she may again proceed.
14. No religious discussion shall be permitted.
15. The President shall take no part in debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
16. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he/she may in addition give a casting vote, or if he/she chooses, refrain from breaking the tie, in which case the motion is lost.
17. When a motion is before the Local, no other motion shall be in order except (1) to adjourn (2) to put the previous question (3) to lay on the table (4) to postpone for a definite time (5) to refer (6) to divide or amend, which motions shall have precedence in the order named. The first three of these shall be decided without debate.
18. A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
19. A motion to adjourn is in order except (1) when a member has the floor and (2) when members are voting.
20. A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.
21. After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.

22. If any member wishes to challenge (appeal) a decision of the chair, he/she must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for his/her challenge. The Chairperson may then state briefly for the basis his/her decision, following which the Chairperson shall immediately and without debate put the question: "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie the chair is sustained.
23. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
24. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote; and no member shall be allowed to leave without the permission of the Vice-President.
25. The Local's business, and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.