



By-Laws

CANADIAN UNION OF PUBLIC EMPLOYEES

LOCAL 5047

November 15, 2022

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INTRODUCTION

Local 5047 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 5047 in accordance with the CUPE National Constitution (Articles 13.3 and B.7.1), to protect the rights of all members, to provide for responsible governance of Local 5047, and to involve as many members of Local 5047 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 5047, Halifax Regional School Board Educational Support Staff.

SECTION 2 - OBJECTIVES

The objectives of Local 5047 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 the employer;
- (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; and
- (f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

SECTION 3 – REFERENCES

- (a) Numbers of articles at the end of sections or sub-sections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

SECTION 4 – REGULAR AND SPECIAL MEMBERSHIP MEETINGS

- (a) Regular membership meetings of Local 5047 shall be held seven (7) times a year in the following months (October, November, January, February, April, May, and June), normally on the 2nd Tuesday of the month at a time and place to be determined. When a statutory holiday or a situation beyond the control of Local 5047 arises which causes the cancellation of a regular membership meeting, the Executive Board shall reschedule the regular membership meeting, and will give members a minimum of seven days' notice of the date of the rescheduled regular membership meeting.
- (b) Special membership meetings of Local 5047 may be required, and shall be called by the Executive Board or may be requested in writing by no fewer than (25) twenty-five members. The President shall immediately advise members when a special meeting is called, and ensure that all members receive at least forty-eight (48) hours notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- (c) The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be (25) twenty-five members, including (3) three members of the Executive Board.
- (d) The order of business at regular membership meetings is as follows:
 - 1. Roll call of officers
 - 2. Reading of the Equality Statement
 - 3. Voting on new members and initiation
 - 4. Reading and approval of minutes of previous meeting
 - 5. Matters arising
 - 6. Treasurer's report and approving expenditures
 - 7. Correspondence
 - 8. Executive Committee report

9. Reports of committees and delegates
10. Nominations, Elections, or Oath of Office
11. Old business
12. New business
13. Good of the Union
14. Adjournment

(Article B.8.1)

- (e) Local 5047 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 5 – OFFICERS

The Officers of Local 5047 shall be the President, Vice-President, Recording Secretary, Secretary-Treasurer, Chief Shop Steward, Sergeant-at-Arms, and three (3) Trustees.

(Articles B.2.1 & B.2.2)

SECTION 6 – EXECUTIVE BOARD

- (a) The Executive Board shall include all Officers, except Sergeant-at-Arms and Trustees.

(Article B.2.2)

- (b) The Executive Board shall meet at least eight (8) times per year. In the months during which a regular membership meeting occurs, the Executive Board meeting shall take place prior to the regular membership meeting.

(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 Local 5047 as trustees for Local 5047. It 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 Local 5047 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 membership meetings, or three consecutive Executive Board meetings without communicating regrets to the President or Recording Secretary, her/his office

shall be declared vacant and shall be filled by an election at the following membership meeting.

- (g) The Executive Board of Local 5047 has the power to act on behalf of Local 5047 when a meeting has been cancelled due to lack of quorum, and during the months of July and August in such matters as training/workshops, seminars, meetings, and or conferences/conventions. All such decisions made under these circumstances must be by majority vote of the Executive Board.

SECTION 7 - DUTIES OF OFFICERS

Each Officer of Local 5047 is encouraged to participate in CUPE educational courses to enhance leadership skills and expand knowledge and expertise.

- (a) The President

The position of President is a full-time salaried position and will be paid at 1% over the highest pay grade in the bargaining unit plus benefits as per the Collective Agreement, to the equivalent of a forty (40) hour week. No overtime will be paid for this salaried position. Guidelines for the Office of President will be developed and amended from time to time as required by the Executive and approved by the membership of Local 5047.

The President shall:

- Enforce the CUPE National Constitution, these Local 5047 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) and in case of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie.
- Ensure that all Officers perform their assigned duties.
- Fill committee vacancies where elections are not provided for.
- Introduce new members and conduct them through the initiation ceremony.
- Be a signing officer on cheques and ensure that Local 5047's funds are used only as authorized or directed by the CUPE National Constitution, Local 5047 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 Local 5047. 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 and Provincial Conventions.
- On termination of office, surrender all books, seals and other properties of the Local 5047 to her/his successor.

(Articles 11.7 (b) & B.3.1)

(b) The Vice-President shall:

- If the President is absent or not eligible, perform all duties of the President.
- Preside over membership and Executive Board meetings in the absence of the President.
- If the office of the President falls vacant, be Acting President until a new President is elected.
- Render assistance to any member of the Executive as directed by the Executive Board.
- At the request of the Executive Board, be a member ex officio of any committee.
- Be a signing officer on cheques and ensure that Local 5047's funds are used only as authorized or directed by the CUPE National Constitution, Local 5047 bylaws, or vote of the membership.
- On termination of office, surrender all books, seals and other properties of Local 5047 to her/his successor.

(Articles 11.7 (b) & B.3.2)

(c) The Recording Secretary shall:

- Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustee reports.
- Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval.
- Answer correspondence and fulfil other administrative duties as directed by the Executive Board.

- Keep a record of all correspondence received and sent.
- Prepare and distribute all notices to members.
- Have all records ready on reasonable notice for the Trustees or auditors.
- Preside over membership and Executive Board meetings in the absence of both the President and Vice-President.
- Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of Local 5047 funds.
- Be a signing officer on cheques and ensure that Local 5047's funds are used only as authorized or directed by the CUPE National Constitution, Local 5047 bylaws, or vote of the membership.
- On termination of office, surrender all books, seals and other properties of Local 5047 to her/his successor.

(Article B.3.3)

(d) The Secretary-Treasurer shall:

- Receive all revenue, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit union.
- Sign all cheques and ensure that Local 5047's funds are used only as authorized or directed by the National Constitution, Local 5047 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 Local 5047.
- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local 5047 Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.

- Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capita fees to any organization to which the Local 5047 is affiliated.
- Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of Local 5047 funds.
- On termination of office, surrender all books, records and other properties of Local 5047 to her/his successor.

(Articles B.3.4 to B.3.9)

(e) The Chief Shop Steward shall:

- Keep in good order all records and files on all grievances up to and including arbitration.
- Keep the Local President informed of the progress of all grievances.
- Develop and maintain a system of filing and processes to ensure clear guidelines for reporting and communication of grievance developments with Shop Stewards.
- Present a written and updated summary report at Executive Board meetings and additionally to each membership meeting.
- On termination of office, surrender all books, records and other properties of Local 5047 to her/his successor.

(f) The Sergeant - at - Arms shall:

- Guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the President and with consent of the members present.
- Assist in maintaining the record of membership attendance at meetings.

- Perform such other duties as may be assigned by the Executive Board from time to time.

(Article B.3.13)

(g) 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 Local 5047'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 Local 5047, and report their findings to the membership.
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing 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 Local 5047.
 - v. Secretary-Treasurer's response to recommendations.
 - vi. Concerns that have not been addressed by the Local 5047 Executive Board.

(Articles B.3.10 to B.3.12)

SECTION 8 – NOMINATION, ELECTION, AND INSTALLATION OF OFFICERS

(a) Nominations

1. Nominations will be received at the regular membership meeting held in the month of February.
2. Nominations will be accepted from members in attendance at the nomination meeting or from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member.
3. To be eligible for nomination, a member shall have attended at least 50% of the membership meetings held in the previous twelve months, or in the period she/he was a member if less than a year, unless a valid reason acceptable to Local 5047 is given for non-attendance at the next membership meeting.
4. A member may accept nomination for a position while holding office in any position. If successful in the election, her/his resignation from their current position will take effect at that time.
5. To be eligible for nomination, a member must be a member in good standing as set out in Article B.10.3 of the National Constitution.
6. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

(b) Elections

1. Officers (with the exception of Trustees) will be elected for (2) two year terms. The President, Recording Secretary, and Sergeant-at-Arms will be elected in odd years. The Vice President, Secretary-Treasurer and Chief Steward will be elected in even years.

** The exception will be that the term of office for officers elected following approval of these Bylaws (2011) shall expire in April 2013 (President, Recording Secretary, and Sergeant-at-Arms) and April 2014 (Vice President, Secretary-Treasurer and Chief Steward).
2. At the membership meeting prior to Election Day, the President will, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee will include members of Local 5047 who are neither Officers nor candidates for office. The Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
3. The Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
4. 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.

5. The voting will take place at the regular membership meeting in April. The vote will be by secret ballot.
6. Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office, starting with office of President.
7. 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.
8. 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.

(Article 11.5)
9. 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 4(c).

(c) Installation

1. All duly elected Officers shall be installed at the regular meeting at which elections are held and shall continue in office for 2 year(s) or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three years.

(Article B.2.4)
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.3.10 of the CUPE National Constitution. Each year thereafter, Local 5047 shall elect one Trustee for a three year period. No member who has been a signing officer for Local 5047 is eligible to run for Trustee, until at least one full term of office has elapsed.
3. The Oath of Office to be read by the newly-elected Officers is:

"I, _____, do most sincerely promise that I will truly and faithfully, to the best of my ability, perform the duties of my office for the ensuing term, as prescribed in the Constitution and laws of the Canadian Union of Public Employees, and as an Officer of this 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 Union in my possession to my elected successor.

(d) By-Election

Should an office fall vacant pursuant to Section 6(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 9 – 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 Local Union will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of one (\$1.00) dollar 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.

(Articles B.4.1 & B.10.2)

(b) Readmittance Fee

The readmittance fee shall be one (\$1.00) dollar.

(Articles B.4.1 & B.11.2)

(c) Monthly Dues

The monthly dues shall be 1.5% of regular wages.

(Article B.4.3)

SECTION 10 – 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.

(Article B.11.1)

SECTION 11 – VOTING OF FUNDS

(a) Local 5047 will pay out funds under the following circumstances:

- When the expenditure has received prior authorization through a membership approved budget;
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members at a membership meeting.

Authorization to pay per capita tax to CUPE National, CUPE Nova Scotia Division, or any labour organization Local 5047 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 \$100.00, a notice of motion must be made at a regular membership meeting and then approved at the following regular membership meeting before the grant or contribution can be paid out.
- (c) No member of Local 5047 will be allowed to spend any Local 5047 funds without first having received authorization in accordance with these bylaws.

SECTION 12 – OUT-OF-POCKET EXPENSES

(a) Local 5047 members shall be reimbursed for the following expenses incurred while carrying out the business of the local:

- Parking with a valid receipt;
- Kilometrage (excluding to and from executive, regular and special membership meetings) at the established CUPE National rates;
- Bridge fare (no receipt required) and other tolls (receipt required);
- Meals while conducting Union Business outside of regularly scheduled hours as per CUPE National rates; and
- Other such expenses as approved by Local 5047.

(b) The following out-of-pocket expenses shall be provided to executive officers in each of the months of January, April, July and October:

- | | |
|-----------------------|----------|
| • President | \$450.00 |
| • Vice President | \$450.00 |
| • Secretary Treasurer | \$450.00 |
| • Recording Secretary | \$450.00 |
| • Chief Shop Steward | \$450.00 |

Trustees shall be provided \$250.00 per audit upon completion of the audit.

Sergeant-at-Arms shall be provided \$25.00 per membership meeting (regular and special) to be provided following each membership meeting.

Out-of-pocket expenses shall be pro-rated as required.

SECTION 13 – CHILD CARE, DEPENDENT CARE AND ELDER CARE

Caring for children, dependents or the elderly are barriers to actively participating in the union or to attending membership meetings. Local 5047 is committed to removing barriers within its control so that all members have equal access to participation.

- (a) Local 5047 is child friendly and will provide space for children within the meeting area to be under the supervision of their parent/guardian.
- (b) Any member who is on authorized Local 5047 business, other than membership meetings, shall be eligible for child care (under age 12), dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of \$15.00 for the area for each hour of care required.
- (c) Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

SECTION 14 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

- (a) Except for the President's option [Section 7(a)], all delegates to conventions, conferences, and educationals shall be chosen by election at membership meetings or in accordance with Section 6(g).
 - (b) All delegates selected to the conventions/conferences held in Nova Scotia shall be paid transportation expenses at established CUPE reimbursement rate or most economical means available, will be provided a daily per diem allowance at the appropriate CUPE rate, for meals and expenses. Local 5047 will pay the cost of hotel accommodations as required and reimburse the employer for any loss of wages.
 - (c) Local 5047 will provide members with their per diem allowance prior to their attending conventions, conferences, or educationals.
- (a) Local 5047 encourages the participation of all equity-seeking groups in their delegation to conventions, conferences, and educational seminars.

SECTION 15 – 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 members of the Board may sit on any special committee as ex-officio members.

1. Negotiating Committee

This will be a special committee established at least six months prior to the expiry of the Local 5047 collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall normally consist of five (5) members: the President and four other members to be elected at a membership meeting. Should the President decline to sit on the negotiating committee, all five members shall be elected at a membership meeting. The CUPE Representative assigned to Local 5047 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.

All members of Local 5047's negotiating committee attend Level 1 and Level 2 of CUPE's collective bargaining educational seminar where possible.

(b) Permanent Committees

The members of permanent committees (with the exception of the Grievance Committee) shall be elected at a membership meeting and will serve a term of two years. The Chairperson and the Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a committee. Committees will provide written reports to each regular membership meeting. The Vice-President or other Executive member shall be an ex-officio member, of each committee.

1. Grievance Committee

This committee will:

- Be chaired by the Chief Steward and consist of all Stewards as well as Executive Board members as determined by the Executive Board. The committee shall determine its recording secretary.
- Meet as determined by the Chief Steward or Executive Board.
- Oversee the handling of all Local 5047 grievances.
- Receive copies of all grievances.
- When a grievance is not settled in the initial steps provided for in the collective agreement, this committee will decide whether or not the grievance should proceed to arbitration.

- If the decision is to not proceed to arbitration, the grievor(s) may appeal the decision to the Executive Board.

2. Education Committee:

This committee will:

- Consist of five members who will determine the committee chair and recording secretary.
- Gather information about appropriate courses, the availability of courses and make recommendations to Local 5047 whether members should be attending.
- Assist delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of these reports.
- Cooperate with the National Union Development Department and Communications Branch of CUPE, and with the regional education representative, in implementing both Local 5047's and CUPE's policies in these fields.

3. Human Rights Committee

This committee will:

- Consist of five members who will determine the committee chair and recording secretary.
- Advise and give guidance to Officers, Committee Members, and the general membership on all issues that affect all equity-seeking groups, including people of colour, Aboriginals, lesbian, gay, bi-sexual and transgendered workers in the workplace and the union movement.
- Promote leadership of equity-seeking workers at the Local 5047 level and in the broader labour movement.
- Increase and support the active participation of equity-seeking workers in Local 5047 and the broader labour movement.
- Strive to eliminate racism and discrimination in the workplace, Local 5047, the broader labour movement, and society through education and participation in human rights and anti-racism activities both in and outside of the labour movement.

5. Health and Safety Committee

This committee will:

- Consist of five members who will determine the committee chair and recording secretary.
- Work to educate members on the importance of workplace health and safety.
- Prepare and present reports to the regular membership meetings.
- Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.
- Immediately bring to the attention of the employer any workplace hazard that has the potential to cause members' illness or injury.
- Work in conjunction with Local 5047 members sitting on Joint Occupational Health and Safety committees to eliminate all workplace hazards, be they physical, environmental, or social.
- The committee Chair will sit on the Employer's board-based Joint Occupational Health and Safety Committee.

6. Membership Support Committee

This committee will:

- Consist of five members who will determine the committee chair and recording secretary.
- Extend Local 5047's acknowledgment on the part of the local death of a member or one of their immediate family, and make other gestures in accordance with custom or the wishes of the family concerned. In the event of the death of a family member of a member and in accordance with the bereavement leave article of the Collective Agreement, a donation of \$25.00 shall be forwarded to the charity named by the family and if no charity is named, to the United Way of Halifax.
- Provide emergency financial support to a maximum of \$100.00 by way of gift certificates to members who prove a bonified financial need.
- Arrange and conduct all social, cultural, and recreational activities of Local 5047, either on the committee's own initiative or as a result of decisions taken at membership meetings. The committee shall submit reports and proposals to the Executive Board or to the membership as required.

A budget for the committee will be fixed annually by the membership but, other than that, all social, cultural, and recreational events and activities shall be self-supporting.

7. Labour Management Committee

There shall be a Labour Management Committee in accordance with the Collective Agreement.

8. Joint Occupational Health and Safety Committees

There shall be Joint Occupational Health and Safety committees in accordance with provincial legislation.

SECTION 16 – 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.

(Articles B.6.1 to B.6.5)

SECTION 17 – RULES OF ORDER

All meetings of Local 5047 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 18 – 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 9.2 (c), 13.3 & B 7.1)

(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.

(Article B.7.1)

(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 13.3 & B.7.1)

SECTION 19 - PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 5047 bylaws, either in paper or electronic format.

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 sisters and brothers deserve dignity, equality, and respect.

Appendix "B"

RULES OF ORDER

1. The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President will be the Chairperson at the membership meeting. In the absence of the President and Vice-President, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: "Is Local 5047 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 Local 5047 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 Local 5047, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before Local 5047 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 5047 business and the proceedings of meetings are not to be divulged to any persons outside Local 5047, or the Canadian Union of Public Employees.

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