



# BY-LAWS



CANADIAN UNION OF PUBLIC EMPLOYEES  
LOCAL 227

# JANUARY, 2021

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## **P R E A M B L E**

In order to improve the social and economic welfare of its members without regard to sex, colour, race or creed, 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. 227, Halifax Regional Water Commission (Outside Workers).

## **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) establish strong working relationships with the public we serve and the communities in which we work and live.

## **SECTION 3 - INTERPRETATION AND DEFINITIONS**

- 1. (a) **These by-laws have been prepared using a gender-neutral lens.**
- (b) Numbers of Articles at the end of sections or sub-sections refer to relevant articles of the most current CUPE Constitution which should be read in conjunction with these By-laws.
- 2. Managerial Position

Persons employed in a managerial position shall not be eligible for membership in this Union after their trial period has ended and will lose all their seniority.

#### **SECTION 4 - MEMBERSHIP MEETINGS - REGULAR AND SPECIAL**

- (a) Regular membership meetings shall be held each month on the first Wednesday at 5:00 p.m. If a statutory holiday intervenes the Executive Board shall give a week's notice of any change in the date of the regular meeting.
- (b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than twenty-five (25) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours' notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called, and notice given.
- (c) A quorum for the transaction of business at any regular or special meeting shall be ten (10) members, including at least three (3) 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. Swearing in new members and initiation
  - 4. Reading of the minutes
  - 5. Matter arising
  - 6. Treasurer's Report
  - 7. Communications and bills
  - 8. Executive Board Report
  - 9. Reports of committees and delegates
  - 10. Nominations, elections, or installations
  - 11. Unfinished business
  - 12. New business
  - 13. Good of the Union
  - 14. Adjournment

#### **SECTION 5 - VOTING OF FUNDS**

Except for ordinary expenses and bills as approved at membership meetings, no sum over (\$150) one-hundred fifty dollars shall be voted for the purpose of a grant or contribution to a member or any cause outside CUPE, except by a notice of motion given in writing and dealt with at the following membership meeting.

All expenditures shall be paid by cheque and shall be signed by the Secretary-Treasurer and countersigned by the President or Recording Secretary.

When a death occurs of a current Local 227 member or a Local 227 member who had retired within 5 years, the Local will make a donation of \$150.00 to a charity in that member's name, designated by the family of that member.

### **SECTION 6 - OFFICERS**

The officers of the Local shall be the President, 2 Vice-Presidents, Secretary-Treasurer, Recording Secretary, three (3) Trustees, and Membership Officer. All officers shall be elected by the membership.

### **SECTION 7 - EXECUTIVE BOARD**

- (a) The Executive Board shall comprise all officers, except Trustees.
- (b) The Board shall meet at least once every month.
- (c) A majority of the Board constitutes a quorum.
- (d) The Executive 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.
- (e) The 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.
- (f) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.

- (g) Should any Board member fail to answer the roll call for three consecutive regular membership meetings or three regular Board meetings without having submitted good reasons for those failures, their office shall be declared vacant and shall be filled by an election at the following membership meeting.
- (h) The Executive Board members shall be paid a per diem of (\$25) twenty-five dollars per officer for meal and travel allowance to attend the monthly Executive Board meeting.
- (i) The Executive Board will extend the Local's condolences in the event of the death of a member or one of their immediate family and make other appropriate gestures in accordance with these By-Laws, Section 5.

## **SECTION 8 - DUTIES OF OFFICERS**

All Officers must give all properties, assets, funds and all records of the Local Union to their successors at the end of their term of office.

All signing Officers of Local 227 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.

- (a) The President shall:
  - 1) enforce the CUPE Constitution and these By-laws;
  - 2) preside at all membership and Executive Board meetings and preserve order;
  - 3) decide all points of order and procedure (subject always to appeal to the membership);
  - 4) only vote during election of Executive officers in the event of a tie. The president will vote on all other matters (except appeals against their rulings);
  - 5) ensure that all officers perform their assigned duties;



- 6) introduce new members and conduct them through the initiation ceremony;
- 7) sign 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 as per Section 5;
- 8) be allowed necessary funds, not to exceed \$25.00 monthly, to reimburse them self or any officers for expenses supported by vouchers, incurred on behalf of the Local;
- 9) have first preference as a delegate to the CUPE National Convention and any other labour body.

(b) The Vice-President shall:

- 1) if the President is absent or incapacitated, the Vice-President who has held this position for the longer period of time, shall perform all duties of the President;
- 2) if the office of President falls vacant, be Acting President until a new President is elected;
- 3) render assistance to any member of the Board as directed by the Board.

(c) The Recording Secretary shall:

- 1) keep full, accurate and impartial account of the proceedings of all regular or special membership and Board meetings, ensuring that these records include a copy of the full financial report presented by the Secretary-Treasurer;
- 2) record all alterations in the By-laws;

- 3) answer correspondence and fulfil other secretarial duties as directed by the Board;
- 4) file a copy of all letters sent out and keep on file all communications;
- 5) prepare and distribute all circulars and notices to members;
- 6) have all records ready on reasonable notice for auditors and Trustees;
- 7) preside over membership and Board meetings in the absence of both the President and both Vice-Presidents;
- 8) be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
- 9) sign 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 as per Section 5;
- 10) on termination of office, surrender all books, seals and other properties of the Local to his successor.

(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 bank or credit union;
- 2) prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month;
- 3) throughout their 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

headquarters, as well as records and supporting documents for all income received by the Local Union;

- 4) record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- 5) make a full financial report to meetings of the Local's Executive Board, as well as a written financial report to each regular membership meeting, detailing all income and expenditures for the period;
- 6) be bonded through the master bond held by the National Office, and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
- 7) pay no money unless supported by a voucher duly signed by two members of the Board, no Board member shall sign their own voucher. No voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- 8) 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;
- 9) provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- 10) be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds;
- 11) sign all cheques and have them countersigned by the President or the Recording Secretary and ensure that the Local's funds are used only as authorized or directed by the Constitution, By-laws or vote of the membership as per Section 5;

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

(e) The Trustees shall:

- 1) act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary and the Standing Committees at least once every calendar year;
- 2) make a written report of their findings to the first membership meeting following the completion of each 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 kept by the Membership Officer;
- 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 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.

(f) The Membership Officer shall:

- 1) 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 by consent of the members present;
- 2) maintain the record of membership attendance at meetings by recording such names in the attendance log book;
- 3) perform such other duties as may be assigned by the Board from time to time;
- 4) shall ensure the proper distribution of ballots for all elections based on attendance. Also, ensure that the doors are tiled during an election, allowing no one to enter or exit until the election is complete and ballots are destroyed.
- 5) to maintain order at all general membership meetings, and ensure that the integrity of the Equality Statement is upheld.

## **SECTION 9 - OUT-OF-POCKET EXPENSES**

(a) The following Expense Allowance shall be provided:

President	- \$495
Vice-Presidents	- \$495
Secretary-Treasurer	- \$495
Recording Secretary	- \$495
Membership Officer	- \$250
Shop Stewards	- \$100

- (b) The Expense Allowance will be paid to each Executive Member within CUPE Local 227 once annually in the month of January.

The amount paid to each member who attends at various committee meetings and who attends conferences, seminars and CUPE education functions are covered in each of the articles which describe the committee's work and the function attended.

## **SECTION 10 - FEES, DUES AND ASSESSMENTS**

- (a) Initiation Fee

Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall 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.

- (b) Readmittance Fee

The readmittance fee shall be ten (\$10) dollars.

- (c) Monthly Dues

The monthly dues shall be one-point five percent (1.5%) of the members basic monthly wages (excluding overtime and premiums).

Changes in the levels of the Initiation Fee, the Readmittance Fee, or the Monthly Dues can be affected only by following the procedure for amendment of these By-laws (see Section 16), with the additional provision that the vote must be by secret ballot.

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.

Special assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.

## **SECTION 11 - NON-PAYMENT OF DUES AND ASSESSMENTS**

Any member in arrears for a period of three months or more shall be automatically suspended and their suspension shall be reported to the Executive Board by the Secretary-Treasurer. The Executive Board shall report to the next membership meeting with a recommendation. Any member under suspension wishing to be reinstated shall, upon application, pay the readmittance fee, plus any dues and assessments in arrears. This money will be returned if the application is rejected. If a member has been unemployed or unable to work because of sickness, they shall pay the readmittance fee but may not be required to pay their arrears.

## **SECTION 12 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

### **(a) Nomination and Elections**

- (1) CUPE Local 227 will select an Election Committee at the General Membership meeting one month prior to the elections of union officers. The Elections Committee shall include members of the local who are neither Officers nor candidates for office. The vote will be by secret ballot. Nominations shall be received in the month prior to the elections. Elections shall take place at the regular membership meeting held in the month of January for the Secretary-Treasurer, all other Executive officer elections shall be in the month of February. No nomination shall be accepted unless the member is in attendance at the meeting or consented in writing to an Executive Board officer and their nominator. No member shall be eligible for nomination if they are in arrears of dues and/or assessments.
- (2) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office. The election order will be as follows; President, Vice-President, Secretary-Treasurer, Recording Secretary, Membership Officer and Trustees. Any member that accepts an Executive Board position will be withdrawn from subsequent elections.

- (3) A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall be taken, if necessary, to obtain a majority. On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped.
- (4) When two or more nominees are to be elected to any office 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.
- (5) Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as laid down in Section 4 (c).
- (6) There shall be no proxy voting.
- (7) Ties will be dealt with as per Section 8 (a)(4).

(b) Installation

- (1) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for two years or until a successor has been elected and installed. To ensure continuity of the Executive, the Executive will be divided into two separate groups and elections for each group will be held on consecutive years. The President, Vice-President 1 and Recording Secretary will be elected one year and the following year the Vice-President 2, Treasurer and Membership Officer will be elected.
- (2) The terms of office for Trustees shall be as laid down in Article B.3.10 of the CUPE Constitution.

(c) By-Election

Should an office fall vacant nominations and the by-election shall be held at the next Regular Membership meeting. Notice will be given of the by-election prior to the Regular Monthly meeting.



### **SECTION 13 - DELEGATES TO CONVENTIONS AND EDUCATIONALS**

- (a) Except for the President's option [Section 8 (a)], all delegates to conventions shall be chosen by election at membership meetings.
- (b) All Delegates to conventions shall be elected annually. An official reporter for these delegates shall be appointed annually by the President from among these delegates, and they shall be required to report at each membership meeting of the Local on proceedings at recent meetings of the Council.
- (c) All delegates elected to conventions or education functions held where overnight accommodation or a full day's attendance is required shall be paid transportation expenses (at economy, tourist or coach rates), hotel costs, and an amount equal to any loss of salary incurred by attendance at the convention. Travel will be covered as per Section 14 (a).
- (d) Delegates to conventions or education functions held where one-half (1/2) day attendance is required shall receive compensation for any loss of salary incurred by attendance at the convention. If travelling more than 150 kilometres one way there shall be the option of one night's accommodation for safety.
- (e) Representation at educational institutes and seminars shall be on the recommendation of the Education Committee, subject to final approval by the membership.
- (f) In order to be elected to represent the Local at conventions a member must have at least 50% attendance at the general monthly meetings of the Local during the previous twelve (12) month period.
- (g) All delegates elected to conventions or education functions shall receive the following meal allowances:
  - Within the Halifax Regional Municipality, full day attendance an allowance of forty (\$40) dollars.
  - Within the Halifax Regional Municipality, ½ day attendance an allowance of twenty (\$20) dollars.

- Provincially but outside the Halifax Regional Municipality, travel and attendance equaling more than 4hrs an allowance of eighty (\$80) dollars per day.
- Provincially but outside the Halifax Regional Municipality, travel and attendance equaling less than 4hrs an allowance of forty (\$40) dollars.
- Outside of Nova Scotia an allowance of one-hundred (\$100) dollars per day.

## **SECTION 14 - COMMITTEES**

All Committee members represent CUPE Local 227. Committee Members serve at the discretion of the President, who has the right to rescind any appointment with a majority vote of the Executive.

### (a) Negotiating Committee

This shall be a special ad hoc committee established at least six (6) months prior to the expiry of the Local's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement.

The committee shall consist of the President and four (4) members, two (2) from the water section and two (2) from the wastewater section. In addition, there shall be two (2) alternates, one (1) from water and one (1) from wastewater. If the quota of either wastewater or water members is not met, then members of any division will be eligible for nomination. All members, regular and alternates, shall be elected at a membership meeting.

The Local shall include alternates during committee caucuses. The alternates shall be included as a full voting member when replacing a regular committee member. In the event an alternate is required to sit in place of a regular member preference shall be given to the alternate that reflects the division of the regular member.

The CUPE 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.

Members on this committee shall receive a meal allowance (whether meeting as a Union Committee or with the Employer).

- For full day attendance an allowance of forty (\$40) dollars.
- For ½ day attendance an allowance of twenty (\$20) dollars.
- If negotiations exceed more than 8 hours and is expected to continue, an additional twenty (\$20) dollar meal allowance will be provided.

Members on this committee shall receive mileage that mirrors the CUPE National rate (and changes when the National rate changes) from home to the meetings and return to home – car pooling is expected.

(b) 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 members of the Board may sit on any special committee as ex-officio members.

(c) Standing Committees

The Chairperson of each standing committee shall be elected by the members at a membership meeting. The Chairperson and the Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a committee. The Vice-President shall be a member, ex-officio, of each committee. There shall be six (6) standing committees as follows:

(1) Grievance Committee

This committee shall process all grievances not settled at Stage 1 of the Grievance procedure. Grievances must be in writing on the forms provided by the National Office and be signed by either the complainant(s) or an Executive Board member or Shop Steward, as provided for in the collective agreement. The committee shall be the Executive Board and four (4) members

from among the Shop Stewards to be elected by members at a Regular Membership meeting.

Should any Shop Steward fail to answer the roll call for six (6) consecutive Regular Membership meetings without having submitted regrets for those failures their office shall be declared vacant.

There shall be a maximum of fourteen (14) Shop Stewards as follows:

Two (2) for Cowie Hill  
One (1) for Mann Street  
One (1) for Park Avenue  
One (1) for Neptune Depot  
One (1) for Bissett Road Depot  
One (1) for Water Plants  
One (1) for Harbour Solutions  
One (1) for Wastewater Plants  
One (1) for Field Service Technicians  
Four (4) Shop Stewards at large

If a member has a preferred union representative outside of the Shop Steward or Executive Board member appointed to their work location or grievance, they shall be able to request that representative.

The Executive Board will endeavour to enlist and regularly advertise for Shop Stewards where a vacancy occurs.

(2) Education Committee

It shall be the duty of this committee to:

- To prepare the advertisement for the Local's annual **Wayne Brown** Bursary and convene to select and award the bursary to the appropriate candidate
- The Education Committee shall be elected by the membership.

(3) Social Committee

It is the function of this committee to arrange and conduct all social and recreational activities of the Local 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. In advance of all social and recreational activities the committee will present for review and vote at a Regular Membership meeting.

The Executive Board shall be held responsible for the proper and effective functioning of this committee. The committee shall comprise between two (2) and four (4) members.

(4) 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 227 members sitting on Joint Occupational Health and Safety committees to eliminate all workplace hazards, be they physical, environmental, or social.
- Give reports to the Executive Board upon request.
- This committee will develop, in conjunction with the Executive Board, a Critical Incident Protocol for reporting H&S incidents in the workplace.

(5) Labour Management Committee

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

comprised of the president, one executive officer and one alternate executive officer as chosen by the executive board, two non-executive board officers and one alternate will be elected from the general membership.

- The committee will address issues under the mandate of the collective agreement and will report any progress or changes to policies
- The committee will present any items on upcoming agendas to the membership for discussion prior to meeting, as this committee meets every two months. This will allow for any immediate concerns to be addressed and allow for more frequent meeting if required, in accordance with the Collective Agreement. passed

(6) Pension & Benefits Committee

There shall be two (2) regular members and one (1) alternate member all elected from the Membership at a regular Membership meeting to represent the Local on the Pension & Benefits Committee with the employer. This committee shall prepare and present reports to the regular Membership meetings.

- The committee will address all and any issues concerning the Pension and Benefits of all members of Local 227 in either Halifax Water or HRM pension plans.
- The committee will endeavour to update on changes and attain information that represents either pension group

(7) Joint Occupational Health and Safety Committees

All Joint Occupational Health and Safety Committee (JOHSC) members serve with the expectation that they will, when requested, make reports (in writing, or in person) for their respective Depot Committee or Main Committee at monthly general membership meetings. JOHSC members are selected for three-year terms by election at the depot level; if a JOHSC position becomes vacant through resignation or rescission of appointment, the President may appoint eligible replacement members.

(d) Serving on Committees

Members serving on committees shall set regular meetings annually and must have at least 50% attendance during the previous twelve (12) month period and must not miss more than three consecutive committee meetings or their seat on the committee will be deemed vacant. An annual calendar of meetings should be set and posted on-line of all committee meetings for all members to see.

(e) Length of Terms on Committees

- The grievance, social, labour management, health & safety and education committee positions shall be two-year terms.
- The pension committee members shall be elected for a three-year term. Each year one pension committee member will be elected, staggering the turnover on the committee.
- The grievance, social and education committees shall be elected in the month of April.
- The labour management, health & safety and pension committees shall be elected in the month of November.

Should a vacancy arise before the end of a term, an election at the next general membership meeting will be held to replace the vacant position on the committee. The election shall be advertised on the monthly meeting notice.

If the committee has an alternate, the alternate will assume the vacant position and an election will be held to replace the alternate.

## **SECTION 15 - 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 16 - AMENDMENT**

- (a) These By-laws are always subordinate to the CUPE 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 Constitution the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.
- (b) These By-laws shall 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.
- (c) 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.

## **APPENDIX "A" TO THE BY-LAWS OF LOCAL 227, CUPE**

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### **RULES OF ORDER**

- 1. The President or, in their absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and both Vice-Presidents, the Recording Secretary shall act as President, and in their 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, they shall rise in their place and respectfully address the presiding officer, but, except to state that they rise to a point of order or on a question of privilege, they 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, they shall cease speaking until the point is determined; if it is decided they are in order, they 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, they may in addition give a casting vote, or, if they choose, 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, they 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 their challenge. The Chairperson may then state briefly the basis for their 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.