

**CANADIAN UNION OF PUBLIC
EMPLOYEES**

NIAGARA DISTRICT COUNCIL

C.U.P.E LOCAL 9102

CONSTITUTION & BYLAWS

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NIAGARA DISTRICT COUNCIL
C.U.P.E. LOCAL 9102**

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**BYLAWS OF THE CANADIAN UNION OF PUBLIC EMPLOYEES
NIAGARA DISTRICT COUNCIL**

ARTICLE 1 – NAME

This Council chartered by the Canadian Union of Public Employees shall be known as the Canadian Union of Public Employees, Niagara District Council, **C.U.P.E. Local 9102** and it shall be subject to the Constitution of the Canadian Union of Public Employees and the Canadian Labour Congress.

It should consist of all Locals in the geographic area of the Council prescribed by the Executive Committee of the Canadian Union of Public Employees.

ARTICLE 2 – OBJECTIVE

The objectives of this Council are:

- [1] To mirror those of the Canadian Union of Public Employees Constitution;
and
- [2] To obtain maximum participation by Locals in the programs of the Canadian Union of Public Employees and the trade union movement.
- [3] To promote continuing union education to affiliated Local unions.
- [4] To aid and encourage the use of union-made goods and service.
- [5] To encourage the participation by the affiliated Locals in matters of community interest.
- [6] To promote and support the Union movement in the Niagara Region.
- [7] **To promote involvement for retirees within the Region of Niagara.**

ARTICLE 3 – POLICY

- [1] In all matters not regulated, Bourinot's Rules of Order shall govern.
- [2] The President is the official delegate to attend all Council functions. In the absence of the President, the Vice President shall attend. When more than one delegate is required, a delegate or delegates shall be elected from the floor. Alternates shall be elected for all Council functions.
- [3] No communication shall be read at the regular Council meeting, or resolutions introduced, unless they have first been submitted to the Executive Committee at their regular meeting preceding the Council meeting. The same shall be applied to requests to address the delegates with the exception of Local strike issues.
- [4] Any spending of funds other than for Council business exceeding \$125.00 must be proposed on month in advance as a notice of motion.

- [5] The National Executive Board shall have the same power over this Council as over Chartered Union Locals in accordance with the terms of the Canadian Union of Public Employees Constitution.
- [6] This Council shall have only coordinating and advisory powers. Policy shall remain vested in the Local unions in accordance with the CUPE Constitution.

ARTICLE 4 – MEMBERSHIP

- [1] Membership in this Council shall be open to all Locals of the Niagara District area chartered by the Canadian Union of Public Employees. To remain as an affiliate a Local Union must abide by the Canadian Union of Public Employees Constitution and the bylaws of the Council.
- [2] This Council shall remain in existence so long as five [5] Local Unions are affiliated.

ARTICLE 5 – REPRESENTATION

- [1] Each affiliated Local union shall have representation on the following basis:
 - 2 delegates for the first 249 members
 - 3 delegates for 250 – 350 members
 - 4 delegates for 351 – 450 members
 - 5 delegates for 451 – 550 members
 - 6 delegates for 551 – members or more
- [2] Any affiliate, which is three [3] months or more in arrears in Per Capita Tax payment to this Council, shall have its voting rights suspended. [See Duties of Secretary Treasurer, Article 7, Paragraph 7.]
- [3] National Executive Board Members and Staff Representatives may attend meetings with voice but without vote.
- [4] At the time of affiliation, and after each election of officers, all affiliated Locals will provide this Council with an up-to-date list of officers, including the names of their credentialed delegate[s].

ARTICLE 6 – MEMBERSHIP FEES

- [1] Each Local wishing to affiliate with the Niagara Council of the Canadian Union of public Employees shall pay an affiliation fee of ten dollars [\$10.00].
- [2] Each affiliated shall pay a per capita tax of **eighteen [18] cents per full time member and nine [9] cents per part time member per month.**

Such per capita tax shall be paid monthly or quarterly, subject to the provisions of Article 5 [2] of these Bylaws. Per capita tax to the Council shall be paid on the same membership basis as applies in the per capita tax payments to the Canadian Union of Public Employees.

- [3] All monies collected by the Secretary-Treasurer for capita or another source shall remain the property of this Council until properly expended, and any affiliate ceasing to be an active member of this Council shall forfeit all right, title and interest in and to this Council, or part thereof.

ARTICLE 7 – OFFICERS AND DUTIES OF OFFICES

- [1] The Officers of this Council shall consist of a president, a Vice President, a Recording Secretary, a Secretary-Treasurer and three [3] Executive Officers who shall constitute the EXECUTIVE BOARD.
- [2] The Executive Board shall have general supervision of the affairs of the Council between regular meetings. The Board shall meet monthly prior to the regular meeting and shall consider and make recommendations of all matters arising out of the business of this council. Four [4] members of this Committee shall constitute a quorum.
- [3] It is the duty of the officers to attend meetings on a regular basis. Should any officer fail to answer the roll call for three [3] consecutive general meetings without having good and sufficient cause, that office shall be declared vacant and the position filled at the following meeting.

[4] President

The President shall:

- [a] preside at all meetings of this Council
- [b] preserve order and decorum, and enforce the Canadian union of Public Employees Constitution and Bylaws
- [c] be the spokesperson for all delegates representing this Council including conventions if attending as a Council delegate
- [d] sign all official documents and shall be one of the signing officers for the disbursement of funds
- [e] perform such other duties as are required by the delegates

[5] Vice President

The Vice President shall:

- [a] assist in the discharge of the President's official duties
- [b] in the absence of the President [which includes the vacancy of that position] the Vice-President shall discharge the duties of the President

- [c] be one of the signing officers for the disbursement of funds in the absence of the President of Secretary Treasurer
- [d] **Coordinate and chair the Education Committee**

[6] Recording Secretary

The Recording Secretary shall:

- [a] keep a correct record of the proceedings of all meetings of the Council
- [b] read and/or distribute same at the general meetings
- [c] refer all communications to the Executive Board or Presiding Officer, and shall read such as are requested
- [d] record attendance of all Officers at every meeting
- [e] notify all members when there is to be a meeting
- [f] keep a record of all members present at all meetings of the Council
- [g] handle in-coming and out-going communications for the Council
- [h] maintain a list of all credentialed local delegates

[7] Secretary Treasurer

The Secretary Treasurer shall:

- [a] maintain a proper system of bookkeeping; purchase the necessary books and stationary for this purpose
- [b] be prepared at any meeting to inform the President of the bank balance
- [c] pay all bills authorized by the Council, but only when accompanied by an order signed by the proper officers
- [d] read out item by item all disbursements made during the previous months and all records shall be available for inspection
- [e] be guided by the recommendations of the Trustees
- [f] be allowed Petty Cash of thirty dollars [\$30.00] and shall be accountable for such funds
- [g] notify all affiliated Locals who are three [3] months in arrears of per capita tax. Copies of notice shall be forwarded to the President and the Recording Secretary of that Local Union.
- [h] maintain a list of affiliated Local Unions

[8] Executive Officers

The duties of the Three Executive Officers shall be:

- [a] to attend all executive and general Council meetings
- [b] prepared to assist the other Executive members when asked
- [c] assist as members of standing committees

- [d] promote the good of the Council

[9] Trustees

The duties of the Trustees shall be:

- [a] examine books and records of the Council and inspect or examine all properties, bonds and all other assets of the Council **annually**
- [b] report their findings at the next regular meeting
- [c] transmit a copy of their report to the National Secretary Treasurer of the Canadian Union of Public Employees on the forms provided by the National Office.

ARTICLE 8 – NOMINATIONS AND ELECTIONS

[1] Term

The term of office for Executive Board members and Officers, except the Trustees, shall be two [2] years elected in the even numbered years, starting 1990.

Trustees shall be elected in accordance with the Canadian Union of Public Employees Union Constitution, Appendix B3. 10.

[2] Nominations

- [a] Nominations shall be declared open at the **November** general meeting of the odd numbered years. No delegate may be nominated for office unless he is present at the nominations meeting or unless his proposer has his official consent in writing, which has been duly witnessed by another delegate.
- [b] No more than two [2] delegates of any Local Union can be nominated to the Executive Board.

[3] Elections

- [a] All candidates shall be accredited delegates to the Council and comply with Article 5 Paragraph 2.
- [b] Election of Officers will be by secret ballot, and the Residing Officer will appoint a Returning Officer and Scrutineers from among the delegates to count same. Each delegate shall be entitled to only one vote.
- [c] The position of any Executive member who misses three [3] consecutive meetings without having good and sufficient cause shall be declared vacant. The members will be notified of such vacancy at the third meeting. At the next regular meeting, elections will be held to fill the vacancy. See Article 7.3.

ARTICLE 9 – OBLIGATION OF DELEGATES

“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 endeavor, 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 duly elected successor in office.

ARTICLE 10 – MEETINGS

- [1] Executive Board meetings shall be prior to the regular meeting.
- [2] The regular meeting of this Council shall be at 7:00 p.m., the third **Monday** in each month, except in special circumstances [ie. convention dates]
- [3] Special meetings shall be held when deemed advisable by the President, Executive Board, or upon written petition from ten [10] delegates representing five [5] affiliated Local Unions.
- [4] Quorum**
 - [a] Quorum for an Executive meeting shall be four [4] Executive Board Members.
 - [b] Quorum for regular meetings shall be seven [7] of which four [4] must be from the Executive with representation from at least three [3] affiliated Local Unions.

ARTICLE 11 – ORDER OF BUSINESS

- [1] Call Meeting to Order
- [2] Roll call of Officers
- [3] Recognition of new delegates
- [4] Reading and approval of the previous meeting’s minutes
- [5] Matters arising from the previous minutes
- [6] Secretary Treasurer’s report
- [7] Communications and bills
- [8] Executive Committee Report
- [9] Committee Reports
- [10] Nominations, elections, or installations
- [11] Unfinished Business
- [12] New Business
- [13] Delegate Reports
- [14] Good of the Union
- [15] Adjournment

ARTICLE 12 – STANDING COMMITTEES

- [1] There shall be **six [6]** Standing Committees and the establishment of Special Committees as required.
- [i] Education Committee
 - [ii] Social and Welfare Committee
 - [iii] Political Action/Public Relations Committee
 - [iv] Women’s Issues Committee
 - [v] Special Committees
 - [vi] Retirees Committees
- [2] Members of all Standing Committees shall include an executive board member and delegates at large. The Committee will present regular reports to meetings of the Council along with any appropriate recommendations.
- [3] Each Standing Committee chairperson elected or appointed shall report to meetings of this Council along with any appropriate recommendations.
- [4] The committee members shall keep minutes of all committee business and be prepared to turn over to the Council all records pertaining to the committee at the close of their responsibilities.
- [5] No expenditure by any committee shall be incurred unless same has been approved by the Council. Between Council meetings, the President and Secretary Treasurer shall approve and be held accountable for such non-budgeted expenditures which shall not exceed \$125.00.

[6] Education Committee

It shall be the duty of the Education Committee to keep the Council informed on all matters pertaining to education, and cooperate with the CUPE Education Department in developing Union Education program within the Council’s jurisdiction. **The Vice President shall chair this Committee and assist in the coordination of the Educationals.**

[7] Social and Welfare Committee

This committee shall represent the Council in all matters that necessitate Political Action in the broadest possible terms. Such action may involve lobbying and/or appointing officials in all levels of government via presentation or written briefs or verbal comment. This Committee shall cooperate with all Political Action Committees within the CUPE structure and the labour movement in general.

[8] Women's Issues Committee

This Committee shall keep Council and its affiliated Locals informed about women's issues and their impact. The Committee shall act as a resource and liaison group. The chairperson of this Committee or designate shall be the Council's representation to CUPE Ontario Women's Committee.

[9] Special Committees

Special Committees may be established by the Executive Committee as becomes necessary and whatever the nature or mandate of these Committees, they shall report to this Council, the same as other Committees. Positions to this committee may be filled by election or appointment by the President.

[10] Retirees Committee

Retirees Committee shall be comprised of any CUPE retiree' from an affiliated Local or non-affiliated Local in the Region of Niagara. All retirees are welcome at attend meetings of the Niagara District CUPE Council. Conferences and/or conventions, retirees may be nominated and elected to attend as delegates for Niagara District CUPE Council. Retirees Committee will be encouraged to arrange social events through Niagara District CUPE Council.

ARTICLE 13 – SCHEDULED EXPENSES FOR COUNCIL OFFICERS

[1] The following annual scheduled expenses shall be provided:

President	\$275.00
Recording Secretary	\$275.00
Secretary Treasurer	\$275.00
Vice President	\$200.00
Executive Board	
Members at Large	\$ 60.00
Trustees	\$ 30.00 each per audit

[2] Expenses shall be paid to Executive Officers in attendance at the regularly scheduled monthly meetings and such payments shall be made in May and December.

[3] Any delegate appointed or elected on any business of this Council shall receive the following:

Conference/Convention registration fees
Accommodation [Room and Parking]
Transportation

- [a] Mileage at **thirty-nine [0.39] cents per kilometer**
- [b] economy air fare
- [c] where applicable cost of transportation to and from airport

Scheduled Expenses

Full Day \$75.00

Half Day \$37.50 [less than five hours]

Lost time and benefits, if any

Receipts shall be required

ARTICLE 14 – DELEGATES TO CONVENTION

If the Council elects to send a delegate, the President shall be the delegate to all conventions, unless already an elected delegate from their own Local. In the latter case, or if the President chooses not to be a delegate to the convention, the delegate[s] shall be elected from among the members.

ARTICLE 15 – AMENDMENTS TO THE BYLAWS

The bylaws of the Council may be changed by a two-thirds majority vote of the delegates present at a regularly convened meeting of the Council if notice of amendments has been presented in writing at the immediately preceding meeting, providing it does not conflict with the Constitution of the Canadian Union of Public Employees. Any amendment shall become effective after approval by the National President of the Canadian Union of Public Employees.