

# **CUPE LOCAL 500**

## **WATER AND WASTE UNIT**



## **BY-LAWS AND POLICIES**

**Approved by the Executive Committee on May 14, 2018.**

## TABLE OF CONTENTS

	<u>Page</u>
 <b><u>BYLAWS</u></b>	
SECTION 1 – NAME.....	1
SECTION 2 – OBJECTIVES .....	1
SECTION 3 – INTERPRETATIONS AND DEFINITIONS.....	1
SECTION 4 – MEMBERSHIP MEETINGS – REGULAR AND SPECIAL.....	1
SECTION 5 – OFFICERS AND TERMS .....	2
SECTION 6 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS AND DELEGATES TO LOCAL 500 CENTRAL COUNCIL .....	2
SECTION 7 – UNIT EXECUTIVE.....	4
SECTION 8 – DUTIES OF OFFICERS.....	4
 <b><u>POLICIES</u></b>	
SECTION 1 – HONORARIUMS.....	8
SECTION 2 – SCHOOLS, CONFERENCES AND CONVENTIONS.....	8
SECTION 3 – COMMITTEES.....	10
SECTION 4 – DONATIONS .....	11
SECTION 5 – GOOD OF THE UNION .....	11
SECTION 6 – LOST WAGES .....	11
SECTION 7 – AMENDMENTS .....	11
SECTION 8 – RULES OF ORDER .....	12
APPENDIX A.....	13

## **SECTION 1 – NAME**

The name of this Unit shall be the Water and Waste Unit of the Canadian Union of Public Employees Local 500.

## **SECTION 2 – OBJECTIVES**

The objectives of the Water and Waste Unit are as follows:

- (a) Secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- (b) Support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- (c) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (d) Encourage the settlement by negotiation and mediation of all disputes between the members and their employers;
- (e) Eliminate all forms of harassment and discrimination wherever they exist.

## **SECTION 3 – INTERPRETATIONS AND DEFINITIONS**

Masculine pronouns shall be understood to include the feminine gender.

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

- (a) Regular membership meetings shall be held each month on the **third Wednesday at 6:30** p.m. except the months of July and August. When necessary, the Unit Executive shall give a week's notice of any change in the date of the regular meeting.
- (b) The Executive may call special membership meetings. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least 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 at least 25% of the existing Executive.
- (d) The order of business at regular membership meetings is as follows:

- (1) Read Equality Statement
- (2) Roll Call of Officers
- (3) Reading of Minutes
- (4) Matters Arising
- (5) Treasurer's Report
- (6) Communications and Bills
- (7) Divisional VP Reports (Executive Committee Report)
- (8) Reports of Committees and Delegates
- (9) Nominations, Elections or Installations
- (10) Unfinished Business
- (11) New Business
- (12) Good of the Union
- (13) Adjournment

### **SECTION 5 – OFFICERS AND TERMS**

The officers of the Unit shall be the President, First Vice-President, Divisional Vice-Presidents (9), Secretary Treasurer, Recording Secretary, Warden, and Trustees (3). All Officers shall be elected by the membership.

The President and Recording Secretary shall be elected for a two-year term, in alternate years. Each year one trustee shall be elected for a three-year term. All other terms of office shall be one year.

The Divisional Vice-Presidents (V.P.) shall be as follows:

- 1) Wastewater Collection Vice-President
- 2) Wastewater Treatment Vice-President
- 3) Plinguet General Vice-President
- 4) Plinguet A-side Vice-President
- 5) Plinguet B-side Vice-President
- 6) Water Treatment Vice-President
- 7) Solid Waste Vice President
- 8) Downtown Vice President
- 9) Pacific Vice-President

### **SECTION 6 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS AND DELEGATES TO LOCAL 500 CENTRAL COUNCIL**

(a) *Nominations*

- (1) Nomination shall be received at the regular membership meetings held in the months of September and October. To be eligible for the nomination to the position of President, a member shall have attended at least fifty percent (50%) of

the membership meetings held in the previous twelve (12) months. This may be waived if the member has a valid reason for non-attendance and provides notice prior to the meeting.

- (2) For the nomination to be accepted, the members must be in attendance at the election meeting or have provided his or her consent in writing to the meeting.
- (3) To accept nomination to a Divisional Vice-President position the member must be working in that particular employment (work) group.

(b) *Elections*

- (1) The voting shall take place at the regular membership meeting in October. The vote shall be by secret ballot.
- (2) All elections shall be chaired and executed by a CUPE National Representative in compliance with the Rules and Regulations contained in the CUPE Constitution.
- (3) Voting to fill one office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- (4) 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.

(c) *Installation*

- (1) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for the ensuing term or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three years.
- (2) The terms of office for Trustees shall be as laid down in Article B.3.10 of the CUPE Constitution.

(d) *By-Election*

With the exception of the President, should an office fall vacant and/or not be filled in accordance with the above noted procedures a by-election will be conducted at the subsequent meeting(s) until the office is filled.

(e) *Delegates to Central Council*

- (1) Delegates shall be determined according to the Local 500 Bylaws (8).

- (2) The Table Officers (President, Vice-President, Recording Secretary, Secretary-Treasurer and Warden) shall be delegates. Other delegates will be elected from the general membership immediately following the election of the Executive.

### **SECTION 7 – UNIT EXECUTIVE**

- (a) The Unit Executive shall comprise all Officers with the exception of the Trustees as per Article B.3.10 of the CUPE Constitution.
- (b) Five members of the Executive constitutes a quorum.
- (c) The Executive shall do the work delegated to it by the Unit and shall be held responsible for the proper and effective functioning of all committees.
- (d) All charges against members or Officers must be made in writing and dealt with in accordance with the provision of the CUPE constitution.
- (e) Should any Executive Member fail to answer the roll call for three consecutive regular membership meetings without having submitted good reason for those failures, their office shall be declared vacant and shall be filled by an election at the following membership meeting.
- (f) The Executive will meet a minimum of two times per year. The dates and times of these meetings shall be determined in the Regular Membership Meeting. Notices will be sent to all Executive members.
- (g) The Executive may have additional meetings upon receiving approval from the general membership or at the call of the President. At all times 48 hours' notice shall be given to the Executive prior to the meeting being held.
- (h) The authorized signing officers of the Unit are President, Vice-President, Recording Secretary and Secretary Treasurer. Any two of the four signatures must be used.

### **SECTION 8 – DUTIES OF OFFICERS**

- (a) The *President* shall:
- Enforce the CUPE Constitution and these bylaws;
  - Preside at all membership 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 their rulings) and in case of a tie vote in any matter, 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;
- Ensure that the Unit's funds are used only as authorized or directed by the Constitution, bylaws, or vote of the membership;
- Transact the business of the Water and Waste Unit.

(b) The *Vice-President* (at large) shall:

- If the President is absent or incapacitated, perform all duties of the President;
- If the office of President falls vacant, assume the office of President for the remainder of the term;
- Render assistance to any member of the Executive as directed by the Executive.

(c) The *Recording Secretary* shall:

- Keep full, accurate and impartial account of the proceedings of all regular or special membership and Executive meetings, ensuring that these records include a copy of the full financial report presented by the Secretary-Treasurer;
- Record all alterations in the bylaws;
- Answer correspondence and fulfil other secretarial duties as directed by the Executive;
- File a copy of all letters sent out and keep on file all communications;
- Prepare and ensure distribution of all circulars and notices to members;
- Have all records ready on reasonable notice for auditors and Trustees;
- Preside over membership and Executive meetings in the absence of both the President and the Vice-President;
- Be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of the Unit's funds;

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

(d) The *Secretary-Treasurer* shall:

- Receive all revenue, dues, and assessments, and deposit promptly all money with a bank or credit union;
- 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, as well as records and supporting documents for all income received by the Unit;
- Record all financial transactions in a manner acceptable to the Executive and in accordance with good accounting practices;
- Regularly make a full financial report to meeting of the Unit's Executive, as well as a written financial report to each regular membership meeting, detailing all income and expenditures for period;
- 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;
- Pay no money unless supported by a motion duly authorized by the Unit and/ or the Executive or directed by the Unit's bylaws;
- 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 years and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees;
- Provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- Provide the Local with a yearly Trustee's Report to the Secretary-Treasurer of CUPE Local 500 no later than January 31<sup>st</sup> of each year;
- Provide the Local's Recording Secretary annually with the name of the Unit's credit union, account number and signing officers;
- On termination of office, surrender all books, records and other properties of the Unit to their successor.



(e) 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 Standing Committees at least once every calendar year;
- Make a report of their findings to the first membership meeting following the completion of each audit;
- Be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- Audit the record of attendance;
- Inspect at least once a year any stocks, bonds, securities, office furniture and equipment that may be any time be owned by the Unit, and report their findings to the membership;
- Use audit forms supplied by CUPE Local 500.

(f) The *Warden* shall:

- Check and record all present at the meetings of the Unit and Executive and ascertain whether they are in good standing and entitled to be present. The Warden shall see that no one enters the meetings of the Unit or Executive while business is being transacted, unless they are in good standing or on the order of the Unit.

(g) The *Divisional Vice-Presidents* shall:

- Be responsible for Union business pertaining to their particular division.

## **POLICIES**

### **SECTION 1 – HONORARIUMS**

President	\$ 450
1 <sup>st</sup> Vice President	350
Recording Secretary	250
Secretary-Treasurer	250
Warden	150
Divisional Vice-Presidents	100
Trustees	75

Honorariums will be provided at the September general membership meeting of the Water and Waste Unit.

### **SECTION 2 – SCHOOLS, CONFERENCES AND CONVENTIONS**

Any signed up member in good standing of the Unit will be able to attend schools, conferences and conventions in accordance with following:

**(a) *CUPE National Conventions***

- (1) The Table Officers will be given first preference in the order: President, First Vice-President.
- (2) In the event an officer is unable to attend, members may be elected from the floor.
- (3) Members will be sent by the Unit based on the Unit's ability to fund.
- (4) To be eligible to attend, members will need 50% attendance at general meetings in the year prior to the convention call.

**(b) *CUPE Manitoba Convention***

- (1) The Table Officers will be given first preference in this order: President, First Vice-President, Recording Secretary, Secretary Treasurer, Warden.
- (2) In the event an officer is unable to attend, members may be elected from the floor.
- (3) Members will be sent by the Unit based on the Unit's ability to fund.
- (4) To be eligible to attend, members will need 50% attendance at general meetings in the year prior to the convention call.

**(d) *Manitoba Federation of Labour Convention***

- (1) The Table Officers will be given first preference in this order: President, First Vice-President.
- (2) In the event an officer is unable to attend, members may be elected from the floor.
- (3) Members will be sent by the Unit based on the Unit's ability to fund.
- (4) To be eligible to attend, members will need 50% attendance at general meetings in the year prior to the convention call.

**(e) *Schools***

- (1) The Unit shall endeavour to send anyone they can to weekend schools based on the Unit's ability to pay.
- (2) To be eligible to attend out-of-town schools or weeklong schools, members will need 50% attendance at general meetings in the year previous.
- (3) Members will be sent by the Unit to out-of-town schools and weeklong schools based on the Unit's ability to fund.

**(f) *Conferences***

The Unit shall consider sending members to conferences based on the needs of the Union, the interests of the members and the ability of the Unit to pay. To be eligible to attend, members will need 50% attendance at general meetings in the year prior to the conference call.

**(g) *Attendance***

Each time a member is unable to attend a meeting for a legitimate reason he or she will notify a member of the Executive prior to the meeting, with the reason for not attending or raise the matter at the next meeting and provide the reason then. If the members consider the reason valid, the attendance record can be so noted.

**(h) *Schools, Conferences and Conventions Per Diems***

Out of town/in province - \$50.00 per day for the duration of the convention or school and single room accommodation and one (1) day travelling time.

Out of province - \$75.00 per day for the duration of the convention or school and single room accommodation and one (1) day travelling time.

In town - \$30.00 per day for duration of a convention or school; ~~\$10~~ \$15.00 per half day for duration of convention or school.

\$25.00 per diems will be paid for conventions, weeklong, weekend or evening schools where meals are provided out of town.

Note: The above noted per diems shall change in accordance with Local 500 Policy.

**(i) *Transportation***

Within a radius of 400 km of Greater Winnipeg, first class, the Unit will pay bus transportation.

Outside 400 km radius, economy class air transportation or group rate shall be paid (or the equivalent).

The above shall apply to both conventions and schools.

Within the Greater Winnipeg area no transportation will be paid.

**SECTION 3 – COMMITTEES**

**(a) *Negotiating Committee***

The President or their designate shall represent the Unit on the Local 500 Negotiating Committee.

**(b) *Special Committee***

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 the President or the Executive. Members of the Executive may sit on any special committee as ex-officio members.

**(c) *Standing Committees***

The Unit's representatives for the CUPE Local 500 Standing Committees shall be determined at a General Membership meeting the month following the annual Unit elections. The Unit will endeavour to have representation on each standing committee.

#### **SECTION 4 – DONATIONS**

All donations made by the Water and Waste Unit in this Section must be approved at the general membership meeting.

The total amount of donations made by the Water and Waste Unit for Section 4A plus Section 4B will not exceed a yearly maximum of \$1,000.

#### **SECTION 5 – GOOD OF THE UNION**

All donations made under Good of the Union will be based on the Unit's ability to pay and limited to the following:

(a) Illness, Bereavement and Death

Flowers, a fruit basket or a cash donation may be approved for any member for the reason of illness, bereavement or death. The value shall not exceed \$75 and is to be approved at the general membership meeting.

(b) In addition, upon approval of the Unit Table Officers the President may authorize the expenditure of up to \$75 for the reason of illness, bereavement or death.

(c) Meritorious Service

Upon request, meritorious service plaques may be approved for members who have been active within the Unit. The requests must be approved by the Executive. These plaques will be awarded upon retirement, termination of service or death.

#### **SECTION 6 – LOST WAGES**

The Water and Waste Unit shall pay lost wages to any Water and Waste member doing Union business, attending conventions or schools. Lost wages will be deemed to include only actual money lost to the member. A member taking vacation or compensating time off shall be paid for this the same as lost wages.

For the purpose of this article, regular layoff shall not be included.

Water and Waste Unit will not pay any overtime lost due to Union business.

#### **SECTION 7 – AMENDMENTS**

Proposed amendments to these Bylaws shall be forwarded in writing to the Recording Secretary to be read at the General Membership meeting as a notice of motion. Upon the reading of the notice of motion it shall lay on the table to be dealt with at the following General Membership

meeting. These Bylaws to be amended shall require a majority (50% +1) of votes of the membership present and upon final approval of CUPE Local 500 Central Council.

### **SECTION 8 – RULES OF ORDER**

All meetings of the Unit 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 bylaws as Appendix “A”. 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 “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.

**APPENDIX A****WATER AND WASTE UNIT BYLAWS****RULE OF ORDER**

1. The President or, in his absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and Vice-President, the Recording Secretary shall act as President, and in his absence a President protem 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 (15) 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 names in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
8. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
9. Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.

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



22. If any member wishes to challenge (appeal) a decision of the chair, he must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for his 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 Employee