

CUPE

BYLAWS

CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 4635

EMPLOYEES OF RIVER EAST TRANSCONA SCHOOL DIVISION

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PREAMBLE

In order to improve the social and economic welfare of its members without regard to gender, ethnicity, religious beliefs, or sexual orientation, 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 bylaws 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. 4635 River East Transcona School Division.

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 employer;
- (e) eliminate all forms of harassment including but not limited to sexual and racial harassment and harassment based on sexual orientation, where it exists;
- (f) establish strong working relationships with the public we serve and the communities in which we work and live.

SECTION 3 - INTERPRETATION AND DEFINITIONS

- (a) **The provisions of this Bylaws are intended to be gender neutral and gender inclusive. A word used in the plural applies also in the singular unless the context otherwise requires.**

- (b) Numbers and articles at the end of sections or sub-sections refer to relevant articles of the current CUPE Constitution which should be read in conjunction with these bylaws.

SECTION 4 - MEMBERSHIP MEETINGS - REGULAR AND SPECIAL

- (a) Regular membership meetings shall be held every third Saturday of every month at 9:30 a.m. (except July and August).

If circumstances warrant, the Executive Board shall give a week's notice of any change in the date or time of the regular meetings.

- (b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than ten (10) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least three (3) working days' 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) In the event of a quorum not being met for two (2) consecutive general meetings, then the Executive shall conduct all Union business. Advice as to the business conducted shall be given at the first meeting where a quorum is present.
- (e) A draw will be conducted at the end of each General Meeting. This draw shall be conducted as follows:
- (i) A container with every bargaining unit member's name (dues paying, signed member with card) present at the General Meeting will be eligible for the draw.
 - (ii) One (1) name from those present at the General Meeting will be drawn to determine the winner.
 - (iii) **The draw prize will be a Local 4635 swag worth fifty dollars (\$50).**
- (f) The order of business at regular membership meetings is as follows:
- (i) Roll Call of Officers
 - (ii) **Land Acknowledgment**
 - (iii) Equality Statement
 - (iv) Initiation of New Members
 - (v) Reading of Minutes
 - (vi) Matters Arising

- (vii) Treasurer's Report
- (viii) Communications and Bills
- (ix) Executive **Board** Reports
- (x) Reports of Committees and Delegates
- (xi) Nominations, Elections, or Installations
- (xii) Old (Unfinished) Business
- (xiii) New Business
- (xiv) Good of Union
- (xv) Adjournment

SECTION 5 - VOTING OF FUNDS

Except for ordinary expenses and bills as approved at membership meetings, no sum over five hundred dollars (\$500) 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.

SECTION 6 - OFFICERS

The Officers of the Local shall be the President, one (1) Vice-President, one (1) Secretary-Treasurer, one (1) Recording Secretary, one (1) Chief Shop Steward, four (4) Shop Stewards, one (1) Custodian, one (1) Maintenance, one (1) Custodial-Aide, one (1) Kitchen Staff, one (1) Warden and three (3) Trustees. All Officers shall be elected by the membership.

SECTION 7 - EXECUTIVE BOARD

- (a) The Executive Board shall comprise all Officers, except Trustees.
- (b) The election of the President and Secretary Treasurer shall take place every even year with the alternate years being set for the election of one (1) Vice-President, one (1) Recording Secretary, and one (1) Chief Shop Steward. The Stewards and Sergeant-at-Arms (Warden) shall be elected annually. One (1) Trustee shall be elected for a three (3) year term each year.
- (c) The Executive Board shall meet at least once a month.
- (d) A majority of the Executive Board constitutes a quorum.
- (e) The Executive Officers shall hold title to any assets of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any assets without first giving notice and then submitting the proposition to a membership meeting and having it approved.

- (f) The Executive Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- (g) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
- (h) Should any Executive Board member fail to answer the roll call for three (3) consecutive regular membership meetings or three (3) consecutive regular Board meetings, without having submitted good reasons for those failures, to the Executive Board, his office shall be declared vacant and shall be filled by an election at the following membership meeting.
- (i) Meals will be provided at executive meetings with the total amount not exceeding the meal allowance listed under Section 12 (f); no other reimbursements for separate meals will be accepted.
- (j) Re: Sick Bank

The Executive Board shall manage the sick bank for Local 4635 Collective Agreement. A member must apply in writing to the Vice-President enclosing a copy of a medical certificate. As per Local 4635 sick bank protocol.

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 4635 shall be bonded through the master bond held by CUPE. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

- (a) The President shall:
 - enforce the CUPE Constitution and these bylaws;
 - 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 his 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 and conduct them through the initiation ceremony;
- be a signatory of cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, bylaws, or vote of the membership;
- have first preference as a delegate to the CUPE National Convention;
- on termination of office, surrender all books, seals and other properties of the Local to his successor;
- be bonded for one hundred thousand dollars (\$100,000) under the Secretary-Treasurer from CUPE National.

(b) The Vice-Presidents shall:

- if the President is absent or incapacitated, perform all duties of the President;
- if the office of President falls vacant, be Acting President until a new President is elected;
- render assistance to any member of the Board as directed by the Board;
- oversee Good of the Union;
 - extend the Local's condolences in the event of the death of a member or one of his immediately family and make other appropriate gestures in accordance with custom or the wishes of the family concerned (**flowers, gift basket or donations**) at an allowance of fifty dollars (\$50). (Immediate family shall be defined as the member's spouse/**common law partner**, children, parents, **parents-in-law**, siblings, grandchild and grandparents);
 - send out cards for **illnesses of more than 10 consecutive days**, births and weddings of the Local's members.
- oversee 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. A ceiling for the Committee's net expenditures shall be fixed for each event by the membership but, other than that, all social and recreational events and activities shall be self-supporting. Proper records must be maintained for the money spent and collected for social functions held by the Local. Such records would, at a minimum include setting up a budget. Along with the Vice-President who shall

chair the committee, the President may appoint two (2) members to the committee to assist when required. E.I. rebate will be used for cost of Xmas/ Retirement luncheon.

(c) The Recording Secretary shall:

- 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 **and the reports presented by the Trustees;**
- record all alterations in the bylaws;
- answer correspondence and fulfill other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to members;
- have all records ready on reasonable notice for auditors and Trustees;
- preside over membership and Board meetings in the absence of both the President and the Vice-Presidents;
- 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;
- on termination of office, surrender all books, seals and other properties of the Local to his successor.

(d) The Secretary-Treasurer shall:

- sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer **during prolonged absences.**
- 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 the Local Union.
- 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;

- prepare all CUPE National per capita tax forms and remit payment no later than the 15th day of each month; [a monthly 2% will be added to per capita tax that is in arrears for more than (two) 2 months.]
- record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- 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;
- be bonded for not less than one hundred thousand dollars (\$100,000) or any greater sum as may be decided at a membership meeting, taking into account the assets of the Local and the amount of cash and cheques handled by the Secretary-Treasurer through the master bond held by the National Office, and any Secretary-Treasurer who cannot qualify for the bond be disqualified from office and all elections;
- pay no money unless supported by a voucher duly signed by two (2) of the three (3) signatories, **one of which must be the Secretary-Treasurer**, and a voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- make all books available for inspection by the auditors and/or Trustees 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 they may need to complete the audit report forms supplied by CUPE;
- be empowered, with the approval of the membership, to employ necessary clerical assistance to be paid for out of the Local's funds;
- annual budget to be submitted for membership approval by the Secretary-Treasurer and Executive in September;
- attend a CUPE workshop to assist in carrying out the functions;
- on termination of office, surrender all books, records and other properties of the Local to his 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 annually;

- audits to be done every twelve (12) months as required by CUPE National Office;
- make a written report of their findings to the first membership meeting following the completion of each audit;
- submit a copy of the completed audit report to the President and Secretary-Treasurer and 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;
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- ensure that proper financial reports are made 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 the Local, and report their findings to the membership;
- 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;
- use audit forms supplied by the National Office and send a copy of each half-yearly audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution;
- maintain physical assets inventory and include costs and serial numbers;
- attend a training session for Trustees and Financial Officers within the first year of election;
- must be present during the audit.

(f) The Chief Steward shall:

- chair Liaison Committee;
- give both Grievance and Liaison Committee monthly reports at Executive and General Meetings;

- ensure that grievances are investigated, researched and processed;
- ensure that members are fully informed about their rights, Division policies, Union policies and objectives, labour legislation and legislative programs;
- work for the welfare of the group; act promptly and decisively, develop teamwork and fight for what's right;
- attend all meetings that are called;
- attend a training session for Stewards within the first year of election.

(g) The Stewards shall:

- ensure that the Collective Agreement is adhered to by both the Employer and the members;
- ensure that grievances are investigated, researched and processed;
- ensure that members are fully informed about their rights, Division policies, Union policies and objectives, labour legislation and legislative programs;
- work for the welfare of the group; act promptly and decisively, develop teamwork and fight for what is right;
- attend all meetings that are called;
- attend a training session for Stewards within the first year of election.

(h) The Sergeant-at-Arms (Warden) 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 by 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 Board from time to time.

SECTION 9 - HONORARIUMS

The following expense allowance shall be provided and shall not be paid in advance:

President	\$960 per year or \$80 per month over 12 months
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Vice-President	\$960 per year or \$80 per month over 12 months
Recording Secretary	\$960 per year or \$80 per month over 12 months
Secretary-Treasurer	\$960 per year or \$80 per month over 12 months
Chief Steward	\$960 per year or \$80 per month over 12 months
Shop Stewards	\$500 per year or \$50 per month over 10 months
Warden	\$500 per year or \$50 per month over 10 months
Trustees	\$95 per audit

The President may call on other executives to perform Union business during July and August and shall be paid their honorarium for that month worked.

There will be a \$25 addition per month for cell phone use for executive board.

SECTION 10 - FEES, DUES, AND ASSESSMENTS

- (a) The monthly dues shall be 1.60% of gross monthly earnings (less overtime).
- (b) Any member in arrears for a period of three (3) 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 re-admittance fee **of ten dollars (\$10)**, 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 re-admittance fee but may not be required to pay **their** arrears.
- (c) If any executive member is suspended or terminated without pay for one (1) month or more **they** shall step down from their position on the Executive Board.

SECTION 11 - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

- (a) Nomination
 - (i) Nominations shall be received at the Membership meeting held in the month of March.

No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting **their** consent in writing, duly witnessed by another member.
 - (ii) Custodian Steward will be voted on only by Custodians.
 - (iii) Custodial Aide Steward will be voted on only by Custodial Aides.

- (iv) Kitchen Steward will be voted on only by Kitchen Staff.
- (v) Maintenance Steward will be voted on only by Maintenance members.

(b) Elections

- (i) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Chairperson of the Election meeting.
- (ii) The Chairperson of the Election meeting shall be responsible for issuing, collecting, and counting ballots. **They** must be fair and impartial and see that all arrangements are unquestionably democratic.
- (iii) **A current officer or candidate for office cannot serve as Chairperson of the Election meeting.**
- (iv) The voting shall take place at the special meeting in March. The vote shall be by secret ballot.
- (v) Voting to fill one (1) office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- (vi) A majority of votes cast shall be required before any candidate can be declared elected. **In the event of a tie vote, a second and subsequent ballot(s) will be taken, if necessary, until a candidate receives a majority of votes cast and can be declared elected.** On the second and subsequent ballots the candidate receiving the lowest number of votes in the previous ballot shall be dropped. **In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.**
- (vii) When two (2) 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.
- (viii) 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).

(c) Installation

- (i) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office as per Section 7 (b) or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three (3) years.

- (ii) The terms of office for Trustees shall be as laid down in the CUPE Constitution.

SECTION 12 - PER DIEMS, MILEAGE AND DELEGATES TO CONVENTIONS, CONFERENCES, SEMINARS OR MEETINGS

- (a) There will be no repeat courses unless courses are listed as new. Members of the Local shall be allowed to attend courses, seminars or conventions.
- (b) Except for the President's option [Section 8 (a)], all delegates to conventions, conferences and educationals shall be chosen by election at membership meetings.
- (c) Local 4635 shall send the President and designates, up to the maximum votes allowed as delegates to conferences outside the City.
- (d) Local 4635 shall pay transportation to and from conventions, conferences or seminars at the following rates:
- (i) Conventions outside the Greater Winnipeg area - economy class air transportation or group rate shall be paid (or the equivalent), and where it is impossible to obtain these rates, then the first class air fare shall be paid. Ground transportation will be paid if required at out of town functions.
 - (ii) Travel other than (i) above, shall be reimbursed to members using their own vehicle using same rate as set by the **CRA vehicle allowance**. The starting point for all distance calculations shall be 589 Roch Street, Winnipeg, Manitoba (Division Board Office). Carpooling will be encouraged.
- (e) The per diem rates paid by Local 4635 will be as follows for courses/seminars, and conventions/conferences/meetings:
- (i) To cover the expenses incurred for education, in Winnipeg - **sixty dollars (\$60)** for courses/seminars, out of city - **eighty-five dollars (\$85)** for courses/seminars.
 - (ii) In province - **eighty-five dollars (\$85)** per day to cover the cost of meals for the number of days of the convention plus the cost of hotel accommodations for the number of nights of the convention.
 - (iii) Out-of-province - one hundred **and ten dollars (\$110)** per day to cover the cost of meals for the number of days of the convention, plus the days of travel, and the cost of hotel accommodations for the number of nights of the convention.

- (iv) Canadian Labour Congress and Canadian Union of Public Employees' residential schools where meals are provided will be paid at the rate of twenty dollars (\$20) per day and board and room paid for by Local 4635 for the number of days of the school.
- (v) Representation at educational institutes and seminars shall be subject to final approval by the membership.
- (vi) Whenever/wherever possible Local 4635 will bill CUPE Manitoba for expenses incurred on behalf of CUPE Manitoba.

(f) Meals

Reimbursement for meals during authorized meetings, when a per diem is not received, will be made to the maximum of the following (receipts must be submitted):

- Breakfast \$20 (plus taxes)
- Lunch \$25 (plus taxes)
- Supper \$30 (plus taxes)

Food bill and meeting expense voucher to detail:

- (i) whether breakfast, lunch or dinner;
- (ii) names of individuals present; and
- (iii) purpose of meeting.

(g) Loss of Salary

When a member attends a course, seminar, meeting or convention authorized by the Local on a regular working day, no loss of pay or benefits will be suffered. When a member attends a meeting authorized by the Executive on a regular working day, no loss of pay or benefits will be suffered.

(h) Parking

Parking will be reimbursed on presentation of receipt for union business.

SECTION 13 - COMMITTEES

(a) Negotiating Committee

This shall be a six (6) person committee elected from the Executive Board at the annual general meeting. Where possible, there will be at least one (1) member from each of the

groups represented by Local 4635 (maintenance workers, custodial aids, caretakers, kitchen staff) forming the committee. The function of the Committee is to prepare collective bargaining proposals and to negotiate a collective agreement. 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.

(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 (2) 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 of that committee. 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 four (4) standing committees as follows:

(i) Grievance Committee

This Committee shall process all grievances not settled at the initial stage and its reports shall be submitted first to the Executive Board, with a copy to the CUPE Representative, and then to a membership meeting. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the collective agreement. The committee shall comprise the elected chairperson (Chief Shop Steward) and shop steward from each department. The committee shall appoint its secretary from among its members. Members to be Liaison Committee.

(ii) Workplace Health and Safety Committee

It is the function of this Committee to attend all joint Health and Safety Committee meetings and to report back to the membership at General Meetings.

The Committee shall also receive all health and safety concerns or complaints and ensure they are carried forward to the Joint Committee level.

The Committee shall ensure that all members are made aware of all pertinent Health and Safety information.

The Committee shall be comprised of two (2) 2-year representatives, elections for one position on even years, elections for the second position on odd years. Both to be held at their respective March General Meetings. The President may designate alternates.

(iii) Social Committee

- Administer Social Committee
- The Committee shall consists of three (3) members.

(iv) Retirement Package

Local 4635 members on retirement date, **shall** be eligible for a retirement package. Retirees must be 50 years of age and have at least fifteen (15) years of service with **the** River East Transcona School Division. **Eligible retirees will receive CUPE Local 4635 swag valued according to their years of service, as follows:**

15-24 years	\$300
25-29 years	\$400
30-34 years	\$500
35-39 years	\$600
40 plus years	\$700

(v) Political Action Committee

Up to three (3) members shall be elected to the Political Action Committee at the Annual General Meeting. The Chief Steward will chair this committee.

(vi) Benefits Committee

Up to three (3) members shall be elected to the Benefits Committee at the March General Meeting. They will oversee the health benefits package, and be in contact with the provider to oversee any issues or changes required. The President will chair this committee.

SECTION 14 - 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 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.

SECTION 15 - AMENDMENT

- (a) These bylaws 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 bylaws and the CUPE Constitution the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.
- (b) These bylaws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a special membership meeting [as per Section 4 (c)] following seven (7) days’ notice given at a previous regular membership meeting or at least **thirty (30)** days' written notice.
- (c) No change in these bylaws 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.
- (d) These bylaws shall be reviewed at least every three (3) years.

APPENDIX "A"**RULES 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. In the absence of all three, there is no quorum of the executive [section 4 (c)], the meeting is therefore cancelled.
2. No member, except the Chairperson of a committee making a report or the mover of a resolution, shall speak more than five (5) 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 ($\frac{2}{3}$) vote of those present, to deal with any urgent business.
7. All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
8. At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
9. Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.
10. When a member wishes to speak on a question or to make a motion, he 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 (2) 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, **the member** shall cease speaking until the point is determined; if it is decided **the member** is in order, **they** may again proceed.
14. No religious or sexist 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, **the President** may in addition give a casting vote, or, if **the President** 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 (a) to adjourn; (b) to put the previous question; (c) to lay on the table; (d) to postpone for a definite time; (e) to refer; (f) 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 (a) when a member has the floor, and (b) 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 (15) 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 challenge. The Chairperson may then 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 (2) 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. When leaving, the Warden should be informed.
25. The Local's business and proceedings of meetings are not to be divulged to any persons outside the Local.

APPENDIX “B”

CODE OF CONDUCT

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination, and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff, and elected officers to carry out our work. CUPE’s expectation is that mutual respect, understanding, and co-operation will be the basis of all our interaction.

This Code of Conduct sets out standards of behaviour for participants at national convention, conferences, schools, meetings, and any other union events organized by CUPE National, Local 4635, or any other CUPE chartered body. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National and at events, meetings, and activities by other CUPE bodies. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As CUPE members, staff, and elected officers, we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement.
- Respect the views of others, even when we disagree.
- Recognize and value individual differences.
- Communicate openly.
- Support and encourage each other.
- Make sure that we do not harass or discriminate against each other.
- Commit to not engaging in offensive comment or conduct.
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating.
- Take responsibility for not engaging in inappropriate behaviour due to use of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons’ mental and/or physical well-being.

A complaint regarding the Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. A complaint shall be brought to the attention of an ombudsperson when there is one available. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
3. The ombudsperson or the person in charge will work to seek a resolution. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge. The person in charge has the authority to expel members from the event for serious or persistent offenses.
4. If the complaint involves a national staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another CUPE chartered organization, the complaint shall be referred to the person responsible for their employment.
5. If the person in charge is a party to the complaint, an alternate will be designated to assume the role.
6. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For other events, the presiding officer shall receive a report on the matter.
7. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. For other events, the presiding officer shall consult the National President.

This Code of Conduct is designed to create a safe, respectful, and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member's right to access the trial provisions under Appendix F of the CUPE National Constitution.