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# Bylaws Local Union 4731

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## INTRODUCTION

Local 4731 of the Canadian Union of Public Employees has been formed to:

- Improve the social and economic well-being of all of its members;
- Promote equality for all members and to oppose all types of harassment and discrimination;
- Promote the efficiency of public services; and
- Express its belief in the unity of organized labour.

The following bylaws are adopted by Local 4731 in accordance with the CUPE National Constitution, to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

(Article 13.3 and Appendix B.5.1)

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organizations' activities. The CUPE National Equality Statement can be found in Appendix A to these bylaws.

CUPE chartered organizations may also wish to adopt a Local Union Code of Conduct that would apply to membership meetings and other functions organized by the chartered organization. the Local Union Code of Conduct can be found in Appendix B to these bylaws.

## SECTION 1 – NAME

(a) The name of this Local Union shall be Canadian Union of Public Employees, Local 4731, representing Employees who work for Social Services Agencies.

(b) Local 4731 consists of the following bargaining units:

FearIsNotLove (L4731-00)

Wood's Homes (L4731-01)

Workers Resource Centre (L4731-03)

Calgary Alpha House Society (L4731-07)

Trinity Place Foundation of Alberta (L4731-08)

True North Society (L4731-09)

(c) Section 1 (b) may be amended:

- (i) In accordance with Article XIII of the CUPE National Constitution, or
- (ii) By simple majority vote to add additional units for which Local 4731 is certified, or
- (iii) By notice of motion and a two-thirds majority vote at a succeeding membership meeting to merge or otherwise re-arrange units of Local 4731.

## SECTION 2 – OBJECTIVES

The objectives of Local 4731 are to:

- (a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- (b) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (c) Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers;
- (d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
- (e) Establish strong working relationships with the public we serve and the communities in which we work and live; and
- (f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

## SECTION 3 – REFERENCES

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

## SECTION 4 – MEMBERSHIP

### (a) **Membership**

An individual employed within the jurisdiction of Local 4731 can apply for membership in Local 4731 by signing an application and paying the initiation fee set out in Section 11(a) of these bylaws.

(Appendix B.8.1)

### (b) **Approval of Membership**

At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting object, the applicant(s) will be accepted into membership.

(Appendix B.8.2)

(c) **Oath of Membership**

New members will take this oath:

*“I promise to support and comply with the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union.”*

(Appendix B.8.4)

(d) **Continuation of Membership**

Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local Union unless the member loses good standing under the provisions of the CUPE National Constitution.

(Appendix B.8.3)

## **SECTION 5 – AFFILIATIONS**

In order to strengthen the labour movement and work toward common goals and objectives, Local 4731 shall be affiliated to and pay per capita tax to the following organization(s):

- The CUPE Alberta Provincial Division
- The CUPE Calgary District Council
- The Alberta Federation of Labour
- The Calgary & District Labour Council
- and to any other labour body that is in the best interest of the Local and voted on by the membership.

## **SECTION 6 – MEMBERSHIP MEETINGS**

(a) **General Membership Meetings**

General Membership Meetings of Local 4731 shall be held in February, May, September, and November. Notice of each General Membership Meeting outlining the date, time and location shall be given to members at least fourteen (14) days in advance of the meeting.

When a statutory holiday or a situation beyond the control of the Local Union arises which causes the cancellation of a General Membership Meeting, the Executive Board shall reschedule the General Membership Meeting and will give members seven days' notice of the date of the rescheduled General Membership Meeting.

(b) **Special Membership Meetings**

Special membership meetings of Local 4731 may be required and shall be called by the Executive Board or may be requested in writing by no fewer than 10 members. The President shall immediately advise members when a special meeting is called and ensure that all members receive at least forty-eight (48) hours' notice of the special meeting, the subject(s) to be discussed, the date, time and location. No business shall be transacted at the special meeting other than that for which the meeting is called, and notice given.

(c) **Quorum**

The minimum number of members required to be in attendance for the transaction of business at any General or Special meeting shall be ten (10) members in good standing, including at least two (2) members of the Executive Board.

Should quorum not be obtained at any General Membership Meeting, the Executive Board shall have the authority to conduct the business of the Local and will report at the next General Membership Meeting.

(d) **Bargaining Unit Meetings/Worksite Meetings**

As needed, Worksite meetings may be called to deal with matters that affect only members of the bargaining unit at each facility. The Unit Vice-President shall work with the President to set the agenda and conduct the business of the meeting.

Motions made and carried at a Worksite meeting shall be considered recommendations to the next meeting of the Executive Board.

It is recognized that from time to time the Worksites may have issues that do not affect the entire membership and therefore Worksites shall be allowed to hold regular or special meetings under the following guidelines:

- Quorum for such meetings shall be four (4) members or fifty per cent (50%) of the membership whichever is less.
- Minutes of such meetings shall be kept and provided to the Executive Board of Local 4731 upon reasonable request.
- All motions dealing with monetary issues that affect Local 4731 must be forwarded to and voted on at the next general meeting of Local 4731.

(e) The Annual General Meeting for elections will occur in November of every year.

(f) **Membership Meeting Agenda**

The order of business at regular membership meetings is as follows:

1. Acknowledgement of Indigenous Territory
2. Roll call of officers
3. Reading of the Equality Statement
4. Voting on new members and initiation
5. Reading of the minutes
6. Matters arising from the minutes
7. Secretary-Treasurer's Report
8. Communications and bills
9. Executive Board Report
10. Reports of committees and delegates
11. Nominations, elections, or installations
12. Unfinished business
13. New business
14. Good of the Union
15. Adjournment

(Appendix B.6.1)

- (g) If required, the Local will pay the cost of rental space for meetings.

## **SECTION 7 – OFFICERS**

The Officers of Local 4731 shall be the President, Lead Steward, Secretary Treasurer, Recording Secretary, three (3) Trustees and one (1) Unit Vice-President from each Worksite.

(Appendices B.2.1 and B.2.2)

## **SECTION 8 – EXECUTIVE BOARD**

- (a) The Executive Board shall include all Officers, except Trustees. (Appendix B.2.2)
- (b) The Executive Board shall meet at least eight (8) times per year. (Appendix B.3.14)
- (c) A majority of the Executive 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 National Constitution.

- (g) Should any Board member fail to answer the roll call for three (3) consecutive regular membership meetings or three consecutive regular Board meetings without having submitted good reasons for those absences, their office shall be declared vacant and shall be filled by an election at the following membership meeting.

(Appendix B.2.5)

## SECTION 9 – DUTIES OF OFFICERS AND SHOP STEWARDS

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. It is understood that all Officers are responsible for the finances and operating expenses of the Local.

(Appendix B.3.9)

All signing Officers of Local 4731 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.

(Appendix B.3.5)

### (a) **President**

The President shall:

- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
- Interpret these bylaws as required.
- 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 the same right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.
- Ensure that all Officers perform their assigned duties.
- Provide strategic leadership by developing and implementing long-term plans aligned with the Local's goals.
- Serve as the primary liaison with CUPE National, CUPE Alberta, representing the Local at conventions and regional meetings.
- Lead Employer relations, including negotiations, grievance escalations at Level 3 or higher, and mediating conflicts.
- Collaborate with the Secretary-Treasurer to ensure the Local's financial health by overseeing budgets and monitoring expenses.



- Chair Executive Board meetings and coordinate between committees to meet the Local's strategic objectives.
- Fill committee vacancies where elections are not provided for.
- Introduce new members and conduct them through the initiation ceremony.
- 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.
- Be allowed necessary and reasonable funds to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense, and with supporting receipt(s) attached.
- Have first preference as a delegate to the CUPE National Convention, CUPE Divisional Convention, CUPE's National Sector Council Conference.

(Appendix B.3.1)

(b) **Secretary-Treasurer**

The Secretary-Treasurer shall:

- If the President is absent or not eligible, perform all duties of the President.
- Preside over membership and Executive Board meetings in the absence of the President.
- Assume the President's duties by appointment of the Executive Board, if the President is not able, until an election can be held to fill the vacancy.
- 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.
- 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.
- Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including \$1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
- Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.

- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.
- Make a full financial report to meetings of the Local Union's Executive Board.
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
- Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office.
- Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.
- Make all books available for inspection by the Trustees and/or auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National.
- Where required, not later than February 28<sup>th</sup> each year, furnish each member, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid by them during the preceding calendar year.
- Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union's funds.
- Notify all members who are one month in arrears and report to the Executive Board all members two or more months in arrears in the payment of union dues.
- Be responsible for hotel bookings and travel arrangements for Union business, in conjunction with the Secretary.
- Act as the Local's Privacy Coordinator in accordance with the relevant bylaws and policies.
- Make recommendations as needed to ensure the continued financial viability of the Local Union.

(Appendices B.3.4 to B.3.8)

(c) **Lead Steward**

The Lead Steward shall:

- Assume the President's duties by appointment of the Executive Board, if the President is not able, until an election can be held to fill the vacancy.
- Oversee the training and development of stewards and officers, organizing workshops and ensuring strong workplace representation.
- Organize and conduct at least three training sessions per year for stewards from all units and the executive to enhance their skills and knowledge.
- Create and oversee training programs specifically focused on steward responsibilities, grievance handling, and effective representation.
- Provide guidance and support to stewards from all units, helping them develop their skills and address any challenges they face.
- Arrange and facilitate regular meetings with stewards from all units to discuss issues, share updates, and coordinate activities.
- Serve as the primary point of contact for stewards across all units, ensuring clear communication and support between them and the executive board.
- Foster an environment that encourages open dialogue and active participation among stewards at the local level.
- Keep accurate and up-to-date records of steward activities, training sessions, and meetings across all units.

(d) **Recording Secretary**

The Recording Secretary shall:

- Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings.

These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.

- Record all amendments and/or additions in the bylaws and make certain that these are sent to the National President for approval prior to implementing.
- Answer correspondence and fulfil other administrative duties as directed by the Executive Board.
- Keep a record of all correspondence received and sent out.

- Prepare and distribute all notices to members.
- Have all records ready on reasonable notice for the Trustees or auditors.
- Plan and make arrangements for Executive Board meetings and General Membership meetings.
- Collaborate with the President to run and operate the Local's social media page.
- Be a third signing authority on Local 4731's financial accounts.
- Preside over membership and Executive Board meetings in the absence of both the President and the Secretary Treasurer.
- Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of the Local Union's funds.
- Performs other duties required by the Local Union, its bylaws, or the National Constitution.

(Appendix B.3.3)

(e) **Unit Vice-President**

The Unit Vice-President(s) shall:

- Assume the President's duties by appointment of the Executive Board, if the President and Secretary Treasurer are not able, until an election can be held to fill the vacancy.
- Provide communications and information for the members in the unit to the Executive and from the Executive to the members.
- Act as primary Union contact at the worksite and Employer liaison.
- Provide worksite reports to the Executive and the Local.
- Perform Shop Steward duties as required at their worksite.
- Chair unit meetings as scheduled.
- Update Recording Secretary of member changes.
- Submit Labour Management agenda items at Executive Board meetings.
- Attend relevant Labour Management meetings.
- Conduct new staff orientation at their Worksite.

(f) **Trustees**

The Trustees shall:

- Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary, and the committees at least once every calendar year.
- Make a written report of their findings to the first membership meeting following the completion of each audit.
- Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that 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 have not been paid out without proper constitutional or membership authorization.
- Ensure that proper financial reports have been given to the membership.
- Audit the record of attendance.
- Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union and report their findings to the membership.
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
  - (i) Completed Trustee Audit Program
  - (ii) Completed Trustees' Report
  - (iii) Secretary-Treasurer Report to the Trustees
  - (iv) Recommendations made to the President and Secretary-Treasurer of the Local Union
  - (v) Secretary-Treasurer's response to recommendations
  - (vi) Concerns that have not been addressed by the Local Union Executive Board.

(Appendices B.3.10 to B.3.12)

(g) **Shop Stewards**

(a) The Shop Stewards shall:

- Take the Basic Stewarding course as soon as possible after being elected to the position.

- Know the Members under their jurisdiction and keep them informed on matters relating to Union business.
  - Represent the Members in grievances brought to their attention in consultation with the Unit Vice-President and the National Representative but will attempt to foresee where grievances might occur and attempt to correct the situation before it develops.
  - Attend all General and Special Membership Meetings of the Union unless circumstances prevent attendance.
  - Act as a Union Leader and communicator in their department or sub-department.
  - Solicit attendance of Members at General and Special Membership Meetings.
  - Shall receive twenty dollars (\$20) per month in out-of-pocket expenses: to be paid in November of each year for the previous year's stewarding.
  - Should any Shop Steward fail to answer the roll call for two (2) consecutive Shop Steward Meetings or training or fail to attend 2 out of the last 4 General Membership meetings, without having submitted good reason in advance, their office shall be declared vacant.
- (b) The number of Shop Stewards required at each Worksite shall be determined by the members at the Worksite. Any member who holds an Executive Board office shall also be recognized as a Shop Steward at their Worksite.
- (c) In order for a member to be a Shop Steward, they must be a member in good standing, they must work at the Worksite, and have taken CUPE's Introduction to Stewarding.
- (d) Steward nominations and elections, unless required, shall take place no less than once every two (2) years.

## **SECTION 10 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

### **(a) Nominations**

1. Nominations will be open for a period of no less than two (2) weeks in the month of September. Nominations will be submitted to the Electoral Officer.
2. Each candidate may provide the Electoral Officer a one (1) page poster that will be provided to each voting member prior to the election.
3. To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.

(Appendices B.8.1, B.8.2 and B.8.3)

4. A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.
5. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

**(b) Elections**

1. The President and Recording Secretary are elected in odd years. The Lead Steward, Unit Vice-Presidents, Secretary-Treasurer and Shop Stewards are elected in even years.
2. The terms of office for Trustees shall be so that one (1) serves for a period of three (3) years, one (1) serves for two (2) years and one (1) serves for one (1) year. The Local Union shall elect one (1) Trustee for a three (3) year period. No member who has been a signing officer for the Local Union is eligible to run for Trustee until at least one (1) full term of office has elapsed.
3. The President will appoint an Elections Committee, subject to the approval of the membership, consisting of an Electoral Officer and assistant(s). The committee will include members of the Local Union who are neither Officers nor candidates for office. The Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential. The National Representative assigned to the Local Union shall serve as an advisor to the committee.
4. The Elections Committee will ensure there is a secure and confidential electronic voting system for all elections by which members will cast their ballots.
5. Members in good standing will be notified that a vote will be taking place and the voting method being used. Notifications will be sent via email prior to the election and posted on all Union Bulletin Boards in each Worksite.
6. Balloting for each office will be open for forty-eight (48) hours.
7. Voting to fill one (1) office will be conducted and completed before balloting may begin to fill another office.
8. The candidate who receives the most votes will be declared elected.
9. In the event of a tie vote, a second and subsequent ballot(s) will be taken, if necessary, until a candidate receives the most votes and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
10. When two (2) or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

11. All election complaints by members will be submitted in writing to the Electoral Officer as soon as possible but in no circumstances will a complaint be valid if it is filed later than seven (7) days after the election. The Electoral Officer, in conjunction with the Elections Committee, will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next General Membership Meeting.

(c) **Installation of Officers**

1. All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office for two (2) years or until a successor has been elected and installed, provided, however, that no term of office shall be less than one year and no longer than three (3) years.  
(Appendix B.2.4)
2. A candidate who is elected to office must come forward to the podium and clearly communicate or affirm this oath:

*"I, \_\_\_\_\_, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term."*

(Article 10.7(b))

(d) **By-elections**

Should an office fall vacant pursuant to Section 7(g) of these bylaws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this Section.

## **SECTION 11 – FEES, DUES AND ASSESSMENTS**

(a) **Initiation Fee**

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. Each application for membership in the Local Union will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of two dollars (\$2.00) 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.

(Appendices B.4.1 and B.8.2)

(b) **Readmission Fee**

The readmission fee shall be two dollars (\$2.00).

(Appendix B.4.1)



(c) **Monthly Dues**

Monthly dues are based on regular wages. The monthly dues shall be an amount equal to the CUPE National percentage Per Capita plus decimal eight five percent (0.85%).

As of January 1, 2021, the Monthly Dues shall be an amount equal to the CUPE National percentage Per Capita plus decimal nine percent (0.9%).

(Appendix B.4.3)

(d) **Amending Monthly Dues**

Changes in the levels of the initiation fee, the readmittance fee, or the monthly dues can only be made at a regular or special membership meeting.

(Appendix B.4.3)

(e) **Assessments**

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. Membership approval is required, and the assessment will only be applied after the National President approves the assessment.

(Appendix B.4.2)

## **SECTION 12 – 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 or on a leave of absence from a Local 4731 Employer, they shall remain a member in good standing.

(Appendix B.8.6)

## **SECTION 13 – FULL-TIME POSITIONS**

- (a) The Executive Board shall deem the necessity to appoint a Table Officer to fill any full-time position. Such appointments shall be reported to the next general meeting.
- (b) Any permanent full-time book-off will be for a two (2) year period and shall be paid at their current wage plus eight dollars (\$8), to a maximum of the highest wage in the collective agreement.
- (c) When a member is booked off to replace a full-time Officer, the member shall receive the full-time Officer's out-of-pocket for the duration of the book off.

- (d) Mileage allowance for full-time Officers shall be the Canada Revenue rate in January of each year.
- (e) The Local will have Workers' Compensation coverage for any full-time Officer on permanent book off.
- (f) The President is the sole permanent full-time book-off position within Local 4731.

## **SECTION 14 – EXPENDITURES**

### **(a) Payment of Local Union Funds**

Funds can only be spent for valid purposes of the Local Union, including operating expenses, under the following circumstances:

- When the expenditure is authorized by a budget approved by a majority of members present and voting at a General or Special Membership Meeting;
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members present and voting at a General or Special Membership Meeting.

(Article B.4.4)

### **(b) Payment of Per Capita Tax and Affiliation Fees**

Authorization to pay per capita tax to CUPE National, to CUPE Alberta Provincial Division, or any labour organization the Local Union is affiliated with, is not required.

### **(c) Payment of Local Union Funds to Members or Causes Outside of CUPE**

In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than three hundred dollars (\$300.00), a notice of motion must be made at a Regular Membership Meeting and then approved at the following Regular or Special Membership Meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven (7) days after the meeting where notice of motion has been given.

- (d) No Officer or member of Local 4731 will be allowed to spend any Local Union funds without first having received authorization under Section 14(a) of these bylaws.

## **SECTION 15 – HONORARIUMS**

Local Union Officers and committee members shall be provided an honorarium as follows:

President	\$400 per month
Secretary Treasurer	\$400 per month
Recording Secretary	\$225 per month
Lead Steward	\$225 per month
Unit Vice-President (0-199 Members)	\$225 per month
Unit Vice-President (200+ Members)	\$325 per month
Shop Stewards (Paid in November)	\$20 per month

Trustees shall be booked off for one day to audit the books and shall be reimbursed an honorarium in the amount of \$75 per audit of the Local's books and accounts.

No member shall receive more than one honorarium; thus, the higher honorarium shall be paid to the member.

All honorariums listed above shall be reimbursed monthly. In order to receive their honorariums, Executive Board members must submit a Monthly Honorarium Form before payment is transacted. This form will detail the honorarium amount and include a summary of the work performed during the month.

## **SECTION 16 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATION**

Activism is a very important part of a Union and as such, Local 4731 will support any members interested in sitting on a CUPE Committee. The Local will support Committee members to attend the Division or National Convention.

Local 4731 may consider sponsoring members to sit on Committees for other labour bodies to which the Local is affiliated, and it is financially feasible.

- (a) Except for the President's option [Section 9(a)], all delegates to conventions shall be chosen by election at membership meetings.
- (b) To be eligible to run as a delegate to an affiliated organization or to attend a convention, conference, or week-long school, a member must have been accepted into the membership, continue to be a member in good standing, and must have attended at least three (3) of the last five (5) general membership meetings.
- (c) Delegates to affiliated labour bodies shall be elected yearly at the Annual General Meeting. The report shall be made at each membership meeting of the Local on proceedings at recent meetings of the affiliated labour body. Delegates to affiliated labour bodies will receive a per diem of \$20.00 per meeting attended paid annually in November.
- (d) The maximum number of delegates to out-of-city conventions or conferences shall be the President and up to three (3) additional delegates. Representation at week-long schools shall be limited to a maximum of two (2) delegates.
- (e) All delegates elected to conventions, workshops or education held outside their city of

residence shall be paid transportation expenses (at economy, tourist or coach rates, car-pooling whenever possible) or mileage at the current rate set by CUPE Alberta, receipted dependent care costs at the current rate and regulation set by CUPE Alberta, parking; hotel room costs and an out-of-pocket per diem of \$80.00 per day or \$100.00 per day if the event is outside of the worksite province or \$40.00 per half day or \$50.00 per half day if the event is outside of the worksite province as determined by the Executive Board who shall take into account the location and duration of the function as well as the amenities included with the registration fee. The Executive Board will reimburse the Employer for any lost wages incurred while a delegate is on union business.

- (f) Delegates to conventions, workshops or educationals held in the city of their residence shall have no travel allowance; however receipted parking and dependent care costs at the current rate and regulation set by CUPE Alberta will be reimbursed. There shall be a per diem allowance of thirty dollars (\$30.00) per day or fifteen dollars (\$15.00) per half day depending on the circumstances as determined by the Executive Board.
- (g) When all meals are provided at Local 4731 in house trainings and other Union business, attendees will receive a maximum of \$20.00 per day for incidentals.
- (h) Representation at educational institutes and seminars shall be determined by the Executive Board. The Local will send as many members to CUPE educational workshops as is financially feasible and may consider education facilitated by other labour bodies depending on the circumstances.
- (i) A report in writing must be provided to the members at the next General Membership meeting by anyone sponsored by Local 4731 to attend convention, education or conference.

## SECTION 17 – COMMITTEES

### (a) 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.

Local 4731 will pay for meals when a meeting occurs during normal dining hours.

#### 1. Negotiating Committee

The members of each bargaining unit shall establish a special ad hoc bargaining committee at least four months prior to the expiry of their collective agreement, which will automatically disband once a new collective agreement has been signed for that bargaining unit.

The function of each committee is to prepare collective bargaining proposals and to negotiate a Memorandum of Agreement, subject to ratification by the members in the bargaining unit.

Each bargaining committee shall consist of no less than two members. An Executive member from the Worksite will be given first preference to sit on the bargaining committee. If no such Executive member is available, the President will be given first preference to sit as a member on all bargaining committees.

All other members of the bargaining committee will be elected at a membership meeting held for the members of the bargaining unit. 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) Permanent 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. A member of the Executive shall be a member, ex-officio, of each committee. Local 4731 will pay for meals when a meeting occurs during normal dining hours.

There shall be three (3) permanent committees as follows:

1. Grievance Committee

The Grievance Committee shall consist of one (1) member from each unit in the Local. This committee will:

- Conduct thorough assessments of grievances referred to them.
- Advise the Local on whether grievances should proceed to arbitration or if additional perspectives are needed.
- Provide recommendations to the Local regarding the handling and progression of grievances.
- Act in accordance with any Terms of Reference adopted by the membership.

2. Bylaw Committee

This committee will:

- Review the bylaws bi-annually and make recommendations to the Executive Board on proposed amendments.

- Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.
- Ensure that the Local Union's bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.

The committee members will be the elected chairperson and four (4) members. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.

### 3. Social Committee

This committee will:

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 annually by the membership but, other than that, all social and recreational events and activities shall be self-supporting.

The Executive Board shall be held responsible for the proper and effective functioning of this committee. The committee shall comprise between two (2) to four (4) members and may appoint a Secretary-Treasurer from among its members. Local 4731 will pay for meals when a meeting occurs during normal dining hours.

All committee members, including unit bargaining committee members, will be compensated twenty-five dollars (\$25.00) per day to cover the cost of meals when attending any in-person meetings for the above committees.

## **SECTION 18 – COMPLAINTS AND TRIALS**

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

(Appendices B.11.1 and F)

## **SECTION 19 – RULES OF ORDER**

All meetings of the Local Union will be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these bylaws as Appendix C. 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 C to these bylaws, the CUPE National Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

## **SECTION 20 – AMENDMENTS**

### **(a) CUPE Constitution**

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. The National President has the sole authority to interpret the CUPE Constitution.

(Article 8.2(c), 12.3 and Appendix B.5.1)

### **(b) Additional Bylaws**

A Local Union can amend or add to its bylaws only if:

- (i) the amended or additional bylaws do not conflict with the CUPE Constitution.
- (ii) the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and
- (iii) notice of the intention to propose the amended or additional bylaws was given at least seven days before at a previous membership meeting or 60 days before in writing.

(Article 12.3 and Appendix B.5.1)

### **(c) Effective Date of Amended or Additional Bylaws**

The amended or additional bylaws do not come into effect until they have been approved in writing by the National President. The National President will decide whether to approve the amended or additional bylaws within 90 days of receiving them and will withhold approval only where they conflict with the CUPE Constitution.

(Article 12.3 and Appendix B.5.1)

## APPENDIX 'A' – CUPE NATIONAL EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation, and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile, or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic, or homophobic hurts and thereby divides us. So too does discrimination on the basis of ability, age, class, religion, language and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue, or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society, and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all persons deserve dignity, equality, and respect.



## 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 strives 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, national conferences, schools, meetings, and all other events organized by CUPE National, Local 4731, 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 this 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 the person 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 all 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 event 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 Bylaws of Local 4731, 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 of the CUPE National Constitution.

## APPENDIX 'C' – RULES OF ORDER

1. The President or, in their absence, the Secretary Treasurer, shall take the chair at all membership meetings. In the absence of both the President and Secretary Treasurer, 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 Chairperson.
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 (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, they shall rise in their place and respectfully address the presiding officer, but, except to state that they rises 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 Secretary Treasurer 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 (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 Chairperson, 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 Secretary Treasurer.
25. The Local's business, and proceedings of meetings, is not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

## APPENDIX 'D' – PERSONAL INFORMATION POLICY

This policy applies to CUPE Local 4731 and has been adopted pursuant to the *Personal Information Protection Act (PIPA)*, S.A. 2003, c. P-6.5.

1. CUPE Local 4731 has a Privacy Coordinator to look after the protection of information under *PIPA*. The Privacy Coordinator can be reached at:

**c/o Secretary-Treasurer, CUPE Local  
4731 201, 4216 10 Street NE  
Calgary, AB T2E 6K3  
Phone: 825-425-0589  
Email: [treasurer@CUPE4731.com](mailto:treasurer@CUPE4731.com)**

2. The Privacy Coordinator is responsible for handling questions and requests for information from members and making recommendations to the Executive for the handling and protection of information.
3. CUPE Local 4731 collects “personal information” as defined in *PIPA* in order to communicate with its members and fulfill its obligations under the collective agreement and the *Labour Relations Code*, RSA 2000, c L-1 (the “Code”).
4. Membership information is not shared with any other organization other than as is necessary to comply with the CUPE Constitution, Bylaws of the Local, as necessary to further the interest of the membership, or as otherwise required or permitted by law.
5. Pursuant to s.14 (c.1) of *PIPA*, CUPE Local 4731 is entitled to collect personal information about an individual without the consent of that individual if the collection of the information is necessary to comply with the collective agreement.
6. Pursuant to s.17 (c.1) of *PIPA*, CUPE Local 4731 is entitled to use personal information about an individual without the consent of that individual if the use of the information is necessary to comply with the collective agreement.
7. Pursuant to s.20 (c.1) of *PIPA*, CUPE Local 4731 is entitled to disclose personal information about an individual without the consent of that individual if the use of the information is necessary to comply with the collective agreement.
8. Furthermore, in the event of a labour dispute, CUPE Local 4731 is entitled to collect, use and disclose of personal information consistent with ss. 14.1, 17.1 and 20.1 of *PIPA*.
9. It is the Local’s policy to avoid the unnecessary collection of information.
10. Personal information will not be retained unnecessarily consistent with s. 35 of *PIPA*.

11. CUPE Local 4731 will take reasonable steps to ensure that all personal information it receives and collects is kept secure from theft, unauthorized access, use, and unwarranted disclosure.
12. CUPE Local 4731 will take reasonable steps to ensure that information used in decision- making or disclosed to third parties is accurate and complete.
13. Under *PIPA*, members have the right to access their personal information, with some exceptions. The Privacy Coordinator will be responsible for responding to requests for information and requests to correct information. Requests for information or for correction must be made in writing to the Privacy Coordinator. The Privacy Coordinator will respond to requests consistent with the requirements under *PIPA*.
14. Fees may be charged under *PIPA* for access to “personal information,” and may include costs incurred by the Local of finding and copying such information. Fees will be kept to a minimum. Before compiling the personal information, an estimate of fees to be charged may be given.
15. Any decision of the Privacy Coordinator may be appealed to the Executive. CUPE Local 4731 will make every reasonable effort to resolve any dispute without the need to involve the Privacy Commissioner under *PIPA*.