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| **CUPE**  **Ottawa District Council**  **Local**  **9125**    **By-Laws** |

**Amended** @ the Special Membership Meeting – November 27, 2018

**Approved** As per CUPE National President – January 29, 2019

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**Approved** As per CUPE National President –



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## INTRODUCTION

The Ottawa District Council, Local 9125 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 By-Laws are adopted by The Council in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of The Council, and to involve as many members of The Council as possible through the sharing of duties and responsibilities.

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 By-Laws.

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

## 

## SECTION 1 – NAME

This Council, chartered by the Canadian Union of Public Employees, shall be known as the Canadian Union of Public Employees Ottawa District Council (herein called The Council)

## SECTION 2 – OBJECTIVES

The aims and objectives of The Council shall be:

1. To use its influence to unite its affiliates in co-ordinating a collective bargaining program;
2. To assist in the organizing of the unorganized;
3. To aid and encourage the use of union made goods and services;
4. To promote and encourage educational programs for its affiliates;
5. To secure legislation which will safeguard and improve the rights of public employees through participation of its affiliates in the overall program of the Canadian Union of Public Employees and through participation of the Council in municipal affairs;
6. To promote public relations programs both at the Local and Council levels.

## 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 By-Laws.

## SECTION 4 – MEMBERSHIP

Membership in The Council shall be open to all local unions in the Ottawa District chartered by the Canadian Union of Public Employees. To remain an affiliate, a local union must abide by the CUPE Constitution and By-laws of The Council.

The Council shall not be dissolved while there are five (5) local unions remaining in affiliation.

Each affiliated local union shall be entitled to have four (4) voting delegates, namely the President and three (3) voting delegates from the local present at any general or special meeting of The Council. Alternate delegates may be appointed or elected from the local membership (this will not include any staff or local employed agents) but each affiliate will be allowed only four (4) voting delegates at any meeting.

All voting delegates of affiliated locals of The Council must register with the attendance officer at all general or special meetings.

Any affiliate which is three (3) or more months in arrears in per capita payment to the Council may be liable to suspension of affiliation.

Staff representatives may attend Council meetings with voice, but without vote.

## SECTION 5 – MEMBERSHIP MEETINGS

1. **General Membership Meetings**

General Membership Meetings of The Council shall be held on the fourth Wednesday of January, April and September at 7PM at the Ottawa Area Offices at 1378 Triole Ave, unless a different time of day or location is stipulated in the notice. Notice of each General Membership Meetings outlining the date, time and location shall be given to all Affiliated Locals at least ten (10) days in advance of the meeting.

When a statutory holiday or a situation beyond the control of The Council arises which causes the cancellation of a General Membership Meeting, the Executive Board shall reschedule the General Membership Meeting, and will give Affiliate Locals ten (10) notice of the date of the rescheduled General Membership Meeting.

1. **Special Membership Meetings**

Special Membership Meetings of The Council may be required and shall be called by the Executive Board or may be requested in writing by no fewer than 5 delegates. The President shall immediately advise Affiliate Locals when a Special Membership Meeting is called and ensure that all Affiliate Locals receive at least twenty-four (24) hours’ notice of the Special Membership 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.

1. **Quorum**

The minimum number of delegates required to be in attendance for the transaction of business at any General or Special Membership Meeting shall be five (5) eligible delegates with representation from at least four (4) affiliated local unions, that include at least three (3) Executive Board Members.

1. **Membership Meeting Agenda**

The order of business at Membership Meetings is as follows:

* 1. Roll call of officers
  2. Reading of the Equality Statement
  3. Adoption of the agenda
  4. Reading of the minutes
  5. Matters arising from the minutes
  6. Secretary-Treasurer’s Report
  7. Communications and bills
  8. Executive Board Report
  9. Reports of committees and delegates
  10. Nominations, elections, or installations
  11. Unfinished business
  12. New business
  13. Good of the Union
  14. Adjournment  
       (Article B.6.1)

Council shall keep a delegate attendance report which will be available to affiliated Locals upon written request*.*

Affiliated local unions wishing to submit any matter that it deems in the interest of the affiliate or in the interest of the public, may submit such matter in writing to the Recording Secretary of The Council. The Council affiliates should make such submissions to the Recording Secretary five (5) days prior to the meeting at which the affiliate wishes the matter presented for debate.

Any affiliate with The Council wishing to place a resolution before the Council shall present, in writing, the said resolution to the Recording Secretary who shall submit it to a meeting of the Executive Board.

Affiliated local unions will, at their discretion, forward to the Secretary of the Council two (2) copies of their executive and general meeting minutes or a résumé thereof to be kept on file and used by the executive for information.

## SECTION 6 – EXECUTIVE BOARD MEETINGS

Executive Board Meetings of The Council shall be held on the second Wednesday of January, February, April, May, September and October at 7PM at the Ottawa Area Offices at 1378 Triole Ave, unless a different time of day or location is stipulated in the notice. Notice of each Executive Board Meeting outlining the date, time and location shall be given to all members of the Executive Board at least seven (7) days in advance of the meeting.

When a statutory holiday or a situation beyond the control of The Council arises which causes the cancellation of a Executive Board Meeting, the President shall reschedule the Executive Board Meeting and will give all members of the Executive Board seven (7) notice of the date of the rescheduled Executive Board Meeting.

**Quorum**

Four (4) members of the Executive Board shall constitute a quorum.

## SECTION 7 – OFFICERS

The Officers of The Council shall be: President, Vice-President, Recording Secretary, Secretary-Treasurer, three (3) Trustees and a maximum of seven (7) Members-at-Large.

(Articles B.2.1 and B.2.2)

## SECTION 8 – EXECUTIVE BOARD

1. The Executive Board shall include all Officers, except Trustees.

(Article B.2.2)

1. There shall not be more than three (3) members of the Executive Board ~~Committee~~ from the same local union affiliate. The positions of President, Vice-President, Recording Secretary and Secretary-Treasurer shall not be filled by more than two (2) delegates from the same local.
2. The Executive Board shall hold title to any real estate of The Council as trustees for The Council. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a General Membership Meeting and having it approved.
3. The Executive Board shall do the work delegated to it by The Council and shall be held responsible for the proper and effective functioning of all committees.
4. Should any Executive Board member fail to answer the roll call for three (3) consecutive regular meetings or three (3) consecutive Executive Board meetings without having submitted valid reasons, their office shall be declared vacant and shall be filled at a by-election at the following membership meeting.

(Article B.2.5)

## SECTION 9 – DUTIES OF OFFICERS

Each Officer of The Council is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

All Officers must give all properties, assets, funds and all records of The Council to their successors at the end of their term of Office.

(Article B.3.9)

All signing Officers of TheCouncilshall 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.

(Article B.3.5)

1. **President**

The President shall:

* + Be an ex-officio member of all committees.
  + Enforce the CUPE National Constitution, these By-Laws and theEquality Statement.
  + Interpret these By-Laws 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.
  + Fill committee vacancies where elections are not provided for.
  + Introduce new delegates and conduct them through the initiation ceremony.
  + Sign all cheques and ensure that The Council’s funds are used only as authorized or directed by the CUPE Constitution, The Council By-Laws, 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 Council. 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.

(Article B.3.1)

1. **Vice-President**

The Vice-President 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.
  + If the office of the President falls vacant, be Acting President until a new President is elected through a by-election.
  + Render assistance to any member of the Executive as directed by the Executive Board.

(Article B.3.2)

1. **Recording Secretary**

The Recording Secretary shall:

* + Keep full, accurate, and impartial account of the proceedings of all General 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 By-Laws 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.
  + Preside over Membership and Executive Board Meetings in the absence of both the President and Vice-President.
  + Be empowered, with the approval of the membership, to employ administrative assistance to be paid for out of The Council’s funds.
  + Performs other duties required by The Council, its By-Laws or the National Constitution.

(Article B.3.3)

1. **Secretary-Treasurer**

The Secretary-Treasurer shall:

* 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 Council’s funds are used only as authorized or directed by the CUPE Constitution, The Council By-Laws, 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.

* 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 Council.
* 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 Council’s Executive Board.
* Make a written financial report to each General 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 auditorson 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.
* Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of The Council’s funds.

1. **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 Council’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 Council and report their findings to the membership.
  + Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
    1. Completed Trustee Audit Program
    2. Completed Trustees’ Report
    3. Secretary-Treasurer Report to the Trustees
    4. Recommendations made to the President and Secretary-Treasurer of the Local Union
    5. Secretary-Treasurer’s response to recommendations
    6. Concerns that have not been addressed by the Local Union Executive Board.

(Articles B.3.10 to B.3.12)

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

1. **Nominations** 
   1. Nominations will be accepted from delegates in attendance at the nomination meeting or from those delegates who have allowed their name to be filed in writing at the meeting, witnessed by another delegate.

All candidates for office shall be fully accredited delegates to the Council to be eligible for nomination.

* 1. A delegate 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.

1. **Elections**
   1. The voting will take place at the General Membership Meeting held in the month of January. The vote will be by secret ballot.
   2. All Officers shall be elected by the voting delegates.
   3. The President and Recording Secretary are elected in odd years. The Vice-President and Secretary-Treasurer are elected in evenyears.

* 1. Nominations and elections for one (1) of the three (3) Trustee positions shall take place every year at the General Membership Meeting in January. Each Trustee position shall be for a three (3) year term.

No member who has been a signing Officer for The Council is eligible to run for Trustee, until at least one full term of office has elapsed.

* 1. Nominations and elections for all Members-at-Large positions shall be held by number (one (1) through seven (7)) and will take place every year at the General Membership Meeting in January. Even numbered seats shall be elected in even years and odd numbered seats shall be elected in odd years.
  2. Elections of Officers will be by secret ballot and the presiding officer will appoint a returning officer and scrutineers from among the delegates to count them.
  3. Any candidate may appeal for a recount of votes at the election meeting.

1. **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) year(s) or until a successor has been elected and installed, provided, however, that no term of office shall be less than one (1) year and no longer than three (3) years.

(Article B.2.4)

2. **Obligation of Delegates**

I\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, sincerely promise and declare I will be faithful to the duties devolving upon me as a delegate to this Council, that I will attend all meetings of this Council if possible, and work at all times for, and in the interest of, this Council and the Canadian Union of Public Employees.

1. **By-elections**

Should an office fall vacant for any reason, the resulting by-election should be conducted as closely as possible in conformity with this section. The term of office for any position filled through a by-election will be the term that the vacated position was initially elected to fulfill.

## SECTION 11 – AFFILIATION FEES AND ASSESSMENTS

1. Each affiliate shall pay an affiliation fee of ten (10) cents per month per full-time member and five (5) cents per month per part-time/casual/relief member, paid bi-annually in advance.

NOTE: The amount may be increased or decreased subject to the annual audit and voted on by the delegates at the meeting in April.

1. All monies collected by the Secretary-Treasurer for an affiliation fee or from any other source, shall remain in the property of The Council until properly expended. Any affiliate ceasing to be an active member shall forfeit all rights, title and interest, in and to, the property of this Council, or any part thereof.

## SECTION 12 – EXPENDITURES

1. **Payment of Affiliation Fees**

Authorization to pay Affiliation Fees to CUPE National is not required.

1. **Payment of Local Union Funds to Members or Causes Outside of CUPE**

The donation policy of The Council upholds basic labour principles of solidarity, equality and equity. The Council donates only to Labour and Community organizations and groups that support these principles. The Council does not make donations to individuals. The amount available for donations will be set in the annual budget.

Donations may be made for the purposes of strike support and labour solidarity. As a general guideline, priority for strike supportwill be given to CUPE locals who are affiliated to The Council, followed by other CUPE locals followed by other union locals. Requests from other labour organizations will also be considered. Donations to support a striking local or for labour solidarity shall not exceed five hundred dollars ($500.00) per calendar year, unless otherwise approved at a General Membership Meeting.

Community donations may be made to organizations that provide services or engages in political action and advocacy of benefit to working people and their families in Ottawa. The Council will consider only one request from any organization in each fiscal year. Requests for donations must be made in writing. There is a limit of two hundred dollars ($200.00) for community donations.

## SECTION 13 – HONOURARIUMS

Council Officers shall be provided an honourarium as follows:

* The President of the Council shall receive an annual honourarium of four hundred and fifty dollars ($450.00).
* The Vice-President of the Council shall receive an annual honourarium of four hundred and fifty dollars ($450.00).
* The Secretary-Treasurer of the Council shall receive an annual honourarium of four hundred and fifty dollars ($450.00).
* The Recording-Secretary of the Council shall receive an annual honourarium of four hundred and fifty dollars ($450.00).
* Each Trustee shall receive an annual honourarium of one hundred dollars ($100.00).

Payment of honourariums shall be made as soon a possible each year following the Annual General Meeting and, if applicable, shall be pro-rated to reflect terms of less than twelve (12) months in the preceding year.

## SECTION 14 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

The President shall be the delegate to all conventions if he/she chooses unless he/she is already an elected delegate from his/her own local union to the same convention. In the latter case and/or if he/she does not choose to be a delegate to the convention, the delegate shall be elected from the Executive Board by the Executive Board.

Any delegate appointed or elected on any business of Council within Ottawa-Carleton District shall receive $55.00 per day expenses. These delegates may claim actual mileage at the current CUPE National’s rate when driving their own cars or claim actual taxi fares/ bus fare with receipts.

A delegate appointed or elected on Council business outside the area of Ottawa-Carleton District shall receive $75.00 per day expenses, plus transportation at economy fare and accommodation with receipts. If the delegate incurs any loss in wages, he/she shall be reimbursed by the Council for such loss in wages. An advance for estimated expenses will be given prior to departure.

## SECTION 15 – COMMITTEES

1. Standing Committee

Standing Committees shall be established on the recommendation of the Executive Board. Members of the committees shall be elected by the Executive Board and ratified at the next General Membership Meeting. Two (2) delegates and one (1) officer of The Council shall form each Standing Committee. Standing Committee members will be elected for a period of two (2) years.

All Standing Committees shall present regular reports to meetings of this Council, along with any recommendations.

1. Special Committees

Special Committees may be established by the Executive Board and the positions on the Committees filled by election or appointment by the President.

Copies of the minutes of meetings of these committees shall be forwarded to the Secretary of The Council not later than two (2) weeks after a meeting is held.

1. Education Committee

An Education Committee shall be established by the Executive Board and the positions on the Committee will be filled by election or appointment by the Secretary-Treasurer who will chair this committee.

The Education Committee will work with the National Union Development Department and Communications Branch of CUPE and with the regional Education Representative to set up educationals offered by The Council in the Ottawa Area. The committee will decide which workshops are offered and ensure that all registrants have paid the proper fees.

## SECTION 16 – RULES OF ORDER

All meetings of TheCouncilwill be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these By-Laws as Appendix C. These rules shall be considered as an integral part of the By-Laws and may be amended only by the same procedure used to amend the By-Laws.

In situations not covered by Appendix C to these By-Laws, 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 17 – AMENDMENTS

1. **CUPE Constitution**

These By-Laws are always subordinate to the CUPE Constitution (including Appendix B) as it now exists or may be amended from time to time, and in the event of any conflict between these By-Laws and the CUPE Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE Constitution.

(Articles 9.2(c), 13.3 and B.5.1)

(b) **Additional Bylaws**

The Council can amend or add to its By-Laws only if:

1. the amended or additional By-Laws do not conflict with the CUPE Constitution;
2. the amended or additional By-Laws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and
3. notice of the intention to propose the amended or additional By-Laws was given at least seven (7) days before at a previous membership meeting or sixty (60) days before in writing.

(Articles 13.3 and B.5.1)

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

The amended or additional By-Laws 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 By-Laws within ninety (90) days of receiving them and will withhold approval only where they conflict with the CUPE Constitution.

(Articles 13.3 and 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 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 Council is committed to ensuring that all of its meetings and activities are safe environments where delegate~~s~~ are encouraged to speak.

The Council strives to promote 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.

The Council is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. The Council needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. The Council expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for The Council sets out standards of behaviour for delegates at meetings, and all other events organized by The Council. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these By-Laws.

As delegates of The Council 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; and
* Take responsibility for not engaging in inappropriate behaviour due to abuse 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 delegate 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 delegate may bring forward a complaint.
2. Once a complaint is received, a designated Officer of The Council will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of The Council shall report the matter to the person in charge, who shall determine whether there is need to remove the delegate. The person in charge has the authority to expel delegates from the event for serious or persistent offenses.

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 By-Laws of The Council, 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 will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President will be the Chairperson at the membership meeting. In the absence of the President and Vice-President, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: “Is the The Council ready for the motion?” If no delegate rises to speak, the motion will be voted upon.
5. A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
6. A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
7. An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
8. On motion, the regular order of business at a membership meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
9. Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
10. At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.
11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A delegate who wishes to speak on a motion, or a delegate who wishes to move a motion, shall rise and respectfully address the Chairperson. The delegate shall not proceed until the delegate is recognized by the Chairperson except where the delegate rises to a point of order or on a question of privilege.
13. The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two or more delegates rise to speak at the same time.
14. A delegate, while speaking, will speak only to the issue under debate. Delegates shall not personally attack other delegates. Delegates will refrain from using language that is offensive or in poor taste. Delegates will generally not speak in a manner that reflects poorly on The Council or other delegates.
15. A delegate that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the delegate may continue speaking.
16. Religious discussion of any kind is not permitted.
17. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
18. The Chairperson will have the same right to vote as other delegates. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
19. When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.
20. The Chairperson will ask “Will the main question be now put?” where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
21. A motion to adjourn is in order except when a delegate is speaking or when delegates are voting.
22. A motion to adjourn, if lost, is not in order if there is further business before TheCouncil, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before The Council proceeds to another order of business, any delegate can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
24. If a delegate wishes to appeal a decision of the Chairperson, the delegate must appeal at the time the decision is made. If the appeal is seconded, the delegate will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, “Will the decision of the chair be upheld?” A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
25. At a membership meeting where a question has been decided any two (2) delegate who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds majority of delegates who vote. If two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.
26. Delegates are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a delegate leave during the reading of minutes, the initiation of new delegates, the installation of Officers, or the taking of a vote.
27. The Council’s business and the proceedings of meetings are not to be divulged to any persons outside The Council, or the Canadian Union of Public Employees.