



BYLAWS

**CUPE LOCAL 4060
Flair Airlines Limited**

As Approved on September 17, 2018

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INTRODUCTION

Local 4060 of the Canadian Union of Public Employees have 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 4060 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 Local Union, and to involve as many members of the Local Union 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 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

The name of this Local Union shall be Canadian Union of Public Employees, Local 4060 Employees of Flair Airlines Limited.

For the purpose of these bylaws, the Local will recognize each base as follows:

Abbotsford Base
Kelowna Base
Edmonton Base
Calgary Base
Hamilton Base

SECTION 2 – OBJECTIVES

The objectives of Local 4060 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 4060 **shall** apply for membership in Local 4060 by signing an application and paying the initiation fee set out in Section 11(a) of these bylaws.

(Article 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.

(Article B.8.2)

(c) **Oath of Membership**

New members will take this oath:

“I promise to support and obey 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.”

(Article 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.

(Article B.8.3)

(e) Member Obligations

Members are obligated to abide by the CUPE National Constitution and these bylaws as amended from time to time.

Members will provide the Recording Secretary with their current address, home telephone contact number and, where available, an e-mail address. The member will advise the Recording Secretary of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of mail, e-mail blasts or telephone town halls.

In the case of a telephone town hall, the telephone number may be shared with a service provider under contract to the Local Union to provide the technical equipment to support such a virtual meeting.

Upon request, the Local Union will share the telephone contact information with CUPE National, CUPE Ontario Division or any other Division the local affiliates to. The purpose of sharing this telephone contact information with CUPE National, CUPE Ontario Division or any other Division the local affiliates to is so that the National Union or Provincial Division can conduct a telephone town hall with members on important matters.

SECTION 5 – AFFILIATIONS

Local 4060 is not currently affiliated to any organizations, provincial division or district councils.

SECTION 6 – MEMBERSHIP MEETINGS

(a) Regular Membership Meetings

Regular membership meetings (**consisting of all bargaining units**) shall be held annually rotating among the base cities. A conference call line shall be set up to allow members to participate via call-in. Members in attendance and members participating via conference call shall be considered as part of the quorum requirement.

(b) Regular Base Membership Meetings

Regular Base membership meetings may be held at each base. Regular Base membership meetings may be called to deal with matters that affect only members of that base. Such meetings are not to be used to replace regular membership meetings and will not make decisions that affect the Local Union as a whole or another base.

(c) Special Membership Meetings

Special membership meetings of Local 4060 (**consisting of all bargaining units**) may be required and shall be called by the Executive Board or may be requested in writing by no fewer than thirty (30) members. The President shall immediately advise members when a special meeting is called and ensure that all members receive at least twenty-four (24) 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.

(d) Special Base Membership Meetings

Special Base membership meetings of Local 4060 may be required and shall be called by the Chairperson of the base with approval of the President of Local 4060, the Executive Board or may be requested in writing by no fewer than twenty percent (20%) of the base membership. The President shall immediately advise members when a special base meeting is called and ensure that all members receive at least twenty-four (24) hours' notice of the special base meeting, the subject(s) to be discussed, the date, time and location. No business shall be transacted at the special base meeting other than that for which the meeting is called and notice given.

(e) Notice of each regular membership and regular base membership meetings outlining the date, time and location shall be given to members at least seven (7) 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 regular membership or regular base membership meeting, the Executive Board shall reschedule the regular membership or regular base membership meeting, and will give members seven (7) days' notice of the date, time and location of the rescheduled regular membership or regular base membership meetings.

(f) Quorum

The minimum number of members required to be in attendance for the transaction of business at any regular or special meeting shall be five (5) members, including at least two (2) members of the Executive Board. In the absence of a quorum, the Executive Board may conduct the business of the Local, provided four (4) members of the Executive Board are present. The Executive Board must report back at the next regular membership meeting any actions and decisions taken.

(g) Regular Membership Meeting Agenda

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

1. Roll call of officers
2. Reading of the Equality Statement
3. Voting on new members and initiation
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)

SECTION 7 – OFFICERS

The Officers of Local 4060 shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary and three (3) Trustees.

(Articles B.2.1 and B.2.2)

SECTION 8 – EXECUTIVE BOARD

(a) The Executive Board shall include all Officers, except Trustees.

(Article B.2.2)

(b) The Executive Board shall meet at least eight (8) times per year. Four (4) of those meetings must be face-to-face. Other Executive Board meetings may be either face-to-face or via conference call.

(Article B.3.14)

(c) Three (3) members of the Executive Board shall constitute a quorum. Executives who can participate but are out of country or out of province may participate by conference call and constitute part of quorum.

(d) The Executive Board shall hold title to any real estate of the Local Union as trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.

(e) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.

(Article B.11.1 to B.11.5)

(f) The Executive Board shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.

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

(Article B.2.5)

(h) The Executive Board has authority over all grievances. If a decision to proceed or withdraw a grievance is opposed by the grievor, the grievor shall have the opportunity to appear before the Executive Board at the next scheduled Executive Board meeting to explain the merits of their grievance. If the Executive Board decision remains unchanged, the grievor shall be entitled, if they wish to have the issue placed on the

agenda for the next regular or special membership meeting from which the member is from. The decision of the membership shall be final.

SECTION 9 – DUTIES OF OFFICERS

Each Officer of Local 4060 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 Local Union to their successors at the end of their term of office.

(Article B.3.9)

All signing Officers of Local 4060 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.

(Article 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.
- 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.

(Article B.3.1)

- Inform the Executive Board in all matters involving the overall operation of the Local Union.
- Report to the Executive Board and to the general membership all significant issues discussed with the Employer.
- Serve on the Negotiating Committee, Labour Management Committee and Joint Occupational Health and Safety Committee.
- Be a member ex-officio of all other committees and be responsible for coordination between the committees and the Executive.
- Be responsible for matters directly related to press releases, public relations and public statements.
- Arrange for representation of the Local at any appropriate and available educational seminar or conference and submit recommendations accordingly to the membership.

- Ensure motions passed at any membership meeting are acted upon in a timely and effective manner.

(b) 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)
- Be an automatic delegate to all conventions and other functions if the President declines. (Article B.3.2)
- Be responsible for the overall coordination of all grievances to ensure that grievances are filed with the employer and processed in a timely manner.

(c) 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.
- 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 Local Union's funds.
- Keep an up-to-date record of names, addresses and phone numbers of all members.
- Performs other duties required by the Local Union, its bylaws or the National Constitution. (Article B.3.3)
- Be responsible for overlooking and ensuring that all administrative tasks of the Union are proper and organized.

(d) 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 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 one dollar (\$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.
- 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 (1) month in arrears and report to the Executive Board all members two (2) or more months in arrears in the payment of union dues.
 - File and process grievances in a timely manner, in coordination with the Vice-President.

(Article B.3.4 to B.3.8)

(e) 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.
- (Articles B.3.10 to B.3.12)

SECTION 10 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) Nominations

1. Notice of election shall be sent out no later than December of the previous calendar year of the election.
2. Members who desire to be nominated for a Local Officer position (President, Vice-President, Recording Secretary, Secretary Treasurer or Trustee) shall file nomination papers to be received by the Chairperson of the Election Committee by January 15th in the calendar year of the elections. Nomination forms as provided by the Election Committee must have the signature of the member being nominated and at least one other member. Nominations and elections for the President and the Recording Secretary shall occur in odd years. Nominations and elections for the Vice-President and the Secretary-Treasurer shall occur in even years.
3. To be eligible for nomination, the nominee must have been accepted into membership and continue to be a member in good standing.

(Articles 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 Elections Committee shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.
2. The Elections Committee will determine the form of the ballot.
3. The Elections Committee will be responsible for issuing, collecting, and counting ballots. The Chairperson must be fair and impartial and see that all arrangements are unquestionably democratic.
4. All votes will be by referendum using electronic voting process.

5. Elections shall be conducted by plurality so that the member with the most votes shall be declared elected. In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
6. In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
7. All election complaints by members will be submitted in writing to the Chairperson 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 Election Committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.
8. 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.
9. Voting to fill one office shall be conducted and completed, and recounts dealt with before balloting may begin to fill another office.

(c) Installation of Officers

1. All duly elected Officers (except Trustees) shall be installed on March 1st of the Officer's election year or 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 years.

(Article B.2.4)

2. The terms of office for Trustees shall be so that one (1) serves for a period of three (3) years, one (1) for two (2) years, and one (1) for one (1) year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, 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 Oath of Office to be read by the newly-elected Officers is:

"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 11.6(b))

(d) 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 – 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 one dollar (\$1.00) 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.

(Articles B.4.1 and B.8.2)

(b) **Readmission Fee**

The readmission fee shall be one dollar (\$1.00).

(Article B.4.1)

(c) **Monthly Dues**

The monthly dues shall be one point five percent (1.50%) of regular wages.

(Article B.4.3)

(d) **Amending Monthly Dues**

The regular monthly dues may be amended at by referendum vote. The vote must be by secret ballot. Notice of at least seven (7) days at a previous meeting or sixty (60) days in writing must be given.

(Article 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.

(Article B.4.2)

SECTION 12 – NON PAYMENT OF DUES AND ASSESSMENTS

A member who fails to pay dues and assessments for three (3) months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union.

A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but may not be required to pay arrears.

(Article B.8.6)

SECTION 13 – EXPENDITURES

(a) Payment of Local Union Funds

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

- When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting;
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members present and voting at a regular or special membership meeting.
- Any Union expenditure over fifteen hundred dollars (\$1500.00) must be duly authorized by a simple majority vote of the membership at a regular or special meeting of the Local Union.

(Article B.4.4)

(b) Payment of Per Capita Tax and Affiliation Fees

Authorization to pay per capita tax to CUPE National, to CUPE Ontario Provincial Division, or any labour organization or CUPE Provincial Division 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 one hundred dollars (\$100.00), 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 4060 will be allowed to spend any Local Union funds without first having received authorization under Section 13(a) of these bylaws.

SECTION 14 – OUT-OF-POCKET EXPENSES

Union members on approved union business shall be entitled to reimbursement of expenses according to the following guidelines:

- a) Full reimbursement of any and all lost wages and benefits.
- b) Actual accommodation costs.
- c) Transportation expenses or if using own vehicle, at kilometer allowance equal to the Canada Revenue Agency non-taxable mileage allowance rate at the time of travel, bridge fare and highway toll if applicable.
- d) Parking reimbursed with receipts.
- e) Per Diem will be forty-three dollars (\$43.00) for half day meetings or eighty-six dollars (\$86.00) for full day meetings (four (4) or more hours) when in-town.
- f) Per Diem will be eighty-six dollars (\$86.00) when out of town overnight.

Executive Board members shall receive up to fifty dollars (\$50.00) per month for communications (cell phone) costs incurred on behalf of the Local. Any additional communication costs above the fifty dollar (\$50.00) per month may be submitted for reimbursement with approval of the President or Secretary-Treasurer.

SECTION 15 – CHILD CARE, DEPENDENT CARE AND ELDER CARE

Caring for children, dependents or the elderly are barriers to actively participating in the union or to attending membership meetings. Local 4060 is committed to removing barriers within its control so that all members have equal access to participation.

Children, dependents and elderly care expenses (including special needs care for children) will be reimbursed to a maximum of thirty-five dollars (\$35.00) per day when on approved union business with appropriate receipts where required.

Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

SECTION 16 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

- (a) The President shall have the first option to attend National Convention, other conventions, conferences and educationals.
- (b) Representation at conference and educational seminars shall be on the recommendation of the President subject to the final approval of the Executive Board. The Local shall endeavor to provide equal educational opportunities per capita by base. Expenses shall be paid in accordance with section 14. Any member selected to attend a conference or educational seminar will be expected to use the information for the good of the Local.
- (c) All delegates attending conventions, conferences, or educationals shall be paid out of pocket expenses as per section 14 as determined by the Secretary-Treasurer.

SECTION 17 – COMMITTEES

All Committees will operate under the direction of the Executive Board and the membership consistent with these bylaws. Committee membership will be by election at the Base meeting or by appointment as specified in the committee description. Where committee members are to be appointed, the membership will be canvassed to determine who would be interested in participating before appointments are made. Vacancies will be filled at the next membership meeting. The President in consultation with the Executive Board will appoint Committee chairs, except where otherwise stated. Each Committee will establish its own working procedures and record them for the convenience of new members appointed to the Committee. Each Committee will elect its own secretary from among its members. Committees will regularly deliver reports to the Executive Board and the membership and will prepare written copies of these reports for the convenience of the Recording Secretary. Various departments shall be equitably represented on Committees whenever it is possible and reasonable.

(a) **Negotiations Committee(s)**

- i. The Negotiations Committee for the Cabin Crew shall be comprised of the President, Vice-President, the Secretary-Treasurer and the Recording Secretary.
- ii. The CUPE Representative(s) 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.
- iii. The Negotiation Committee shall have the authority to bargain a Memorandum of Settlement for a new Collective Agreement. The Memorandum of Settlement shall be presented to the membership for ratification.

(b) **Labour Management Committee**

The function of this committee is as outlined in the Collective Agreement. A member of the Executive Board may act as an alternate if any of the members are unable to attend. If no member of the Executive Board is available, the President shall appoint another alternate. The Committee shall report on its meetings to both the Executive Board and the membership.

The Committee members will be President, Vice-President, Secretary-Treasurer and Recording Secretary. The President will be the Chairperson of the committee.

(c) **Joint Occupational Health and Safety Committee**

It is the function of this Committee to maintain and improve safety in the workplace through the enforcement of the *Occupational Health and Safety Act* (Federal) and its Regulations and the Collective Agreement provisions on safety. The Union's representatives shall include the President or designate. Members shall be appointed by the Executive Board to represent the bases.

The Joint Occupational Health and Safety Committee shall consist of three (3) members. The President will be the Chairperson of the committee. The remaining two (2) members may be appointed by the Executive Board.

(d) **Grievance Committee**

The Grievance Committee shall consist of the Executive Board. It is the function of this committee to process all grievances not settled at the initial stage, submit a copy to the CUPE Representative(s) including supporting documentation and report to the Base Membership Meetings, Executive Board and National Representative(s). Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants or a Local Officer, as provided for in the Collective Agreement. The Executive Board shall have the ability to establish a shop steward network at each base.

(e) **Elections Committee**

An Elections Committee shall be appointed at the December Executive Board meeting each year and its mandate shall be to conduct any elections necessary during that year. The Committee shall consist of three (3) members of the local who are neither Officers nor candidates for office. The President shall appoint one (1) member of the Elections Committee as the Chairperson. The CUPE National Representative(s) assigned to the Local shall be a non-voting member of the Committee.

(f) **Special Committees**

A special ad hoc Committee may be established for a specified purpose and period by the Executive Board. The members shall be appointed by the President and/or the Executive Board or elected at Base meetings.

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.

(Articles B.11.1 to B.11.5)

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.

(Articles 9.2(c), 13.3 and 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 (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 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 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)

SECTION 21 – PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 4060 bylaws, either in paper format or in electronic format. Members with special needs may request a copy of the bylaws in larger font.

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

Local 4060 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

Local 4060 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.

Local 4060 is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 4060 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 4060 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 4060 sets out standards of behaviour for members at meetings, and all other events organized by Local 4060. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. 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 members of Local 4060 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 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. Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.

3. If this fails to resolve the matter, the designated Officer of the Local Union shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members 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 Bylaws of Local 4060, 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 (5) 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 (15) minutes. With the agreement of the members present, the fifteen (15) 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 Local ready for the motion?” If no member 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 (2/3s) 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 (1) 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 member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member 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 (2) or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
15. A member 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 member 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 members. 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 (6) 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 member is speaking or when members are voting.
22. A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen (15) minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member 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 member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member 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) members 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 (2/3s) majority of members who vote. If two-thirds (2/3s) majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.

26. Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
27. The Local Union's business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.