



Operating Bylaws of the Canadian Union of Public Employees Local 5167

To be read in conjunction with the CUPE National Constitution



Approved by the Membership November 22, 2021

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Article 1. Introduction

CUPE Local 5167 of the Canadian Union of Public Employees was formed to:

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

The following bylaws are adopted by **CUPE Local 5167** 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 **CUPE Local 5167**.

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

CUPE Local 5167 is a composite local made up of the following bargaining units: and all such bargaining units as may merge, amalgamate or be organized by the local union.

- a) Airport;
- b) City of Hamilton;
- c) DARTS;
- d) Good Shepherd;
- e) Lodges;
- f) Royal Botanical Gardens;
- g) St. Matthew's House.

Article 2. Objectives

The objectives of **CUPE Local 5167** are to:

- i. Secure the best possible pay, benefits, working conditions, job security, pensions, and retiree benefits for its members.
- ii. To improve the health and safety and general working conditions within our workplaces.
- iii. Provide educational opportunities and activities for its members to influence and shape their future through free democratic trade unionism.
- iv. Encourage the settlement by negotiation and mediation of all the disputes between the members and their employers.
- v. 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.
- vi. Establish strong working relationships with the public we serve and the communities in which we work and live.
- vii. All local meetings and events will be conducted in accordance with the Equality Statement as per the CUPE National Constitution. In addition, all General Membership Meetings will open with the Equality Statement being read out loud and membership will stand if they are able to do so.

Article 3. CUPE Local 5167 Organization Structure

3.1

Highest Authority

The highest decision making shall be the General Membership Meeting.

General Membership will approve or deny all motions regarding:

- application for membership
- the political direction of the local
- the annual budget
- any changes to the bylaws and structure of the organization

General Membership will approve all delegates that attend conferences and conventions by motion or vote.

3.2

Executive Board

Between General Membership Meetings, the highest authority shall be the Executive Board, Full Time Officers and Signing Authorities to administer the day-to-day operations of the local business as outlined in Executive portfolios.

Executive Board decisions shall be reported to the General Membership via the Executive Board Reports.

3.3

Representing CUPE Local 5167 to the Public and Employers

Each Executive Board Member needs to be mindful of the scope of their role and adherence to these bylaws and policies approved by membership.

Executive Board Members will not engage in publicly representing CUPE Local 5167. The direction must come from Executive Board or Membership or adhere to article 9.3.

	<p>Executive Board Members should not be at public events in 5167 swag and using their title if the local has not organized attendance at the event or supporting a political candidate that has not been endorsed by the local membership.</p> <p>Violations will be subject to article 30 Accountability.</p>
<p>3.4 Paid Leaves of Absence (LOA)</p>	<p>Any union paid leaves of absence (LOA) shall be granted with the approval of the Treasurer, Executive Administrator and President. The requestor will complete the LOA form and submit it to the office coping the Treasurer, Executive Administrator and President.</p>
<p>3.5 Confidentiality</p>	<p>All members elected to a position or committee under these Bylaws shall sign the Confidentiality Agreement.</p>
<p>Article 4. Membership</p>	
<p>Article 5. Rules of Order</p>	
<p>5.1 Parliamentary Procedures</p>	<p>Rules of debate and parliamentary procedure, as defined in the CUPE booklet Parliamentary Procedure</p>

	and Bourinot’s Rules of Order; shall govern debate, except as herein otherwise noted.
5.2 Divided Question	At the request of any member, and with the approval of a simple majority of those present, a question may be divided.
5.3 Adhere to the Question	Every member, while speaking, shall adhere to the question under debate, avoid making personal references, refrain from offensive language, as well as any negative reflection on the Local or any member thereof.
5.4 Speakers	No member, except the Chairperson of a Committee or the mover and seconder of a resolution, shall speak more than once on the same question until all who wish to speak have had an opportunity to do so.
5.5 Voting	The Presiding Officer shall have the same rights as other members to vote on any question. In case of a tie, they may cast a deciding vote or, if they choose, refrain from voting, in which case the motion does not prevail, and the decision is in the negative.
5.6 Tiling the Doors	No member shall enter or leave a meeting while ballots are on the floor or are being cast.
Article 6. General Membership Meetings (GMM)	
6.1 Order of Business	Order of Business: <ul style="list-style-type: none"> i. Call to order ii. Minute of Silence for Workers Killed or Injured on the Job iii. Role Call of Officers iv. Equality Statement v. Applications for Membership vi. Presentation of the Minutes vii. Business Arising from the Minutes

	<ul style="list-style-type: none"> viii. Financial Report ix. Correspondence for Discussion x. Correspondence for Information xi. Reports of Officers xii. Reports of Committees and Delegates xiii. Nominations and Elections xiv. Unfinished Business xv. New Business xvi. Good of the Union xvii. Adjournment
6.2 Voting	All issues shall be decided by a majority vote except where 2/3 majority is required. A secret ballot shall be held at the request of a member, provided that a majority of the members present agree.
6.3 Suspending the Order of Business	The regular order of business shall only be suspended after the roll call of officers and for good and specific reasons. Such suspension must be supported by a simple majority of members present.
6.4 Quorum	A quorum for the membership meeting shall be eighteen (18) members, one (1) Table Officer and one (1) Executive Board member, for a total of twenty (20) people.
6.5 Meeting Notice	Members will be notified of Membership Meetings by posting on workplace notice boards.
Article 7. Special General Membership Meetings	
7.1 Calling of a Special	Special General Membership Meetings may be called at any time by the Executive Board, or by a petition signed by twenty-five (25) members. Forty-eight (48)

General Membership Meeting	hours notice must be given to members affected by posting a notice in the workplace. The posting must include the purpose of a meeting.
7.2 Reason in writing	Reasons for calling a Special General Membership Meeting, and the members to be notified, shall be submitted, in writing, to the Executive Administrator.
7.3 Scope	No policy decisions shall be taken at Special General Membership Meetings if it is outside the scope of the purpose for which the meeting was called.
7.4 Quorum	A quorum for Special General Membership Meetings shall be twenty-five (25) members, including one Table Officer and four (4) Executive Board members. The transaction of business at a Special General Membership Meeting is restricted to business relating to the purpose of the meeting
7.5 Ratification	Where it is the intention of the meeting to ratify or otherwise approve a document, memorandum, or letter of agreement, at the above noted meeting, the said document, memorandum or letter of agreement shall be made available at the union office five (5) working days in advance of the meeting.
Article 8. Executive Board	
8.1 Executive Board Positions	<p>The Executive Board shall be made up of the following positions:</p> <p>Table Officers:</p> <ul style="list-style-type: none"> i. President ii. Vice-President iii. Executive Administrator iv. Treasurer v. Second Vice-President vi. Education Coordinator vii. Fourth Vice President

	<p>viii. Equity and Diversity Coordinator</p> <p>Unit Vice Presidents:</p> <p>ix. Airport Unit Vice President</p> <p>x. City Inside Vice President</p> <p>xi. City Outside Vice President</p> <p>xii. DARTS Unit Vice President (Accessible Transit Operators Workgroup Logistics Specialist Workgroup)</p> <p>xiii. Good Shepherd Unit Vice President (Women’s Services Workgroup Family Centre Workgroup and Reaching Home Workgroup)</p> <p>xiv. Lodges Unit Vice President (Macassa Workgroup Wentworth Workgroup)</p> <p>xv. Royal Botanical Gardens Unit Vice President</p> <p>xvi. St. Matthew’s House Unit President</p>
<p>8.2 New Units</p>	<p>As other bargaining units are organized, merged, or amalgamated, a Unit Vice-President may be elected to the Executive Board. They may also join an existing unit depending on the factors of the workgroup.</p>
<p>8.3 Executive Board</p>	<p>The Executive Board shall meet at least once per month. The President will call emergency/special meeting at any time. The President will call an emergency/special meeting if a majority of Executive Members make a request in writing.</p>
<p>8.4 Quorum</p>	<p>A quorum of the Executive Board shall be seven members of the Executive Board, one of whom shall be a Table Officer.</p>
<p>8.5 Recommendations to Membership</p>	<p>The Executive Board shall make recommendations to the General Membership Meeting with regard to finances, correspondence, committee reports and all matters affecting the Local.</p>

<p>8.6 Absences</p>	<p>In the event that an Executive Board member is absent from three consecutive meetings of the Executive Board and/or Membership, without good and sufficient cause, the Executive Board shall declare such office vacant.</p>
<p>8.7 Out of Scope</p>	<p>Any Executive Board member, upon accepting duties which take them out of the scope of Local 5167 Collective Agreements, shall be deemed to have immediately resigned from such union office or position for the duration of the term.</p>
<p>Article 9. President</p>	
<p>9.1 Chief Executive Officer</p>	<p>The President shall function as the Chief Executive Officer of the Local and shall exercise supervision over the affairs of the Local.</p> <p>The President shall meet semi-annually with each Executive Board Member to ensure they are meeting the goals of their portfolio.</p>
<p>9.2 Signatory</p>	<p>The President shall be signatory to all official documents, shall be a co-signatory for all orders on the Treasury, and shall be bondable.</p>
<p>9.3 Media/Spokesperson</p>	<p>The President, or the President's designate (documented in writing), shall be the official spokesperson for the Local with media. Media is understood as news media, broadcasting (podcasts, news, radio) and letters sent to political bodies and/or City Council and organizations.</p> <p>The President will make every effort to consult with the Executive or appropriate Unit Vice President on matters prior to them being reported to the media. In the event, it was urgent, the President will advise the Executive Board by email afterwards.</p>
<p>9.4 Bylaw Interpretation</p>	<p>The President shall have the authority to interpret these By-Laws. Their interpretation shall be fair and will ensure the intent and objectives of these By-Laws, subject to the Constitution.</p>

<p>9.5 Full Time Position</p>	<p>The Office of the President shall be a full-time position and paid at the highest wage grade in any of the bargaining units. The benefits for the President shall be acquired from CUPE National.</p>
<p>9.6 Presiding at General Membership Meetings (GMM)</p>	<p>The President shall open and preside at General Membership Meetings and Special Membership Meetings. The President shall see that officers and members perform their respective duties, preserve order, follow the correct order of business, and decide all rules of order, subject to appeal to the membership.</p>
<p>9.7 Political Action</p>	<ul style="list-style-type: none"> i. The President, or the President’s designate (documented in writing), shall be the lead for all political action campaigns that have been approved by membership as per article 34.2. ii. The President, or the President’s designate (documented in writing), will be responsible for coordinating all activities to mobilize membership to engage in political action being coordinated by CUPE Ontario. iii. The President, or the President’s designate (documented in writing), will organize member participation for municipal, provincial and federal elections.
<p>9.8 Committees</p>	<p>The President will be a member of all regular and/or special committees of the Local.</p>
<p>9.9 Appointed Committees</p>	<p>The President may appoint all committees not constitutionally provided for.</p>
<p>9.10 Elected Committees</p>	<p>In case of a Committee vacancy, the President shall appoint an interim officer or standing committee member in consultation with the executive board until such vacancy can be filled by election if so required.</p>

9.11 Bargaining	The President, or their designate, shall be the Chairperson of the Bargaining Committee of each bargaining unit.
9.12 Conventions & Conferences	The President and or designate shall be a constitutional delegate to all conferences and conventions.
9.13 Return of Property	At the termination of their office (or an extended leave of absence), the President shall surrender to their successor, all books, papers, seals, documents and other property of the Local.
Article 10. Vice President	
10.1 Coordination	The Vice-President shall be responsible for the coordination of issues between all bargaining units under their responsibility (as designated by the Executive Board).
10.2 Full Time Position	The Vice President shall be a paid fulltime position.
10.3 Chief Steward	<ul style="list-style-type: none"> i. The Vice-President shall be the Chief Steward of the Local. ii. The Chief Steward is responsible for chairing monthly Steward Meetings. iii. The Chief Steward will ensure the local adheres to the Steward Policy.
10.4 Absence of President	The Vice-President shall, in the absence of the President, fulfill the duties of the office of President.
10.5 Co-signatory	The Vice-President shall be a co-signatory on the Treasury and shall be bondable.
10.6 Unit Meetings	The Vice-President shall attend all Unit Meetings of the Units of the Local under their responsibility.

10.7 Reporting	The Vice-President shall report to the Local on the functions and activities of all Units under their responsibility
10.8 Stewards List	Vice President shall maintain an updated list of all elected location stewards. The Vice President shall inform the Executive Administrator and Unit Vice Presidents of all changes.
10.9 Return of Property	The termination of their office (or an extended leave of absence), the Vice-President shall surrender to their successor, all books, papers, seals, documents and other Property of the Local.
Article 11. Executive Administrator	
11.1 Scope	<ul style="list-style-type: none"> i. The Executive Administrator shall keep a correct and full record of each General Membership Meetings and Executive Board Meetings. ii. The Executive Administrator may be invited to Unit Meetings or Special Meetings to keep local record. iii. The Executive Administrator will be responsible for data management, files, office process and procedures, record keeping and historical digital archives.
11.2 Full Time Position	The Executive Administrator shall be a paid fulltime position.
11.3 Co-Signatory	The Executive Administrator shall be a co-signatory to all official documents of a general nature, a co-signatory on the Treasury, and shall be bondable.
11.4 Communication & Correspondence	The Executive Administrator shall receive and review all communications sent to and from the Local and shall maintain a correspondence file. The Executive Administrator shall ensure all correspondence is forwarded to the appropriate executive members or committees.

<p>11.5 Communications Committee</p>	<p>The Executive Administrator shall be the Chairperson and Editor of the Communication Committee. They will coordinate the committee term overview and organize article submissions for the newsletter.</p>
<p>11.6 Bylaw Committee</p>	<p>The Executive Administrator shall be the Chairperson of the Bylaw Committee. They will review the bylaws with the committee and keeping a record of all recommended changes, notices of motion and versions.</p>
<p>11.7 Postings & Distribution</p>	<p>The Executive Administrator shall prepare all postings and notices to the members and shall coordinate the distribution of materials to the membership in sufficient time to permit their attendance or participation.</p>
<p>11.8 Social Media</p>	<p>The Executive Administrator will create and post appropriate social media and eblasts, including maintaining the website. They will remove any public comments that disparage the work of local membership immediately or that contravenes the CUPE National Equality Statement. They will report any criticism or complaints to the Executive Board.</p>
<p>11.9 Constitution</p>	<p>The Executive Administrator shall keep all notices of motions and amendments to the Constitution or otherwise shall have a master copy of the Constitution and By-laws on file.</p>
<p>11.10 Bargaining Committees</p>	<p>The Executive Administrator may be included as a member of the Local's Bargaining Committees, as deemed appropriate by the Executive Board.</p>
<p>11.11 Records</p>	<p>The Executive Administrator shall be responsible for keeping all records of the Local for not less than seven years, including (but not limited to): meeting minutes, correspondence, and all other pertinent records. Records may be deposited with the Labour Archives Section of the McMaster University Library once the period of seven years has been exceeded.</p>
<p>11.12 Meeting Set-up</p>	<p>The Executive Administrator shall arrange for the set up and booking of halls and rooms for meetings as</p>

	directed and/or approved by the Executive Board or membership.
11.13 Staff Supervisor	The Executive Administrator shall be responsible for supervising the administration staff as per their Collective Agreement.
11.14 Facilities Administration	The Executive Administrator shall be responsible for the office facilities and administration of office contracts and service providers.
11.15 Other Duties	The Executive Administrator shall perform all such other duties as may be incidental to the functioning of the office and fulfill those that the Executive Board or the Local is legally entitled to order the Executive Administrator to perform.
11.16 Policy Manual	The Executive Administrator shall be responsible for maintaining the CUPE Local 5167 policy manual.
11.17 Policies & Procedures	The Executive Administrator shall be responsible for developing, maintaining and implementing the policies and procedures for 5167 Employees covered under COPE Local 343 subject to Executive Board approval.
11.18 Membership Database	The Executive Administrator shall be responsible for maintaining the Local's membership database.
11.19 Return of Property	At the termination of their office (or an extended leave of absence), the Executive Administrator shall surrender to their successor, all books, papers, seals, documents and other property of the Local.

Article 12. Treasurer

12.1

Accounts

- i. The Treasurer is responsible to ensure the financial records of the Local are maintained and all deposits, expenditures and financial accounts are accurate and reported to the Executive and Members in a timely manner
- ii. The Treasurer shall monitor all bank accounts and ensure there is no excess money in the chequing account except as is necessary to conduct business of the Local on a regular basis.
- iii. The Treasurer shall not allow the cash in the current chequing account to exceed two hundred and fifty thousand dollars (\$250,000). All securities of the Local shall be deposited, for safekeeping, with one or more bankers, trust companies, credit unions, or other financial institutions to be selected by the Executive Board and approved by the membership.

12.2

Co-signatory

The Treasurer shall be a co-signatory to all official documents of a financial nature, a co-signatory on the Treasury, and shall be bondable.

12.3

Receiving Dues

- i. The Treasurer shall ensure a correct and proper count of its members by ensuring all dues, initiations, fees and fines are collected and deposited in the Local's financial institution.
- ii. The Treasurer shall receive all initiation fees, dues, assessments and fines from the members of the Local and shall deposit it in the name of the Local in such financial institutions as the Executive may direct.

12.4

Deposits

The Treasurer shall deposit all cash and cheques as necessary and maintain duplicate records of all deposits.

<p>12.5 Disbursement</p>	<p>The Treasurer shall ensure all disbursements for the Local are made as provided for in Article B.4.4 of the Constitution of the Canadian Union of Public Employees.</p>
<p>12.6 Investments</p>	<p>The Treasurer shall endeavor to invest excess funds in short term, easily accessible investments that yield a greater return providing the initial capital invested is guaranteed.</p>
<p>12.7 Bonding</p>	<p>The Treasurer shall ensure that all officers of the Local are bonded at the appropriate level in accordance with the CUPE constitution. The Treasurer shall be qualified for a bond as per Article B.3.5 of the National Constitution of the Canadian Union of Public Employees</p>
<p>12.8 Financial Records</p>	<ul style="list-style-type: none"> i. The Treasurer shall have financial reports available at monthly Executive Board meetings and shall have the books audited at least semi-annually by the Trustees. ii. The Treasurer shall keep all receipts on file.
<p>12.9 Remittance</p>	<p>The Treasurer shall be responsible for remitting all financial obligations to the National Union in accordance with Article B.3.8 of the National Constitution.</p>
<p>12.10 Return of Property</p>	<p>At the end of their term of office (or an extended leave of absence), the Treasurer shall turn over to their successor, all properties and assets, including funds, books and records belonging to the Local.</p>

Article 13. Second Vice President	
13.1 Scope	The Second Vice-President shall be responsible for all matters pertaining to WSIB, Attendance Management, Short Term Disability, Return to Work and Long-Term Disability affecting members.
13.2 Full Time Position	The Second Vice President shall be a paid fulltime position.
13.3 Health and Safety Committee	The Second Vice-President shall be the Chairperson of the CUPE Local 5167 Health and Safety Committee.
13.4 Employment Assistance Representative	The Second Vice-President shall be the Employee Assistance Programs Representative for the Local. They will ensure the local has up to date employment assistance information for each unit and update the Executive and Membership of any changes.
13.5 Joint Health and Safety Committees (JHSC) Coordination Assistance and Support	<ul style="list-style-type: none"> i. The Second Vice-President shall endeavour to attend JHSC as requested, and scheduling allows. ii. The Second Vice-President will act as a support and resource to JHSCs. iii. The Second Vice-President shall coordinate the vacancies and postings for all functioning JHSC. iv. The Second Vice-President shall coordinate and maintain all record keeping, terms of reference and incident reports for JHSC.
13.6 WSIB Files	<ul style="list-style-type: none"> i. The Second Vice President keep all WSIB files in a locked cabinet. ii. The Second Vice President will provide support to members filing WSIB claims, the onus of the claim is on the member. iii. The Second Vice President will refer the file to CUPE National once an appeal has been filed.

	iv. The Second Vice President will return the file to members when they are deemed closed.
13.7 Reporting	The Second Vice-President shall report to the Local on any new or changing information regarding the scope of their portfolio.
13.8 Return of Property	At the termination of their office (or an extended leave of absence), the Second Vice-President shall surrender to their successor, all books, papers, seals, documents and other Property of the Local.
Article 14. Education Coordinator	
14.1 Scope	The Education Coordinator will be responsible for coordinating educational opportunities for members in good standing.
14.2 Education Committee	The Education Coordinator will be the Chair of the Education Committee.
14.2 Education Records	The Education Coordinator will maintain education records for each member. The records will include the members name, course title and date.
14.3 Education Requests	The Education Coordinator will make recommendations to the committee regarding educational opportunities and requests.
14.4 Return of Property	At the termination of their office (or an extended leave of absence), the Education Coordinator shall surrender to their successor, all books, papers, seals, documents and other Property of the Local.
Article 15. Fourth Vice President	
15.1 Scope	The Fourth Vice-President shall be the Chairperson of any committees responsible for Political Action and is responsible for coordinating all activities to mobilize the members, and to support campaigns.
15.2 Material	s The Fourth Vice-President shall coordinate the distribution of mobilization materials to the members.

<p>15.3 Reporting</p>	<p>The Fourth Vice-President shall report to the Local on the functions and activities under their responsibility</p>
<p>15.4 Return of Property</p>	<p>At the termination of their office (or an extended leave of absence), the Social Planning Coordinator shall surrender to their successor, all books, papers, seals, documents and other Property of the Local.</p>
<p>Article 16. Equity and Diversity Coordinator</p>	
<p>16.1 Eligibility</p>	<p>The Equity and Diversity Coordinator shall be a self identified member of one of the following equity-seeking groups:</p> <ul style="list-style-type: none"> • Aboriginal/Indigenous People • LGBTQ2s • Persons living with Disabilities • Racialized workers • Women • Young workers (30 & under)
<p>16.2 Scope</p>	<p>The Equity and Diversity Coordinator shall:</p> <ol style="list-style-type: none"> i. Make efforts to engage equity seeking members with the union. ii. Advise the Executive Board and Membership of current trends or topics concerning equity seeking groups in the workplace and/or labour movement. iii. Develop and implement initiatives/activities aimed at advancing equity in the workplace. iv. Provide a range of diversity information and resources when possible. v. Provide guidance when possible, through an equity lens to Executive and Membership.

<p>16.3 Equity Committee</p>	<p>The Equity and Diversity Coordinator will be the Chair of the Equity Committee.</p>
<p>16.4 Events</p>	<p>The Equity and Diversity Coordinator will organize the local and committee participation at minimum in the following:</p> <ul style="list-style-type: none"> • Black History Month (February) • International Women’s Day (March 8) • Pride (month of June) • Take Back the Night (September) • Other activities related to the scope of their portfolio
<p>16.5 Return of Property</p>	<p>At the termination of their office (or an extended leave of absence), the Equity and Diversity Coordinator shall surrender to their successor, all books, papers, seals, documents and Property of the Local.</p>
<p>Article 17. Unit Vice Presidents</p>	
<p>17.1 Leave of Absence</p>	<p>Each Unit Vice President will be booked of in accordance with their Collective Agreement.</p> <p>For example:</p> <ul style="list-style-type: none"> • The City Inside Vice President and City Outside Vice President are booked off full time in accordance with article 11.12 c. • The Lodges Vice President is booked as for 2 shifts per week based on the Letter of Understanding within the Collective Agreement.
<p>17.2 Unit Business</p>	<p>Each Unit Vice President, in conjunction with the President (or Vice President), shall manage any and all other business as may pertain to their office and which may be necessary for the proper functioning of their bargaining unit.</p>

<p>17.3 Bargaining Committees</p>	<p>Each Unit Vice President will be a voting representative of the bargaining committee of their respective units.</p>
<p>17.4 Grievance Committee</p>	<p>Each Unit Vice President will serve as the Chair of their unit's grievance committee. They will be responsible for following the grievance process as outlined in their respective Collective Agreements and local procedures.</p>
<p>17.5 Bylaw Committee</p>	<p>Each Unit Vice President will be a member of the bylaw committee.</p>
<p>17.6 Education Committee</p>	<p>Each Unit Vice President will be a member of the education committee.</p>
<p>17.7 Unit Meetings</p>	<ul style="list-style-type: none"> i. Union Request - Unit or Workgroup Meetings may be called by the Unit Vice-President, Vice-President or President ii. Member Request - A Unit Meeting may be called by the members of the unit provided a petition, signed by ten percent of the members of that unit or 25 members (whichever is less), is submitted to the Executive Administrator. The petition must include the agenda for the meeting. iii. Agenda - The transaction of business at a Unit Meeting is restricted to business relating to the purpose of the meeting. Unit meetings cannot pass motions that bind the Local Union unless the General Membership Meeting subsequently ratifies the motion. iv. Ratification - Where it is the intention of the meeting to ratify or otherwise approve a document, memorandum, or letter of agreement, at the above noted meeting, the said document, shall be made available through the union in advance of the meeting.

	<p>v. Notice -Forty-eight (48) hours’ notice of the meeting must be given by posting a notice in the workplace. The posting must include the purpose of the meeting.</p> <p>vi. Quorum - A quorum for Unit Meetings shall be, ten percent of the members of the unit or eighteen (18) members, whichever is less.</p>
<p>17.8 Return of Property</p>	<p>At the end of their term of office (or an extended leave of absence), the Unit VP’s shall turn over to their successor, all properties and assets, including funds, books and records belonging to the Local.</p>
<p>Article 18. Ratification Voting Procedures</p>	
<p>NOTE: The following provisions apply to the affected bargaining unit provided a strike or lockout is not in effect.</p>	
<p>18.1 Secret Ballot</p>	<p>Ratification procedures shall comply with the Ontario Labour Relations Act that requires all ratification votes to be conducted by secret ballot. A minimum of 48 hours shall be allotted to review the contents of the Memorandum of Agreement.</p>
<p>18.2 Advance Notice</p>	<p>Advance notice of the information meeting for the members shall be given at least 48 hours prior to the meeting. Notices shall be posted in the workplace on the Union bulletin board.</p>
<p>18.3 Review with Stewards</p>	<p>The Negotiating Committee shall, where possible, review the Memorandum of Agreement with the Executive Board and the stewards of the unit prior to the information meeting</p>
<p>18.4 Hard Copies</p>	<p>Hard copies of the amendments or amendment summaries to the collective agreement will be distributed at the information meeting for the members and will be made available at the union office after the information meeting.</p>

<p>18.5 Voting</p>	<p>Voting on the contract shall take place at least 48 hours after the information meeting for the members.</p> <p>Voting shall be in accordance with the Appendix on voting guidelines.</p> <p>All contract amendments shall be ratified by a simple majority (50% + 1).</p>
<p>18.6 Balloting Committee</p>	<p>The President shall appoint the balloting committee consisting of members selected from the Election Committee, Executive Board members or Members from other Units not affected. They shall conduct the ratification vote.</p>
<p>18.7 Results</p>	<p>Results of the ratification vote shall be given to the Unit Vice President and President. The President will inform the membership of the results by a special bulletin within 24 hours of the conclusion of the voting.</p>
<p>NOTE: The following provisions apply to the affected bargaining unit if there is a strike or lockout in progress.</p>	
<p>18.8 Secret Ballot</p>	<p>Ratification procedures shall comply with the Ontario Labour Relations Act that requires all ratification votes to be conducted by secret ballot.</p>
<p>18.9 Advance Notice</p>	<p>Advance notice of the information meeting for the members shall be given</p> <p>at least 24 hours prior to the meeting.</p> <p>Notice of the meeting shall be provided through an official picket line bulletin authored by the bargaining committee and distributed through the picket captains. Where there is no practical way to directly notify the unit members a special notice may be posted in the Hamilton Spectator.</p>
<p>18.10 Hard Copies</p>	<p>Hard copies of the amendments or amendment summaries to the collective agreement will be distributed and explained in detail at the information meeting for the members.</p>

18.11 Voting	Voting on the proposed contract shall take place at the conclusion of the information meeting for the members.
18.12 Balloting Committee	The President shall appoint the balloting committee, consisting of members from either the Election Committee, Executive Board members or Members from other Units not affected. They shall conduct and oversee the ratification vote.
18.13 Results	The outcome of the decision shall be determined by simple majority (50% + 1) of the ballots cast. The results of the ratification vote shall be given to the President who will inform the membership of the outcome both verbally on conclusion of the count and by special bulletin within 24 hours of the meeting.
Article 19. Strike Vote	
19.1 Information Meeting	An information meeting for members shall be held prior to the taking of any strike vote. Advance notice of the information meeting for the members shall be given at least 48 hours prior to the meeting. Notices shall be posted in the workplace on the union bulletin board.
19.2 Voting	Voting on strike action shall take place at least 36 hours after the information meeting for the members. Voting shall be in accordance with the Appendix on voting guidelines. A simple majority (50% + 1) of the ballots cast shall constitute approval of strike action.
Article 20. Stewards	
20.1 Elections	Election for Location Stewards shall take place in June, in even numbered years. The elections notice will be posted in April and will close in May. Stewards must provide written confirmation to the Chief Steward of their interest no later than the closing date as posted. In the event a position is unfilled or where vacancy occurs at any other time it shall be posted and filled by

	election. Stewards must be non-probationary employees.
20.2 Election Policy	Election of Location Stewards for the Bargaining Units shall occur according to following principle “that the maximum number of people can be able to participate in the process”. Each Unit shall develop its own policy which will be kept in the Local’s policy binder.
20.3 Duties	Steward’s shall act as the Union's representative in the workplace and shall ensure that; all notes and supporting documentation are provided to the union office, member issues are dealt with in a professional and timely manner, and grievances are filed where the employer fails to comply with the terms of the Collective Agreement, relevant policies or legislation.
20.4 Grievances	Steward’s shall investigate and report on all grievances to the Grievance Chair.
20.5 Steward Obligation	Stewards shall attend no less than three (3) meetings or education (monthly steward meetings, or CUPE Steward Learning Series trainings) in each year of the steward term (July to June of even years). Failure to attend 3 or more events without good and sufficient reason shall result in their stewardship being removed for 12 months from the date of removal before reapplying.
20.6 Steward Training	Within 12 months of a Steward’s first term (July to June of even years) all Stewards are required to complete the CUPE Introduction to Steward training. Where a Steward fails to do so, their stewardship will be removed until the course is completed.
20.7 Workplace Postings	Stewards are responsible to post and monitor postings on all union boards in their own work location. Where a work location does not have a union board, the Steward will report this to the Chief Steward. Stewards will post a list of all Stewards in their location.

<p>20.8 Out of Scope</p>	<p>Stewards taking a position outside of the scope of their Collective Agreement must inform the Chief Steward. Any member holding a Steward position, upon accepting duties which take them out of the scope of Local 5167 Collective Agreements shall be deemed to have immediately resigned from such union office or position for the duration of the term.</p>
<p>20.9 Temporary Vacancies</p>	<p>Stewards absent from work will report to the Chief Steward any workplace absence expected to last 60 days or longer. Temporary Vacancies expected to last in excess of 60 days will be posted in the workplace and the temporary Steward will remain until the absent Steward returns or until steward elections.</p>
<p>Article 21. Trustees</p>	
<p>21.1 Election</p>	<p>There shall be three Trustees for the Local. Trustees shall be elected for a three-year term in such a manner that the office of one trustee shall be up for election each year. Nominations to be held in April, to be elected at the May membership meeting.</p>
<p>21.2 Vacancy</p>	<p>In the case of a vacancy occurring, a Trustee shall be elected to fill the unexpired term.</p>
<p>21.3 Duties</p>	<p>The duties of the Trustee shall be as defined by Article B.3.10 to B.3.12 of the Canadian Union of Public Employees Constitution.</p>
<p>21.4 Finance Committee</p>	<p>The third-year trustee shall be a member of the Finance Committee. (Rotated each year in June)</p>
<p>Article 22. Sergeant-At-Arms</p>	
<p>22.1 Election</p>	<p>Two Sergeants-at-Arms shall be elected at the May Membership meeting in even numbered years. Nominations to take place in April.</p>
<p>22.2 Entrance to Meetings</p>	<p>Sergeants-At-Arms shall take up their position at the inner door of the meeting place and allow only Members in good standing, Officers and Officials of CUPE to enter. Sergeants-At-Arms shall, where</p>

	required, enforce the showing of Union cards or other identification at the door. All guests will be announced to the President who will obtain the permission of the Membership to allow them to enter.
22.3 Orderly Meeting	Sergeants-At-Arms shall assist the President or chair at all times in conducting a proper and orderly meeting. They shall expel any person from the meeting when so directed by the President or Chairperson of the meeting.
22.4 Union Property	Sergeants-at-Arms shall be empowered, when requested by the incoming Officer, to contact the outgoing Executive Officer and recover any Union property.
22.5 Sign In Log	Sergeants-at-Arms shall maintain the sign-in log for all Membership meetings and deliver the log to the Executive Administrator at the end of the meeting.

Elections

Article 23. Eligibility to Hold Office

<p>23.1 Eligibility for Nomination</p>	<p>Members seeking nomination to office must have been members of the Local for at least one (1) year.</p>
<p>23.2 Holding More Than One Office</p>	<p>For the purposes of the elections referred to in Article 30, no member shall hold more, nor contest more, than (1) Executive office.</p>
<p>23.3 Eligibility to run for President</p>	<p>No member shall be eligible to run for President unless the member has been a member in good standing for at least one (1) year and has attended at least 5 membership meetings held in the twelve (12) month period before nominations.</p> <p>The attendance records via the membership meeting sign in sheets shall be conclusive as to attendance. A member who is unable to attend any meetings may be excused if they notify the local office, in writing, or by email (to the CUPE 5167 office) within 48 hours of the monthly scheduled membership meeting. A member who has been excused shall be deemed present for the purpose of determining eligibility under this article.</p>
<p>23.4 Calling for Nominations</p>	<p>A member seeking nomination to a position that is not specific to a bargaining unit (e.g. table officers, trustees, election committee) shall be present when nominations are called or file a notice of consent.</p> <p>The notice of consent shall be in writing, bearing their name as a nominee and the name of another member as witness. Such notice must be in the hands of the Executive Administrator 2 hours prior to the start of the meeting where nominations take place. The absent nominee must also be nominated by a member in good standing at the nominations meeting.</p>

<p>23.5 Nominator</p>	<p>For all bargaining unit specific positions (e.g. Unit VP, bargaining unit specific committees' representative) the nominator must be from the same bargaining unit.</p>
<p>23.6 Out of Scope</p>	<p>Any member of Local 5167 who takes a temporary or full-time position, outside the scope of Local 5167 collective agreements, shall be excluded from running for as an elected position of the union so long as they maintain that position. It is understood that any member who accepts a temporary or full-time position with a recognized union affiliate shall not be subject to the terms of this Article.</p>
<p>Article 24. Nominations</p>	
<p>24.1 Nomination Schedule</p>	<p>Elections for table officers shall be held as per the election schedule in article (25.1). Nomination to be held at the April General Membership as follows:</p> <p style="text-align: center;">April 2014 (2 years) April 2016 (3 years) April 2019 (2 years)</p> <p>And then biennially in April in odd numbered years.</p>
<p>24.2 Information Package</p>	<p>All Candidates will receive a package of information from the Elections Committee. The package will contain the By-Laws, CUPE Constitution, Equality Statement and any additional information as determined by the election committee.</p>
<p>24.3 Unit Policy</p>	<p>Nominations and elections for Bargaining Unit/Vice Presidents shall occur according to the following principle "that the maximum number of people can be able to participate in the process". This must occur between April and June in election years as per article 27.1. Each Unit shall develop its own nomination and election practices including the dates and location. This Policy will be kept in the Local's policy binder.</p>

<p>24.4 Trustee Nomination</p>	<p>Nominations for Trustee(s) shall be conducted annually at the April General Membership meeting. The election for Trustees shall be held at the May Membership Meeting as per article 17.1.</p>
<p>24.5 Notice of Nominations</p>	<p>Notice of nominations shall be posted in all workplaces at least one month prior to the nomination as per article 27.1.</p>
<p>24.6 Plurality Voting</p>	<p>All table officers and Executive members of the Local shall be elected by referendum voting so arranged as to provide for all members in good standing to participate in the elections and in accordance with these by laws. The officers and Executive Board shall be elected by plurality vote and not simple majority.</p>
<p>Article 25. Election of Officers</p>	
<p>25.1 Election Schedule</p>	<p>All Officers of the Local shall be elected on the following schedule: June 2014 (2 years) June 2016 (3 years) June 2019 (2 years) And then biennially in June in odd numbered years.</p>
<p>25.2 Election Dates</p>	<p>The elections shall be held in the month of June and completed no later than June 15th.</p>
<p>25.3 Eligible Voting Members</p>	<p>Eligible voting members shall be those who are members on or before the first day of voting.</p>
<p>25.4 Election Committee Role</p>	<p>The Election Committee shall be responsible for conducting all aspects of the biennial election related to an executive board position (table officers and Unit VP's).</p>

	<p>The election committee shall also be responsible for any votes taking place between the time of nominations in May and the close of June elections.</p>
<p>25.5 Election Complaint</p>	<p>Any member that has a complaint is to email the elections committee noting they are making a complaint, note the election, and details regarding the issues and potential respondents of such complaint within 72 hours of the occurrence given rise to the complaint.</p> <p>The elections committee is to respond within 48 hours they have received the complaint.</p> <p>The elections committee is to meet when possible with the complainant and respondent, otherwise have a conference call to ascertain the details of the complaint.</p> <p>The elections committee will issue a response in writing to complainant and respondent within 2 weeks of complaint or after meeting with the complainant and respondent.</p>
<p>Article 26. Officers Election Procedures</p>	
<p>26.1 Polling Dates and Locations</p>	<p>Elections shall be held between June 1st and 15th in an election year.</p> <p>Polling dates and locations will be determined by the Elections Committee and reported to the membership at the February GMM.</p> <p>Polling dates and locations must adhere to the following:</p> <ul style="list-style-type: none"> a) Polling must take place over two (2) calendar weeks b) Polling stations must be located at the Local office and locations in the downtown core, on the Mountain, in Dundas and in Stoney Creek.
<p>26.2 Securing Ballots</p>	<p>After each day's polls are closed, the Returning Officer and National Staff Representative shall return to the union office to secure the ballot boxes.</p>

<p>26.3 Counting Ballots</p>	<p>On the third day, the Election Committee will count the ballots at the union office, by counting each day’s ballot boxes and provide the ballot count for each position being elected.</p>								
<p>26.4 Scrutinizers</p>	<p>Each candidate shall have the right to request a scrutinizer. The role of the scrutinizer is to observe the ballots being counted for their candidate. The scrutinizer will be privy to the final tally of all the candidates for that position. They will not have the right to observe any other ballot counting for candidates for other positions.</p>								
<p>26.5 Balloting Procedures</p>	<p>Balloting procedures shall be as per Election Policy.</p>								
<p>26.6 Ballots</p>	<p>The Election Committee shall be responsible for the form and layout of the ballots and having an adequate supply of the ballots or ballot packages. The Election Committee shall entrust these to the Returning Officers of the Election Committee, together with the total number of ballot packages required.</p> <p>The Elections committee shall put all requests for administrative assistance in writing to the National Staff Representative for delivery to the CUPE Local 5167 office staff.</p>								
<p>26.7 Sample Ballot</p>	<p>Example Ballot:</p> <table border="1" data-bbox="626 1371 1382 1627"> <tr> <td colspan="2">President: One to be elected</td> </tr> <tr> <td>BROWN, Robert</td> <td></td> </tr> <tr> <td>SMITH, Samuel</td> <td>X</td> </tr> <tr> <td>JONES, Janet</td> <td></td> </tr> </table>	President: One to be elected		BROWN, Robert		SMITH, Samuel	X	JONES, Janet	
President: One to be elected									
BROWN, Robert									
SMITH, Samuel	X								
JONES, Janet									
<p>26.8 List of Eligible Voters</p>	<p>The Executive Administrator shall be responsible for supplying to the Election Committee a list of the eligible voting members of the Local, separated by Bargaining Unit.</p>								

<p>26.9 Plurality of Votes</p>	<p>Election to office shall be by a plurality of the votes counted (candidate with the most votes wins).</p>
<p>26.10 Committee Report</p>	<p>A final report will be presented at a subsequent General Membership Meeting.</p> <p>The Election committee report shall include (but not be limited to); the number of ballots cast, the number of voters from each unit, the number of segregated ballots, total segregated ballots unresolved (or withheld), total spoiled ballots, total voters at each location.</p> <p>After the report is presented to the membership, the information will be posted on the website.</p>
<p>26.11 Candidates Results</p>	<p>At the time of results notification, individual candidates may request the total number of votes they received as well as the count for the other candidates running for the same position. They may also request the total of all spoiled ballots.</p>
<p>26.12 Recounts</p>	<p>A candidate for office may appeal for a recount of the ballots for that office. Or the membership meeting itself without an appeal, may order a recount of any or all elections. In either instance, it shall require a majority vote of members present at the June membership meeting to vote in favour of such a recount.</p> <p>Any complaint regarding the election process shall be submitted to the Election Committee no less than 72 hours prior to the start of the June Membership Meeting.</p>
<p>26.1 Installation of Officers</p>	<p>Elected officers shall be installed at the membership meeting at which the results are declared, or as immediately thereafter as possible. Elected Officers shall continue in office until such time a successor has been duly elected and installed.</p>

Article 27. Campaigning	
<p>27.1 Candidate Use of Local Resources</p>	<p>No member seeking election or re-election to an Executive Board position shall use any of the following for campaign purposes;</p> <ul style="list-style-type: none"> a) Any of the union’s computers, b) An official CUPE 5167 email account, c) Any CUPE 5167 member email and/or telephone lists, d) Any official CUPE 5167 media accounts such as the website, Facebook, twitter, etc. <p>Any member that abuses this access shall be immediately disqualified from running in the election or re-election.</p>
<p>27.2 Campaign Material Approval</p>	<p>All campaign material (such as posters, flyers, website content, etc.) must be submitted to the Election committee within two weeks of the nomination for approval by the election committee prior to distribution or posting. Any items not initially approved must be submitted to the committee and approved prior to distribution/sharing.</p>
<p>27.3 Posters</p>	<p>Any candidate seeking election to the Executive Board may request to have their posters printed in black ink by the union. The candidate shall be provided with a list of available paper colours to choose from. Candidates may also opt to purchase their own paper or print at their own expense.</p> <p>A candidate who has their poster printed outside of CUPE 5167 will be responsible for all costs. All candidates are responsible for preparing their own artwork and text for posters.</p> <p>Any candidate who has their posters printed at a location other than the union office, must conform to all union standards and timelines as set out by the election committee.</p>

<p>27.4 Social Media</p>	<p>All candidates using campaign material or campaigning using social media must follow all rules as laid out by the election committee. Postings are to be respectful and follow the CUPE Equality Statement. Candidates posting offensive material will be asked to alter or remove the offending material.</p>
<p>27.5 Media Interviews</p>	<p>Media – candidates for President contacted by the media for an interview shall set up the interview at a neutral location and not at any voting stations nor at the union hall.</p>
<p>27.6 Campaigning on Union Leave Time</p>	<p>Each candidate has the right to campaign. When the candidate is on a union paid leave, they will have their wage adjusted accordingly.</p> <p>These candidates shall be allowed to use available vacation time or lieu time to compensate for the unpaid time. Each candidate will report their time off, vacation and lieu entitlement (and balances) to the election committee and President.</p>
<p>Article 28. By-Elections</p>	
<p>28.1 Vacant Office</p>	<p>Should an office become permanently vacant a by-election shall be conducted to fill the vacancy.</p>
<p>28.2 Notice of Vacancy</p>	<p>(a) Vacancies will be circulated to the membership and nominations will be held at the next General Membership Meeting in the case of Table Officers and at a Unit Meeting in the case of Unit Vice Presidents.</p> <p>(b) In the interim the Executive Board will appoint a replacement.</p>
<p>28.3 Temporary Vacancies</p>	<p>(a) Temporary vacancies created by an extended leave of absence of two (2) months or greater will be filled according to this Article.</p>

	(b) Should another temporary vacancy in the same position occur within the current term the successful candidate in the previous by-election or acclimation will be appointed to fill the vacancy.
28.4 Campaigning	If required, campaigning shall occur in accordance with Article 29, except that campaign materials must be submitted to the election committee within 72 hours of nominations.
28.5 By-Election Committee	If required, voting for By-elections shall take place from 11:00 AM-7:00 PM at a location to be determined by the Election Committee. The vote will be staffed by two members of the Election Committee.
Article 29. Committees	
29.1 Honorarium	Executive Members will not receive an honorarium for participating in any committees they are required to be on as per these By Laws.
29.2 Nomination and Election	<p>A member shall be elected to each committee, with the exception of Grievance, Finance, Education and Bylaw, from each of the following Units/Workgroups:</p> <ul style="list-style-type: none"> i. Airport Unit ii. City Unit - Inside Workgroup iii. City Unit – Outside Workgroup iv. DARTS Unit v. Good Shepherd Unit vi. Lodges Unit vii. Royal Botanical Gardens Unit viii. St. Matthew’s House Unit <p>Committee nominations will be held at the September membership meeting and elections will be held at the October membership meeting following the election of the Officers.</p>

	<p>Members are able to nominate themselves. In the event, they have submitted a letter of interest, it will be accepted as nominating themselves.</p>
<p>29.3 Removal from Committees</p>	<p>Committee Members that do not make satisfactory efforts to participate in meeting the committee objectives are subject to removal. The Chair will confer with the President stating demonstrated examples of lack of participation. The Committee Member will be notified in writing of their removal and have 10 calendar days to submit an appeal to the Executive Board. The Executive Board decision will be final.</p>
<p>29.4 Vacancy</p>	<p>When no member from a Bargaining/Workgroup comes forward for election, the vacancy(ies) is to be circulated to the affected unit. Nominations and elections will be held at the next membership or Unit meeting after proper notice has been given. Where the vacancy still exists, the vacancy will be posted and circulated to the general membership with nominations and elections being held at the next membership meeting.</p> <p>Committee Members absent from work will report to the Committee Chair any workplace absence expected to last 60 days or longer.</p> <p>Temporary Vacancies expected to last in excess of 60 days will be posted in the Unit’s workplace and the temporary Committee Member will remain until the absent Member returns or until Committee elections.</p> <p>Any Committee member upon accepting duties which take them out of the scope of Local 5167 Collective Agreements, shall be deemed to have immediately resigned from such committee position for the duration of the term.</p>
<p>29.5 Grievance Committee</p>	<p>Grievance Committee’s shall be set up in accordance with the provision of the appropriate Collective Agreement.</p>

	<p>Unless otherwise specified in the collective agreement that committee will consist of 3 members who will all attend grievance meetings, and mediations on as equal of a rotation as possible. When possible, a grievance committee member will be invited by their Unit Vice President to at least 1 arbitration over their elected term.</p> <p>The President or designate and Unit Vice-President, will be members of the Unit Grievance Committee.</p>
<p>29.6 Finance Committee</p>	<ul style="list-style-type: none"> i. The Finance Committee shall consist of all the signing Officers: President, Vice President, Executive Administrator and Treasurer, as well as the Third Vice-President, the third year Trustee, and one member from the general membership elect as per Article 35.2. The Treasurer shall chair the Committee. ii. The Committee shall be responsible for drawing up a yearly budget to be presented to and approved by the Executive Board and membership. The budgeting process should be completed annually and presented at the November membership meeting. The Committee shall make recommendations on budget variances if required. Variances must be presented to the Executive Board and membership for approval. iii. The Finance Committee to review any financial matter referred by the President, Membership, Treasurer or Executive Board
<p>29.7 Political Action Committee</p>	<ul style="list-style-type: none"> i. The Committee shall be made up of one member from each bargaining unit/workgroup, duly elected by the membership of that unit. The Fourth Vice-President, or their designate, shall chair the Committee.

	<ul style="list-style-type: none"> ii. This Committee shall be responsible to educate and inform the members on political issues, including municipal, provincial, and federal elections. iii. This Committee shall be responsible for coordinating all mobilization and campaigns for the Local. iv. This Committee shall endeavor to educate members of the public, on the important role the Local 5167's membership plays within the Community providing quality cost effective services.
<p>29.8</p> <p>Health & Safety Committee</p>	<ul style="list-style-type: none"> i. The Union Health and Safety Committee shall consist of one workplace Health and Safety committee member from each bargaining unit/workgroup, duly elected by the membership of that unit/workgroup. The Second Vice-President, or their designate, shall chair the Committee. ii. The Health and Safety Committee shall review and make recommendations related to education on Health and Safety matters for the Local in consultation with the Education Coordinator. iii. The Health and Safety Committee shall review minutes and reports and make recommendations to assist Joint Health and Safety Committees in the workplace(s) to support their role. iv. d) The Health and Safety Committee shall coordinate the Local's activities for the Day of Mourning.
<p>29.9</p> <p>Equity Committee</p>	<ul style="list-style-type: none"> i. The Equity Committee shall consist of one member from each bargaining unit / workgroup, duly elected by the membership of that unit / workgroup. The Equity and Diversity Coordinator, or their designate, shall chair the Committee.

	<ul style="list-style-type: none"> ii. The Committee will be responsible for all issues regarding discrimination and human rights in relation to 5167 members in the workplace as well as in support of members of our community. iii. The Equity will assist in coordinating and participating in the following events: <ul style="list-style-type: none"> • The Black History Month (February) • International Women’s Day (March 8) • Pride (month of June) • Take Back the Night (September) • Other activities related to the scope of their portfolio
<p>29.10</p> <p>Education Committee</p>	<ul style="list-style-type: none"> i. The education committee shall consist of the Vice-Presidents of each bargaining unit or workgroup, or their designate and two members elected from the general membership. The Education Coordinator or their designate shall chair the committee. ii. The committee shall be responsible for reviewing all aspects of membership education related to in-house and external union education opportunities. iii. The committee shall keep review training opportunities; review all requests for training; and promote training opportunities and requests; iv. The committee will make recommendations to the executive and membership regarding training opportunities and requests; v. The committee will maintain a current record of who has had training in what courses on what dates. vi. The committee is responsible for approving or denying all requests.

<p>29.11</p> <p>Communications Committee</p>	<ul style="list-style-type: none"> i. The communications committee shall consist of one member from each bargaining unit or workgroup elected at large within the unit or workgroup. The Executive Administrator or their designate shall chair the committee. ii. The committee shall be responsible for coordinating the local newsletter including development, production, promotion and circulation. iii. The committee shall provide support and recommendations related to the local's web site.
<p>29.12</p> <p>Bylaw Committee</p>	<ul style="list-style-type: none"> i. The by-law committee shall consist of the Unit Vice-Presidents of each bargaining unit or workgroup and the Vice President. The Executive Administrator shall chair the committee. ii. The committee shall be responsible for coordinating all aspects related to maintaining the local's by-laws in a complete and accurate form as per the direction and ratification by the membership in accordance with Article 35 of these by-laws. iii. The committee shall review the bylaws as needed and at least once annually
<p>29.13</p> <p>Election Committee</p>	<ul style="list-style-type: none"> i. The Election Committee shall be compromised of two (2) returning officers and five (5) committee members plus two alternates for the daily polling station for the two (2) day voting process. The Election Committee shall include members of the local who are neither officers or candidates for office. The Election Committee shall be elected from the floor at the January monthly general membership prior to the elections. The votes shall be weighed in order to ensure that the Election Committee shall be compromised of at least one member from each of the six bargaining units unless there are no nominees from one or more bargaining units. All remaining Election

	<p>Committee positions shall be filled by the remaining nominees who receive the most votes.</p> <p>ii. The Election Committee shall have full power over the election procedure. Further it shall investigate any complaints under Article 29 and any other complaints and report its findings with recommendations to the next membership meeting. An email account shall be set up for the Election Committee for their exclusive use immediately after their election and all nominees and members will be advised to submit all complaints or questions to the email account. If a member or nominee submits a complaint in writing instead of email, they shall deliver either to the union office or via National Representatives in a sealed envelope and that sealed envelope will be delivered to the Election Committee. All complaints regarding the election process must be from the individual who raises the complaint. Further, the Election Committee shall be provided with a petty cash amount to cover all meals and refreshments for each day of voting.</p>
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Article 30. Accountability and Recall

<p>30.1 Allegation</p>	<p>All representatives of the union elected by the membership shall be held to standards of accountability and performance that are acceptable to the membership. In the event there is an allegation that an elected representative is not performing their duties in a fashion consistent with acceptable standards the following process may be invoked.</p>
<p>30.2 Petition</p>	<p>A petition representing 50% + 1 of the electors shall be presented to the presiding officer of the local union. In the event that the presiding officer is the subject of the</p>

	petition another table officer of the local shall be designated as the presiding officer for the purpose of this procedure.
30.3 Appointing a Recall Panel	On receipt of the said petition in (19.2) above, the presiding officer shall immediately appoint a panel comprised of themselves as chair, one member of the local union executive, and one member at large. This panel shall be called the Recall Panel.
30.4 Representation	The Recall Panel shall then call a meeting at which (2) two members representing the petitioners, the accused and their representative shall be in attendance.
30.5 Opportunity to Respond	The Recall Panel shall hear the concerns of the petitioners and the accused shall be given the opportunity to respond to any allegations raised by the petitioners.
30.6 Failure to Attend	If the Petitioners and/or the Accused do not appear at the hearing described in 19.5 above, the Recall Panel may proceed to hear such evidence as may be available.
30.7 Written Report	After hearing the parties' evidence, the Recall Panel shall then prepare a written report and recommendations as to the course of action (if any) that should be taken to resolve any problems identified.
Financials	
Article 31. Affiliations	
31.1 Affiliates	The Local shall be affiliated to the following: <ul style="list-style-type: none"> • CUPE Ontario Division • Ontario Federation of Labour • Hamilton & District Labour Council • Hamilton & District CUPE Council

<p>31.2 Worker's Arts and Heritage</p>	<p>The Local shall be a member of the Ontario Workers' Arts and Heritage Centre.</p>
<p>31.3 Delegates</p>	<p>The Local shall hold elections every two years for delegates to Hamilton District Labour Council. The nominations and elections for delegates will take place at the January Membership Meeting in even numbered years.</p>
<p>Article 32. Union Dues</p>	
<p>32.1 Dues Check-Off</p>	<p>A payroll check-off is compulsory for all employees covered by the Local's Collective Agreements. The information contained on the payroll check-off shall prevail where questions arise.</p>
<p>32.2 Membership Initiation Fee</p>	<p>Membership initiation fee as a member of good standing will be the minimum as set out in the CUPE National Constitution.</p>
<p>32.3 Arrears and Reinstatement</p>	<p>Any member in arrears for a period of three (3) months shall be suspended and shall be reported to the Executive Board by the Treasurer.</p> <p>Any member under suspension wishing to be reinstated shall upon application pay a reinstatement fee of the minimum set out in the CUPE National Constitution, plus any dues and assessments in arrears.</p> <p>This money will be returned if application for reinstatement is refused. If a member has been unemployed or unable to work because of sickness, such member shall not be required to pay arrears of dues or the reinstatement fee.</p>
<p>32.4 Dues</p>	<p>The dues shall be established by a majority vote of the membership present at a General Membership Meeting,</p>

	provided that a Notice of Motion of such resolution was duly registered as per these Bylaws.
32.5 Per Capita Increases	Notwithstanding the previous article, should the per capita amount payable to the National Union or any affiliate be increased, the dues of every member shall be automatically increased by the same amount.
32.6 Regular Earnings	CUPE Local 5167 will deduct union dues from all members on their gross regular earnings only.
Article 33. Defence Fund	
33.1 Defence Fund Use	CUPE 5167 will have a Defense Fund to be used to defend its members during contract negotiations, arbitrations or from any other attack on the Local's members or their jobs. This also includes (but is not limited to) advertising campaigns.
33.2 Levy	The Defense fund will be funded by a levy of \$2.00 per week from all members including students.
33.3 Income Support	The Defense Fund will provide income support for its members during a strike or lockout as per the Strike Policy.
33.4 Accounts and Signatory	The Defense Fund moneys shall be held in a separate account and shall require the signatures of two of the following: President, Vice President, Treasurer and Executive Administrator for any transfers, payments or withdrawals.
33.5 Reporting	The Treasurer shall report the updated status of the Fund to the members every 3 months.
33.6 Earnings	Earnings from interest or investments originating from the Defense Fund will accrue in the Defense Fund

Article 34. Voting of Funds	
34.1 Expense Approval	Expenses or payments in excess of \$1000.00 for services, items or donations will be presented to and approved by the membership. This does not include ordinary operating expenses, items covered in the approved budget, regular bills, and emergency repairs/replacements
34.2 Campaign Approval	<p>Anytime a member or Executive member put forth a motion for approval for funds for a campaign they will have the following information provided with the motion to membership, when possible they will submit to the Executive first:</p> <ul style="list-style-type: none"> • Campaign Scope • Time frame of Campaign • (Time frame is to be no longer than 2 years; then to resubmit a new request if required) • Campaign Lead and proposed size of team • Outline of approximate budget (leave of absences, materials, etc.) • Intent to apply to CUPE for a cost share or not • A monthly report will be made to GMM and will be a standing item under unfinished business while the campaign is active • Current campaigns at the time of these bylaws being approved will start the 2-year time frame of the campaign
Article 35. Delegates to Conventions and Conferences	
35.1 Call to Convention and Conferences	At the General Membership Meeting following receipt of the call to conventions and conferences the Executive Board shall give notice to the floor as to the number of delegates the Local Union has budgeted to send to represent the Union at such Conventions and

	Conferences. Nominations and Elections of Candidates shall be held at subsequent meeting.
35.2 Attendee's	Except as provided for in the Duties of President, the Executive Board shall make recommendations to the membership regarding attendees' to conferences and conventions. If the Executive Board's recommendations are rejected, the membership shall nominate and elect the required number of attendees within the approved budgeted amount. Except as provided for in the Duties of the President, all delegates to conference and convention shall be chosen by election by the membership
35.3 Automatic Delegate	Any member who holds office for an affiliate of this Local, shall automatically attend the conference or convention of the affiliate as a full delegate of this Local.
35.4 Good Standing	Delegates to Conferences and Conventions shall be members in good standing.
35.5 Written Report	<p>Delegates to conferences and conventions are required to submit a report within the 2 following membership meetings summarizing their experience and sharing information of interest. They may submit the report:</p> <ul style="list-style-type: none"> • In writing to the office • Meet with an Executive Member to have them assist in writing a report • Verbal report to the membership <p>In the event they fail to submit the report they will be ineligible to request to be a delegate at any conference or convention for 6 months beginning the first general membership after they attended the conference or convention, they did not submit a report for.</p> <p>For the second and following failures to submit a report they will be ineligible to request to be a delegate at any conference or convention for 12 months beginning the first general membership after they attended.</p>

	They have the right to appeal the decision to the Executive Board.
Article 36. Amendments to the Bylaws	
36.1 Amendments	These By-laws shall not be altered, suspended, or amended unless a Notice of Motion has been duly registered, and shall require a two-thirds (2/3)-majority vote of the members present at a membership meeting.
36.2 Effective Date	Amendments or additions to these By-laws shall become effective after approval as per the Constitution of the Canadian Union of Public Employees.
36.3 Notice of Motion	<p>A Notice of Motion specifying the proposed amendment(s) shall be read, but not debated at the Membership Meeting preceding the meeting at which said amendment(s) will be dealt with.</p> <p>The Notice of Motion shall be in writing with the signature of both the mover and seconder and shall be delivered into the hands of the Executive Administrator.</p>
36.4 Review	After the Notice of Motion has been read as per 38.3 it shall be submitted to the By-law Committee for its review and recommendation. The committee shall consult with the mover and seconder of the Notice of Motion in order to develop the best language possible and to address the motion in a timely manner. The said amendment(s) and the recommendations of the committee shall then be posted on the Union Notice Boards in the work locations.
Article 37. Dissolution	
37.1 Continued Existence	The Local shall not be dissolved while there are twelve (12) members, in good standing, who desire to continue its existence.

37.2 Funds	The funds of the Local shall not be divided among individual members and shall be utilized for valid union purposes.
37.3 Dissolution	Upon dissolution of the Local, all its properties and assets, including books, records and funds remaining in the Treasury after all legitimate debts have been paid, shall become the property of the Canadian Union of Public Employees. This does not include funds set up by the Local for pensions, superannuation or purposes outside the general routine business of the Local.