



# To accept the proposed bylaw changes

Please note this Notice of Motion was read for information at the March General Membership Meeting

The above Notice of Motion will be debated and voted on at the April General Membership Meeting on

**Monday, April 22, 2024 at 6 p.m.**

The meeting will be in person at the union hall 818 King St. E.

## By Law Review – February 2024

Current Language

Proposed Language

New Language

<p><b>3.1</b> <b>Highest Authority</b>  (Format change only)</p>	<p>The highest decision making shall be the General Membership Meeting.</p> <p>General Membership will approve or deny all motions regarding:</p> <ul style="list-style-type: none"> <li>• application for membership</li> <li>• the political direction of the local</li> <li>• the annual budget</li> <li>• any changes to the bylaws and structure of the organization</li> <li>• <b>approve all delegates that attend conferences and conventions by motion or vote.</b></li> </ul> <p><b>General Membership will approve all delegates that attend conferences and conventions by motion or vote.</b></p> <p>Move to bullet.</p>
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<p><b>27.6</b> <b>Required Elections</b> reference was incorrect.</p>	<p>All required elections will be held online during the month of October, except those related to article <del>29.5</del> 27.5 they must be held no later than November 15.</p> <p>The Executive Administrator will organize and post all elections.</p>
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**Current Language** (President)

<p><b>9.10</b> <b>Elected Committees</b></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>
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**Proposed Language**

<p><b>9.10</b> <b>Elected Committees</b></p>	<p>In case of a Committee vacancy, the President shall appoint a member in good standing in consultation with the executive board until such vacancy can be filled by election if so required.</p>
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**Current Language** (President)

<p><b>9.11</b> <b>Bargaining</b></p>	<p>The President, or their designate, shall be the Chairperson of the Bargaining Committee of each bargaining unit.</p>
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**Proposed Language**

<p><b>9.11</b> <b>Bargaining</b></p>	<p>The President shall be the Chairperson of the City Bargaining Team.</p> <p>The President shall be the Chairperson of any other unit under their primary responsibility as direct by Executive Board.</p> <p>The President will support the Vice President as needed during bargaining of the units their responsibility.</p>
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**New Language** (President)

<p><b>9.13</b> <b>Job Evaluation</b></p>	<p>The President shall be the lead for Job Evaluation.</p> <p>The President shall coordinate with the appropriate employer to ensure training and appeals.</p>
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**New Language** (President)

<p><b>9.14</b> <b>Arbitration</b></p>	<p>The President shall be the lead for Arbitration and coordinate with the appropriate unit vice president and vice president accordingly.</p>
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**New Language** (President) (place prior to Return of Property)

<b>9.15 Union Property</b>	The President shall contact the outgoing Executive and recover any Union property.
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**New Language** (Vice President)

<b>10.3 Bargaining</b>	<p>The Vice President shall be the Chairperson of the units of the local under their responsibility.</p> <p>The Vice President will keep the President informed of all bargaining proposals, stages, difficulties and outcomes.</p>
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**Current Language**

Remove from Vice President Portfolio and move to Executive Administrator.

<b>10.3 Chief Steward</b>	<ol style="list-style-type: none"><li>i. The Vice-President shall be the Chief Steward of the Local.</li><li>ii. The Chief Steward is responsible for chairing monthly Steward Meetings.</li><li>iii. The Chief Steward will ensure the local adheres to the Steward Policy.</li></ol>
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<b>10.8 Stewards List</b>	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.
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**Proposed Language move to Article 11** (Executive Administrator)

<b>10.3 Chief Steward</b>	<ol style="list-style-type: none"><li>i. The <b>Executive Administrator</b> shall be the Chief Steward of the Local <b>and work in collaboration with the Unit Vice Presidents.</b></li><li>ii. The Chief Steward is responsible for chairing monthly Steward Meetings <b>and keeping attendance records.</b></li><li>iii. The Chief Steward will ensure the local adheres to the Steward Policy.</li><li>iv. <b>The Chief Steward will coordinate the elections of Stewards.</b></li></ol>
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<b>10.8 Stewards List</b>	<p><b>The Executive Administrator</b> shall maintain an updated list of all elected location stewards.</p> <p>The <b>Executive Administrator shall inform the Executive of all changes.</b></p>
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To be deleted redundant, covered in article 27.15 (Executive Administrator)

<b>11.5</b> <b>Communications Committee</b>	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.
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To be deleted, redundant, covered in article 27.16 (Executive Administrator)

<b>11.6</b> <b>Bylaw Committee</b>	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.
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To be deleted, redundant, covered in article 11.17 (Executive Administrator)

<b>11.16</b> <b>Policy Manual</b>	The Executive Administrator shall be responsible for maintaining the CUPE Local 5167 policy manual.
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To be deleted, redundant, covered in article 27.10 (Equity Committee) (Equity Coordinator)

<b>16.3</b> <b>Equity Committee</b>	The Equity and Diversity Coordinator will be the Chair of the Equity Committee.
<b>16.4</b> <b>Events</b>	The Equity and Diversity Coordinator will organize the local and committee participation at minimum in the following: <ul style="list-style-type: none"><li>• Black History Month (February)</li><li>• International Women's Day (March 8)</li><li>• Pride (month of June)</li><li>• Take Back the Night (September)</li><li>• Other activities related to the scope of their portfolio</li></ul>

**Current Language**

Article 19. Strike Vote	
<b>19.1 Information Meeting</b>	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.
<b>19.2 Voting</b>	Voting on strike action shall take place at least 36 hours after the information meeting for the members. <p>Voting shall be in accordance with the Appendix on voting guidelines.</p> <p>A simple majority (50% + 1) of the ballots cast shall constitute approval of strike action.</p>

**Proposed Language**

Article 19. Strike Vote	
<b>19.1 Information Meeting</b>	<ul style="list-style-type: none"> <li>i. An information meeting for members shall be held prior to the taking of any strike vote.</li> <li>ii. Advance notice of the information meeting for the members shall be given at least 48 hours prior to the meeting.</li> <li>iii. Notices shall be posted in the workplace, on the union bulletin board and the website.</li> </ul>
<b>19.2 Voting</b>	Voting on strike action shall take place at least 48 hours after the information meeting for the members. <p>Online voting will be set up by the Executive Administrator.</p> <p>A simple majority (more than 50%) of the ballots cast shall constitute approval of strike action.</p> <p>The Executive Administrator will inform the membership of the results by a special bulletin on the website within 24 hours of the conclusion of the voting.</p>

**Current Language**

Article 21. Trustees	
<b>21.1 Election</b>	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.
<b>21.2 Vacancy</b>	In the case of a vacancy occurring, a Trustee shall be elected to fill the unexpired term.
<b>21.3 Duties</b>	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.
<b>21.4 Finance Committee</b>	The third-year trustee shall be a member of the Finance Committee. (Rotated each year in June)

**Proposed Language**

Article 21. Trustees	
<b>21.1 Election</b>	<ul style="list-style-type: none"> <li>i. There shall be three Trustees for the Local.</li> <li>ii. 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.</li> <li>iii. Self nominations to be held in April, and election in to be held in May.</li> </ul>
<b>21.2 Vacancy</b>	In the case of a vacancy occurring, a Trustee shall be elected to fill the unexpired term.
<b>21.3 Duties</b>	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.
<b>21.4 Finance Committee</b>	The third-year trustee shall be a member of the Finance Committee. (Rotated each year in June)

**Current Language**

Article 22. Sergeant-At-Arms	
<b>22.1 Election</b>	Two Sergeants-at-Arms shall be elected at the May Membership meeting in even numbered years. Nominations to take place in April.
<b>22.2 Entrance to Meetings</b>	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 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.
<b>22.3 Orderly Meeting</b>	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.
<b>22.4 Union Property</b>	Sergeants-at-Arms shall be empowered, when requested by the incoming Officer, to contact the outgoing Executive Officer and recover any Union property.
<b>22.5 Sign In Log</b>	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.

Article 22. Sergeant-At-Arms	
<b>22.1 Election</b>	<ul style="list-style-type: none"> <li>i. There shall be two Sergeant At Arms for the Local.</li> <li>ii. Sergeant At Arms shall be elected for a two-year term.</li> <li>iii. Self nominations to be held in April of even number of years, and election in to be held in May of even numbered years.</li> </ul>
<b>22.2 In Person GMM Entrance to Meetings</b>	<ul style="list-style-type: none"> <li>i. Sergeants-At-Arms shall take up their position at the inner door of the meeting place and ensure members are in good standing.</li> <li>ii. Sergeant-At-Arms shall allow for members to complete the member in good standing form and advise the Executive Administrator of a walk on application for membership.</li> <li>iii. Sergeants-At-Arms shall, where required, enforce the showing of Union cards or other identification at the door.</li> </ul>
<b>In Person GMM Guests</b>	All guests will be announced to the President who will obtain the permission of the Membership to allow them to enter.
<b>22.3 Orderly Meeting</b>	<ul style="list-style-type: none"> <li>i. Sergeants-At-Arms shall assist the President or Chairperson at all times in conducting a proper and orderly meeting.</li> <li>ii. They shall expel any person from the meeting when so directed by the President or Chairperson of the meeting.</li> </ul>
<b>22.4 Union Property Moved to President</b>	<del>Sergeants at Arms shall be empowered, when requested by the incoming Officer, to contact the outgoing Executive Officer and recover any Union property.</del>
<b>22.5 Sign In Log</b>	Sergeants-at-Arms shall maintain the sign-in log for all In person general membership meetings and deliver the log to the Executive Administrator at the end of the meeting.
<b>Unit Meetings/Special Meetings</b>	The Chairperson of any union meeting, in coordination with the President may contact the Sergeant-At-Arms to request they attend an in-person unit meetings to carry out their duties as above.
<b>Honorarium</b>	The honorarium will be divided by 11 general membership meetings and issued for attendance at each in person meeting.

Elections	
Article 23. Eligibility to Hold Office	
<b>23.1 Eligibility for Nomination</b>	Members seeking nomination to office must have been members of the Local for at least one (1) year.
<b>23.2 Holding More Than One Office</b>	For the purposes of the elections referred to in Article 30, no member shall hold more, nor contest more, than (1) Executive office.
<b>23.3 Eligibility to run for President</b>	<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>
<b>23.4 Calling for Nominations</b>	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 self nomination in writing to the office by 4pm of the day of nominations.
<b>23.5 Nominator</b>	For all bargaining unit specific positions (e.g., Unit VP, bargaining unit specific committees' representative) the nominator must be from the same bargaining unit.
<b>23.6 Out of Scope</b>	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.
Article 24 Executive Nominations & Elections	
<b>24.1 Notice of Nominations</b>	Notice of nominations shall be posted in all workplaces at least one month prior to the nomination.
<b>24.2 Eligible Voting Members</b>	Eligible voting members shall be those who are members in good standing on or before the first day of voting.
<b>24.3</b>	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><b>List of Eligible Voters</b></p> <p>Previously 26.8</p>	
<p><b>24.4 Nomination Schedule</b></p> <p>Previously 24.1</p>	<p>Executive nominations are to be held at the April General Membership in odd numbered years.</p>
<p><b>24.5 Election Schedule</b></p> <p>Previously 25.1</p>	<p>Executive elections will take place biennially in June in odd numbered years</p>
<p><b>24.6 Online Voting &amp; Election Dates</b></p>	<ul style="list-style-type: none"> <li>i. The election shall be held online.</li> <li>ii. The Election Committee will use the service provider in place at the time of the election.</li> <li>iii. Online voting will be open for 48 hours.</li> <li>iv. The elections shall be held in the month of June and completed no later than June 15<sup>th</sup>.</li> </ul>
<p><b>24.7 Unit Policy</b></p>	<ul style="list-style-type: none"> <li>i. Nominations and elections for Unit Vice Presidents will take place as per 24.1 and 24.2 unless the unit has developed their own unit policy.</li> <li>ii. This must occur between April and June 15th in election years as per article 24.1 and 24.2.</li> <li>iii. Each unit may develop their own unit policy for election to ensure the maximum number of people can participate.</li> <li>iv. All elections will be held online.</li> <li>v. This policy will be kept in the Local's policy binder.</li> </ul>
<p><b>24.8 Election Committee</b></p>	<p>The Election Committee will oversee and direct the biennial Executive elections.</p>
<p><b>24.9 Information Package</b></p>	<p>All Candidates will receive a package of information form the Election Committee.</p> <p>The package will contain:</p> <ul style="list-style-type: none"> <li>i. 5167 By-Laws</li> <li>ii. CUPE National Constitution/Equality Statement</li> <li>iii. Any additional information as determined by the Election Committee.</li> </ul>
<p><b>24.10 Plurality voting</b></p>	<p>Election to office shall be by a plurality of the votes counted (candidate with the most votes wins).</p>
<p><b>24.11 Online Ballots</b></p>	<p>The Election Committee shall be responsible for coordinating the form and layout of the ballots for online elections.</p>
<p><b>24.12 Directing Staff</b></p>	<p>The Elections Committee shall put all request for administrative assistance in writing to the National Staff Representative for delivery to the CUPE Local 5167 Office Staff.</p>
<p><b>24.13 Election Complaint</b></p>	<p>Any member or candidate 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>
<b>24.14 Candidates Results</b>	<ol style="list-style-type: none"> <li>i. The Election Committee will contact each candidate to advise them of the results of the election for the position they ran for.</li> <li>ii. 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</li> <li>iii. The Election Committee will notify Staff and direct a candidates results posting.</li> <li>iv. The Executive Administrator will post via the website and social media.</li> </ol>
<b>24.15 Installation of Officers</b>	<ol style="list-style-type: none"> <li>i. Elected Executive shall be installed at the June General Membership.</li> <li>ii. Elected Executive shall continue in office until such time a successor has been duly elected and installed.</li> </ol>
<b>24.16 Election Committee Report</b>	<p>A final report will be presented at the July General Membership Meeting.</p> <p>The Election committee report shall include (but not be limited to);</p> <ol style="list-style-type: none"> <li>i. The number of ballots cast</li> <li>ii. The number of voters from each unit</li> <li>iii. Any complaints received</li> <li>iv. Any issues identified</li> <li>v. Any suggestions moving forward</li> </ol> <p>After the report is presented to the membership, the information will be posted on the website.</p>
<b>Article 25. Campaigning</b>	
<b>25.1 Candidate Use of Local Resources</b>	<p>No member seeking election or re-election to an Executive Board position shall use any of the following for campaign purposes;</p> <ol style="list-style-type: none"> <li>a) Any of the union’s computers,</li> <li>b) An official CUPE 5167 email account,</li> <li>c) Any CUPE 5167 member email and/or telephone lists,</li> <li>d) Any official CUPE 5167 media accounts such as the website, Facebook, twitter, etc.</li> </ol> <p>Any member that abuses this access shall be immediately disqualified from running in the election or re-election.</p>
<b>25.2 Campaign Material Approval</b>	<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>
<b>25.3 Posters</b>	<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</p>

	<p>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>
<b>25.4 Social Media</b>	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.
<b>25.5 Media Interviews</b>	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.
<b>25.6 Campaigning on Union Leave Time</b>	<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>

**Proposed Language for 23, 24 and 25**

<b>Voting &amp; Elections</b>	
<b>Article XX. Online Voting</b>	
<b>23.1 Eligible for Voting</b>	<p><b>Dues Paying Members</b> on the day of the registration deadline – Ratification and Strike votes ONLY.</p> <p><b>Member in Good Standing</b> on the day of the registration deadline: All voting processes and elections.</p>
<b>23.2 List of Eligible Voters</b>	The Executive Administrator shall be responsible for the list of the eligible voting members of the Local, separated by bargaining unit or work group.
<b>Article XX. Executive Elections</b>	
<b>23.1 Eligibility for Nomination</b>	Members seeking nomination to office must have been members of the Local for at least one (1) year.
<b>23.2 Holding More Than One Office</b>	<p><del>For the purposes of the elections referred to in Article 30, No member shall hold more, nor contest more, than (1) Executive position.</del></p> <p>For clarity: An Executive can not be a Sergeant At Arms or Trustee while in their position. An Executive may run for a committee.</p>

	<p>An Executive is a Steward by nature of position, therefore will not be counted as a location steward in the workplace compliment.</p> <p>Upon leaving an Executive position, they may stay as a location steward for the remainder of the Steward term.</p>
<b>23.3 Eligibility to run for President</b>	<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>
<b>23.6 Out of Scope</b>	<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>
<b>24.1 Notice of Nominations</b>	<p>Notice of nominations shall be posted in all workplaces at least one month prior to the nomination.</p>
<b>24.4 Nomination Schedule</b>	<ul style="list-style-type: none"> <li>i. Executive nominations are to be held at the April General Membership in odd numbered years.</li> <li>ii. Members are able to self nominate.</li> <li>iii. If the member is not able to attend the meeting, they must submit a self nomination in writing by 4pm of that day to the office.</li> </ul>
<b>24.8 Election Committee</b>	<p>The Election Committee will oversee and direct the biennial Executive elections.</p>
<b>24.5 Election Schedule</b>	<p>Executive elections will take place biennially in June in odd numbered years</p>
<b>24.6 Election Dates</b>	<ul style="list-style-type: none"> <li>i. Online voting will be open for 48 hours.</li> <li>ii. The elections shall be held in the month of June and completed no later than June 15<sup>th</sup>.</li> </ul>
<b>24.9 Information Package</b>	<p>All Candidates will receive a package of information form the Election Committee.</p> <p>The package will contain:</p> <ul style="list-style-type: none"> <li>i. 5167 By-Laws</li> <li>ii. CUPE National Constitution/Equality Statement</li> <li>iii. Any additional information as determined by the Election Committee.</li> </ul>
<b>24.10 Plurality voting</b>	<p>Election to office shall be by a plurality of the votes counted (candidate with the most votes wins).</p>

<b>24.11</b> <b>Online Ballots</b>	<p>The Election Committee shall be responsible for coordinating the form and layout of the ballots for online elections.</p>
<b>24.12</b> <b>Directing Staff</b>	<p>The Elections Committee shall put all request for administrative assistance in writing to the National Staff Representative for delivery to the CUPE Local 5167 Office Staff.</p>
<b>25.1</b> <b>Candidate Use of Local Resources</b>	<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"> <li>a) Any of the union’s computers,</li> <li>b) An official CUPE 5167 email account,</li> <li>c) Any CUPE 5167 member email and/or telephone lists,</li> <li>d) Any official CUPE 5167 media accounts such as the website, Facebook, twitter, etc.</li> </ul> <p>Any member that abuses this access shall be immediately disqualified from running in the election or re-election.</p>
<b>25.2</b> <b>Campaign Material Approval</b>	<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.</p> <p>Any items not initially approved must be submitted to the committee and approved prior to distribution/sharing.</p>
<b>25.3</b> <b>Posters</b>	<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>
<b>25.4</b> <b>Social Media</b>	<p>All candidates using campaign material or campaigning using social media must follow all rules as laid out by the election committee.</p> <p>Postings are to be respectful and follow the CUPE Equality Statement.</p> <p>Candidates posting offensive material will be asked to alter or remove the offending material.</p>
<b>25.6</b> <b>Campaigning on Union Leave Time</b>	<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>
<b>24.13</b> <b>Election Complaint</b>	<p>Any member or candidate 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><b>24.14</b> <b>Candidates Results</b></p>	<ol style="list-style-type: none"> <li>i. The Election Committee will contact each candidate to advise them of the results of the election for the position they ran for.</li> <li>ii. 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</li> <li>iii. The Election Committee will notify Staff and direct a candidates results posting.</li> <li>iv. The Executive Administrator will post via the website and social media.</li> </ol>
<p><b>24.15</b> <b>Installation of Officers</b></p>	<p>Elected Executive shall be installed at the June General Membership.</p> <p>Elected Executive shall continue in office until such time a successor has been duly elected and installed.</p>
<p><b>24.16</b> <b>Election Committee Report</b></p>	<p>A final report will be presented at the July General Membership Meeting.</p> <p>The Election committee report shall include (but not be limited to);</p> <ol style="list-style-type: none"> <li>i. The number of ballots cast</li> <li>ii. The number of voters from each unit</li> <li>iii. Any complaints received</li> <li>iv. Any issues identified</li> <li>v. Any suggestions moving forward</li> <li>vi. After the report is presented to the membership, the information will be posted on the website.</li> </ol>
<p><b>23.4</b> <b>Calling for Nominations</b> <b>Delete it is self nominations</b></p>	<p><del>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 self nomination in writing to the office by 4pm of the day of nominations.</del></p>
<p><b>23.5</b> <b>Nominator</b> <b>Delete it is self nominations</b></p>	<p><del>For all bargaining unit specific positions (e.g., Unit VP, bargaining unit specific committees' representative) the nominator must be from the same bargaining unit.</del></p>
<p><b>24.2</b> <b>Eligible Voting Members</b></p>	<p><del>Eligible voting members shall be those who are members in good standing on or before the first day of voting.</del> <b>Covered under 23.1 Online voting</b></p>
<p><b>24.3</b> <b>List of Eligible Voters</b> <b>Delete covered under 23.2 Online voting</b></p>	<p><del>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.</del></p>

<p><b>24.7</b> <b>Unit Policy</b></p> <p>Delete no longer a practice since online voting</p>	<p>i. Nominations and elections for Unit Vice Presidents will take place as per 24.1 and 24.2 unless the unit has developed their own unit policy.</p> <p>ii. This must occur between April and June 15th in election years as per article 24.1 and 24.2.</p> <p>iii. Each unit may develop their own unit policy for election to ensure the maximum number of people can participate.</p> <p>iv. All elections will be held online.</p> <p>v. This policy will be kept in the Local's policy binder.</p>
<p><b>25.5</b> <b>Media Interviews</b></p> <p>Delete never done</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>

**Current Language**

Article 26. By-Elections	
<p><b>26.1</b> <b>Vacant Office</b></p>	<p>Should an Executive position become permanently vacant a by-election shall be conducted to fill the vacancy.</p>
<p><b>26.2</b> <b>Notice of Vacancy</b></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><b>26.3</b> <b>Temporary Vacancies</b></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> <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.</p>
<p><b>26.4</b> <b>Campaigning</b></p>	<p>To ensure a timely process any materials will be submitted to the President and 2 other Executives in consultation with National Staff Representatives to ensure the same standards and practice outlined in article 25 Campaigning have been met.</p> <p>In the event it is the President position, all materials will be submitted to the Executive Administrator to be reviewed with 2 other Executives in consultation with National Staff Representatives to ensure the same standards and practice outlined in article 25 Campaigning have been met.</p> <p>The candidate will have a minimum of a 2 week period between nomination and election to campaign.</p>
<p><b>26.5</b> <b>By-Election will be held online</b></p>	<p>The Executive Administrator will set up the online election based on the eligible voters that register.</p>

	In the event the position is the Executive Administrator, the duty is delegated to the President who may contact the online voting provider for assistance if required..
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### Proposed Language

Article 26. By-Elections	
<b>26.1</b> <b>Permanent Vacancies</b>	Should an Executive position become permanently vacant a by-election shall be conducted to fill the vacancy.
<b>26.2</b> <b>Notice of Permanent Vacancy</b> <b>To make consistent with 26.5</b>	<ul style="list-style-type: none"> <li>i. Permanent vacancies will be circulated to the membership to allow for self nominations, followed by an election as per this article for the remainder of the term. <del>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.</del></li> <li>ii. In the interim the Executive Board will appoint a replacement.</li> </ul>
<b>26.3</b> <b>Temporary Vacancies</b> <b>Bullets formatted</b>	<ul style="list-style-type: none"> <li>i. Temporary vacancies created by an extended leave of absence of two (2) months or greater will be filled according to this Article.</li> <li>ii. 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.</li> </ul>
<b>26.4</b> <b>Campaigning</b>	<p>To ensure a timely process any materials will be submitted to the President and 2 other Executives in consultation with National Staff Representatives to ensure the same standards and practice outlined in article 25 Campaigning have been met.</p> <p>In the event it is the President position, all materials will be submitted to the Executive Administrator to be reviewed with 2 other Executives in consultation with National Staff Representatives to ensure the same standards and practice outlined in article 25 Campaigning have been met.</p> <p>The candidate will have a minimum of a 2-week period between nomination and election to campaign.</p>
<b>26.5</b> <b>By-Election will be held online</b>	<p>The Executive Administrator will set up the online election based on the eligible voters that register.</p> <p>In the event the position is the Executive Administrator, the duty is delegated to the President who may contact the online voting provider for assistance if required.</p>

### Current Language

<b>27.10</b> <b>Equity Committee</b>	<ul style="list-style-type: none"> <li>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. . (redundant in article 27.3)</li> <li>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.</li> </ul>
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	<p>iii. The Equity will assist in coordinating and participating in the following events:</p> <ul style="list-style-type: none"> <li>• The Black History Month (February)</li> <li>• International Women’s Day (March 8)</li> <li>• Pride (month of June)</li> <li>• Take Back the Night (September)</li> <li>• Other activities related to the scope of their portfolio</li> </ul>
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**Proposed Language**

<p><b>27.10 Equity Committee</b></p>	<p>The Equity <del>and Diversity</del> Coordinator, or their designate, shall chair the Committee.</p> <p>i. 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.</p> <p>ii. The Equity <del>and Diversity</del> Coordinator will organize the local and committee participation at minimum of 4 events per year related to the scope of their portfolio.</p> <p>iii. They may plan or attend activities including, but not limited to the following:</p> <ul style="list-style-type: none"> <li>• Black History Month (February)</li> <li>• Pink Shirt Day</li> <li>• International Women’s Day (March 8)</li> <li>• International Day for the Elimination of Racial Discrimination (March 21)</li> <li>• Pride (month of June)</li> <li>• Indigenous History Month (month of June)</li> <li>• Take Back the Night (September)</li> <li>• Truth and Reconciliation Day (September 30)</li> <li>• International Day of Person with Disabilities (Dec 3)</li> <li>• The National Day of Remembrance and Action on Violence Against Women (Dec 6)</li> </ul>
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**Current Language**

<p><b>27.13 Health &amp; Safety Committee</b></p>	<p>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. (redundant in article 27.3)</p> <p>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.</p> <p>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.</p> <p>iv. The Health and Safety Committee shall coordinate the Local's activities for the Day of Mourning.</p>
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**Proposed Language**

<p><b>27.13</b> <b>Health &amp; Safety Committee</b></p>	<ul style="list-style-type: none"><li>i. The Second Vice-President, or their designate, shall chair the Committee.</li><li>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.</li><li>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.</li><li>iv. The Health and Safety Committee shall coordinate the Local's activities for the Day of Mourning.</li></ul>
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**Current Language**

<p><b>27.15</b> <b>Communications Committee</b></p>	<ul style="list-style-type: none"><li>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. (redundant in article 27.3)</li><li>ii. The committee shall be responsible for coordinating the local newsletter including development, production, promotion and circulation.</li><li>iii. The committee shall provide support and recommendations related to the local's web site.</li></ul>
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**Proposed Language**

<p><b>27.15</b> <b>Communications Committee</b></p>	<p>The Executive Administrator or their designate shall chair the committee.</p> <p>Each committee member shall:</p> <ul style="list-style-type: none"><li>i. submit a minimum of 3 pieces for each year of the term (for clarity 3 per year).</li><li>ii. provide recommendations related to the local's web site.</li><li>iii. make efforts to promote the local's social media with fellow members.</li></ul> <p>The committee will host one event per year to promote member engagement.</p>
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**Current Language**

<p><b>27.17</b> <b>Social Planning Committee</b></p>	<ul style="list-style-type: none"><li>i. The Committee shall be made up of one member from each bargaining unit/workgroup, duly elected by the membership of that unit. (redundant in article 27.3)</li><li>i. The Social Planning Coordinator or their designate, shall chair the Committee.</li></ul>
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	<ul style="list-style-type: none"> <li>ii. The Committee shall be responsible for planning the annual Labour Day activities and a minimum 3 other events under the guidance of the Social Planning Coordinator.</li> <li>iii. The Committee shall endeavor to engage members of the union to get involved and participate in union activities.</li> </ul>
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**Proposed Language**

<p><b>27.17</b> <b>Social Planning Committee</b></p>	<ul style="list-style-type: none"> <li>i. The Social Planning Coordinator or their designate, shall chair the Committee.</li> <li>ii. The Committee shall be responsible for planning the annual Labour Day activities and a minimum 3 other events under the guidance of the Social Planning Coordinator.</li> <li>iii. The Committee shall endeavor to engage members of the union to get involved and participate in union activities.</li> </ul>
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**Current Language**

<u>Article 28. Accountability and Recall</u>	
<p><b>28.1</b> <b>Allegation</b></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><b>28.2</b> <b>Petition</b></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 petition another table officer of the local shall be designated as the presiding officer for the purpose of this procedure.</p>
<p><b>28.3</b> <b>Appointing a Recall Panel</b></p>	<p>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.</p>
<p><b>28.4</b> <b>Representation</b></p>	<p>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.</p>
<p><b>28.5</b> <b>Opportunity to Respond</b></p>	<p>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.</p>
<p><b>28.6</b> <b>Failure to Attend</b></p>	<p>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.</p>
<p><b>28.7</b> <b>Written Report</b></p>	<p>After hearing the parties' evidence, the Recall Panel shall then prepare a written report and recommendations as to the course of</p>

action (if any) that should be taken to resolve any problems identified.

**Proposed NEW Language**

Article 28. Accountability

<b>28.1</b> <b>Expectation to meet the duties of their position</b>	<p>All representatives of the union elected by the membership or appointed by executive shall be held to standards of accountability and performance that are acceptable to the membership.</p> <p>All representatives of the union elected or appointed are expected to carry out their duties to the best of their abilities in conjunction with existing bylaws, policies and procedures.</p>
<b>28.2</b> <b>Conflict of Interest</b>	<p>All representatives of the union are to declare any conflict of interest in writing immediately to the President.</p> <p>If the President has a conflict of interest, they will submit it in writing to the Vice President.</p> <p>For clarity a conflict of interest is a situation where influence or personal benefit from actions or decisions made in their official capacity benefit another. For example, representing or making a decision that directly impacts a person they are in a close personal relationship with, or themselves.</p>
<b>28.3</b> <b>Allegation</b>	<p>In the event there is an allegation that an elected representative is not performing their duties in a fashion consistent with acceptable standards the accuser must submit their complaint in writing to the President.</p> <p>If the complaint is about the President, the complaint will be submitted in writing to the Vice President.</p> <p>The complaint must be in the course of union-related activities.</p> <p>If the allegation is in the course of workplace-related activities, the member is to pursue the complaint through the employer related avenues available to them. They can request union representation to support them.</p>
<b>28.4</b> <b>Investigation</b>	<p>The President (or Vice President) will review the complaint and existing bylaws, policies and procedures.</p> <p>The President will meet with the respondent and/or accuser.</p>
<b>28.5</b> <b>Investigation Outcomes</b>	<p>The President may provide the following outcome:</p> <ul style="list-style-type: none"><li>• Dismiss the complaint.</li><li>• Provide education and coaching to the accuser and/or respondent on the identified concern/issue.</li><li>• Negotiate an agreement for both the accuser and respondent to move forward in a positive manner.</li><li>• Implement Article 37.8 - Removal from Committees.</li><li>• Convene with the Executive Board to implement temporary suspension of stewardship while trial charges are filed.</li><li>• File trial charges.</li></ul>

<p><b>28.6</b> <b>CUPE National Trial Complaint</b></p>	<p>At anytime a member can file a formal complaint under the CUPE National Constitution based on allegations of offences under the Constitution listed at Appendix F, section F.1.</p>
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**Current Language**

<p><b>33.1</b> <b>Call to Convention and Conferences</b></p>	<p>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.</p>
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**Proposed Language**

<p><b>33.1</b> <b>Call to Convention and Conferences</b></p>	<p>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.</p> <p>Nominations and Elections of Delegates shall be posted and elections to follow as per these bylaws.</p>
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