

BYLAWS



Approved by Membership on ~~May 29, 2021~~ May 6, 2023
Approved by CUPE National on ~~July 9, 2021~~

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BYLAWS

CANADIAN UNION OF PUBLIC EMPLOYEES LOCAL 1418

ARTICLE 1 – NAME AND JURISDICTION

- 1.01 Name - This organization chartered by the Canadian Union of Public Employees shall be known as the Canadian Union of Public Employees, Local Union 1418, and shall be subject to the National Constitution.
- 1.02 Jurisdiction - This Local Union is established to represent, as bargaining agent, employees in the Scientific and Professional category, New Brunswick Certification Order Number 039 PS 1K(2) and Recreation and Culture Program Officer, New Brunswick Certification Order Number 054 PSI F (3) under Part I, first schedule of the New Brunswick *Public Service Labour Relations Act* and any other group of professional employees in the province of New Brunswick appropriate for certification under the New Brunswick *Public Service Labour Relations Act* or the New Brunswick *Industrial Relations Act* for whom the Local is chartered by the Canadian Union of Public Employees and certified by the Public Service Labour Relations Board.

ARTICLE 2 – OBJECTIVES

- 2.01 The objectives of this Local are:
- (1) to negotiate a province-wide agreement with Board of Management of New Brunswick and to coordinate an effective program of collective bargaining;
 - (2) to assist in the processing of grievances;
 - (3) to maintain a high standard of professional services and encourage programs of professional growth and development;
 - (4) to promote solidarity among its members;
 - (5) to assist in organizing the unorganized employees covered by this Local's professional and technical classifications into a provincial union; and
 - (6) to promote the social development of the province.

ARTICLE 3 – DEFINITIONS

- 3.01 National - shall mean the Canadian Union of Public Employees with headquarters located in the City of Ottawa, Ontario.
- 3.02 Constitution - shall mean the **Canadian Union of Public Employees** National Constitution.
- 3.03 Local - shall mean the Canadian Union of Public Employees, Local Union 1418.
- 3.04 Bylaws - shall mean the regulations governing the Local.
- ~~3.05 Delegate Membership Meeting shall mean the meetings of the Local as defined in Article 8.01.~~
- 3.05** ~~3.06~~ Annual Meeting - shall mean the annual delegate membership meeting.
- 3.06** ~~3.07~~ Sub-units - shall constitute the component organizations of the Local as outlined in Schedule "A".
- 3.07** ~~3.08~~ Regulations - shall mean the regulations governing all of the Sub-units and shall form part of these Bylaws, attached hereto as Schedule "A".

ARTICLE 4 – OFFICERS AND ELECTION *partially moved to ARTICLE 7

- ~~4.01 Officers - The officers of the Local shall consist of a President, a Vice President, a Secretary Treasurer, a Recording Secretary, the Area Vice President from each of the Sub-units, the Past President as ex-officio member, and three trustees.~~
- ~~4.02 The Executive Board shall be constituted by the following officers: the President, the Vice President, the Secretary Treasurer, the Recording Secretary, the Area Vice Presidents and the Past President as ex-officio member.~~
- ~~4.03 The Area Vice Presidents shall be nominated at the Annual and Sub-unit meeting and that person's name shall be submitted for election at the Annual Membership Meeting.~~
- ~~4.04 The tenure of each office shall be of one year, except for the positions of President, Vice President, Secretary Treasurer and Recording Secretary (Executive Committee) who shall be elected for staggered two-year periods.~~
- ~~4.05 Eligibility - All candidates for office in the Local must be fully accredited delegates to the annual meeting and must comply with the provisions of the CUPE Constitution regarding eligibility to stand for and continue in office.~~

~~4.06 Nomination – Nominations and elections shall take place at the Annual Meeting of the Local in May and the Installation of officers shall take place at that meeting. No delegate may be nominated for office at this Local unless he or she is present at the nomination and election meeting or unless his or her proposer has the nominee's official consent in writing.~~

~~4.07 Elections – Election of officers shall be by secret ballot and the presiding officer will appoint a returning officer and scrutineers to count the ballots.~~

~~4.08 Vacancy~~

~~(a) – In the event of a vacancy in any office, the Executive Committee shall select a member from among the delegates who attended the annual meeting to fill the vacancy until an election can be held for the vacant office. In the event of a vacancy in the office of President, the Vice-President shall perform the duties of the President until a successor is elected.~~

~~(b) – In the event of a vacancy in the position of Area Vice President at the Sub-unit, the position shall be filled via a by-election at the next Sub-unit meeting. The newly elected member shall be announced to the Provincial Executive by the President of the Sub-unit, for official appointment as the Sub-unit's new Area Vice President filling the vacancy. This nominee does not have to be a delegate at the last annual meeting.~~

~~4.09 Recount – Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported by at least the number of members equal to the quorum for annual or special membership meetings.~~

~~4.10 Voting – All members in good standing of the Local shall only have one vote at any meeting or voting situation of the Local or Sub-unit. There shall be no proxy votes and members will not be allowed to vote on behalf of other members.~~

ARTICLE 4 – AFFILIATIONS *NEW

4.01 (a) In order to strengthen the labour movement and work toward common goals and objectives, Local 1418 shall be affiliated to and pay per capita tax to the following organization(s):

- **The CUPE New Brunswick Provincial Division**
- **The New Brunswick Federation of Labour**

(b) Sub-units are encouraged to affiliate to and pay per capita tax to the following organization:

- **The District Labour Council in their Region**

ARTICLE 5 – DUTIES OF OFFICERS *moved to ARTICLE 9

- 5.01 ~~President~~ – The President shall preside at all meetings of the Local and Executive Board, preserve order and decorum and enforce the Constitution and By-laws. He/she shall be the spokesperson for all delegations representing the Local, unless some other member is appointed by the Executive Committee. He/she shall be a signing officer of the Local and an ex-officio of all committees of the Local.
- 5.02 ~~Vice President~~ – The Vice President shall assist the President and in the absence of the President, he/she shall discharge the duties of the President. In the absence of the President or Secretary-Treasurer, he/she shall be one of the signing officers for the disbursement of funds. On the request of the President, the Vice President shall act in the absence of the Secretary-Treasurer. The Vice President shall assist the Secretary-Treasurer with all the customary duties of a Recording Secretary.
- 5.03 ~~Area Vice President~~ – The duties of the Area Vice President shall be to coordinate activities between the Sub-units and the Standing Committees with the Executive Committee; to perform other duties as assigned by the Executive Committee.
- 5.04 ~~Secretary-Treasurer~~
- (a) ~~The Secretary-Treasurer shall maintain correct and proper accounts of the Local. He/she shall receive all affiliation fees, dues, assessments and other monies of the Local and deposit same in the name of the Local in such financial institution or Credit Union as directed by the Executive Board. The Secretary-Treasurer shall be properly bonded with a faithful performance of duty bond in accordance with the guidelines set by the National Office. Any Secretary-Treasurer who cannot qualify for a bond shall immediately be disqualified from this office and the Local or Executive Board will proceed to the election of another Secretary-Treasurer.~~
- (b) ~~The Secretary-Treasurer will make a financial report to the Executive Board quarterly. It shall be the duty of the Secretary-Treasurer to keep on file all receipts for all expenditures approved by him/her during the year. The Secretary-Treasurer shall submit his/her books and records half yearly to the Trustees for audit and shall furnish the Trustees with a letter from the financial institution and/or Credit Union where the funds of the Local are deposited, attesting to the amount to the credit of the Local at such bank. The Secretary-Treasurer shall forward to the National Secretary-Treasurer on the official monthly report form provided, not later than the 15th day of each month, all financial obligations owing to the National. Also, the Secretary-Treasurer shall forward all financial obligations to affiliated bodies as instructed by the Local.~~

~~(c) The Secretary-Treasurer will be responsible to forward annually, to the National, the revised By-laws. The Secretary-Treasurer may request the assistance of the Vice President for any of the duties covered in this paragraph.~~

~~5.05 Recording Secretary - The Recording Secretary shall keep a correct, full and impartial record of the proceedings of all meetings of the Local and Executive Board. He/she shall read same at the next appropriate meeting for approval. He/she shall refer all correspondence to the Executive Board and read such as requested. He/she shall receive and issue all correspondence of the Local.~~

~~5.06 Delegates to CUPE National Convention, CUPE New Brunswick Convention, Canadian Labour Congress and Federation of Labour Conventions will be appointed or elected by a majority of the Executive Board.~~

ARTICLE 5 – MEMBERSHIP *NEW

5.01 Membership

An individual employed within the jurisdiction of Local 1418 can apply for membership in Local 1418 by signing an application and paying the initiation fee set out in Article 13 of these bylaws.

5.02 Oath of Membership

New members will take this oath:

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

5.03 Continuation of Membership

Once accepted, a member continues as a member in good standing while employed within the jurisdiction of the Local 1418 unless the member loses good standing under the provisions of the CUPE National Constitution.

5.04 Member Obligations

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

Members will provide the Sub-unit Membership Officer with their current address, personal telephone number and where available, an e-mail address. The member will advise the Sub-unit Membership Officer of any changes to their contact information. This information will be protected and used to communicate with members.

ARTICLE 6 – TRUSTEES *moved to ARTICLE 9, 10

- ~~6.01 Election – Trustees shall be elected by a simple majority at the Annual Meeting. Initially the trustee receiving the largest number of votes shall be elected for three (3) years, the trustee receiving the second largest vote shall be elected for two (2) years and the trustee receiving the third largest number of votes shall be elected for one (1) year. Subsequently, one (1) trustee shall retire each election year as the term for which such trustee was elected expires and succeeding trustee shall be elected for three (3) years. The retiring trustee shall be eligible for re-election.~~
- ~~6.02 Duties – The Trustees shall examine the books of the Secretary-Treasurer and inspect, or examine, all properties, bonds, and all other assets of the Local at the end of April and at the end of October of each year and shall report to the next regular meeting of the Executive Committee following the end of each year on the condition of the funds and accounts, the number of members in good standing, the number initiated, expelled or suspended, admitted or withdrawn, together with such information they may deem necessary to the efficient and honest administration of the Local. They shall audit the properties of the Local upon the transfer of authority when the signing officers change. They shall transmit a copy of such report to the National Secretary-Treasurer. The Trustees shall make an annual report to the Local at the annual delegate meeting.~~

ARTICLE 6 8 – ANNUAL AND SPECIAL MEMBERSHIP MEETINGS *moved from previous ARTICLE 8, 12, 13, 14

6.01 ~~8.04~~ By Delegates - Annual and special membership meetings of this Local shall be by delegate representation on the following basis:

- (1) all officers of the Local;
- (2) the Trustees;
- (3) ten (10) delegates as elected from each of the seven (7) Sub-units.

6.02 ~~8.02~~ Annual Meeting

(1) The Annual Meeting of the Local shall be held in the month of May of each year at a time, date and place to be determined by the Executive Committee.

(2) ~~13.04~~ Notice of Meetings - The Secretary-Treasurer shall notify in writing all Sub-units sixty (60) days prior to the Annual Meeting. Sub-units shall submit the names of the delegates to the Secretary-Treasurer of the Local within fifteen (15) days prior to the day of the Annual Meeting.

(3) ~~13.02 (a)~~ Submitting of Resolutions – Sub-units wishing to submit any matter that is deemed in the interest of the Local, may submit such matter in writing to the Secretary-Treasurer of the Local. ~~Delegates may not submit policy motions, of which notice has not been given, without the express authority of their Sub-units. and that r~~ Resolutions shall be submitted to the Secretary-Treasurer of the local within sixty (60) days of the Annual Meeting.

(4) ~~13.02 (b)~~ Submitting of Emergency Resolutions – Emergency Resolutions Proposals may be submitted to the Executive Board in the event that time does not allow such a resolution to meet the deadline for submitting resolutions, and the intent of proposed resolution is one of urgency and considered in the best interest of the Local or union movement as a whole. The Executive Board will vote on the said resolution as to whether it should be presented to the Annual ~~General~~ Meeting delegates.

6.03 ~~8.03~~ Special Membership Meeting - May be called by the President, the Executive Committee, or at the written request of four (4) Sub-units.

6.04 ~~8.04~~ Quorum - A quorum at the annual or special membership meetings shall be at least fourteen (14) delegates, representing four (4) Sub-units and with two (2) Executive officers present. A quorum at Executive Board meetings shall be at least six (6) officers representing at least four (4) Sub-units.

6.05 ~~12.04~~ Rules of Order - All meetings of the Local Union will be conducted in accordance with the basic principles of Canadian parliamentary procedure. In all matters not regulated, Bourinot's Rules of Order shall govern.

6.06 ~~8.05~~ Rules of Order Representative - A Rules of Order Representative with expertise in the area of rules of order shall be present at all Annual and Special Membership Meetings for the purpose of ruling on any point of order, ensuring that Bourinot's Rules of Order, CUPE Local 1418 Bylaws and CUPE Constitution are followed.

6.07 ~~ARTICLE 14 – ORDER OF BUSINESS~~ Order of Business

- (1) Acknowledgement of Indigenous Territory
- (2) Roll call of officers
- (3) Reading of the Equality Statement
- (4) New Members
- (5) Reading of the minutes
- (6) Matters arising from the minutes
- (7) Secretary-Treasurer's Report
- (8) Executive Committee Report(s)
- (9) Communications and bills
- (10) Reports of Committees and Coordinator(s)
- (11) Trustees' Report
- (12) Nominations, elections, or installations
- (13) Unfinished business
- (14) New business
- (15) Good of the Union
- (16) Adjournment

ARTICLE 7 – SIGNING OFFICERS *moved from previous ARTICLE 4

~~7.01~~ Signing Officers — The Secretary-Treasurer's signature must be on cheques. The second signing officer will be either the President, the Vice-President, or the Area Vice-President in the area of the Secretary-Treasurer.

7.01 ~~4.04~~ Officers — The officers of the Local shall consist of a President, a Vice-President, a Secretary-Treasurer, a Recording Secretary, the Area Vice-President from each of the Sub-units, the Past-President as ex-officio member, and three **(3)** trustees.

ARTICLE 8 – ANNUAL AND SPECIAL MEMBERSHIP MEETINGS *moved to ARTICLE 6

~~8.01~~ By Delegates — Annual and special membership meetings of this Local shall be by delegate representation on the following basis:

- (1) — all officers of the Local;
- (2) — the Trustees;
- (3) — ten (10) delegates as elected from each of the seven (7) Sub-units.

~~8.02 Annual Meeting – The Annual Membership Meeting of the Local shall be held in the month of May of each year at a time, date and place to be determined by the Executive Committee.~~

~~8.03 Special Membership Meeting – May be called by the President, the Executive Committee, or at the written request of four (4) Sub-units.~~

~~8.04 Quorum – A quorum at the annual or special membership meetings shall be at least fourteen (14) delegates, representing four (4) Sub-units and with two (2) Executive officers present. A quorum at Executive Board meetings shall be at least six (6) officers representing at least four (4) Sub-units.~~

~~8.05 Rules of Order Representative – A Rules of Order Representative with expertise in the area of rules of order shall be present at all Annual and Special Membership Meetings for the purpose of ruling on any point of order, ensuring that Bourinot's Rules of Order, CUPE Local 1418 By laws and CUPE Constitution are followed.~~

ARTICLE 8 – EXECUTIVE BOARD *partially moved from previous ARTICLE 4

8.01 4.02 The Executive Board shall be constituted by the following officers: the President, the Vice-President, the Secretary-Treasurer, the Recording Secretary, the Area Vice-Presidents and the Past-President as ex-officio member.

8.02 **The Executive Board shall meet at least eight (8) times per year.**

8.03 **A majority of the Executive Board constitutes a quorum.**

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

8.05 **Should any Executive Board member fail to answer the roll call for three consecutive regular Executive Board meetings without having submitted good reasons, their position shall be declared vacant and shall be filled by an election at the following membership meeting.**

ARTICLE 9 – COMMITTEES *moved to ARTICLE 11

~~9.01 Executive Committee – Shall consist of the Local's President, Vice-President, Secretary-Treasurer and Recording Secretary. The Executive Committee is directly responsible to the Executive Board (as defined in Article 4.02). The Executive Board is accountable to the general membership of Local 1418.~~

~~9.02 Negotiating Committee Shall consist of the Executive Committee and the CUPE Co-ordinating Representative. Each of the Area Vice Presidents shall rotate on the Negotiating Committee. The Negotiating Committee shall have the power to add members to this committee as required.~~

~~9.03 Education Committee Shall consist of a co-ordinator who is elected at the Annual General Meeting and two members of the Executive Board.~~

~~This committee is responsible for:~~

- ~~• selecting the recipient of the Solidarity Bursary and;~~
- ~~• providing information kits to the Sub-units for distribution to new members.~~

~~9.04 Public Relations Committee Shall consist of the Local's President and another member whom is appointed by the Executive Board. This committee, with the assistance of the CUPE Communications Representative, is responsible for:~~

- ~~• organizing press releases and press conferences when they are deemed necessary;~~
- ~~• providing talk sheets, fact sheets and any other campaign materials when needed;~~
- ~~• organizing media ads as approved by the Executive Board.~~

~~9.05 By laws Committee Shall consist of three (3) delegates elected by a simple majority at the Annual General Meeting. Initially, the delegate receiving the largest number of votes shall be elected for three (3) years, the delegate receiving the second largest vote shall be elected for two (2) years and the delegate receiving the third largest number of votes shall be elected for one (1) year. Subsequently, one (1) delegate shall retire each election year as the term for which such delegate was elected expires and succeeding delegates shall be eligible for re-election.~~

~~This committee shall review all proposed amendments to the By-laws and shall present them at the Annual Meeting. It shall be the duty of this committee to have all proposed changes of the By-laws in the hands of the Sub-units at least one month prior to the General Membership Meeting. A vote on a by-law change shall be on the merits of it; motions of concurrence or non-concurrence shall not be in order.~~

~~9.06 Human Rights Committee Coordinator Shall be elected at the Annual General Meeting and shall act as liaison between the Sub-units and the Executive Board on matters related to discrimination as a result of gender; race; ethnicity; sexuality; disability and all other grounds recognized under the Human Rights Legislation.~~

~~This individual will liaise with the CUPE Representative so that the Local can be kept abreast of events; and will be privy to materials used by CUPE to educate the membership on Human Rights issues.~~

- ~~9.07 Health and Safety Coordinator – Shall be elected at the Annual Meeting and shall act as liaison between the Sub units and the Executive Board on all aspects of health and safety in the workplace. It is expected that this individual will attend conferences related to Health and Safety issues/education; and that he/she will give presentations and/or information to the Executive Board and/or membership of such learning.~~
- ~~9.08 Special Committees – A special committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive Board. One member of the Executive Board may sit on any special committee as an ex-officio member.~~
- ~~9.09 Newsletter Editor – This position shall be held by the Local's Vice-President. The Editor is responsible for:~~
- ~~• ensuring circulation of the Newsletter to the membership; and~~
 - ~~• collecting news items of current events pertaining to CUPE Local 1418 and other relevant educational information for our members regarding the Collective Agreement or members' rights in general.~~
- ~~9.10 Labour Management Committee – Shall consist of the Executive Committee and shall be chaired by the Local's Vice-President. An Area Vice-President will attend these meetings on a rotating basis. This committee has the authority to add members should it be deemed necessary. This Committee is responsible to meet with senior management representatives as per outlined pursuant to the Collective Agreement.~~
- ~~9.11 Child Welfare Committee – This committee is chaired by the Local's President and consists of minimally four other members actively employed in a Child Welfare Program. These members shall be appointed by the Executive Board. This committee meets on a quarterly basis with the Senior Management Team of the Department of Social Development to discuss Child Welfare matters.~~
- ~~9.12 Resolution Committee – Shall consist of three (3) delegates elected by a simple majority at the Annual General Meeting. Initially, the delegate receiving the largest number of votes shall be elected for three (3) years, the delegate receiving the second largest vote shall be elected for two (2) years and the delegate receiving the third largest number of votes shall be elected for one (1) year. Subsequently, one (1) delegate shall retire each election year as the term for which such delegate was elected expires and succeeding delegates shall be eligible for re-election.~~

~~This committee shall review all proposed resolutions and shall present the resolutions at the Annual General Meeting. It shall be the duty of this committee to have all proposed resolutions in the hands of the Sub-units at least thirty (30) days prior to the Annual General Meeting. A vote on a resolution shall be on the merits or action proposed in the resolution; motions of concurrence or non-concurrence shall not be in order.~~

~~9.13 University Liaisons — two (2) delegates of the Annual General Meeting shall be elected to act as the Liaisons for St. Thomas University and the Université de Moncton. These members will represent CUPE Local 1418 when requested to meet with their respective consultation committees of the Social Work Faculties when requested.~~

~~9.14 Reports of Committees and Coordinators — All committees and coordinators shall present reports on request to the Executive Board and the Annual General Meeting along with any appropriate recommendations by any member~~

~~9.15 Expenses of Committees and Coordinators — No expenditures by any committee, coordinator or any member shall be incurred unless same has been previously approved by the Executive Board. Between meetings, the Executive Committee shall jointly approve all expenditures and be held accountable for all expenditures.~~

~~9.16 Long Term Disability Plan Coordinator — Shall be appointed by the Executive Board for a period of two years and shall act as a liaison between the Sub-units and the Executive Board on matters relating to the Long Term Disability Plan. An alternate shall also be appointed by the Executive Board. The Long Term Disability Plan Coordinator and/or the Long Term Disability Plan Alternate shall attend all Long Term Disability meetings and report to the Executive Board.~~

ARTICLE 9 – DUTIES OF OFFICERS *moved from previous ARTICLE 5, partial previous ARTICLE 6, 7

9.01 ~~5.04 President — The President shall preside at all meetings of the Local and Executive Board, preserve order and decorum and enforce the Constitution and Bylaws.~~

The President shall:

- **Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.**
- **Interpret these bylaws as required.**
- **Preside at all membership and Executive Board meetings and preserve order.**
- **Decide all points of order and procedure (subject always to appeal of the membership).**
- **Have the same right to vote as other members.**

- **Ensure that all Officers perform their assigned duties.**
- **Fill committee vacancies where elections are not provided for.**
- **Have first preference as a delegate to the CUPE National Convention.**
- ~~He/she s~~ **Shall** be the spokesperson for all delegations representing the Local, unless some other member is appointed by the Executive Committee.
- ~~He/she s~~ **Shall** be a signing officer of the Local and an ex-officio of all committees of the Local.

9.02 ~~5.02~~ Vice-President

The Vice-President shall:

- assist the President and in the absence of the President ~~he/she~~ **they** shall discharge the duties of the President.
- In the absence of the President or Secretary-Treasurer, ~~he/she~~ **they** shall be one of the signing officers for the disbursement of funds.
- On the request of the President, the Vice-President shall act in the absence of the Secretary-Treasurer **or Recording Secretary**. ~~The Vice-President shall assist the Secretary-Treasurer with all the customary duties of a Recording Secretary.~~

9.03 ~~5.03~~ Area Vice-President - The duties of the Area Vice-President shall be to ~~coordinate activities~~ **liaise** between the Sub-units and the Standing Committees with the Executive Committee; to perform other duties as assigned by the Executive Committee. **See Schedule "A" for duties at the Sub-unit level.**

9.04 ~~5.04~~ Secretary-Treasurer

The Secretary-Treasurer shall:

- maintain correct and proper accounts of the Local.
- ~~He/she shall~~ receive all affiliation fees, dues, assessments and other monies of the Local and deposit same in the name of the Local in such financial institution or Credit Union as directed by the Executive Board.
- ~~The Secretary-Treasurer shall~~ be properly bonded with a faithful performance of duty bond in accordance with the guidelines set by the National Office. Any Secretary-Treasurer who cannot qualify for a bond shall immediately be disqualified from this office and the Local or Executive Board will proceed to the election of another Secretary-Treasurer.
- **Sign all cheques (excluding their own) and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local 1418 bylaws, or vote of the Executive Board.**
- **Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by the President and one other member of the Executive Board as determined by the Executive Board.**
- **Ensure that per capita tax is paid by direct remittance**

- **Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices.**
- Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union. ~~It shall be the duty of the Secretary-Treasurer to keep on file all receipts for all expenditures approved by him/her during the year.~~
- ~~The Secretary-Treasurer will make a financial report to meetings of the Executive Board quarterly.~~
- **Make a written financial report to the Annual Meeting, detailing all income and expenditures for the period.**
- ~~The Secretary-Treasurer shall submit his/her their books and records half yearly to the Trustees for audit and shall furnish the Trustees with a letter from the financial institution and/or Credit Union where the funds of the Local are deposited, attesting to the amount to the credit of the Local at such bank.~~
- The Secretary-Treasurer shall forward to the National Secretary-Treasurer on the official monthly report form provided, not later than the 15th day of each month, all financial obligations owing to the National.
- ~~Also, the Secretary-Treasurer shall forward all financial obligations to affiliated bodies as instructed by the Local. **No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.**~~
- ~~The Secretary-Treasurer will be responsible to forward annually, to the National, the revised Bylaws.~~
- ~~The Secretary-Treasurer may request the assistance of the Vice-President for any of the duties covered in this paragraph.~~
- **Preside over membership and Executive Board meetings in the absence of both the President and Vice-President.**

9.05 ~~5.05~~ Recording Secretary

The Recording Secretary shall:

- keep a correct, full and impartial record of the proceedings of all meetings of the Local and Executive Board. **These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary-Treasurer. The record will also include Trustees' reports.**
- He/she shall read **review** same **the minutes** at the next appropriate meeting for approval.
- He/she shall refer all correspondence to the Executive Board and read such as requested. He/she **The Recording Secretary** shall receive and issue all correspondence of the Local.

- **Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval prior to implementing.**
- **Prepare and distribute all notices to members.**

9.06 Trustees

6.02 ~~Duties~~ – The Trustees shall:

- examine the books of the Secretary-Treasurer and inspect, or examine, all properties, bonds, and all other assets of the Local at the end of April and at the end of October of each year.
- ~~and shall~~ report to the next regular meeting of the Executive Committee following the end of each year on the condition of the funds and accounts, the number of members in good standing, the number initiated, expelled or suspended, admitted or withdrawn, together with such information they may deem necessary to the efficient and honest administration of the Local.
- ~~They shall~~ audit the properties of the Local upon the transfer of authority when the signing officers change.
- ~~They shall transmit a copy of such report to the National Secretary-Treasurer.~~ **Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:**
 - (1) Completed Trustees' Report**
 - (2) Recommendations made to the President and Secretary-Treasurer of the Local Union**
 - (3) Secretary-Treasurer's response to recommendations**
 - (4) Concerns that have not been addressed by the Local Union Executive Board.**
- **Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.**
- ~~The Trustees shall~~ make an annual report to the Local at the annual delegate meeting.
- **Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.**
- **Audit the record of attendance.**

9.07 7.04 Signing Officers - The Secretary-Treasurer's signature must be on cheques. The second signing officer will be either the President, the Vice-President, or the **Recording Secretary** ~~Area Vice-President in the area of the Secretary-Treasurer.~~ **Signing officers are not able to sign cheques written out to themselves.**

ARTICLE 10 – AMENDMENTS TO THE BY-LAWS *moved to ARTICLE 16

~~10.01 (a) Any Sub-unit, standing or special committee, including Trustees as a committee, or the Executive Board of the Local may submit resolutions for By-laws amendment. These proposed changes shall be submitted in writing to the Secretary-Treasurer at least sixty (60) days prior to the Annual Meeting.~~

~~All proposed changes to By-laws shall be in the hands of the Sub-units at least thirty (30) days prior to the Annual or special membership meeting.~~

~~(b) These By-laws can be amended or altered only at a special, or annual, membership meeting of the Local; and to do so, it shall require two-thirds of the votes of the delegates present and voting. These By-laws and amendments thereto shall become effective following the approval of same by the National President of the Canadian Union of Public Employees, and/or the National Executive Board.~~

~~10.02 The By-laws Committee Chairperson shall annually cause to have the amended or altered By-laws as per Article 10.01 inserted into the By-laws.~~

ARTICLE 10 – NOMINATIONS AND ELECTIONS *partially moved from previous ARTICLE 4, 5, 6, 11

10.01 Nominations

(1) Nominations will be received at the Annual Meeting.

(2) 4.05 Eligibility All candidates for office in the Local must be fully accredited delegates to the Annual Meeting and must comply with the provisions of the CUPE Constitution regarding eligibility to stand for and continue in office.

(3) Nominations will be accepted from members in attendance at the Annual Meeting or from those members who have allowed their name to be filed in writing at the meeting, witnessed by another member.

(4) A member may accept nomination for a position while holding office in any position. If successful in the election, their resignation from their current position will take effect at that time.

(5) 4.03 The Area Vice-Presidents shall be nominated at the Annual and Sub-unit **elections** Meetings and that person's name shall be submitted for election at the Annual Membership Meeting.

10.02 ~~6.04~~ Elections

- (1) 4.04 The tenure of each office shall be of one year, except for the positions of President, Vice-President, Secretary-Treasurer and Recording Secretary (Executive Committee) who shall be elected for staggered two-year periods.
- (2) Trustees shall be elected by a simple majority at the Annual Meeting. Initially the trustee receiving the largest number of votes shall be elected for three (3) years, the trustee receiving the second largest vote shall be elected for two (2) years and the trustee receiving the third largest number of votes shall be elected for one (1) year. Subsequently, one (1) trustee shall retire each election year as the term for which such trustee was elected expires and succeeding trustee shall be elected for three (3) years. The retiring trustee shall be eligible for re-election.
- (3) ~~4.10 Voting~~ All members in good standing of the Local shall only have one vote at any meeting or voting situation of the Local or Sub-unit. There shall be no proxy votes and members will not be allowed to vote on behalf of other members.
- (4) ~~4.07 Elections~~ Election of officers shall be by secret ballot and the presiding officer will appoint a returning officer and scrutineers to count the ballots. **Ballots refers to votes cast either in person or virtually.**
- (5) **Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may begin to fill another office.**
- (6) **A majority of votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will be taken if necessary to obtain a majority. On the second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot will be dropped.**
- (7) **In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.**
- (8) **When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.**
- (9) 4.09 ~~Recount~~ – Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported by at least the number of members equal to the quorum for annual or special membership meetings.

(10) ~~5.06~~ Delegates to CUPE National Convention, CUPE New Brunswick Convention, Canadian Labour Congress and Federation of Labour Conventions will be appointed or elected by a majority of the Executive Board.

10.03 ~~4.08~~ Vacancy

(1) In the event of a vacancy in any office, the Executive Committee shall select a member from among the delegates who attended the Annual Meeting to fill the vacancy until an election can be held for the vacant office. In the event of a vacancy in the office of President, the Vice-President shall perform the duties of the President until a successor is elected.

(2) In the event of a vacancy in the position of Area Vice-President at the Sub-unit, the position shall be filled via a by-election at the next Sub-unit meeting. The newly elected member shall be announced to the Provincial Executive by the President of the Sub-unit, for official appointment as the Sub-unit's new Area Vice-President filling the vacancy. This nominee does not have to be a delegate at the last Annual Meeting.

10.04 ~~11.04~~ Obligations

I,, do most sincerely promise that I will truly and faithfully, to the best of my ability, perform the duties of my office, for the ensuing term, as prescribed in the Constitution and Bylaws of the Canadian Union of Public Employees, and as an officer of this Local will, at all times, endeavour, both by counsel and example, to promote the harmony and preserve the dignity of its sessions.

I further promise that, at the close of my official term, I will promptly deliver all monies, books, papers, or other property of this Local in my possession to my duly elected successor in office.

ARTICLE 11 – OBLIGATIONS *moved to ARTICLE 10

~~11.01~~ I,, do most sincerely promise that I will truly and faithfully, to the best of my ability, perform the duties of my office, for the ensuing term, as prescribed in the Constitution and By-laws of the Canadian Union of Public Employees, and as an officer of this Local will, at all times, endeavour, both by counsel and example, to promote the harmony and preserve the dignity of its sessions.

~~I further promise that, at the close of my official term, I will promptly deliver all monies, books, papers, or other property of this Local in my possession to my duly elected successor in office.~~

ARTICLE 9 11 – COMMITTEES *renumbered from ARTICLE 9 to 11

11.01 ~~9.01~~ Executive Committee - Shall consist of the Local's President, Vice-President, Secretary-Treasurer and Recording Secretary. The Executive Committee is directly responsible to the Executive Board (as defined in Article ~~8.01~~ 4.02). The Executive Board is accountable to the general membership of Local 1418.

11.02 ~~9.02~~ Negotiating Committee - Shall consist of the Executive Committee and the CUPE Co-ordinating Representative. Each of the Area-Vice-Presidents shall rotate on the Negotiating Committee. The Negotiating Committee shall have the power to add members to this committee as required.

11.03 ~~9.03~~ Education Committee – Shall consist of a co-ordinator who is elected at the Annual General Meeting and two members of the Executive Board.

This committee is responsible for:

- selecting the recipient of the Solidarity Bursary and;
- providing information kits to the Sub-units for distribution to new members.

11.04 ~~9.04~~ Public Relations Committee - Shall consist of the Local's President and another member whom is appointed by the Executive Board. This committee, with the assistance of the CUPE Communications Representative, is responsible for:

- organizing press releases and press conferences when they are deemed necessary;
- providing talk sheets, fact sheets and any other campaign materials when needed;
- organizing media ads as approved by the Executive Board.

11.05 ~~9.05~~ Bylaws Committee - Shall consist of three (3) delegates elected by a simple majority at the Annual General Meeting. Initially, the delegate receiving the largest number of votes shall be elected for three (3) years, the delegate receiving the second largest vote shall be elected for two (2) years and the delegate receiving the third largest number of votes shall be elected for one (1) year. Subsequently, one (1) delegate shall retire each election year as the term for which such delegate was elected expires and succeeding delegates shall be eligible for re-election.

This committee shall review all proposed amendments to the Bylaws and shall present them at the Annual Meeting. It shall be the duty of this committee to have all proposed changes of the Bylaws in the hands of the Sub-units at least one month prior to the ~~General Membership~~ **Annual** Meeting. ~~A vote on a by-law change shall be on the merits of it; motions of concurrence or non-concurrence shall not be in order.~~

11.06 ~~9.06~~ Human Rights Committee Coordinator - Shall be elected at the Annual General Meeting and shall act as liaison between the Sub-units and the Executive Board on matters related to discrimination as a result of gender; race; ethnicity; sexuality; disability and all other grounds recognized under the Human Rights Legislation.

This individual will liaise with the CUPE Representative so that the Local can be kept abreast of events; and will be privy to materials used by CUPE to educate the membership on Human Rights issues.

11.07 ~~9.07~~ Health and Safety Coordinator - Shall be elected at the Annual Meeting and shall act as liaison between the Sub-units and the Executive Board on all aspects of health and safety in the workplace. It is expected that this individual will attend conferences related to Health and Safety issues/education; and that he/she will give presentations and/or information to the Executive Board and/or membership of such learning.

11.08 ~~9.08~~ Special Committees - A special committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive Board. One member of the Executive Board may sit on any special committee as an ex-officio member.

11.09 ~~9.09~~ Newsletter Editor – This position shall be held by the Local’s Vice-President.

The Editor is responsible for:

- ensuring circulation of the Newsletter to the membership; and
- collecting news items of current events pertaining to CUPE Local 1418 and other relevant educational information for our members regarding the Collective Agreement or members’ rights in general.

11.10 ~~9.10~~ Labour Management Committee – Shall consist of the Executive Committee and shall be chaired by the Local’s Vice-President. An Area Vice-President will attend these meetings on a rotating basis. This committee has the authority to add members should it be deemed necessary. This Committee is responsible to meet with senior management representatives as per outlined pursuant to the Collective Agreement.

11.11 ~~9.11~~ Child Welfare Committee – This committee is chaired by the Local’s President and consists of minimally four other members actively employed in a Child Welfare Program. These members shall be appointed by the Executive Board. This committee meets on a quarterly basis with the Senior Management Team of the Department of Social Development to discuss Child Welfare matters.

11.12 9.12 Resolution Committee - Shall consist of three (3) delegates elected by a simple majority at the Annual General Meeting. Initially, the delegate receiving the largest number of votes shall be elected for three (3) years, the delegate receiving the second largest vote shall be elected for two (2) years and the delegate receiving the third largest number of votes shall be elected for one (1) year. Subsequently, one (1) delegate shall retire each election year as the term for which such delegate was elected expires and succeeding delegates shall be eligible for re-election.

This committee shall review all proposed resolutions and shall present the resolutions at the Annual General Meeting. It shall be the duty of this committee to have all proposed resolutions in the hands of the Sub-units at least thirty (30) days prior to the Annual General Meeting. A vote on a resolution shall be on the merits or action proposed in the resolution; motions of concurrence or non-concurrence shall not be in order.

11.13 9.13 University Liaisons – two (2) delegates of the Annual General Meeting shall be elected to act as the Liaisons for St. Thomas University and the Université de Moncton. These members will represent CUPE Local 1418 when requested to meet with their respective consultation committees of the Social Work Faculties when requested.

11.14 9.16 Long Term Disability Plan Coordinator – Shall be appointed by the Executive Board for a period of two years and shall act as a liaison between the Sub-units and the Executive Board on matters relating to the Long Term Disability Plan. An alternate shall also be appointed by the Executive Board. The Long Term Disability Plan Coordinator and/or the Long Term Disability Plan Alternate shall attend all Long Term Disability meetings and report to the Executive Board.

11.15 9.14 Reports of Committees and Coordinators - All committees and coordinators shall present **provide** reports **following any committee meetings**, on request of the Executive Board and the Annual General Meeting along with any appropriate recommendations by any member. **If updates or reports are not provided within three months of the committee meeting, the Executive Board will appoint a new member to the committee.**

11.16 9.15 Expenses of Committees and Coordinators - No expenditures by any committee, coordinator or any member shall be incurred unless same has been previously approved by the Executive Board. Between meetings, the Executive Committee shall jointly approve all expenditures and be held accountable for all expenditures.

ARTICLE 12 – POLICY

~~12.01 Rules of Order – In all matters not regulated, Bourinot's Rules of Order shall govern.~~

~~12.02 Expenses~~

- ~~(a) — When Executive Officers or Committee members are required to have leave of absence from their employment to work or attend training on behalf of the Local, the Local shall remunerate them for all wages lost and normal expenses such as transportation, meals and accommodation allowance. All Executive Officers or Committee members must have prior permission from the Executive Committee before undertaking any duties on behalf of the Local.~~
- ~~(b) — (i) — The rate of mileage is to be reimbursed at CUPE NB's rate per kilometre.
(ii) — The meals shall be reimbursed at CUPE NB's rate.
(iii) — Executive Officers shall be awarded a Global Indemnity equivalent to the amount of CUPE NB's daily meal rate plus an additional \$10.00 for all meeting days in lieu of the regular meal allowance. (In the event that the Executive Officers are travelling on a non-meeting day, they shall claim the regular CUPE NB rate for meals.)
(iv) — Executive officers can claim \$50 per year for miscellaneous communication expenses.~~
- ~~(c) — The following executive officers shall receive the following for miscellaneous expenses:
(i) — President — two (2) days wage per month
(ii) — Vice President — one (1) day wage per month
(iii) — Secretary Treasurer — two (2) days wage per month
(iv) — Recording Secretary — one (1) day wage per month~~

~~12.03 It is the policy of Local 1418 to provide bilingual services in all union matters and whenever possible translation will be provided.~~

ARTICLE 12 – EXPENDITURES *combination of previous ARTICLE 12, 16

12.01 Payment of Local Union Funds

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

- **When the expenditure is authorized by a budget approved by a majority of members present and voting at an annual or special membership meeting;**
- **When these bylaws approve the expenditure; or**
- **Through a vote of the majority of members present and voting at a regular or special membership meeting.**

12.02 ~~12.02(a)~~ **Union Leave** - When Executive Officers or Committee members are required to have leave of absence from their employment to work or attend training on behalf of the Local, the Local shall remunerate them for all wages lost and normal expenses such as transportation, meals and accommodation allowance. All Executive Officers or Committee members must have prior permission from the Executive Committee before undertaking any duties on behalf of the Local.

12.03 ~~12.02(b)~~ **Mileage** - The rate of mileage is to be reimbursed at CUPE NB's rate per kilometre.

12.04 Meals

(1) ~~12.02(b)(i)~~ The meals shall be reimbursed at CUPE NB's rate.

(2) ~~12.02(b)(iii)~~ Executive Officers shall be awarded a Global Indemnity equivalent to the amount of CUPE NB's daily meal rate plus an additional \$10.00 for all meeting days in lieu of the regular meal allowance. (In the event that the Executive Officers are travelling on a non-meeting day, they shall claim the regular CUPE NB rate for meals.

12.05 Communication Expenses - ~~(e)~~ Executive officers can claim \$50 per year for miscellaneous communication expenses.

12.06 ~~12.02(e)~~ The following executive officers shall receive the following for miscellaneous expenses:

- (1)** President – two (2) days wage per month
- (2)** Vice-President – one (1) day wage per month
- (3)** Secretary Treasurer – two (2) days wage per month
- (4)** Recording Secretary – one (1) day wage per month
- (5)** **Area Vice President- one half (1/2) day wage per month**

12.07 Child care, dependent care or elder care

- (1) When it is practical and demand warrants, Local 1418 will provide on-site child care at all annual or special membership meetings. Where on-site child care is not provided, and in the case of dependent care or elder care, members will be reimbursed to a maximum of \$50.00 per day. Reimbursement will be provided upon proof of payment.**
- (2) Any member who is on authorized Local 1418 business shall be eligible for child care for children fourteen (14) years of age and under, dependent care, and/or elder care expenses where required. Upon proof of payment, claims shall be reimbursed to a maximum of \$50.00 per day.**
- (3) Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.**

12.08 12.03 It is the policy of Local 1418 to provide bilingual services in all union matters and whenever possible translation will be provided.

12.09 16.04 The Solidarity Bursary

(1) The Solidarity Bursary will be awarded in the amount of \$1,418.00 to a member, or a member's life partner, son, daughter or dependant who is currently attending a post-secondary education which prepares students for the diverse classifications of CUPE 1418's membership.

(2) 16.02 A second Solidarity Bursary will be awarded in the amount of ~~\$709.00~~ **\$1,418.00** to a member who is currently attending a post-secondary education on a part time basis which prepares students for the diverse classifications of CUPE 1418's membership.

(3) 16.03 The Education Committee will choose the successful candidates.

12.10 **Fifty dollars (\$50) per year of service on the Executive Board, to a maximum of one thousand dollars (\$1000), will be paid to the member when they complete their involvement on the Executive Board,**

ARTICLE 13 – NOTICE OF MEETING *moved to ARTICLE 6

~~13.01 Notice of Meetings – The Secretary-Treasurer shall notify in writing all Sub-units sixty (60) days prior to the Annual Meeting. Sub-units shall submit the names of the delegates to the Secretary-Treasurer of the Local within fifteen (15) days prior to the day of the Annual Meeting.~~

ARTICLE 15 13 – UNION DUES *renumbered from ARTICLE 15 to 13 with SCHEDULE “A” 18.

13.01 ~~15.04~~ Union dues will be deducted out of the members’ pay via automatic deduction by the employer at the rate of 1.4% of the members’ gross salary.

13.02 In the event of a legal strike, designated members, **members on leave who are still paying union dues, and members on union leave** will pay additional union dues as a special assessment (over and above the regular dues), up to 20% of their gross wage, if needed. **The additional dues will be paid directly by the members to the Local and not withdrawn and remitted by the Employer.** This raise in union dues will be in effect until the end of such strike. If the special assessment is required for any period of time that surpasses a six (6) month period, a referendum vote will be held allowing the members to determine whether the assessment continues or not. The funds will be used for the sole purpose of providing strike pay to those members who are on strike and qualify for strike pay.

The sub-unit secretary-treasurers will collect the additional dues in their region and submit to the Local secretary-treasurer. The Local secretary-treasurer shall remit monies to sub-unit secretary-treasurers on a per capita basis per striking member. The sub-unit secretary-treasurer shall distribute these monies to all striking members of the **sub-unit Local**. The intent of this regulation is to equalize the income of striking members throughout the Local.

Any monies not used for the purpose of strike pay, **five dollars (\$5) or more per member**, will be returned proportionately to those who paid into the strike fund. **Monies less than five dollars (\$5) per member will be deposited into the Defence Fund.**

A list will be provided to the members detailing: the additional union dues paid and by which members, who received this strike pay, and what amount of strike pay was received.

13.03 ~~18.~~ Schedule “A” Defence Fund

- (1) The amount of \$4.00 per member per month shall be taken from the members' monthly dues and placed in a separate account.
- (2) This account shall be used for the following purposes:
 - (a) for strike aversion and or strike action;
 - (b) for fines or penalties resulting from any activities used to defend the union;
 - (c) for fight-back campaigns; and
 - (d) for expenses incurred during the collective agreement negotiations process.

ARTICLE 14 – ORDER OF BUSINESS *moved to ARTICLE 6

- (1) — Roll Call of Officers
- (2) — Reading of Minutes of Previous Meeting
- (3) — Matters Arising out of Minutes
- (4) — Executive Officers' Report
- (5) — Correspondence
- (6) — Treasurer's Report
- (7) — Report of Committees and Coordinators
- (8) — Report of Special Committees
- (9) — Trustees' Report
- (10) — Nominations and Elections
- (11) — Unfinished Business
- (12) — New Business
- (13) — Good and Welfare
- (14) — Reports of Sub-units
- (15) — Adjournment

ARTICLE 17 14 – APPROVAL PROCESS FOR ADJUDICATION PROCESS

*renumbered from ARTICLE 17 to 14

- 14.01** 17.01 The Area Vice-President shall be made aware of any grievance that is submitted to the first level by the officiating Shop Steward. The Area Vice-President will share this information with the executive board at the earliest scheduled meeting of the executive board. Such information should include what articles of the collective agreement and/or policy and/or act is being grieved; what the desired outcome is; and a brief history of this file.
- 14.02** 17.02 The Area Vice-President shall be updated at every level of the grievance by the officiating Shop Steward. This update would include the employer's response, and when or if the grievance was submitted to the second and third levels. This information shall be shared with the Executive Board.
- 14.03** 17.03 In the event that the position of Area Vice-President is vacant, the duties regarding the Adjudication Process shall be completed by the Sub-unit President.
- 14.04** 17.04 The Executive Board must vote on whether a grievance is to be filed to adjudication. In the event that there are no executive meetings scheduled in the time frames allowed to forward the grievance on to adjudication, the referral will be sent in accordance with the Collective Agreement in order to ensure that the time frames are respected. However, the Area-Vice-President will discuss the matter at the next Executive meeting. A hearing date for the arbitration hearing will not be set until such a time that the Executive Board has passed a motion to take the said grievance to arbitration.

ARTICLE 15 – UNION DUES *moved to ARTICLE 13

~~15.01 Union Dues – Union dues will be deducted out of the members’ pay via automatic deduction by the employer at the rate of 1.4% of the members’ gross salary.~~

~~In the event of a legal strike, designated members will pay additional union dues as a special assessment (over and above the regular dues), up to 20% of their gross wage, if needed. Any monies not used for the purpose of strike pay will be returned proportionately to those who paid into the strike fund. This raise in union dues will be in effect until the end of such strike. If the special assessment is required for any period of time that surpasses a six (6) month period, a referendum vote will be held allowing the members to determine whether the assessment continues or not. The funds will be used for the sole purpose of providing strike pay to those members who are on strike and qualify for strike pay.~~

~~The Local secretary-treasurer shall remit monies to sub-unit secretary-treasurers on a per capita basis per striking member. The sub-unit secretary-treasurer shall distribute these monies to all striking members of the Local. The intent of this regulation is to equalize the income of striking members throughout the Local.~~

ARTICLE 18 15 – APPROVAL PROCESS FOR VOTING ON A TENTATIVE AGREEMENT *renumbered from ARTICLE 18 to 15

15.01 ~~18.01~~

- (1)** (a) When a tentative agreement has been reached by the **N**egotiating **C**ommittee, it shall be submitted to the membership a minimum of five (5) calendar days prior to the vote.

(b) When a tentative agreement has been reached by the **N**egotiating **C**ommittee subsequent to the strike and/or being on strike, the tentative agreement shall be submitted to the membership as soon as possible and the ratification vote shall be held ~~24 hours later~~ **within three (3) calendar days.**
- (2)** When a tentative agreement has been reached by the **N**egotiating **C**ommittee, the negotiating committee shall meet with the **A**rea **V**ice-**P**residents to explain the terms of the agreement and the advantages and disadvantages before the vote.
- (3)** When a tentative agreement has been reached by the **N**egotiating ~~negotiation~~ **C**ommittee, representatives of the Sub-unit executive as well as the respective **A**rea **V**ice-**P**residents shall host a special meeting in each region prior to the vote. The purpose of these meetings is to advise the membership of the committee’s and **E**xecutive **B**oard’s recommendations; to educate the membership on the advantages and disadvantages of the tentative agreement; and to allow for questions and clarification of the proposed agreement. The negotiation committee will endeavour to utilize

technology in an effort to explain the tentative agreement on the same date for all regions.

15.02 ~~18.02~~ Voting on a tentative ~~settlement~~ **agreement** will take place in each Sub-unit on the same date. If a member is unable to attend the vote location(s) as a result of a medical leave, he or she may contact the Sub-unit executive at least forty-eight (48) hours prior to the voting day in order to make alternative arrangements.

15.03 ~~18.03~~ Voting shall be by secret ballot of the members at the place and time set by the **Negotiating Committee** to ensure compliance with the Local's Bylaws. The ballots shall be placed in a sealed container. The sealed container will be forwarded to the Trustees' representative for the official counting of the ballots.

ARTICLE 16 – SOLIDARITY BURSARY *moved to ARTICLE 12

~~16.01~~ The Solidarity Bursary will be awarded in the amount of \$1,418.00 to a member, or a member's life partner, son, daughter or dependant who is currently attending a post-secondary education which prepares students for the diverse classifications of CUPE 1418's membership.

~~16.02~~ A second Solidarity Bursary will be awarded in the amount of \$709.00 to a member who is currently attending a post-secondary education on a part time basis which prepares students for the diverse classifications of CUPE 1418's membership.

~~16.03~~ The Education Committee will choose the successful candidates.

ARTICLE 10 16 – AMENDMENTS TO THE BYLAWS *renumbered from ARTICLE 10 to 16

16.01 ~~10.01~~

(1) Any Sub-unit, standing or special committee, including Trustees as a committee, or the Executive Board of the Local may submit resolutions for Bylaws amendment. These proposed changes shall be submitted in writing to the Secretary-Treasurer at least sixty (60) days prior to the Annual Meeting.

(2) All proposed changes to Bylaws shall be in the hands of the Sub-units at least thirty (30) days prior to the Annual or special membership meeting.

(3) These Bylaws can be amended or altered only at a special, or annual, membership meeting of the Local; and to do so, it shall require two-thirds of the votes of the delegates present and voting.

- (4)** These Bylaws and amendments thereto shall become effective following the approval of same by the National President of the Canadian Union of Public Employees, and/or the National Executive Board.

16.02 40.02 The Bylaws Committee Chairperson shall annually cause to have the amended or altered Bylaws as per Article 10.01 inserted into the Bylaws.

ARTICLE 17 – APPROVAL PROCESS FOR ADJUDICATION PROCESS *moved to
ARTICLE 14

~~17.01 The Area Vice President shall be made aware of any grievance that is submitted to the first level by the officiating Shop Steward. The Area Vice President will share this information with the executive board at the earliest scheduled meeting of the executive board. Such information should include what articles of the collective agreement and/or policy and/or act is being grieved; what the desired outcome is; and a brief history of this file.~~

~~17.02 The Area Vice President shall be updated at every level of the grievance by the officiating Shop Steward. This update would include the employer's response, and when or if the grievance was submitted to the second and third levels. This information shall be shared with the Executive Board.~~

~~17.03 In the event that the position of Area Vice President is vacant, the duties regarding the Adjudication Process shall be completed by the Sub-unit President.~~

~~17.04 The Executive Board must vote on whether a grievance is to be filed to adjudication. In the event that there are no executive meetings scheduled in the time frames allowed to forward the grievance on to adjudication, the referral will be sent in accordance with the Collective Agreement in order to ensure that the time frames are respected. However, the Area Vice President will discuss the matter at the next Executive meeting. A hearing date for the arbitration hearing will not be set until such a time that the Executive Board has passed a motion to take the said grievance to arbitration.~~

ARTICLE 17 – PRINTING AND DISTRIBUTION OF BYLAWS *NEW

Members will receive a copy of Local 1418 Bylaws, either in paper or electronic format.

SCHEDULE "A"

REGULATIONS GOVERNING SUB-UNITS AS PER ARTICLE ~~3.08~~ 3.06 OF LOCAL BYLAWS

1. Regions

(a) There shall be one Sub-unit established in each of the following regions:

- (1) Moncton (including Shediac, Richibucto, Sackville)
- (2) Saint John (including Sussex, St. Stephen)
- (3) Fredericton (including Woodstock, Perth)
- (4) Edmundston (including Grand Falls)
- (5) Bathurst (including Caraquet, Tracadie, Shippagan)
- (6) Miramichi (including Neguac)
- (7) Campbellton (including Kedgwick)

(b) Members of the Sub-unit shall be the members who work in the Sub-unit offices as identified in ~~Schedule A~~, Article 1 **(a)**.

(c) A member who resides in a different region than where ~~he/she~~ **they** works can request in writing to the Provincial Secretary-Treasurer a desire to have ~~his/her~~ **their** Sub-unit membership transferred to the Sub-unit of residence. At this time the Sub-unit of the member's residence shall receive the Sub-unit rebate for this member. That member will be able to fully participate as a member of ~~his/her~~ **their** Sub-unit residence including acting as an Officer, serving as a Sub-unit delegate, etc.

In the event that this member should ever need Union representation, the Sub-unit of the member's workplace will provide a shop steward. The Sub-unit will be reimbursed upon request for any expenses incurred for the said representation by the Sub-unit of member's residence.

2. ~~10.~~ Membership Meetings

(a) Every Sub-unit shall have minimum of six (6) membership meetings per year.

(b) There is no quorum for sub-unit meetings.

3. 5. Officers

- (a)** All Sub-units shall have the following officers:
- (1)** President,
 - (2)** Vice-President,
 - (3)** Secretary-Treasurer,
 - (4)** Recording Secretary,
 - (5)** two Trustees,
 - (6)** ~~Sergeant-at-Arms~~ **Membership Officer** and
 - (7)** ~~out-going President.~~
- (b)** The position of Secretary-Treasurer and Recording Secretary may be combined into one position.
- (c)** **Sub-units may choose to have out-going President as an officer position.**
- (d)** ~~8.~~ Should any officer fail to answer role call for three consecutive meetings without having good and sufficient cause that office shall be declared vacant and position filled at the following meeting.

4. Executive Board

- (a)** Each Sub-unit shall have an Executive Board consisting of its:
- (1)** President,
 - (2)** Vice-President,
 - (3)** Secretary-Treasurer,
 - (4)** Recording Secretary,
 - (5)** Chief Steward,
 - (6)** ~~Sergeant-at-Arms~~ **Membership Officer** and
 - (7)** ~~out-going President as ex-officio member.~~
- (b)** The positions of Secretary-Treasurer and Recording Secretary may be combined into one position.
- (c)** **Sub-units may choose to have Past-President as an Executive Board position.**

(d) 47. If, for any reason, a Sub-unit fails to elect three members to its Executive Board, the following shall apply:

- (1)** All monies, books and properties of the Sub-unit will be returned to the provincial Secretary-Treasurer to be held in trust, and any expenditure will have to be approved by the provincial Executive and paid by the provincial Secretary-Treasurer. The rebates under Regulation #2 will be discontinued and will not accumulate.
- (2)** The ~~a~~Area Vice-President will become the administrator of the Sub-unit but ~~he/she~~ **they** will not be expected to carry out the duties of the Sub-unit Executive nor those of the shop stewards.
- (3)** Meetings of the Sub-units may be called only by the area Vice-President or the provincial President.
- (4)** Section 44-~~5~~ **(d)** shall continue to apply unless the Sub-unit fails to elect any shop steward in which case a member wishing to file a grievance must have it authorized by the Local Executive.
- (5)** If the Sub-unit also fails to elect an area Vice-President, it shall be declared non-operational; meetings of the Sub-unit may be called only by the provincial Executive and any grievances will have to be authorized by a member of the provincial Executive.

5. Duties of Officers

2. **(a) Area Vice-President** - The Area Vice-President shall be the liaison officer between the Provincial Executive Board and the Sub-unit. His/her duties shall include:

- (1) Attend all Sub-unit meetings in ~~his/her~~ **their** area unless excused for just cause.
- (2) Read all correspondence received from the Provincial Office.
- (3) Coordinate activities between the Sub-unit and the Standing Committees with the Executive Committee.
- (4) Bring information received as an Area Vice-President, which would be of interest to the members of the Sub-unit.
- (5) Perform other duties as assigned by the Executive Committee.
- (6) ~~Shall~~**may** be the signing officer at the Sub-unit level.

42. **(b)** The Secretary-Treasurer of each Sub-unit shall:

- (1) Receive all monies coming to the Sub-unit.
- (2) Deposit all monies in a chartered financial institution or credit union.
- (3) Pay all the approved expenses incurred by the Sub-unit.
- (4) Submit a financial monthly statement to the Secretary-Treasurer of the Local, on a monthly basis.

13. **(c)** The Trustees of each Sub-unit shall inspect the books of the Secretary-Treasurer and inspect or examine all properties, bonds and all other assets of the Sub-unit at the end of March or after the Sub-unit's general Annual Meeting, and at the end of September and shall make a report to the Sub-unit Secretary-Treasurer who will forward the report to the Secretary-Treasurer of the Local. All trustee reports will be presented at the next Sub-unit meeting, following the audit.

14. **(d)** The duties of the officers shall be the same as in the National Constitution except it shall file its reports with the Executive Committee of the Local.

6. Nominations and Elections

(a) 7. The officers of the Sub-unit shall be elected by a simple majority of votes cast at the regular monthly meeting in March of each year. The tenure of office will follow the same terms as outlined in Section **10.02** 4.04 of these bylaws.

(b) 9. Any other vacancies or resignations shall be filled at the next regular monthly meeting of the Sub-unit.

7. 14. Grievance Committee

(a) Every Sub-unit shall have a grievance committee made up of elected shop stewards, one of whom shall be elected by the stewards as Chief Steward.

(b) In the event that there are no shop stewards elected, then the Sub-unit executive shall appoint the shop stewards.

8. 5. Rebates

(a) The Provincial Secretary-Treasurer shall provide each Sub-unit a rebate of 7.25% of the regular monthly dues per capita. The monies shall be issued bi-monthly and utilized by the Sub-unit to cover the cost of regular operations (ex: telephone, hall rentals, office supplies, postage, meals, and mileage for Sub-unit business, etc.)

(b) 16. All monies and assets of the Sub-unit shall remain the property of the Local.

9. 6. Special Events/Projects - In addition to the above, Sub-units may apply to the Executive Committee of Local 1418 for funds covering special events or projects and if the Executive Board finds it expedient in light of the funds of the Local, then the Executive Board may allot a sum as it deems appropriate for such function.

10. 15. All matters not covered in these regulations shall be governed by the Bylaws of the Local or the National Constitution.

~~18.~~ Defence Fund *moved to ARTICLE 13

~~(1) The amount of \$4.00 per member per month shall be taken from the members' monthly dues and placed in a separate account.~~

~~(2) This account shall be used for the following purposes:~~

~~(a) for strike aversion and or strike action;~~

~~(b) for fines or penalties resulting from any activities used to defend the union;~~

~~(c) for fight back campaigns; and~~

~~(d) for expenses incurred during the collective agreement negotiations process.~~

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