
Bylaws

Local Union 3911

Athabasca University



Adopted by Membership: June 28, 2021

Approved: October 18, 2021 some amendments required in highlights

CUPE NATIONAL EQUALITY STATEMENT

Union solidarity is based on the principle that Union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our Union.

As Unionists, mutual respect, cooperation, and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile, or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic, or homophobic hurts and thereby divides us. So too does discrimination on the basis of ability, age, class, religion and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue, or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a Union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society, and in our Union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all persons deserve dignity, equality, and respect.

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INTRODUCTION

Local 3911 of the Canadian Union of Public Employees has been formed to:

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

The following Bylaws are adopted by Local 3911 in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

CUPE chartered organizations shall respect and apply the CUPE National Equality Statement to all of the chartered organizations' activities.

SECTION 1 – NAME

The name of this Local Union shall be Canadian Union of Public Employees, Local 3911 – Athabasca University.

Local 3911 consists of the following units:

- Non-designated academic employees
- Professional Post-Secondary Staff

SECTION 2 – OBJECTIVES

The objectives of the Local are to

- (a) Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
- (b) Provide an opportunity for its members to influence and shape their future through free democratic trade Unionism;
- (c) Encourage the settlement by negotiation and mediation of all the disputes between the members and their Employers;
- (d) Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical

disability; and the active opposition of discrimination of same wherever it occurs or appears;

- (e) Establish strong working relationships with the public we serve and the communities in which we work and live;
- (f) Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution;
- (g) Assist in improving the quality of education at Athabasca University by all means available and maintain professional standards of skill among its members;
- (h) Act as an agent of change with respect to post-secondary education issues and labour issues.

SECTION 3 – REFERENCES AND DEFINITIONS

- (a) They/them will be used as pronouns and shall be understood to include all genders.
- (b) “Non-designated academic employee” means an academic employee of Athabasca University who has NOT, as an individual employee or as a member of a category of employees, been designated by the Athabasca University Governing Council as an academic staff member of Athabasca University pursuant to Section 17 (1)(d.1) of the Universities Act and Athabasca University Department Policy No: 015 001.
- (c) Numbers of articles at the end of sections or subsections in this document refer to relevant articles of the CUPE National Constitution which should be read together with these bylaws.

SECTION 4 – AFFILIATIONS

In order to strengthen the labour movement and work toward common goals and objectives, Local 3911 shall be affiliated to and pay per capita tax to the following organization(s):

Dues payments to CUPE National are mandatory. All others will be reviewed at each AGM.

1. The CUPE Alberta Provincial Division
2. The Alberta Federation of Labour
3. Edmonton and District Labour Council
4. Calgary and District Labour Council
5. CUPE Calgary District Council

SECTION 5 – REGULAR AND SPECIAL MEMBERSHIP MEETINGS

The plenary authority of the Local shall rest with the members of the Local. Such authority shall be exercised in properly constituted regular membership, special and Annual General Meetings, in accordance with these bylaws.

- (a) General membership meetings of Local 3911 shall normally be held monthly, except for July and August, at a location determined by the Executive Board. The Executive Board shall provide notice to membership fourteen (14) days prior to the meeting. All meetings will be made available to members who wish to attend and participate in the meeting electronically.

When a statutory holiday or a situation beyond the control of the Local Union arises which causes the cancellation of a regular membership meeting, the Executive Board shall reschedule the regular membership meeting, and will give members fourteen (14) days' notice of the date of the rescheduled regular membership meeting.

- (b) Meetings of the Executive Board shall be held at least eight (8) times a year and may be conducted in person, by email or by teleconferencing, between regular membership meetings. Quorum will consist of five (5) members with at least one (1) of them being a Co-Chair.

(Article B.3.14)

- (c) Special membership meetings of Local 3911 may be required and shall be called by the Executive Board or may be requested in writing by no fewer than seven (7) members. A Co-Chair shall immediately advise members when a special meeting is called, and ensure that all members receive at least twenty-four (24) hours' notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- (d) The minimum number of members required to be in attendance to satisfy quorum for the transaction of business at any regular or special meeting shall be seven (7) members, including three (3) members of the Executive Board and one of them being a Co-Chair.

(e) The order of business at regular membership meetings is as follows or as modified by the Co-Chairs:

1. Recognition of Indigenous territory
2. Roll Call of Officers
3. Reading of the Equality Statement
4. Voting on new members and initiation
5. Reading and approval of minutes of previous meeting
6. Matters arising
7. Treasurer's Report and approving expenditures
8. Correspondence
9. Executive Board Report
10. Reports of Committees and Delegates
11. Nominations, Elections, or Oath of Office
12. Unfinished Business
13. New Business
14. Good of the Union
15. Adjournment

(Article B.6.1)

(f) Local 3911 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

(g) The membership of the Local shall consist of the following:

- (1) "Current Members" meaning, all non-designated academic and professional post-secondary employees, including members who are on leave pursuant to the Collective Agreement or relevant legislation, and including members who are on work assignments or adjustments of six (6) months or less due to leave replacements for a Faculty Association staff member.
- (2) "Continuing Members" meaning, members of layoff or recall status pursuant to the Collective Agreement.
- (3) "Term Members" meaning, term non-designated academic Athabasca University employees whose term of employment is complete and who are not on layoff or recall status, and who submit, by post or email, written request for Term Member status, for up to twenty-four (24) months after the date of last employment as a non-designated Athabasca University academic employee.
- (4) "Associate Member" meaning, members who are on work assignment or adjustments or more than six (6) months under contract between the University and the Faculty Association, and who submit, by post or email, written request for

Associate Members status, for up to twenty-four (24) months after the date of last employment as a non-designated Athabasca University academic employee.

- (5) “Honorary Lifetime Members” meaning, members whom the Local has chosen to honour through such designation by nomination and majority vote approval at any regular membership, special or Annual General meeting of the Local.
- (h) A non-designated academic employee of the University, including one on leave, on work adjustment or assignment to other duties of six (6) months or less, or on layoff and recall status pursuant to the Collective Agreement shall be deemed to be a member of the Local, unless and until such time the member’s good standing is revoked in accordance with the CUPE Constitution, or the member submits written request for revocation of membership in the Local. Such revocation shall not affect membership in the bargaining unit, obligation to pay monthly dues, or application of the Collective Agreement.
- (i) Every Current and Continuing Member in good standing has full rights or participation in the Local, including notice of meetings, voting, and standing for and holding office in the Local as provided for in these bylaws, except that notices to Continuing Members may be by way of posting to the Local website.
- (j) Associate Members shall be sent notices and may participate in all meetings and functions of the Local, but do not have a vote, nor may they be elected or appointed to elected or representative capacity except Trustee, Returning Officer, or Committee member including chairperson.
- (k) Honorary Lifetime Members shall be sent notices and may participate in all meetings and functions of the Local, but do not have a vote, nor may they be elected or appointed to elected or representative capacity.

SECTION 6 – OFFICERS

The Officers of Local 3911 shall be:

- Up to three (3), but not less than two (2) Co-chairs (President, Vice-President(s))
- Secretary Treasurer
- Recording Secretary
- Three (3) Trustees
- One (1) Grievance Officer
- Two (2) Communications Officer
- One (1) Membership Officer; and
- Up to ten (10) Representative Officers, representing the various job categories included in the Local.

SECTION 7 – EXECUTIVE BOARD

- a) The Executive Board shall comprise all Officers, except Trustees.
- b) Meetings of the Executive Board may be taken at such meetings provided that:
 - i) decisions about responses to requests for exceptions to the Collective Agreement posting requirements shall be by consensus satisfactory to the Co-Chairs(s);
 - ii) in the case of all other between-meeting motions, they must be of an urgent nature and sponsored by two Co-Chairs, and circulated to the Executive Board and that a clear majority of those who respond agree upon a specific decision or course of action.
 - iii) The Executive Board will be empowered to pass monetary motions of two thousand dollars (\$2,000.00) or less. Financial decisions or above two thousand dollars (\$2,000.00) will have to be ratified at a general membership meeting. Financial decisions will be informed, and all executive decisions of any amount will be presented at the next general membership meeting.
- c) The Executive Board shall hold title to any real estate of the Local as trustees for the Local. They shall have no right to sell, convey, or encumber any real estate or other real property without first giving notice and then submitting the proposition to a membership meeting and having it approved.
- d) 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.
- e) Should any Executive Board members fail to answer the roll call for three (3) consecutive regular meetings, or three (3) consecutive regular Executive Board meetings without having submitted good reasons, their office shall be declared vacant and shall be filled by an election at the following membership meeting.

(Article B.2.5)
- f) No member shall hold more than one position on the Executive Board.

(Article B.2.2)

SECTION 8 – DUTIES OF OFFICERS

Each Officer of Local 3911 is encouraged to participate in CUPE educational courses to enhance their leadership skills and expand their knowledge and expertise.

All Signing officers of Local 3911 shall be bonded through the master bond held by CUPE National. Any officer who cannot qualify for the bond shall be disqualified from having signing authority.

All officers shall surrender all books, seals, records and other properties of Local 3911 to their successor on termination of office.

- i) The “Co-Chairs” shall designate – amongst themselves – the filling in the role of President/Vice President(s) and shall:
- Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement;
 - Preside at all membership and Executive Board meetings and preserve order;
 - Decide all points of order and procedure (subject always to appeal to the membership);
 - Have a vote on all matters (except appeals against the President’s rulings)
 - Ensure that all Officers perform their assigned duties;
 - Fill committee vacancies where elections are not provided for;
 - Introduce new members and conduct them through the initiation ceremony;
 - Sign all cheques and ensure that the Local Union’s funds are used only as authorized or directed by the CUPE National Constitution, Local Union Bylaws, or vote of the membership;
 - At least one (1) Co-Chair be a member of Labour Management Committee;
 - Be allowed necessary and reasonable funds, to reimburse the Co-Chairs or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense and with supporting receipt(s) attached.
 - Have first preference as a delegate to the CUPE National Convention;
 - Render assistance to any member of the Executive as directed by the Executive Board
 - Surrender all books, seals and other properties of the Local Union to their successor on termination of office;
 - Send some token of the Local’s concern and desire to help, if a member is seriously ill, whether the member is at home or in hospital;
 - Extend the Local’s condolences in the event of the death of a member or one of his immediate family, and make other appropriate gestures in accordance with custom or the wishes of the family concerned;
 - Be responsible for reporting to the members on all matters of concern or interest within the university;
 - Be responsible for liaison with other university Unions and organizations;

- Be responsible for reporting to the members on political, social and economic issues that are properly of concern and interest to members of the global labour movement;
- Have first preference as a delegate(s) of the Local to all affiliates
- Co-chairs will be ex-officio members of all committees except the Executive Board.
- Be empowered, with the approval of the membership, to employ administrative assistants and other contracted professionals to be paid out of the Local Union's funds

ii) The "Recording Secretary" shall:

- Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Board meetings. These records must also include a copy of the full financial report and the written financial report presented by the Secretary-Treasurer. The record will also include Trustee reports;
- Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval.
- Answer correspondence and fulfill other administrative duties as directed by the Executive Board;
- Keep a record of all correspondence received and sent out;
- Support the administrator in preparation and distribution of all communications to members;
- Have all records ready on reasonable notice for the Trustees or Auditors;
- Preside over membership and Executive Board meetings in the absence of the Co-Chairs.
- Act as the Privacy Officer for local in accordance with the privacy policy in Section 22.

iii) The "Secretary-Treasurer" shall:

- Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's payments, and deposit promptly all money with a bank or credit Union;
- Sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the National Constitution, Local Union bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences;
- Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including one dollar (\$1.00) of each initiation fee on all members admitted, no later than the last day of the following month;
- Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union;

- Record all financial transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices;
- Make a full written financial report to meetings of the Local Union's Executive Board;
- Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period;
- Be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
- Pay no money unless supported by a motion made and passed at a general membership meeting, or request for payment duly signed by two (2) of the Co-Chairs and one other member of the Executive Board as determined by the Executive Board. No request shall be required for payment of per capital fees to any organization to which the Local Union is affiliated;
- Make all books available for inspection by the Trustees/and or auditors on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees;
- Provide the Trustees with any information the Trustees require to complete the audit, including forms provided by CUPE National;
- Furnish each member, when required, no later than February 28th of each year, on the forms supplied by CUPE National, with a statement showing the net amount of tax-deductible dues paid by him during the preceding calendar year;
- Notify all members who are one (1) month in arrears and report to the Executive Board all members two (2) or more months in arrears in the payment of Union dues.

iv) The "Trustee" shall:

- Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary, and the Committees at least once every calendar year;
- Make a written report of their findings to the first membership meeting following the completion of each audit;
- Submit in writing to the Co-Chairs and the Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner;
- Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization;
- Ensure that proper financial reports have been given to the membership;
- Audit the record of attendance;
- Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union, and report their findings to the membership;
- Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:

- i. Completed Trustee Audit Program
- ii. Completed Trustees' Report
- iii. Secretary-Treasurer Report to the Trustees
- iv. Recommendations made to the Co-Chairs of the Local Union
- v. Secretary-Treasurer's response to recommendations
- vi. Concerns that have not been addressed by the Local Union Executive Board

v) The "Grievance Officer" shall:

- Be elected at the Annual General Meeting for a one-year term;
- Chair the grievance committee
- Assume responsibility for determining whether an issue can or will be a grievance and has the responsibility and authority to assign the matter to a member of the grievance committee;
- Provide advice to concerned members of the rights and procedures available to them under the terms of the Collective Agreement and these bylaws and the National Constitution;
- Investigate and attempt to resolve problems outside of the grievance procedure of the Collective Agreement;
- Assist members to file and pursue grievances not settled in the initial stage, pursuant to the Collective Agreement. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the Collective Agreement;
- With the assistance of the Grievance Committee, keep the member informed in a timely fashion of the status of their grievance;
- Assure that adequate records of investigations and grievances are kept in the Local office or other safe place;
- Report and make general recommendations to the general membership meeting (GMM) on all active investigations and grievances, with a copy to the CUPE Representative, and make recommendations on Union or policy grievances;
- In any case in which the grievance procedure provided in the Collective Agreement is exhausted without satisfactory result, refer, the case to the members at a GMM for decision on the next step. By way of a report with a recommendation;
- Respect the confidentiality of grievance material at all times, and ensure confidentiality on the part of all other parties;
- Liaise with the CUPE National Representative to the Local
- Provide advice to bargaining committee and the Executive Board about any issues arising from grievances that could be brought forward in the next round of bargaining to improve language and eliminate ambiguities in the current Collective Agreement
- Compile all information

vi) The “Communications Officers” shall:

- Chair the communications committee;
- Be responsible for the overall supervision and maintenance of the Local website,
- Shall be responsible for the compilation, editing and publication of the Outsider, the Voice of the Tutor, and online member handbook or manual;
- Be responsible for the compilation, editing and publication of any hardcopy publications of the Local, including any members’ handbooks, manuals, brochures and the like;
- Be responsible for the organization and coordination of publicity and educational activity of the Local, in particular the annual Fair Employment Week activity and semi-annual On-Line Tutor Information Sessions.

vii) The “Representative Officers” shall:

- Represent the members within their job categories to the best of their abilities;
- Facilitate communication between the Executive Board and members;
- Assist with continuous organizing among members;
- Assist other Officers in the performance of their duties;
- Take on such other responsibilities as may be designated by the member
- Facilitate Membership Engagement Outreach
- Assist Communications Officer with Online Town Halls

viii) The “Membership Officer” shall:

- Secure the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the Co-Chairs and with consent of the members present;
- Assist in maintaining the accuracy of records of membership attendance at meetings;
- Perform such other duties as may be assigned by the Executive Board from time to time

SECTION 9 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) Nominations

- i) Nominations will be received at the regular membership meeting held in the month of September and/or the month prior to the AGM (Annual General Meeting).
- ii) Nominations will be accepted from members in attendance at the nomination meeting or who have submitted their self-nomination to the Co-Chairs via email prior to the meeting.

- iii) To be eligible for nomination, a member shall be a member in good standing.
(Articles B.2.1 and B.8.3)
- iv) 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.
- v) No member will be eligible for nomination if they are in arrears of dues and/or assessments.

(b) Elections

- i) At least one (1) and up to two (2) Co-Chairs and the Recording Secretary will be elected in even years. One (1) Co-Chair and the Secretary-Treasurer shall be elected in odd years. These positions are elected for a two year term.
- ii) At a membership meeting, at least one (1) month prior to Election Day, the Co-Chairs will, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant(s). The Committee shall have full responsibility for voting arrangement and shall treat information submitted to it in connection with its responsibilities as confidential.
- iii) The Committee will determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- iv) The Returning Officer will be responsible for issuing, collecting, and counting ballots. The Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.
- v) The voting will take place at the AGM. The vote will be by secret ballot, paper or electronic.
- vi) Voting to fill one office will be conducted and completed, and recounts dealt with before balloting may being to fill another office.
- vii) 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.
- viii) When two (2) or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.
- ix) 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.

- x) Any member may request a recount of the votes for any election and a recount will be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting as set out in 5 (e).

(c) Other Elections

Nominations and elections for other officers will take place after the elections outlined in Section 9(b), following the same guidelines. Nominations and elections will be conducted for the following positions:

- i. Grievance Officer
- ii. Communications Officers
- iii. Representatives Officer
- iv. Membership Officer
- v. Bargaining Committee
- vi. Human Resources Committee
- vii. Bryon Paege Memorial Award Committee
- viii. Health and Safety Committee
- ix. Bylaw Committee
- x. Communications Committee
- xi. Conference Planning Committee
- xii. PD Fund Committee

(d) Installation

- i) All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in offices of two (2) years unless otherwise specified or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three (3) years.

(Article B.2.4)

- ii) The terms of office for Trustees shall be so that one serves for a period of three (3) years, one for two (2) years, and one for one (1) year, as laid down in Article B.2.4 of the CUPE National Constitution. Each year thereafter, the Local Union shall elect one Trustee for a three (3) year period. No member who has been a signing officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed.

iii) The Oath of Office to be read by the newly-elected officers is:

“I, _____, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for my term of office. As an Officer of the Union, I will always promote the harmony and dignity of its sessions by counsel and example. I also promise to turn over all property of the Union to my successor at the end of my term.”

(Article 11.8)

(e) By-Election

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

SECTION 10 – FEES, DUES AND ASSESSMENTS

(a) Initiation Fee

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. Each application for membership in the Local Union will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of \$2.00 (two) dollars which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

(Articles B.4.1 and B.8.2)

(b) Readmission Fee

The readmission fee shall be \$2.00 (two) dollars.

(Article B.4.1)

(c) Monthly Dues

The monthly dues shall be 2.5% of regular wages.

(Article B.4.3)

(d) Assessments

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. Membership approval is required, and the assessment will only be applied after the National President approves the assessment.

(Article B.4.2)

(e) Amending Monthly Dues

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

(Article B.4.3)

Notwithstanding the above provisions, if the CUPE Convention raises minimum fees and/or dues above the level herein established, these bylaws will be deemed to have been automatically amended to conform to the new CUPE minimum.

SECTION 11 – NON-PAYMENT OF DUES AND ASSESSMENTS

Any member in arrears for a period of three (3) months or more will be automatically suspended and the suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. Any member under suspension wishing to be reinstated will, upon application, pay the readmittance fee plus any dues and assessments in arrears. This money will be returned if the application is rejected. A member who has been unemployed or unable to work because of sickness shall pay the readmittance fee but may not be required to pay arrears.

SECTION 12 – VOTING OF FUNDS

(a) Local 3911 will pay out funds under the following circumstances:

- When the expenditure has received prior authorization through a membership approved budget;
- When these bylaws approve the expenditure; or
- Through a vote of the majority of members at a membership meeting.

Authorization to pay per capita tax to CUPE National, CUPE Alberta Division, or any labour organization the Local Union is affiliated with, is not required.

(b) In the case of a grant or contribution to a member(s) or a cause(s) outside of CUPE greater than two thousand dollars (\$2,000.00), a notice of motion must be made at a regular membership meeting before the grant or contribution can be paid out.

(c) No member of Local 3911 will be allowed to spend any Local Union funds without first having received authorization under Section 12 (a) of these bylaws.

SECTION 13 – OUT-OF-POCKET EXPENSES / HONORARIA

Reasonable travel and subsistence expenses shall be paid to members for costs incurred while on Local business, on production of receipts, and in accordance with the Local Expense Policy.

“Local Expense Policy” means a policy establishing amounts and rates for the reimbursement of expenses incurred by members on Local business, adopted and amended from time to time by majority vote at a regular membership, special, or Annual General Meeting of the Local. (See Financial Management Policy)

The amounts of honoraria, if any, for Officers, Representatives, Committee members and those who have served the Local in other capacities, shall be included in the Annual Budget presented to the Annual General Meeting each year and submitted to the members for approval. The specific amounts of honoraria will be found as an appendix to these bylaws with changes recommended by the AGM or subsequent vote for submission for a approval to CUPE National. (See Financial Management Policy in Appendix C and Honoraria Policy in Appendix D)

SECTION 14 – CHILD CARE, DEPENDENT CARE AND ELDER CARE

Caring for children, dependents or the elderly are barriers to actively participating in Union activities or attending membership meetings. Local 3911 is committed to removing barriers within its control so that all members have equal access to participation.

- (a) Any requests for child care, dependent care, and/or elder care accommodation for the AGM need to be sent to the Executive no later than September 1st of each year, unless extenuating circumstances arise.

SECTION 15 – DELEGATES TO CONFERENCES, CONVENTIONS AND EDUCATIONALS

- (a) Except for the Co-Chairs option [Section 8 (a)], all delegates to conventions, conferences, and educationals shall be chosen by election at membership meetings.
- (b) Delegates of the Local to any and all affiliates shall be elected annually. A member responsible for reporting back to the Local Union membership shall be appointed by the Co-Chair from among these delegates, and the member appointed shall make a written report at each Local Union membership meeting on proceedings at recent meetings of the Council.
- (c) All delegates attending conventions, conferences, or educational events shall be paid transportation expenses (at economy, tourist or coach rates) as determined by

the Secretary-Treasurer, and a per diem allowance as identified in the Financial Management Policy.

- (d) Local 3911 encourages the participation of women and all equity-seeking groups in their delegation to conventions, conferences, and educational events.

SECTION 16 – COMMITTEES

(a) Special Committees

A special committee may be established for a specified purpose and a specified period of time by the membership at a meeting. The members shall be elected at a membership meeting, or may, by specific authorization of the membership, be appointed by the Co-Chairs or the Executive Board. Two members of the Board may sit on any special committee as ex-officio members.

1. Bargaining Committee

This will be a special committee established at the AGM prior to the expiry of the Local Union's collective agreement and automatically disbanded when a new collective agreement has been signed. The function of the committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of up to ten (10) members, all elected at a membership meeting. The CUPE Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

All members are encouraged to attend CUPE's collective bargaining educational sessions.

(b) Permanent Committees

The Chairperson of each permanent committee will be elected by the members at a membership meeting. Permanent committees will have a term of one (1) year unless otherwise stated. The Chairperson and the Executive Board may, with the concurrence of the membership, jointly appoint other members to serve on a committee. Committees will provide written reports to each regular membership meeting. The Co-Chairs shall be a member, ex-officio, of each committee. Each of the permanent committees shall report at the AGM.

1. Grievance Committee

This committee will:

- Consist of up to six members to be elected at the AGM;
- The Committee will report to the Executive and General Membership Meeting through the Grievance Chair by monthly reports.

- Grievance committee reports, once approved by the Executive, will be provided to the CUPE National Representative.
- Represent the diverse work environments of members.
- Assist in the handling of Local grievances under the direction of the Grievance Officer.
- Receive copies of grievances that the Committee is assisting with.
- Provide information and other resources to the Grievance Officer upon request.
- Assist the Grievance Officer to decide whether or not a grievance should proceed to arbitration. Whether a grievance is settled or not in the initial stages provided for in the Collective Agreement. If the decision is not to proceed, the Grievance Committee will report the results of that to the grievor(s).
- Assist the grievor(s) should they wish to appeal the decision to the Executive Board.
- Respect the confidentiality of grievance material at all times, and ensure confidentiality on the part of all other parties.

2. Human Resources Committee

This committee will:

- Consist of at least two (2) members elected at the AGM with one member to be chairperson of the committee, although additional members may, if required, be elected at any regular membership meeting.
- Act as the official representative of the Local-as-Employer with respect to all paid staff of the Local
- Oversee hiring practices for any new paid staff.
- Oversee the orientation of all new employees.
- Oversee ongoing working conditions for paid staff including occupational health and safety needs, professional development needs, and office equipment requirement.
- Oversee the preparation of performance reports for paid staff
- Act as a resource if and when changes to service agreements with paid staff of the Local are negotiated.
- Changes to the terms of employment for the paid staff of the Local shall first be conducted by the Human Resources Committee and proposed to the General Membership at a regular membership meeting or special meeting called for that purpose. The proposed changes shall be passed with a majority vote of the members in attendance at the meeting.
- Paid staff of the Local shall have voice but no vote at meetings of the Local Union, and cannot be a delegate to a District Council, Provincial Division or Convention. If the paid staff are concurrently a member in good standing of the Local Union, they shall be permitted to attend councils and conventions and vote as a regular member.
- Mediate concerns of any members with respect to paid staff, or of paid staff with respect to any members.

- Be a resource to supervisor(s) of any employees on occupational health and safety labour issues and other issues generally falling into the workload of Human Resources specialist.

The Chairperson of the committee shall not concurrently be a member of the Executive Board. (i.e. Co-Chair, Secretary, Treasurer, Communications Officer, Grievance Officer or Membership Officer of the Local). If possible, the Chairperson elected to this committee shall have some degree of education and experience in the field of human resource management, and shall be committed to human resource practices that are consistent with the ideals of the labour movement.

3. Bryon Paege Memorial Award Committee

This committee will:

- Consist of two (2) members elected at the Annual General Meeting.
- Do all things necessary for the administration and implementation of the annual Bryon Paege Memorial Award, including the timely and effective circulation of the Call for Nominations.
- Liaison with the Athabasca University Students' Union and Athabasca University Counselling Services and their representatives on the Selection Committee for the Award.
- Oversee receipt of nominations in the Local office, including the maintenance of absolute confidentiality.
- Coordinate meetings of the Selection Committee.
- Serve on the Selection Committee.
- Oversee the provision of the Award to the nominee selected.
- Prepare and circulate the announcement of the Award to the Athabasca University Community.
- Oversee the maintenance of the Bryon Paege Memorial Award component of the Local website.
- Make recommendations to the general membership meetings with respect to needed changes in the Award or its processes.

4. Health and Safety Committee

This committee will:

- Promote safe work procedures and environments so as to prevent illness and injury as a result of workplace factors.
- Work to educate members on the importance of workplace health and safety.
- Work to eliminate all workplace hazards, be they physical, environmental, or mental/social.
- Promote and ensure adherence to current applicable legislation.
- Ensure representation at AU.
- Gather occupational health and safety reports from CUPE National and report back to membership.

5. Bylaw Committee

This committee will:

- Consist of three (3) members elected at the AGM.
- Review the bylaws annually and make recommendations to the Executive Board on proposed amendments.
- Review any proposed amendments received from the Executive Board or membership of the Local Union to ensure that the amendment will conform to the remainder of the bylaws and the CUPE National Constitution.
- Ensure that the Local Union's bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws.

The committee shall appoint its secretary from among its members.

6. Professional Development (PD) Committee

This committee will:

- Consist of four (4) members elected by the Union as a result of elections at the AGM with two (2) representatives of the four (4) elected at each year's AGM.
- Execute the provisions of the CUPE and Board of Governors of Athabasca University Collective Agreement that are applicable to the work of the committee.
- Receive, review and decide to approve all copies of all applications for the PD Fund.
- Provide its funding decisions to the Employer and track the progress of the applications and approved professional development activities undertaken by members.
- Review the entire professional development process as needed and then initiate discussions leading to needed changes to the PD Fund of the Union subject to the approval of the Executive.
- Report the following periodically to the Executive and GMM meetings:
 - Financial data
 - Statistics regarding numbers of applications and disposition of these
 - Recommendations for changes to the PD process.

7. Communications Committee

This committee will:

- Consist of up to six (6) members elected at the AGM and/or appointed by the Co-Chairs.
- Two Communications Officers will be elected, with one chairing the Communications Committee and the second will be responsible for production of the newsletter and serve as the chair of the committee and will be responsible for oversight and coordination of the committee's work.

- Each member of the committee will be designated one or more of the following:
 - Website and social media editor
 - Newsletter editor
 - Internal communications to and from local committees and members (Recording Secretary to be ex-officio member and communication member as needed)
 - Member engagement (Membership Officer and Recording Secretary to be ex-officio)
 - Advocacy, activist communications – developing and executing policy regarding the Local’s communications to appropriate groups.
- Additional members can be co-opted into committee work for specific issues or projects.

8. Conference Planning Committee

This committee will:

- Consist of unlimited number of members elected at the AGM and will serve for one year.
- Plan CUPE 3911’s AGM each year. It will also take the lead in planning any special “one-off” conference that the Local may host.
- Duties for each event will include:
 - Selecting theme (with consultation and approval at Executive Board and GMM;
 - Selecting venue
 - Working with the Secretary-Treasurer to ensure compliance with the approved budget
 - Securing speakers and facilitators
 - Working with Administrator to develop promotional communications and program
 - Ensuring land acknowledgements and/or blessings are included and proper protocols are followed
 - Securing volunteers and overseeing the events
- Producing a summary and recommendations of the events and for presenting them to the Executive Board

9. Board of Governors

At the appropriate AGM when a vacancy occurs for the Board of Governors position, an election will occur to nominate a current member to the Employer with that nomination submitted for administrative approval. The Board of Governors representative is a non-voting member of the Executive.

SECTION 17 – RATIFICATION AND VOTING

- (a) Postal balloting or electronic balloting may be employed by the Local for all votes of bargaining unit members required by legislation, or for any election or other matter that the members decide warrants such balloting.
- (b) A postal ballot or electronic ballot shall be conducted in such a manner as to fulfill, in all respects, the requirements of a secret ballot.
- (c) Where a postal ballot is conducted, the procedure established herein shall be followed.
 - (1) The members at a regular membership, special or Annual General meeting shall appoint a Returning Officer in advance of the vote or election if possible, or, if this is not possible, upon the calling of the vote or election. The Returning Officer shall be a member of the Local and in a case of an election shall not be a candidate for office. They shall have full responsibility for voting arrangements and shall treat information submitted to them in connection with their responsibilities as confidential.
 - (2) The Returning Officer shall be responsible for determination of the form of the ballot and shall ensure that sufficient quantities are made to enable every eligible voter one postal vote each; and shall duly record the total number of ballots that exist. No other record of individual ballot or the manner of their distribution shall be maintained.
 - (3) The Returning Officer shall be responsible for issuing, postal ballots or electronic ballots as soon as reasonably possible after the calling of the vote or election, or within the time frame stipulated by members.
 - (4) Unless otherwise regulated by legislation, all voting members, as well as any other employees in the bargaining unit in the case of a vote to ratify a Collective Agreement, shall be sent, either 1) by postal mail to the last address for the member or employee known to the Local, a clearly identifiable postal ballot.; or 2) an electronic link to the last email address known for the member known to the local, a clearly identifiable electronic ballot.
 - (5) Each form of ballot shall be sent with a covering letter explaining the matter to be voted on, instructions for voting, and the date by which the ballot must be returned. For postal ballots, two envelopes will also be supplied: a plain white unmarked and unidentifiable envelope to contain the completed ballot, and a larger manila envelope with the Local's return address and pre-paid first class postage.
 - (6) In all ballots of the Local the voters shall have at least ten working days to complete and return the ballot from the date of the outward mailing.

- (7) Upon receipt of returned postal envelopes, the sealed ballot envelopes shall be delivered to the Returning Officer or designate for safekeeping.
- (8) On the day after the voting period ends, for postal ballots, the Returning Officer shall open and count all ballots received and declare the result of the vote. For electronic ballots, summarize the ballots exercised and declare the result of the vote. They must be fair and impartial, and see that all arrangements are unquestionably democratic.
- (9) All returned postal ballots shall be kept for a period of not less than one (1) year from the date of the opening of the ballots and may thereafter be destroyed by the Secretary. Printouts of electronic ballot results shall be kept for a period of not less than one (1) year and may thereafter be destroyed by the Secretary.

SECTION 18 – COMPLAINTS AND TRIALS

All charges against members or officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

SECTION 19 – RULES OF ORDER

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian Parliamentary Procedure. Some of the more important rules to ensure free and fair debate are appended to these bylaws as Appendix “A”. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.

In situations not covered by Appendix “A”, the CUPE Constitution may provide guidance, but if the situation is not dealt with there, Bourinot’s Rules of Order shall be consulted and applied.

SECTION 20 – AMENDMENTS

- (a) These bylaws are always subordinate to the CUPE Constitution as it now exists or may be amended from time to time and, in the event of any conflict between these bylaws and the CUPE National Constitution, the latter shall govern.

The National President has the sole authority to interpret the CUPE National Constitution.

- (b) These bylaws shall not be amended, added to, or suspended, except upon a majority vote of those present and voting at a regular or special membership

meeting following seven (7) days' notice at a previous meeting or at least sixty (60) days' written notice.

- (c) No change in these bylaws will be valid and take effect until approved by the National President of CUPE. The validity will date from the letter of approval of the National President.

SECTION 21 – PRINTING AND DISTRIBUTION OF BYLAWS

Members will receive a copy of Local 3911 bylaws, either in paper format or via the Local Union website at 3911.cupe.ca. Members with special needs may request a copy of the bylaws in larger font.

SECTION 22 – PERSONAL INFORMATION POLICY

Personal Information Policy

This policy applies to CUPE Local 3911 and has been adopted pursuant to the Personal Information Protection Act (PIPA), S.A. 2003, c. P-6.5.

1. CUPE Local 3911 has a Privacy Coordinator to look after the protection of information under PIPA. The Privacy Coordinator can be reached at:

Recording Secretary
cupe3911@gmail.com

2. The Privacy Coordinator is responsible for handling questions and requests for information from members and making recommendations to the Executive for the handling and protection of information.
3. CUPE Local 3911 collects “personal information” as defined in PIPA in order to communicate with its members and fulfill its obligations under the collective agreement and the Labour Relations Code, RSA 2000, c L-1 (the “Code”).
4. Membership information is not shared with any other organization other than as is necessary to comply with the CUPE Constitution, Bylaws of the Local, as necessary to further the interest of the membership, or as otherwise required or permitted by law.
5. Pursuant to s.14 (c.1) of PIPA, CUPE Local 3911 is entitled to collect personal information about an individual without the consent of that individual if the collection of the information is necessary to comply with the collective agreement.

6. Pursuant to s.17 (c.1) of PIPA, CUPE Local 3911 is entitled to use personal information about an individual without the consent of that individual if the use of the information is necessary to comply with the collective agreement.
7. Pursuant to s.20 (c.1) of PIPA, CUPE Local 3911 is entitled to disclose personal information about an individual without the consent of that individual if the use of the information is necessary to comply with the collective agreement.
8. Furthermore, in the event of a labour dispute, CUPE Local 3911 is entitled to collect, use and disclose of personal information consistent with ss. 14.1, 17.1 and 20.1 of PIPA.
9. It is the Local's policy to avoid the unnecessary collection of information.
10. Personal information will not be retained unnecessarily consistent with s. 35 of PIPA.
11. CUPE Local 3911 will take reasonable steps to ensure that all personal information it receives and collects is kept secure from theft, unauthorized access, use, and unwarranted disclosure.
12. CUPE Local 3911 will take reasonable steps to ensure that information used in decision-making or disclosed to third parties is accurate and complete.
13. Under PIPA, members have the right to access their personal information, with some exceptions. The Privacy Coordinator will be responsible for responding to requests for information and requests to correct information. Requests for information or for correction must be made in writing to the Privacy Coordinator. The Privacy Coordinator will respond to requests consistent with the requirements under PIPA.
14. Fees may be charged under PIPA for access to "personal information," and may include costs incurred by the Local of finding and copying such information. Fees will be kept to a minimum. Before compiling the personal information, an estimate of fees to be charged may be given.
15. Any decision of the Privacy Coordinator may be appealed to the Executive or its delegate(s). CUPE Local 3911 will make every reasonable effort to resolve any dispute without the need to involve the Privacy Commissioner under PIPA.

Adopted by CUPE Local 3911 on the 28th of June, 2021.

APPENDIX 'A' – RULES OF ORDER

1. One of the Co-Chairs will be the Chairperson at all membership meetings. In the absence of the Co-Chairs, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the Co-Chairs and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five (5) minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: "Is the Local ready for the motion?" If no member rises to speak, the motion will be voted upon.
5. A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
6. A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
7. An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
8. On motion, the regular order of business at a membership meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
9. Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
10. At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.
11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.

12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to point of order or on a question of privilege.
13. The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two (2) or more members rise to speak at the same time.
16. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
17. A member who is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
18. Religious discussion of any kind is not permitted.
19. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
20. The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
21. When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.
22. The Chairperson will ask "Will the main question be now put?" where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
23. A motion to adjourn is in order except when a member is speaking or when members are voting.
24. A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen minutes have elapsed.

25. After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
26. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, "Will the decision of the chair be upheld?" A majority vote shall decide. In the event of a tie, the decision of the chair is upheld.
27. After a question has been decided, any two (2) members who have voted with the majority can move reconsideration, provided that a motion for reconsideration is made at either the meeting where the decision proposed for reconsideration was made, or at the very next meeting.
28. Members are allowed to leave a meeting with the permission of a Co-Chair; however in no case will a member leave during the reading of minutes, the initiation of new members, the installation of officers, or the taking of a vote.
29. The Local Union's business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.

APPENDIX 'B' – CODE OF CONDUCT

Local 3911 is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

Local 3911 strives to promote core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our Union, our communities, and globally.

Local 3911 is committed to creating a Union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. Local 3911 needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. Local 3911 expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for Local 3911 sets out standards of behaviour for members at meetings, and all other events organized by Local 3911. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these bylaws. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As members of Local 3911 we commit to one another and to the Union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement;
- Respect the views of others, even when we disagree;
- Recognize and value individual differences;
- Communicate openly;
- Support and encourage each other;
- Make sure that we do not harass or discriminate against each other;
- Commit to not engaging in offensive comment or conduct;
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating; and
- Take responsibility for not engaging in inappropriate behaviour due to abuse of alcohol or other drugs while participating in Union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding this Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking the person to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. Once a complaint is received, a designated Officer of the Local Union will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Local Union shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of Local 3911, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member's right to access the trial provisions of the CUPE National Constitution.

APPENDIX 'C' – FINANCIAL MANAGEMENT POLICY

Overview

CUPE Local 3911 (the Local) is committed to providing the best services for its 350+ members spread from coast to coast to coast. Successful delivery of member services depends on many resources such as revenue, volunteers, time, knowledge, expertise, etc. but revenue is the most important variable. Effective and efficient management of revenue is therefore vital to the long-term sustainability of the Local and is also the most important fiduciary obligation of every member elected to the executive as most of the revenue comes from member dues.

Purpose of this policy is to outline the necessary checks and balances and internal process controls for the accounting and disbursement of revenue. The guidelines provided highlight the Local's commitment to fiscal responsibility and transparency in its transactions, promote good governance of members' funds and provide assurance for proper use and long-term sustainability of funds. They do not however replace common sense, sound judgement and professional conduct.

The secretary-treasurer is the chief financial officer and has the primary responsibility for the oversight of financial operations of the Local. The corporate administrator hired by the Local assists the secretary-treasurer in the day-to-day administration of finances. Guidelines:

By-laws of the Local provide basic rules of operation. The guidelines provided here further elaborate and fill in the gaps where required. The areas included are Bank Accounts & Signing Authority, Disbursement of Funds (Expenses), and Depreciation of Assets.

Bank Accounts & Signing Authority

- 1) Local will hold an interest-bearing checking account with a bank or a credit Union and maintain a minimum balance of \$150,000 to facilitate ongoing business operations. If at any time, the balance falls below the minimum, the secretary-treasurer will transfer funds from savings and along with the co-chairs undertake a review of the expenses to restore the minimum balance.
- 2) All payments will be made from the checking account and only by cheques. All cheques need to be signed by the secretary-treasurer and one of the co-chairs with signing authority. In case of prolonged absences, the secretary-treasurer will designate one of the co-chairs with signing authority for the purpose of signing cheques. Also, it is a good accounting practice for signing officers to not sign their own cheques. For these reasons, it is important to have the treasurer and at least two co-chairs with signing authority.

- 3) Neither the secretary-treasurer, nor the co-chairs with signing authority nor the corporate administrator is to be authorized online banking privilege on the checking account. This is to ensure that no one has unfettered access to the account and no unauthorized transactions or disbursement of funds occur. However, the secretary-treasurer and the corporate administrator will be authorized viewing privileges to the checking account to monitor the account on an ongoing basis.
- 4) All cheques are to be recorded in the ledger in the month they are issued for ease of reconciling bank statement to the ledger. The signing officers (the secretary-treasurer and the co-chairs) should never pre-sign cheques or make cheques payable to cash to prevent misuse of funds.
- 5) The corporate administrator is to be provided with a credit card issued by the same financial institution where the Local maintains the checking account. The credit card is to allow the administrator conduct day to day operations and pay for routine maintenance. Any credit card balance will be reviewed by the treasurer for proper back-up information along with receipts and paid by cheque with two signatures like any of the other transactions of the Local.
- 6) The Local will maintain savings/investment accounts by way of guaranteed short-term investments (GIC) in two or more financial institutions to diversify potential risks and to ensure funds are available at short notice if required. Investments are to be staggered so they mature at regular intervals.
- 7) All the accounts, the checking account and the term deposits and investments (GIC) are to be registered in the name of the Local to ensure legal ownership of the accounts.

Disbursement of Funds

- 1) Transactions involving disbursement of funds are to be authorized only if the expense
 - a) has received prior authorization by an approved budget, or
 - b) has been passed by a Motion of majority of members at a General Membership Meeting (GMM) or an Annual General Meeting (AGM), or
 - c) has been authorized by the by-laws of the Local or
 - d) is an expense claim pursuant to the Local's Expense Claims Policy, as per appendix E
- 2) Disbursement of funds can occur only for valid purposes of the Local. Valid purposes include bargaining, enforcing the collective agreement (grievances), Union education, conventions & conferences, executive & membership meetings, campaigns to promote and defend Union issues, campaigns to promote CUPE and the Local among members and in the community to create a sense of identity and solidarity.

- 3) Local's funds cannot be divided among individual members.
- 4) All expenses are to be properly itemized and include complete back-up information including the motion # and date of authorization and retained as part of the financial records for audit purposes. All information must also be backed up at periodic intervals
- 5) No member of the executive including the co-chairs is authorized to disburse funds without prior authorization as outlined in #1 above. The co-chairs however are authorized to spend up to \$400 without prior authorization when circumstances warrant such expenses. For example, emergencies due to strict timelines, other reasons such as routine maintenance, flowers, gift baskets to members for hospitalization, accident, death, etc. Such expenses need to be brought before the executive promptly at the following GMM for approval by a Motion (even if it is after the fact). Expenses will be reimbursed by cheque with two signatures, upon submission of proper receipts.
- 6) None of the Local's expenses or credit card account may be paid through pre-authorized bank payments as it will jeopardize the normal process of expense authorization. All expenses must be paid by cheques signed by two officers (secretary-treasurer and one of the co-chairs with signing authority).
- 7) The by-laws of the Local allow the executive to authorize expenses through 'between-meeting' motions (done by emails). Such authorizations for expenses should be limited to dealing with emergencies and to expenses up to \$400 to minimize last minute requests for funds from members. The reason being that the 'between-meeting' motions provide limited opportunities for discussion/debate that is warranted for disbursement of funds.
- 8) In the case of a grant or contribution to a member or a cause outside of CUPE exceeding \$600, a notice of Motion must be made at a regular membership meeting and approved at the following regular membership meeting, prior to disbursement of funds.

Assets and Depreciation

- 1) The Local should maintain a complete list of all its assets such as office furniture, computers, monitors, equipment filing cabinets, phones etc. It should also maintain an inventory of left-over items, purchased to give away to attendees at the annual general meeting.
- 2) It is important to ensure that adequate insurance is in place to protect the assets in case of fire, theft, or any other unfortunate event.
- 3) Information technology assets (computers) will be depreciated over a three-year period on a straight-line basis.

- 4) When a computer needs to be replaced, it is important to determine if the asset has a trade-in value. If so, the used asset will be traded on the purchase of a new asset. Purchase of the new asset will be authorized by a Motion at the membership meeting
- 5) If there is no trade-in value, the computer may be disposed of either by way of a donation to a non-profit organization or to any member of the executive who expresses an interest or be taken to the dump. Motion to do so is required for any of the options listed here
- 6) All electronic assets must be wiped clean prior to disposal.

This policy and the guidelines should be reviewed periodically and adjusted as required.

APPENDIX 'D' – HONORARIA POLICY

Policy on Honoraria

The Local recognizes that there is a time commitment and a volunteer component to every elected and volunteer position. Honoraria are meant to acknowledge the services rendered by the office holders. They are tokens of appreciation for the time and effort of the members in helping the Local conduct its day-to-day operations and achieve its goals.

The maximum amount that can be paid out as honorarium per position is indicated below. It is an approximate reflection of the position responsibilities, extent of involvement/participation, volume of work and number of hours required on an ongoing basis for Union business. It is not to be construed, however, as a remuneration based on hourly wages and number of hours worked.

The amount of honorarium set aside is a line item in the annual budget and is to be approved at the AGM.

The actual amount of the honorarium received by each office holder is determined on the recommendation of the Secretary-Treasurer and approval by the Co-Chairs.

A few committees, such as the Bargaining Committee, Professional Development (PD) Committee, and the GFC representative receive compensation from the Athabasca University, for the hours spent on committee work. The CUPE honorarium is to acknowledge the committee efforts on behalf of the members.

If a member holds more than one position listed below, the member is eligible to be considered for honorarium for each of the position listed.

The Local shall consider annual honoraria for the following positions and in the amount shown below.

Co-Chairs (3) –	\$800 each
Grievance Officer –	\$650
Secretary-Treasurer –	\$650
Recording Secretary –	\$500
Communications Officer –	\$400
Membership Officer –	\$400
Bargaining Committee Chair –	\$400
PD Committee Chair –	\$400
HR Committee Chair –	\$400
Labor Management Committee Chair –	\$400
Trustees (3) –	\$200 each
Board of Governors (member) –	\$200
General Faculties Council (member) –	\$200

The Local shall also consider honoraria for Representative Officers, members on the committees listed above as well as members on the Byron Paege Awards Committee, Health & Safety Committee, Conference Planning Committee, Bylaw Committee and the National Post-Secondary Education Task Force and any other ad-hoc committee in the amount of \$150.

The Collective Agreement section 26.01 (a) provides for distribution of the AU honorarium amongst the Union Officers. The AU portion of the honorarium is to be prorated to reflect the CUPE portion. The list is submitted to AU for payment.

The honorarium is a taxable benefit and a T4 will be issued for \$500 and over. This policy shall be reviewed by the Secretary-Treasurer as required and brought to the Local Council for ratification.

APPENDIX 'E' – EXPENSE CLAIM POLICY

Effective December 7, 2019

Overview

CUPE Local 3911 (the Local) is committed to serving its members from coast to coast. The executive members (the Executive) elected to various offices are guided by the fiduciary responsibilities and obligations of the office, namely fiscal responsibility, transparency, accountability, equity, and fairness. The Executive is also cognizant that policies and processes, while important for the efficiency and effectiveness of the Local, do not replace common sense, sound judgement and professional conduct.

Out of Pocket Expenses

Members are entitled to reimbursement of expenses incurred while conducting official business on behalf of the Local. Expenses can be authorized travel expenses, or other routine non-travel expenses that don't usually require prior authorization. Travel expenses are incurred for attendance at an Annual General Meeting (AGM), General Membership Meeting (GMM), Committee Meeting, or other business trips requiring members to be away from their residence.

Attendance at AGM and other business trips is authorized by a motion at a GMM. Executive is deemed to have authorization to attend regular GMM by virtue of their office. Attendance at Committee meetings is authorized by the Committee Chair. Attendance at any other special meeting (such as a retreat for example) is authorized again by a motion at the GMM.

Authorized Travel Expenses

Flights: Members are expected to finalize flight arrangements as early as possible to take advantage of reduced air fares and advanced booking discounts. Round-trip booking to and from the destination will be reimbursed, when the claim is submitted along with all the applicable receipts. The Local is not responsible for additional expenses incurred for multi-city travel, one-way bookings, business or first-class travel, priority seating options, or any other luxury items of travel; such items will not be reimbursed. Members are required to use economy class or economy premium whichever is the cheaper option, however, one checked baggage and advance seat selection (regular seating – not priority seating) is allowed. Members must purchase flight cancellation insurance.

Private Automobiles: Members may use private automobile when it is more economical than flying. Expenses will be reimbursed upon submission of an expense claim at the rate of 54¢ per kilometer. If renting an automobile, prior authorization for rentals must be obtained and such authorization will be given only when this method of

transportation (car rental including the insurance costs, gasoline) is deemed more economical and practical.

Ground Transportation: Members will be reimbursed for costs to and from the airport to the full amount with receipts or at 54¢ per kilometer for personal automobile. Parking at the airport will also be fully reimbursed upon submission of receipts. Taxi fares with receipts while on travel will be reimbursed in full. Travel by subways do not need receipts but the expense claim must indicate the number of trips and the cost per trip.

Accommodations: Members are entitled to single accommodation and are not required to share accommodation with others; expenses will be reimbursed for hotel or other commercial lodging charges upon presentation of receipts from the relevant accommodation provider(s). Charge card slips in lieu of receipts will not be accepted. Members must pay any incidental expenses to the room account before leaving the hotel. Personal telephone calls are not reimbursable.

Expenses for hotel is limited to a maximum of \$200 per night including all taxes and other charges, for all cities in Canada other than Montreal, Toronto and Vancouver (M-T-V) and \$250 maximum per night including all taxes and other charges for M-T-V. This policy may be reviewed annually to adjust the allowable amounts to reflect the prevailing economic conditions. Members are encouraged to comparison shop and book accommodations as early as possible prior to the event. Members making private arrangements for accommodation (for example, staying with friends, relatives, colleagues) can claim an allowance of \$50.00 per night and receipts are not required for this claim.

Child-care: Members on travel status can claim expenses of \$75 or more per day for the duration of the trip for care of a dependent or a child and will be reimbursed upon submission of receipts.

Per Diem Meal Allowances: Members may claim per diem meal allowances for meals they must provide for themselves when their travel includes normal times for such meals. If the member's travel day is through all three meals, they may claim the full rate of \$90.00 for travel within Canada and \$115.00 for international travel as shown below. Members are entitled to an out of town per diem meal allowance of \$90 (in Canada) and \$115 (International) per day for each day following an overnight stay at the meeting location. No other miscellaneous per diem allowance (outside of the meal allowance) may be claimed. If any of the meals are provided by the organizers of the event, members are expected to adjust their expense claims accordingly.

Canada:

Breakfast	\$20
Lunch	\$24
Dinner	\$46
Total	\$90

International:

Breakfast	\$25
Lunch	\$34
Dinner	\$56
Total	\$115

Non-travel Expenses: Members will be reimbursed for the following expenses incurred while attending to Union activities upon presentation of an expense claim along with appropriate receipts: Pre-authorization is not required.

- 1) Expenses of \$75 or more per day for care of a child or a dependent
- 2) Cab expenses for transportation within the city (members may rent a car if it is cheaper and more economical).
- 3) Long-distance telephone calls – submission of the original copy of the telephone bill.
- 4) Parking/ Photocopying charges/Regular or special mail courier service
- 5) Per diem of \$24 per day for in-town members when no meals are provided (meetings extend beyond lunch hours).
- 6) Other expenses not specifically mentioned such as meals when meetings run into lunch hours or dinner time.

This policy also applies to the administrator of the Local who will be reimbursed for travel expenses at the same rate as the members of the local, upon submission of receipts. Business trip requiring the administrator to be away is to be authorized by the Co-Chairs prior to the event. However, the administrator is required to attend the AGM, GMM and any other committee meetings by virtue of the duties of the position (no need for specific authorization). The administrator is authorized to claim long distance telephone bills, photocopying charges, expenses for office supplies, mail or courier service, and other such miscellaneous expenses as part of operating expenses (with receipts).

Reimbursement Procedures

Expense claim forms are available online. Expense claims must contain an accurate accounting of expenses with all the details including the reason for the expense, details and dates of the expenses incurred, other details such as the name and address, must be signed and dated and accompanied by receipts. Full address must be provided so cheques are not forwarded to the wrong address.

The Secretary-Treasurer, as the financial officer, may ask for additional information or clarification if the expense claim is incomplete, improper or lacking in detail.

Unreasonable claim that does not conform to the policy, or have prior approval, or provide satisfactory substantiating information may be denied. The member who has been denied an expense claim may appeal the decision with reasons to the Co-Chairs who will make the final decision.

Expense claims may be submitted by mail or email or in person at the meetings. When submitting by email, the form must be scanned to ensure that it is signed and dated. Claims that are not signed will not be processed and will be returned for signature.

Members may request an advance up to 50% of the estimated expenses or \$1,000 whichever is lower on the expense claim form at least two-three weeks prior to the event to give enough time for processing the request. The member must submit the expense claim, less the advanced amount, along with the receipts within 30 days after the event.

Barring unforeseen extraneous circumstances, every effort will be made to reimburse claims at the regular GMM or mailed within two-three weeks of receiving the claims.

All cheques issued should be cashed within 90 days of receipt of the cheque. Any stale cheques (cheques not cashed for six months or longer) will be cancelled. A replacement cheque will be issued upon request from the member.

All monetary figures are in Canadian currency. Reimbursable expenses incurred while outside Canada will be converted to Canadian dollars using the bank rate of exchange on the date(s) of the claimant's business.

This policy and the processes should be reviewed periodically and adjusted as required.