



BY-LAWS

FOR

**CANADIAN UNION OF PUBLIC EMPLOYEES
LOCAL 1596**

KELSEY SCHOOL DIVISION

THE PAS, MANITOBA

APPROVED BY
NATIONAL OFFICE: February 3, 2025

AMENDED and APPROVED BY
GENERAL MEMBERSHIP: December 2, 2024

TABLE OF CONTENTS

PREAMBLE	3
ARTICLE 1 – NAME	3
ARTICLE 2 – OBJECTIVES	3
ARTICLE 3 – INTERPRETATION & DEFINITIONS	4
ARTICLE 4 – MEMBERSHIP MEETINGS - REGULAR AND SPECIAL	4
ARTICLE 5 – VOTING OF FUNDS	5
ARTICLE 6 – OFFICERS	5
ARTICLE 7 – EXECUTIVE BOARD	6
ARTICLE 8 – DUTIES OF OFFICERS	6
(a) The President shall:	7
(b) The Vice-President shall:	7
(c) The Secretary-Treasurer shall:	8
(d) The Recording Secretary shall:	9
(e) The Trustees shall:	10
ARTICLE 9 – HONORARIA	11
ARTICLE 10 – DUES AND ASSESSMENTS	11
ARTICLE 11 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS	12
ARTICLE 12 – DELEGATES TO CONVENTIONS, CONFERENCES AND SCHOOLS	14
ARTICLE 13 – COMMITTEES.....	16
(a) Negotiating Committee	16
(b) Grievance Committee	16
(c) Special Committees	17
(d) Bursary Committee	17
ARTICLE 14 – RULES OF ORDER	18
ARTICLE 15 – AMENDMENT	18
ARTICLE 16 – PROCEDURES	19
ARTICLE 17 – BEREAVEMENT OF MEMBER	20
APPENDIX “A” TO THE BY-LAWS OF LOCAL 1596 CUPE – RULES OF ORDER	21
APPENDIX “B” TO THE BY-LAWS OF LOCAL 1596 CUPE – KELSEY SCHOOL DIVISION BEREAVEMENT FUND	24
ORDER TO ACTIVATE	26
APPENDIX “C” TO THE BY-LAWS OF LOCAL 1596 CUPE – CODE OF CONDUCT.....	27

PREAMBLE

In order to improve the social and economic welfare of its Members without regard to sex, color, race or creed, to promote efficiency in public employment and to manifest its belief in the value of the unity of the organized labor, this Local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

The following by-laws are adopted by the Local pursuant to, and to supplement, Appendix “B” of the CUPE constitution, to safeguard the rights of all Members, to provide for responsible administration of the Local, and to involve as many Members as possible through the sharing of duties and responsibilities.

ARTICLE 1 – NAME

The name of this Local shall be: Canadian Union of Public Employees, Local No. 1596, Kelsey School Division, The Pas, Manitoba.

ARTICLE 2 – OBJECTIVES

The objectives of the Local are to:

- (a) secure adequate remuneration for work performed and generally advance the economic and social welfare of its Members and all workers;
- (b) support CUPE in reaching the goals set out in Article II of the CUPE constitution;
- (c) provide an opportunity for its Members to influence and shape their future through free democratic trade Unionism;
- (d) encourage the settlement by negotiation and mediation of all disputes between the Members and their employees.

ARTICLE 3 – INTERPRETATION & DEFINITIONS

- (a) Masculine pronouns shall be understood to include the feminine gender.
- (b) Numbers of Articles at the end of articles or sub-sections refer to relevant articles of the CUPE **National** Constitution which should be read in conjunction with these by-laws.
- (c) A year for CUPE 1596 shall be January 1 to December 31st.

ARTICLE 4 – MEMBERSHIP MEETINGS - REGULAR AND SPECIAL

- (a) Regular Membership meetings shall be held on the first Monday of every month. If a statutory holiday intervenes, the Executive Board shall give a week's notice of any change in the date of the regular meeting. No regular meeting shall be held in July or August.
- (b) Special Membership meetings may be ordered by the Executive Board or requested in writing by no fewer than seven (7) Members. The President shall immediately call a special meeting when so ordered or requested and shall see 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.
- (c) A quorum for the transaction of business at any regular or special meeting shall be seven (7) Members including a quorum of the Members of the Executive Board.
- (d) The order of business at regular Membership meetings is as follows:

- 1. Equality and Recognition Statement**
- 2. Roll call of Officers**
- 3. Initiations**
- 4. Reading of Minutes**
- 5. Matters arising from minutes**
- 6. Treasurer's report**
- 7. Bills of Account**
- 8. Correspondence**
- 9. Matters arising from correspondence**
- 10. Unfinished business**
- 11. Committee/Delegate Reports/ Good of Union**
- 12. New Business**
- 13. Nominations, elections, installations**
- 14. Adjournment.**

- (e) Members of CUPE Local 1596 whose work schedule prevents them from attending membership meetings may submit a leave request in writing five (5) days in advance to Kelsey School Division Secretary-Treasurer for paid union leave to attend the meeting. Those members approved are responsible for completing their regular job duties after the meeting.

ARTICLE 5 – VOTING OF FUNDS

Except for ordinary expenses and bills as approved at Membership meetings, no sum over one hundred (\$100.00) shall be voted for the purpose of a grant or contribution to a Member or any cause outside CUPE, except by a notice of motion given in writing and dealt with at the following Membership meeting.

ARTICLE 6 – OFFICERS

The Officers of the Local shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, and three Trustees. All Officers shall be elected by the Membership.

ARTICLE 7 – EXECUTIVE BOARD

- (a) The Executive Board shall comprise all Officers and Shop Stewards, except Trustees.
- (b) The Board shall meet at least once every month.
- (c) The majority of the Board constitutes a quorum.
- (d) The Executive Officers 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 without first giving notice and then submitting the proposition to a Membership meeting and having it approved.
- (e) The Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- (f) All charges against Members or Officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
- (g) Should any Board Member fail to answer the roll call for three consecutive regular Membership meetings or three consecutive regular executive meetings without good and sufficient reason, the office shall be declared vacant and shall be filled by an election at the following Membership meeting as per Article B.2.5 of the National Constitution.

ARTICLE 8 – DUTIES OF OFFICERS

All Officers must give all properties, assets, funds and all records of the Local Union to their successors at the end of their term of office.

All signing Officers of Local 1596 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.

(a) The President shall:

- enforce the CUPE Constitution and these by-laws;
- 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 in all matters (except appeals against his rulings) and in case of a tie vote in any matter, including elections shall call for a second and subsequent ballot(s) until a candidate received 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;
- 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;
- shall be designated as one of four (4) signing authorities and ensure that the Local's funds are used only as authorized or directed by the Constitution, by-laws or vote of the Membership;
- have first preference as a delegate to the CUPE National Convention;
- on termination of office, surrender all property of the Local to his successor;
- be bonded for not less than ten thousand dollars (\$10,000.00) (or any greater sum as may be decided at a Membership meeting, taking into account the assets of the Local and the amount of cash and checks handled by the Secretary-Treasurer) through the master bond held by the National Office, and any President who cannot qualify for the bond shall be disqualified from office.
- perform any duties assigned by the Executive Board or the Local Membership;
- be ex-officio on all committee meetings with voice but no vote;
- shall be entitled to a maximum of four (4) hours leave from work each month in order to visit various locations. These visits will be made in order to promote CUPE and CUPE 1596 amongst its Members. This time shall be paid for by CUPE 1596. This day should be on the same day as the regular Union Management Meetings. The President will report to the Membership at each regular monthly meeting of the business on that day.

(b) The Vice-President shall:

- if the President is absent or incapacitated, perform all duties of the President;
- if the office of President falls vacant, be acting President until a new President is elected;
- render assistance to any Member of the Board as directed by the Board; act as chief Shop Steward;
- shall be designated as one of four (4) signing authorities.

(c) The Secretary-Treasurer shall:

- throughout his/her term and on behalf of the Local Union membership, be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE headquarters, as well as records and supporting documents for all income received by the Local Union; 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;
- prepare all CUPE National per capita tax forms and remit payment no later than the 15th day of each month;
- record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- make a financial report to the Local Union monthly;
- be bonded for not less than ten thousand dollars (\$10,000.00) (or any greater sum as may be decided at a Membership meeting, taking into account the assets of the Local and the amount of cash and checks handled by the Secretary-Treasurer) through the master bond held by the National Office, and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
- pay no money unless supported by a voucher duly signed by the President and one (1) other Member of the Board, or any two (2) other Members of the Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;

- make all books available for inspection by the auditors and/or Trustees on reasonable notice and have the books audited semi-annually and within reasonable time, respond in writing to any recommendations and concerns raised by the Trustees;
- provide the Trustees with any information they may need;
- sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the CUPE Constitution, Local Union By-Laws or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences
- make a written financial report to each regular membership meeting, detailing all income and expenditures for the period
- notify all Members who are one (1) month in arrears and report to the Board all Members two (2) or more months in arrears in the payment of Union dues; on termination of office, surrender all books, records and other properties of the Local to his successor.

(d) The Recording Secretary shall:

- keep full, accurate and impartial account of the proceedings of all regular or special Membership and Board meetings. These records must also include a copy of the full financial report (Executive Board meetings) and the written financial report (membership meetings) presented by the Secretary Treasurer. The record will also include Trustees' reports;
- record all alterations in the by-laws;
- answer correspondence and fulfill other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to Members;
- have all records ready on reasonable notice for auditors and Trustees;
- preside over Membership and Board meetings in the absence of both the President and the Vice-President;
- on termination of office, surrender all books, seals and other properties of the Local to his successor.
- fulfill other secretarial duties as directed by Executive or Membership;

- shall be designated as one of four (4) signing authorities;
- distribute minutes of the previous meeting at the next regular meeting.

(e) The Trustees shall:

- act an auditing committee on behalf of the Members and audit the books, accounts of the Secretary-Treasurer, the Recording Secretary and the standing committees semi-annually;
- report their findings in writing to the first Membership meeting following the completion of each audit;
- submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct and proper manner;
- be responsible to ensure that monies are not paid out without proper Constitutional or Membership authorization;
- ensure that proper financial reports are made to the Membership; □ audit the record of attendance;
inspect at least twice 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 and report their findings to the Membership;
- use audit forms supplied by the National Office and send a copy of each half-yearly audit to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution;
- send a copy of their report to the Local Union membership along with a copy of their recommendations and/or concerns to the President and Secretary-Treasurer and the Secretary-Treasurer's response, to the National Secretary-Treasurer of CUPE, with a copy to the assigned servicing representative;
- on termination of office, surrender all books, records and other properties of the Local to his successor;

- act as guard to ensure the security of the regular and special meeting, to tile the doors during a vote, ascertain all present are Members in good standing and ensure the attendance book is signed;
- Trustees may complete Semi-Annual audits during working hours provided they each submit leave requests in writing five (5) days in advance to Kelsey School Division Secretary-Treasurer for paid union leave to attend the audits. Leave is not to exceed eight (8) hours per audit per Trustee.

ARTICLE 9 – HONORARIA

The following expense allowance shall be paid monthly:

President	\$160.00 per month
Vice-President	\$120.00 per month
Recording Secretary	\$120.00 per month
Secretary Treasurer	\$120.00 per month
Shop Stewards	\$80.00 per month
Trustees	\$80.00 per audit

ARTICLE 10 – DUES AND ASSESSMENTS

- (a) Monthly dues – the monthly dues shall be one point six five percent (1.65%) of gross monthly salary. A member who fails to pay dues and assessments for three months is automatically suspended from membership. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union.
- (b) Only following the procedure for amendment of these by-laws (see article 15), with the additional provision that the vote must be by secret ballot can effect changes in the levels of the monthly dues.
- (c) Notwithstanding the above provision, 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 minima.

- (d) Special assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.

ARTICLE 11 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

(a) Nominations

Nominations shall be received at the regular Membership meeting held in the month of December. To be eligible for nomination a Member shall have attended at least fifty percent (50%) of the Membership meetings held in the previous twelve (12) months or in the period he was a Member, if less than a year, unless a valid reason, acceptable to the Local has been given for non-attendance.

No nomination shall be accepted unless the Member is in attendance at the meeting or has allowed to be filed at the meeting his consent in writing, duly witness by another Member. No Member shall be eligible for nomination if he is in arrears of dues and/or assessments.

A returning officer, who is not an officer or candidate for office, shall be appointed by the membership.

- (1) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the returning officer.
- (2) The returning officer shall be responsible for issuing, collecting and counting the ballots. He must be fair and impartial and see that all arrangements are unquestionably democratic.
- (3) The voting shall take place at the regular Membership meeting in January. The vote shall be by secret ballot.
- (4) Voting to fill one (1) office shall be conducted and completed and recounts dealt with, before balloting may begin to fill another office.

- (5) A majority of votes cast shall be required before any candidate can be declared elected, and second and subsequent ballots shall 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 shall be dropped.
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 case and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
- (6) When two (2) or more nominees are to be elected to any office by ballot, each Member voting shall be required to vote for the full number of candidates to be elected or the Member's ballot will be declared spoiled.
- (7) Any Member may request a recount of the votes for any election and a recount shall 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 laid down in article 4 (c).
- (8) The President and Secretary Treasurer shall be elected in odd years and the Vice President and Recording Secretary shall be elected in even years. Shop Stewards will be elected annually.

(b) Installation

- (1) All duly elected Officers shall be installed at the meeting at which elections are held and shall continue in office for the following terms:

President	Two (2) years
Vice-President	Two (2) years
Secretary Treasurer	Two (2) years
Recording Secretary	Two (2) years.
- (2) The terms of office for Trustees shall be as laid down in the CUPE Constitution.

(c) By-Elections

Should an office fall vacant pursuant to article 7(g) of these by-laws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this article.

ARTICLE 12 – DELEGATES TO CONVENTIONS, CONFERENCES AND SCHOOLS

- (a) Except for the President’s option (article 8(a)), all delegates to conventions, conferences and schools shall be chosen by election at Membership meetings.
- (b) Local 1596 shall pay transportation to and from conventions, conferences and schools at the following rates:
 - (1) Conventions and schools outside Manitoba – Most economical transportation shall be sought (e.g. Air, bus train or car pool). If air transportation is required and ground transportation is needed at destination, most economical transportation shall be used and receipts saved for reimbursement. All transportation must be preapproved by the Membership at a meeting previous to the trip. If delegate wants different transportation other than what is approved at the meeting, they must pay the difference.
 - (2) Outside The Pas area, the most economical transportation shall be sought (e.g. air, bus, train or car pool). Car travel shall be reimbursed at the current Provincial Government Transportation Rate for the northern area for the member providing the vehicle. Mileage based on approved CUPE 1596 mileage chart as follows:

Flin Flon	272 km
Cranberry Portage	192 km
Swan River	460 km
Dauphin	800 km

Thompson	800 km
Brandon	1150 km
Winnipeg	1250 km
Portage	1250 km
Saskatoon	1040 km
Gimli	1200 km

Any mileage not on the mileage chart shall be paid from city to city.

The driver shall be prepaid one half (1/2) the mileage rate in advance of the travel upon request.

(c) The per diem rates paid by Local 1596 will be as follows:

- (1) In The Pas area, forty dollars (\$40.00) per day, loss of salary incurred, if any.
- (2) In province, one hundred dollars (\$100.00) per day for the number of days of the convention and the cost of hotel accommodation for the number of days of the convention and loss of salary incurred, if any.

During conferences in which meals are provided through the cost of registration, the per diem rates will be forty dollars (\$40.00) per day.

- (3) Out of province, one hundred dollars (\$100.00) per day for the number of days of the convention and the cost of hotel accommodation for the number of days of the convention and loss of salary incurred, if any.
- (4) Canadian Labor Congress and Canadian Union of Public Employees; schools held in The Pas will be paid at the rate of forty dollars (\$40.00) per day paid for the by the Local 1596 for the number of days of the school and loss of salary incurred, if any, unless meals are provided.
- (5) Hotel rooms to be shared by same gender where possible. The cost of only one room will be paid for each two (2) delegates. If this is not acceptable,

delegates wanting separate rooms will each pay half their room. Separate rooms will be paid for delegates of different gender.

- (d) CUPE Local 1596 shall attempt to obtain a credit card for the purposes of pre payment and payment of hotel rooms and/or air travel for delegates travelling out of town on Union business as directed by the Local.
- (e) In accordance with Section (c) above, the Local will pre pay one half (1/2) of the delegates per diem upon request of the delegate, provided that the Treasurer has enough advance notice.
- (f) All pre paid delegates will sign a reimbursement form and shall reimburse the Local appropriately should they not attend the entire function as delegated/elected.

ARTICLE 13 – COMMITTEES

(a) Negotiating Committee

This shall be a special ad hoc committee established at least four (4) months prior to the expiry of the Local'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 five (5) Members; the President and a representative from clerical, teacher assistants, custodial and bus driver/ maintenance classifications all elected at a Membership meeting. Members of the negotiating committee must have attended at least 50% of the meetings during the previous contract year.

The CUPE representative assigned to the Local shall be a non-voting Member of the committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the Membership.

(b) Grievance Committee

This committee shall be made up of the Vice-President as chairperson, the

President, at least two of whom will be present at any meetings. and the Shop Steward of the grievor. This committee shall process all grievances not settled at the initial stage and its reports shall be submitted to the Executive first, with a copy to the CUPE representative, and then to a Membership meeting. Grievances must be in writing on the forms provided by National Office, and be signed by the grievor(s) as provided for in the collective agreement with Kelsey School Division. The committee shall appoint its secretary from among its Members.

(c) Special Committees

A special ad hoc committee may be established for a specified purpose 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. Two Members of the Board may sit on any special committee as ex-officio Members. The special committees shall include health and safety.

(d) Bursary Committee

- CUPE 1596 shall donate, annually, a bursary in the amount of five hundred dollars (\$500.00) to a student of Kelsey School Division, to be presented by the President of Local 1596, or designate, at the MBCI graduation.
- Students from Kelsey School Division may submit an application as provided by the Margaret Barber School Counselor, to the Bursary Committee.
- A committee of no less than three (3) and no more than five (5) CUPE 1596 members shall be nominated and elected by the membership at the regular monthly meeting in January each year.
- The committee shall review the applications from MBCI and KLC. Applications will be individually adjudicated on the following criteria: relationship to member of CUPE Local 1596, union involvement of member of CUPE Local 1596, financial need, letter of application, post secondary plans,

marks, future plans, extra curricular and community involvement, general impression.

- It will be the student's responsibility to have their educational facility send a letter to the Treasurer of CUPE 1596, notifying the Treasurer of their entrance and where to send the bursary check.
- In the event of a CUPE 1596 hardship as determined by the Local, or strike, or zero (0) applicants, no bursary shall be offered.
- The student shall have one (1) year (from September following the award) to utilize the bursary. If the student has not done so, the bursary shall remain with the Union. The student must inform, by way of letter to the committee, within six (6) months of award date if an extension is required.
- An extension may be granted to student for a maximum of one (1) year.

- (e) Per Diems as per Article 12 will be paid for duly appointed or elected CUPE Local 1596 committee members.

ARTICLE 14 – 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 by-laws as Appendix A. These rules shall be considered as an integral part of the by-laws and may be amended only by the same procedure used to amend the by-laws.

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.

ARTICLE 15 – AMENDMENT

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

Constitutional interpretation, including determination of conflict, is the prerogative of the National President.

- (b) The Local Union may, by a majority vote at a regular meeting, or at a special meeting called for that purpose, make such additional by-laws as it may deem advisable, provided that at least seven (7) days notice at a previous meeting or at least sixty (60) days written notice has been given and further provided that such by-laws do not conflict with the Constitution. The same shall not become effective until approved by the National President of the Canadian Union of Public Employees. Such approval shall not be withheld unless there is conflict with the Constitution, and further that a decision on this matter shall be rendered within ninety (90) days.
- (c) No change in these by-laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President.

ARTICLE 16 – PROCEDURES

(a) GRIEVANCES

Grievance procedure shall be as outlined in the collective agreement in the following steps:

Step One

The aggrieved employees shall submit the alleged grievance in writing to the respective supervisor with copies filed as outlined on the National form, within fifteen (15) working days or fifteen (15) days of becoming aware of the grievance.

Step Two

Failing satisfactory settlement within five (5) days after the dispute was submitted, the grievance committee and the employee concerned will meet with the secretary treasurer and the superintendent of Kelsey School Division. The chairman of the grievance committee shall act as spokesman for the Union.

Step Three

Failing satisfactory settlement within ten (10) days after the dispute has been submitted under Step Two, the grievor and the grievance committee shall submit a written statement of particulars to the Board of Trustees and the redress sought. The Board shall render its decision within three (3) working days following the regular Board meeting.

Step Four

Failing satisfactory settlement being reached in Step Three, the Local Executive will present a decision to the Membership to either proceed to arbitration or to withdraw the grievance, within ten (10) days and will so advise the employer in writing.

ARTICLE 17 – BEREAVEMENT OF MEMBER

In the event of the death of a member or immediate family member (spouse or child) of a member, the Local will express their condolences to the family in the form of a food tray, flowers or charitable donation, to a maximum of one hundred dollars (\$100.00) per instance.

APPENDIX “A” TO THE BY-LAWS OF LOCAL 1596 CUPE

RULES OF ORDER

- (1) The President or, in his absence, the Vice-President, shall take the chair at all Membership meetings. In the absence of both the President and VicePresident, the Recording Secretary shall act as President, and in his absence the Local shall choose a President pro-tem.
- (2) No Member, except the chairperson of a committee making a report or the mover of a resolution, shall speak more than five minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution shall be limited to fifteen (15) minutes, except with the consent of the meeting.
- (3) The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: “Is the Local ready for a question?” Should no Member rise to speak, the question shall then be put.
- (4) A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
- (5) A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.
- (6) On motion, the regular order of business may be suspended, by a two-thirds (2/3) vote of those present, to deal with any urgent business.
- (7) All resolutions and motions other than those named in Rule 17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the Local.
- (8) At the request of any Member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
- (9) Any Member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.

- (10) When a Member wishes to speak on a question or to make a motion, he shall rise in his place and respectfully address the presiding officer, but, except to state that he rises to a point of order or on a question of privilege, he shall not proceed further until recognized by the chair.
- (11) When two (2) or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
- (12) Every Member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Local or Member thereof.
- (13) If a Member, while speaking, is called to order, he shall cease speaking until the point is determined; if it is decided he is in order, he may again proceed.
- (14) No religious discussion shall be permitted.
- (15) The President shall take no part in the debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
- (16) The presiding officer shall have the same rights as other Members to vote on any questions. In case of a tie, he may in addition give a casting vote, or if he chooses, refrain from breaking the tie, in which case the motion is lost.
- (17) When a motion is before the Local, no other motion shall be in order except (1) to adjourn, (2) to put the previous question, (3) to lay on the table, (4) to postpone for a definite time, (5) to refer, (6) to divide or amend, which motions shall have a precedence in the order named. The first three (3) of these shall be decided without debate.
- (18) A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be not put?". If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended shall be put to the Local.
- (19) A motion to adjourn is in order except (1) when a Member has the floor and (2) when members are voting. A motion to adjourn, having been put and lost shall not be in order again, if there is further business before the Local, until fifteen minutes have elapsed.

- (20) After the presiding officer declares the vote on a question, and before the Local proceeds to another order of business, any Member may ask for a division. A standing vote shall then be taken and the secretary shall count same.
- (21) If a member wishes to challenge (appeal) a decision of the chair, he must do so at the time the decision is made. If the challenge is seconded, the Member shall be asked to state briefly the basis for his challenge. The chairperson shall immediately and without debate put the question: "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie, the chair is sustained.
- (22) After a question has been decided, any two (2) Members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
- (23) No Member shall enter or leave a meeting during the reading of the minutes, the initiation of new Members, the installation of officers or the taking of a vote; and no Member shall be allowed to leave without the permission of the President.
- (24) The Local's business, and proceedings of meetings, is not be divulged to any persons outside the Local or the Canadian Union of Public Employees.

APPENDIX “B” TO THE BY-LAWS OF LOCAL 1596 CUPE

KELSEY SCHOOL DIVISION BEREAVEMENT FUND

A motion was passed at the March 20th, 1989 regular meeting of CUPE Local 1596 to enter into the establishment of a Bereavement Fund with the employees of Kelsey School Division Board of Trustees office.

The Bereavement Fund is to be established to provide for the immediate family of Members of Local 1596 and the immediate family of the employees of the Kelsey School Division Office.

Immediate family shall be defined as: Member, child or spouse.

Kelsey School Division Office employees shall be defined as:

- Superintendent
- Assistant Superintendent
- Secretary-Treasurer
- Business Assistant
- Administrative Secretary
- Director of Maintenance and Transportation
- Transportation Supervisor
- Payroll Officer
- Receptionist

Members of Local 1596 shall be defined as: all employees as outlined by the Manitoba Labour Board Certificate #MLB 2562 and #MLB2963 as covered by Schedule A of the Collective Agreement between the Local and Kelsey School Division, except student employees and those positions that may be agreed upon as being excluded.

Bereavement Fund shall be defined as: a fund set up to be generated upon the death of any Member or the death of a member of their immediate family in the amount of

fifteen dollars (\$15.00) per member per incident or occurrence. This amount shall be deducted from the salary/wages of each individual in the fund by Kelsey School Division and shall be paid to the Member or his/her beneficiary as soon as possible following the bereavement. Written notice to activate the fund shall be given by the President of the Local or designate and the Secretary-Treasurer of the School Division or designate (as per the attached form).

This bereavement fund shall be instituted upon the signing of this document.

President of CUPE Local 1596

Secretary-Treasurer Kelsey School Division

Date

CUPE LOCAL 1596 / KELSEY SCHOOL DIVISION BEREAVEMENT FUND

Order to activate:

This document hereby presents the payroll officer of Kelsey School Division with the authority to deduct ~~ten dollars (\$10.00)~~ **fifteen dollars (\$15.00)** per person as defined as being enrolled in the Bereavement Fund Agreement between the Kelsey School Division Board Office employees and the Members of CUPE Local 1596, and to pay that total amount to the person(s) designated herein:

Employee: _____

Death of _____ on _____
Name Date

Payment to be made to: _____

Dated this _____ day of _____, 2____, at The Pas, Manitoba.

Secretary-Treasurer, Kelsey School Division

President, CUPE Local 1596

Office Use only:

Amount Deducted: _____

Date Paid Out: _____

Cheque number: _____

Payroll Officer, Kelsey School Division

Date

APPENDIX “C” – Code of Conduct

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our 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.

CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff and elected officers to carry out our work. CUPE’s expectation is that mutual respect, understanding and co-operation will be the basis of all our interaction.

The Code of Conduct sets out standards of behaviour for participants at national convention, national conferences, schools, meetings, and all other events organized by CUPE National. It is also applicable to structures of CUPE – locals, Provincial and Service Divisions, District Councils, Provincial Unions, Councils of Unions, Provincial Councils of Unions, and Provincial Sectoral Groups. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National and at events, meetings and activities by other parts of CUPE referenced above. 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 CUPE members, staff, and elected officers, 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.

Take responsibility for not engaging in inappropriate behaviour due to use 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 the Code of Conduct will be handled as follows:

If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.

-
- At national convention, national conferences, schools, meetings, and all other events organized by CUPE National, a complaint shall be brought to the attention of an ombudsperson.
- At a meeting, event, or activity held by a structure of CUPE, should an ombudsperson be available, the same process would be used. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
- If the complaint involves a staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another part of CUPE, the person responsible for their employment will be the one to whom a complaint is referred and the relevant collective agreement, should it exist, would be applicable.
- Once a complaint is received where an ombudsperson is being used, the ombudsperson will work to seek a resolution.
- If this fails to resolve the matter, the ombudsperson 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.
- At CUPE National events where an ombudsperson is not available, a person properly appointed and designated to be in charge shall receive the complaint. Depending on the nature of the problem, the person in charge may attempt to resolve it through conflict resolution. If this fails to resolve the matter, the person in charge shall determine whether there is a need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses. The same process is to be used for other parts of CUPE where an ombudsperson is not available.
- For National events, if the person in charge is a party to the complaint, the director or designate shall assume that role. For all other parts of CUPE, an alternate will be designated to assume the role.
- In a case where a member has been expelled from an event, the National President shall receive a report on the matter. For all other structures of CUPE, the presiding officer shall receive a report on the matter.
- For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. A similar process may be applicable to the other parts of CUPE, done in consultation with the National President.
- This Code of Conduct is designed to create a safe, respectful and supportive environment within all parts of CUPE. It is meant to enhance the rights and obligations outlined in the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.
- All chartered organizations are subject to this Code of Conduct, to apply to conventions, conferences, schools, and meetings which they organize.