

BY-LAWS



of the

(Canadian Union of Public Employees)

CUPE Local 3324

Island EMS Paramedics

Approved by National President
February 2011.

Bylaws

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PREAMBLE

In order to improve the social and economic welfare of its members without regards to sex, color, race, creed and to promote efficiency in public employment and to manifest its belief in the value of the unity of Public Employees (hereafter 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.

SECTION 1 - NAME

The name of this Local shall be: Canadian Union of Public Employees, Local No. 3324 (Island EMS Paramedics).

SECTION 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 of 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 Employers

SECTION 3 - INTERPRETATIONS AND DEFINITIONS

- (a) Masculine pronouns shall be understood to include the feminine gender.
- (b) Numbers of Articles at the end of Sections or Sub-Sections refer to relevant Articles of the CUPE Constitution (19) which should be read in conjunction with these By-Laws.

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- (c) The Island shall be comprised of four (4) areas for the purpose of these By-Laws and divided in the following manner:

- O’Leary and Alberton Bases (1 area)
 - Summerside Base (1 area)
 - Charlottetown Base (1 area)
 - Montague/Souris Bases (1 area)

- (d) The Island shall be comprised of two (2) Regions for the purpose of Regional Meetings and shall be divided in the following manner:

- O’Leary/Alberton/Summerside Bases – Western Region
 - Charlottetown/Montague/Souris Bases – Eastern Region

SECTION 4 - MEMBERSHIP MEETINGS, REGULAR AND SPECIAL

- (a) Regular Regional Membership Meetings shall be held, at least once every three (3) months. The Area Vice-Presidents may call additional meetings.
- (b) Special Membership Meetings may be ordered by the Executive or requested in writing by no fewer than 25% of the membership. 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 Regional or Special Membership Meeting shall be 25% of the Membership.
- (d) The Annual General Membership Meeting shall be held in The Fall of each year.

SECTION 5 - VOTING OF FUNDS

Except for ordinary expenses and bills as approved at membership meetings, no sum over fifty (\$50.00) dollars shall be voted by the Executive for the purpose of a grant or contribution to a member or any cause outside CUPE, except by notice of motion given in writing and dealt with at the following membership meeting.

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SECTION 6 - OFFICERS OF THE LOCAL

The Officers of the Local shall be the President, First Vice-President, Secretary-Treasurer, Recording Secretary, Past President, three (3) Trustees, Sergeant-at-Arms and four (4) Area Vice-Presidents (one of which will be the First Vice-President). All Officers shall be elected by the membership at the Annual General Meeting, excluding the Past President and the Area Vice-Presidents. The Area Vice-Presidents shall be elected in their respective Area prior to the Annual General Membership Meeting. The First Vice-President will be elected at the first Executive Meeting following the Annual meeting.

SECTION 7 - EXECUTIVE

- (a) Composition - The Executive shall be composed of the President, First Vice-President, Secretary-Treasurer, Recording-Secretary, Past President (ex-office) and four (4) Area Vice- Presidents (one of whom is the First Vice-President).
- (b) Meetings - The Executive shall meet at least once every month. The Executive may schedule additional meetings as is necessary to properly carry out the affairs of the Local.
- (c) Quorum - A simple majority of the Executive constitutes a quorum.
- (d) Duties - The Executive shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all Committees.
- (e) Charges - Any charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
- (f) Vacancy - If a vacancy occurs during a term of office the Executive shall elect a replacement from within the Executive at their next regular meeting until the next annual meeting when an election shall be held to fill the vacancy. Should any Executive Member fail to answer the roll-call for two (2) consecutive regular membership or two (2) regular Executive meetings without having just cause, the office shall be declared vacant.

SECTION 8 - DUTIES OF OFFICERS

- (a) The President shall:
 - enforce the CUPE Constitution and these By-Laws;

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- preside at Special, Annual and Executive 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 his/her rulings) and in the case of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie;
 - 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;
 - serve on the Labour Management Committee;
 - have first preference as a delegate to the CUPE National Convention;
 - have the option to attend any convention to which the Executive decides to send delegate(s).
- (b) The First 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 Executive as directed by the Executive.
- (c) The Recording Secretary shall:
- keep full, accurate and impartial accounts of the proceedings of all Special Membership and Executive Meetings;
 - record all alterations in the By-Laws;
 - answer correspondence and fulfill other secretarial duties as directed by the Executive;
 - provide a monthly report on correspondence;
 - file a copy of all letters sent out and keep on file all communications;
 - have all records ready on reasonable notice for auditors and Trustees;
 - be empowered, with the approval of membership, to employ necessary clerical assistance to be paid out of the Local's funds.
- (d) The Secretary-Treasurer shall:
- provide a monthly financial report to the Executive;
 - 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;
 - record all financial transactions in a manner acceptable to the Executive

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- and in accordance with good accounting practices;
 - make all books available for inspection by the auditors and/or Trustees on reasonable notice and have the books audited annually;
 - provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
 - forward all funds owing to the National Secretary-Treasurer by the last day of the following month;
 - be bonded and any Secretary-Treasurer who cannot qualify for a bond be disqualified from office.
 - Have 3 signing officers for the cheques, 2 out of 3 to sign to avoid officers signing their own cheques. (signing officers: President, Treasurer, and one member of executive)
 - on termination of office, surrender all books, records and other properties of the Local to his successor.
- (e) The Area Vice-Presidents
- hold membership meetings at least every three (3) months per year;
 - hold additional meetings when needed;
 - attend executive meetings regularly to report on their membership meetings;
 - voice the wishes and concerns of their membership to the Executive;
 - represent their membership with the Employer;
 - sit on the Labour Management Committee;
 - preside over Special Membership and Executive Meetings in the absence of both the President and Vice-President;
- (f) The Trustees 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 Standing 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 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 once a year any stocks, bonds, securities, office furniture

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- 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;
 - send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as 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 the Canadian Union of Public Employees, with a copy to the assigned servicing representative.
- (g) The Sergeant-at-Arms shall:
- guard 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 President and by consent of the members present;
 - perform such other duties as may be assigned by the Executive from time to time.
- (h) The Past-President (1-year term) (ex-officio Executive Member) shall:
- support the incoming Executive;
 - assist the new President in her/his duties;
 - attend the Executive Meetings.

SECTION 9 - NOMINATIONS, ELECTIONS AND INSTALLATION OF OFFICERS

(a) Nominations

- 1) Nominations shall be received at the Annual Membership Meeting held in the month of October. To be eligible for nomination, a member must be a member in good standing and shall have attended at least fifty (50%) percent of the membership meetings held in the period he was a member, if less than a year, unless valid reason, acceptable to the Local, has been given for non-attendance.

Nominations shall be received at the Annual Membership Meeting held in the fall. To be eligible for nomination, a member must be in good standing and shall have attended at least fifty (50%) of the membership meetings held in the period he was a member, if less than a year, unless valid reason, acceptable to the local, has been given for non-attendance

- 2) No nomination shall be accepted unless the member is in attendance at the

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meeting or has allowed to be filed, at the meeting, his consent in writing, duly witnessed by another member.

(b) Elections

- (1) The Executive 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 ballots. He must be fair and impartial and see that all arrangements are unquestionably democratic.
- (3) The voting shall take place at the Annual Membership Meeting in ~~October~~. The vote shall be by secret ballot.
- (3) The voting shall take place at the Annual Membership Meeting in The Fall. The voting shall be done by secret ballot.
- (4) Voting to fill one 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. The vote will retake for a majority of votes for a candidate.
- (6) When two 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 Section 4 (c).

(c) Installation

- (l) (a) All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for two (2) years; however, for the 2006 elections, the First Vice-President and Treasurer shall be for a one (1) year term, or until a successor has

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been elected and installed.

(b) In 2006, the Area Vice-Presidents for the Summerside and Charlottetown areas shall be elected for two (2) years and the Area Vice-Presidents for the area of O'Leary/Alberton and Montague/Souris shall be elected for one (1) year.

(2) The term of office for Trustees shall be as laid down in Article B.3.10 of the C.U.P.E. Constitution.

(d) By-Election

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

SECTION 10 - FEES AND DUES

(a) Initiation Fee

Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee of two (\$2.00) 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.

(b) Monthly Dues

1) The monthly dues shall be ~~4.5%~~ **2%** of regular monthly wages.

2) Changes in the levels of the Initiation Fee or the Monthly Dues can be effected only by following the procedure for amendment of these by-laws (see Section 15), with an additional provision that the vote must be by secret ballot.

3) Notwithstanding the above provisions, if the CUPE Convention raises minima fees and/or dues above the level herein established, these by-laws would be deemed to have been automatically amended to conform to the new CUPE minima.

4) Special assessments may be levied in accordance with Article B4.2 of the CUPE Constitution.

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SECTION 11 - OUT OF POCKET EXPENSES

- (a) Any expenses incurred as a result of Union Business shall be reimbursed after bills have been submitted and passed for payment at an Executive meeting.
- (b) The following expense allowance shall be paid to the following officers at the following rates, at the Annual meeting each year, after her/his term in office:
 - President - \$ 500.00 per annum
 - Secretary-Treasurer - \$ 300 per annum
 - Recording-Secretary - \$ 300 per annum

 - Area Vice-Presidents - \$ 450 per annum
 - Trustees - \$ 100 per annum**
 - Past President - \$ 300 per annum
- (c) An Officer serving less than 100% of her/his term shall be paid an expense allowance as per the percentage of her/his term served.
- (d) No member elected to the Executive or any Committee shall be paid wages at an hourly rate as part of their duties.
- (e) **Executive will be reimbursed travel as established by the Provincial Government after travel exceeds 30kms. They then will be reimbursed the complete mileage traveled**

SECTION 12 – DELEGATES TO CONVENTIONS, MEETINGS AND CONFERENCES:

- (a) Except for the President, all delegates to conventions shall be chosen by the Executive and shall report back to the membership.
- (b) All members attending conventions and/or meetings on behalf of the membership shall be paid a travel allowance, meal allowance and registration (if applicable). The Local shall pay travel and meal allowance as established by the Provincial Government
- (b) All members attending conventions, meetings and or conferences on behalf of the membership shall be paid a travel allowance, meal allowance and registration (if applicable). The Local shall pay travel and meal allowance as established by

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the Provincial Government.

- (c) NEW Members that are attending Union business outside the province shall receive seventy five (\$75) per day for meals and expenses, the actual cost of hotel, lost wages(if necessary) and travel allowance at the provincial rate will be paid in addition to the allowance of \$75.00 providing member has pre approval by President and/or Vice President. (Changed 2009 Annual Meeting)
- (d)NEW Child care expenses, to a maximum of fifty dollars (\$50) will be reimbursed to members for childcare expenses incurred for childcare outside of the members regular working hours. Receipts must be provided and pre approval by President and/or Vice president required. (Changed 2009 Annual Meeting)
- (e)NEW Any legitimate travelling costs that have been pre approved by President and/or Vice President shall be reimbursed, as per government rate per kilometer while using a personal vehicle on union business. (Changed 2009 Annual Meeting)
- (f)NEW Hotel expenses and lost wages (if necessary) will be covered for all members on Union business in province. (Discretion of executive). (Changed 2009 Annual Meeting)
- (g)NEW Members that are attending approved union business in province shall be reimbursed a meal allowance as outlined below: (Changed 2009 Annual Meeting)
- | | | |
|-------------------|---------------|----------------|
| Breakfast \$10.00 | Lunch \$12.00 | Dinner \$15.00 |
|-------------------|---------------|----------------|

SECTION 13 - COMMITTEES

- (a) Negotiation Committee

This shall be a special ad hoc committee established at least six (6) 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 consisting of the President and the four (4) Area Vice Presidents.

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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) **Special Committees**

A special ad hoc committee may be established for a specified purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership, be appointed by the President or the Executive. Two (2) members of the Executive may sit on any special committee as ex-officio members.

(c) **Standing Committees**

The Chairperson of each Standing Committee shall be elected by the members of the Committee. The Chairperson and the Executive may jointly appoint other members to serve on a Committee. There shall be two (2) Standing Committees as follows: Education Committee and By-Laws Committee.

(d) **Education Committee**

It shall be the duty of this Committee to:

- arrange for representation of the Local at any appropriate and available educational seminar or conference and submit recommendations accordingly to the Executive;
- instruct delegates in the preparation of reports to the membership on seminars and conferences and maintain a reference file of reports;
- co-operate with the Education and Public Relations Departments of CUPE, and with the regional Education Representative, in implementing both the Local's and CUPE's policies in these fields. The Committee shall comprise of five (5) members, one being from the Executive and shall appoint its Secretary from among its members.

(f) **By-Laws Committee**

This Committee shall consider all proposed amendments to the By-Laws and shall submit its report and recommendations to the Executive by September 1st of each year. This Committee shall also recommend such additional rules, as it deems necessary for the conduct of the Local.

SECTION 14 - MEMBER IN GOOD STANDING

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- (a) Any member who:
 - (i) is a card-carrying member.
 - (ii) has worked at least one (1) shift in a six (6) month period unless absent on approved leave.

- (c) Any member not in good standing shall not be permitted to attend the Annual Membership meeting held in The Fall of each year, or have a vote on any Articles scheduled for voting.

Any member not in good standing shall not be permitted to attend the Annual Membership meeting held in THE FALL of each year, or have a vote on any Articles scheduled for voting.

- (c) Only members in good standing shall be permitted to run for office.

SECTION 15 - RULES OF ORDER

- a) 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.
- b) 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 16 - AMENDMENT

- (a) These By-Laws are always subordinate to the CUPE Constitution (including Appendix "A") 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 later shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.
- (b) These By-Laws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at the Annual membership meeting following notice at a previous membership meeting or at least sixty (60) days written notice.

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- (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.

APPENDIX "A"

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 Vice-President, the Recording Secretary shall act as President, and in his absence, a President pro-tem shall be chosen by the Local.
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 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 the 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 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

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- 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 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 advise 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 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 question. 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 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 now 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.