



LOCAL 500

CANADIAN UNION OF PUBLIC EMPLOYEES

BY-LAWS

As amended and approved by Central Council December 21, 2015

Approved by CUPE National President July 12, 2016

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CANADIAN UNION OF PUBLIC EMPLOYEES LOCAL 500 (Federation of Civic Employees)

1. NAME

The name of this organization shall be Canadian Union of Public Employees Local 500 (Federation of Civic Employees), hereinafter referred to as the "Local".

2. PURPOSES

The purpose of this Local shall be to promote the interests of its membership and generally advance the economic and social welfare of the members of its affiliated Units.

3. ELIGIBILITY FOR MEMBERSHIP

All workers engaged in the public service field, who would come within the bargaining scope of the Local established by certification or negotiation, are eligible for membership.

4. APPLICATION FOR MEMBERSHIP

- (a) All eligible workers as provided herein under Article 3 shall be admitted to membership in the Local upon signing an application form as supplied by the Local on which shall include the Oath of Membership as per B.8.4 of the National Constitution and by paying the fees and/or dues as may be determined from time to time by the Local, as provided herein under Article 18.
- (b) An eligible member upon signing of the membership form in the presence of a sponsoring member in good standing accepts the Oath of Membership as printed on the membership form.
- (c) Applications for membership in the Local shall be approved by Central Council and the member shall be designated as belonging to the appropriate Unit by Central Council.
- (d) A membership card certifying membership in the Local together with a copy of the By-Laws and current relevant Collective Agreement shall be forwarded to each new member.

5. CENTRAL COUNCIL

There shall be established by the Local, a Central Council of the Local to be constituted as follows:

- (a) Each Unit shall be entitled to a minimum of two (2) delegates to Central Council.
- (b) Each affiliate shall be entitled to a minimum of two (2) delegates to Central Council.

- (c) Each Unit with a membership of over fifty (50) members shall be entitled to two delegates for the first fifty, and one delegate for each additional or major fraction thereof, to a maximum of eight (8) delegates.
- (d)
 - (i) All stewards elected or appointed, and confirmed as such by the appropriate Unit, shall be eligible to attend Central Council with full voice and vote.
 - (ii) To be eligible to cast a ballot in Central Council election of Officers a steward or delegate must have attended at least 25% of the current year's meetings of Central Council (December to November).
- (e) No later than one week prior to the annual election of Officers for Central Council, each Unit shall submit in writing the names of members selected as its delegates to Central Council.
- (f) Only members in good standing in the Local may be selected to act as delegates to Central Council, including stewards.
- (g) A member in good standing shall mean a member whose position is within the scope of the Bargaining Unit or is maintained on the seniority list or is off work on disability benefits.
- (h) Attendance as used in these By-Laws shall mean the act of being present.

6. OFFICERS OF CENTRAL COUNCIL AND LOCAL

- a. The Central Council shall elect a full-time President for a two-year term of office. This election shall take place in the odd-numbered years. The position of Secretary-Treasurer shall be elected for a two-year term. This election shall take place in the even numbered years. The remaining Officers of Central Council, namely the First Vice-President, Second Vice-President, Recording Secretary and Warden, shall be elected annually for one-year term. One Trustee shall be elected for a three-year term.
- b. Persons elected as Officers to Central Council shall be the Officers of the Local and shall have power and authority on behalf of the Local, with the approval of the majority of Central Council.
- c. To be eligible to election or re-election to any office, candidates must be accredited delegates from the Units or a "head" steward or a steward from an Affiliate body. These delegates must have been a member in good standing of a Unit or Local of the Canadian Union of Public Employees for the preceding twelve (12) months, (unless the Unit or Local has been in existence less than that period of time) and must have attended 25% or more of Central Council meetings in the current year (December to November) to stand for office.
- d. Nominations shall be held in October, and further nominations and elections will be held in November of each year.
- e. Each candidate must have a clear majority of votes cast to be elected.

- f. All vacancies in office shall be filled at the following meeting at which the vacancy takes effect. This rule shall not apply to the office of President, to which, when a vacancy occurs the First Vice-President shall immediately succeed.
- g. Should any officer fail to answer the roll call for three consecutive meetings without a good reason for their absence, their office shall be declared vacant.
- h. Temporary vacancies shall be filled by the presiding Officer.
- i. Nominees who have been elected to office shall be called upon by the Electing Officer to take oath as follows:

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

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

7. DUTIES OF OFFICERS OF CENTRAL COUNCIL

- (a) The President shall preside at all meetings with the exception of Executive Committee meetings of Central Council, and sign all official documents and interpret the By-Laws. The President shall attend, when possible, all conventions held by organizations to which the Local is affiliated.
- (b) The First Vice-President shall, in the absence of the President, have and exercise all the powers of the President, together with the responsibility of presiding at the monthly Executive meetings of Central Council.
- (c) The Second Vice-President shall, in the absence of the First Vice-President, have and exercise all the powers of the First Vice-President.
- (d) The Secretary-Treasurer shall be responsible for all financial accounts of the Local and shall maintain correct and proper accounts of all its members. The Secretary-Treasurer shall receive and give receipts for all monies in its bank, credit union or trust company or as authorized by Central Council. Expenditures of the Local shall be only for the purpose of the Local, and in all cases shall be made by cheque, signed by the Secretary-Treasurer and countersigned by the President, or in their absence by the First Vice-President, Second Vice-President or by the office bookkeeper. In this case, the office bookkeeper shall be bonded. A petty cash fund may be authorized by the Local from which expenditures can be made.

The Secretary-Treasurer shall keep on file all receipts for monies disbursed and received.

The Secretary-Treasurer shall be responsible for issuing the per capita to the Canadian Union of Public Employees as authorized by the general membership at a duly called meeting. In addition, the Secretary-Treasurer shall be responsible for issuing the per capita to the respective Units and to such other organizations as authorized by Central Council.

The Secretary-Treasurer shall submit the books and records every six (6) months to the Trustees for audit and shall submit duplicates of all receipts issued by the Secretary-Treasurer and receipts covering all expenditures during the six month period. In addition, the Secretary-Treasurer shall provide the Trustees with whatever authorization is required to investigate all the accounts of the Local.

The Secretary-Treasurer shall convene an annual meeting with all Local 500 Unit Treasurers to obtain the Units' bank account numbers and inform them of their responsibilities. The Secretary-Treasurer shall receive and review all of the Unit Trustees' reports on an annual basis. These reports shall be submitted to the Local 500 Secretary-Treasurer no later than January 31st of each year.

On an annual basis (Jan/Feb), the Secretary-Treasurer shall convene an education session, on a Saturday for all unit Treasurers and the Trustees of all units and the Local. The purpose of the session will be to educate Treasurers and Trustees on the responsibilities of their offices.

- (e) That annually all Units shall send the name of their bank, account number and signing officers to the Recording Secretary of Local 500 for Local 500 files. Any Secretary-Treasurer who cannot qualify for a bond, shall immediately be disqualified from office and the Local shall proceed with the election of a replacement as outlined in Clause 6 (c).
- (f) The Recording Secretary shall keep a correct, full and impartial record of the proceedings of Central Council, Executive of Central Council, and Table Officers. The Recording Secretary shall perform such other duties as the Local or By-Laws may direct.
- (g) The Trustees shall audit the books of the Secretary-Treasurer and shall exercise general supervision over the property of the Local.

The Trustees shall examine the books and records of the Secretary-Treasurer at least every six (6) months and shall report to the next regular Central Council meeting following the end of every six (6) months on the condition of the funds and accounts, together with such other information they may deem necessary to the efficient and honest administration of the Local. They shall transmit a copy of such report to the Canadian Union of Public Employees.

The Trustees shall not be members of either the Local's Executive or Table Officers.

- (h) The Warden shall check and record all present at the meetings of Central Council and ascertain whether they are in good standing and entitled to be present. The Warden shall see that no one enters the meetings of the Local while business is being transacted, unless they are in good standing or on the order of the Local.

8. COMMITTEES OF CENTRAL COUNCIL

The committees established by Central Council shall be deemed to be the committees of the Local and shall have all power and exercise authority as given to them by Central Council on behalf of the Local. Such committees shall establish their terms of reference which shall be subject to the approval of the Local 500 Table Officers, Local 500 Executive and Central Council and shall be housed in the Local's Policy book. The Table Officers of Central Council shall be ex-officio members of all committees.

9. GENERAL MEETING

- (a) General meetings of the Local may be held at any time, either by decision of Central Council or by decision of the Executive Committee of Central Council or in cases of emergency, by decision of the majority of the Officers of Central Council.
- (b) Except in cases of emergency which must be determined as such by the Officers of the Local, a written notice of general meetings shall be forwarded to each member at the last known address, stating the purpose of the meeting, and such notices shall be mailed not less than one week prior to the holding of the general meeting.
- (c) When a General Meeting has been called, additional meetings shall be held to provide opportunity for all members to attend, regardless of their hours of work.
- (d) In the case of a general meeting called, in which the terms and conditions of a tentative settlement will be presented regarding a City of Winnipeg Contract, a written notice of such meeting will be forwarded to each member at the last known address and shall be mailed not less than one week prior to the holding of the general meeting. A ratification vote to accept or reject the tentative settlement shall take place by secret ballot the following day after which the general meeting was held.

10. EXECUTIVE COMMITTEE OF CENTRAL COUNCIL

- (a) There shall be established an Executive Committee of Central Council. The Table Officers of Central Council shall be part of the Executive Committee. In addition, each Unit shall designate one of its delegates to be part of the Executive Committee. In the event that a Unit is not represented on the Local's Table Officers, the Unit shall be entitled to designate another delegate as a member of the Executive thereby ensuring that each Unit has a minimum of two (2) delegates on the Local's Executive. An alternate delegate may be designated by the Unit to attend meetings in the absence of the delegate.
- (b) Affiliates shall be invited to send two (2) guests to two (2) Executive meetings annually.
- (c) The Executive Committee shall consider any matters that may affect the Local and shall report its findings and recommendations to Central Council. Except in cases where the welfare of the Local may not permit any delay, no action shall be taken by

the Executive Committee without prior approval by Central Council or a General Meeting of the Local.

- (d) The Executive Committee shall have the power and be authorized to call special meetings of Central Council other than regular meetings at any time and notice of such special meetings shall be forwarded to each member thereof.
- (e) The Executive Committee shall have the final authority in submitting a grievance to arbitration. The Executive Committee shall consider submitting to arbitration any grievances denied at Step 2 of the Collective Agreement. If deemed necessary, the Executive Committee shall arrange for and give notice to the grievor and the Staff Representative to make submission to the Executive Committee prior to the decision being made. After due process and consideration the decision of the Executive Committee shall be final and not subject to appeal.

11. MEETINGS OF CENTRAL COUNCIL

The regular meeting shall be the fourth Monday of each month or otherwise at the discretion of the Executive. Notice of any change in the meeting of Central Council shall be forwarded to each member of Central Council not less than seven (7) days prior to the meeting of Central Council. Meetings of Central Council shall be held between the hours of 7:00 pm and 10:00 pm unless a motion is duly passed to extend the time limit.

12. MEETINGS OF THE EXECUTIVE COMMITTEE

The regular meeting of the Executive Committee shall be held on the second Monday of each month, or otherwise at the discretion of the Officers of Central Council. Notice of each meeting shall be forwarded to each member of the Executive Committee.

13. MEETINGS OF OFFICERS

The Officers of Central Council (referred to herein as "Table Officers") shall hold such meetings at such times as the majority of the Officers in their discretion deem necessary or advisable for the purpose of promoting the welfare of the Local.

14. POWERS AND DUTIES OF CENTRAL COUNCIL

- (a) Central Council shall have exclusive authority to establish, dissolve or restructure Units or Affiliates of the Local in consultation with the respective units. Units or Affiliates shall be defined as to scope and coverage and shall be so established as to further the welfare and effectiveness of the members of the Unit or Affiliate and the Local as a whole.
- (b) Central Council shall have authority to act on all matters referred to it by any of the respective Units or Affiliates, as well as any matters which affect or may affect the good and welfare of the Local as a whole.
- (c) Central Council shall also seek to co-ordinate the efforts of each Unit or Affiliate in their endeavour to protect and advance the interests of the membership.

- (d) Central Council shall forward a copy of the minutes of its meetings to the National Union Head Office.
- (e) Central Council may delegate any of its powers or duties to the Executive Committee, or to any other sub-committee of Central Council and may, from time to time, assign any delegate or delegates of Central Council such duties as it may determine.
- (f) Central Council may establish such committees as it may deem necessary or advisable for the purpose of carrying out its powers and duties to the Local and the members thereof.
- (g) Central Council shall have exclusive authority to designate their negotiating representatives of the Local from amongst the persons elected by the Units to act as negotiating representatives. In addition, Central Council shall elect two members at large from amongst members eligible to attend Central Council to serve on the City of Winnipeg Negotiating Committee. Units or Affiliates covered by collective agreements other than with the City of Winnipeg shall elect their own Negotiating Committee.
- (h) Central Council shall authorize all financial expenditures and shall allocate the distribution of monies received as membership dues between it and each respective unit in accordance with resolutions as determined from time to time by Central Council.

15. AUTHORITY AND RESPONSIBILITY OF UNITS

- (a) The Units of Local 500 include:
 - i) Civic Services Unit - all members of the Assessment and Taxation, Corporate Finance, Internal Services, Fire Paramedic Services, Planning, Property and Development, City Clerk's, and Winnipeg Transit Departments and the Winnipeg Civic Employees' Benefits Program (City of Winnipeg).
 - ii) Community Services Unit - all members of the Community Services Department (City of Winnipeg).
 - iii) Public Works Unit - all members of the Public Works Department (City of Winnipeg).
 - iv) Riverview Health Centre Unit - all members of the Riverview Health Centre.
 - v) Water and Waste Unit - all members of the Water and Waste Department (City of Winnipeg).
- (b) Each Unit, as provided herein, may draw up such by-laws as it deems necessary providing such by-laws do not conflict with the By-Laws of Local 500. Such by-laws must be submitted to the Local 500 Executive for approval and then will be brought forward to Central Council as information.

- (c) Each Unit may elect from amongst its members one representative who shall act as a negotiating representative of the Local on the City of Winnipeg Negotiating Committee.
- (d) Each Unit shall provide the Local with a yearly Trustees' Report to the Secretary-Treasurer of Local 500 no later than January 31st of each year.

16. AFFILIATES TO CENTRAL COUNCIL

- (a) The following employee groups shall be directly affiliated to Central Council:

- St. Boniface Museum
- Assiniboine Park Conservancy
- Varsity View Community Centre
- Winnipeg Convention Centre
- Canlan (Highlander Ice Sports)
- Winnipeg Humane Society
- Winnipeg Regional Health Authority
- Rural Municipality of East St. Paul
- Kirkfield-Westwood Community Centre
- Historical Museum Association of St. James-Assiniboia
- Gateway Recreation Centre
- Commissionaires (RCMP "D" Division)
- Southdale Community Club
- Emterra Environmental

- (b) Local 500 will arrange for an annual general meeting for each affiliated group.
- (c) The Local's Table Officers and Executive will consider all requests from affiliated groups regarding conventions, schools and conferences. All costs associated with attendance at such events shall be at the Local's expense.

17. DISTRIBUTION OF LOCAL 500 COLLECTIVE AGREEMENT:

- (a) Members will have viewing access to the Local 500 Collective Agreement on the Local's webpage.
- (b) Members can request that the Collective Agreement be sent to them electronically in PDF format via email.
- (c) Members can come to the Local 500 office and pick up a hard copy of the Collective Agreement.

18. MEMBERSHIP DUES

- (a) Union dues shall be a flat rate bi-weekly for those earning the same or more than the lowest full-time rate in the City of Winnipeg Agreement. For those earning less bi-weekly, union dues will be 2% of their bi-weekly pay.

Increases in the flat rate dues will be based on the average percentage increase in salary of the previous year's contract between CUPE and the City of Winnipeg.

- (b) To alter the dues structure or increase the flat rate beyond the negotiated increases outlined in (a), the following process will be followed:
- (i) The recommendation to alter the dues structure will come from the Table Officers of Local 500.
 - (ii) The recommendation will be advertised in writing by the Local and by each unit at least two months before the vote is to take place. During this period of two or more months, the Local's Treasurer or designate shall meet with each Unit to make a presentation and to answer questions on the recommendation.
 - (iii) The vote will take place at a special membership meeting of Local 500.
 - (iv) To pass, the dues change will require a simple majority (50% plus one vote).
 - (v) Voting conducted under this clause to be by secret ballot.

19. FISCAL YEAR

The fiscal year shall be from December 1st to November 30th. The Secretary-Treasurer holding office during this period shall be responsible for preparing the books for the Trustees and/or Auditor. The report shall be made as soon after the conclusion of the fiscal year as possible.

20. ORDER OF BUSINESS

At the beginning of the meeting the President shall take the chair and conduct the business in the following order:

- 1. Roll call of Officers
- 2. Reading of Equality Statement
- 3. Reading of minutes
- 4. Matters arising
- 5. Treasurer's Report
- 6. Communications and bills
- 7. Voting on new members and initiations
- 8. Executive Committee Report
- 9. Reports of committees and delegates
- 10. Nominations, elections or installations
- 11. Unfinished Business
- 12. New Business
- 13. Good of the Union
- 14. Adjournment

21. HONORARY LIFE MEMBERS

Honorary Life Members shall be entitled to attend all Central Council meetings, with no voice or vote. An Honorary Life Member may speak at the privilege of the Chair.

22. AMENDMENTS TO THE BY-LAWS

Proposed amendments to the By-Laws shall be forwarded to the Local's office and then will be forwarded on to the Constitution Committee for consideration when the Committee meets next. Changes to the Policy and By-Laws must be approved at a Central Council meeting. These changes shall require two-thirds of the votes of delegates present and voting at the meeting. Except in cases of emergency, the Constitution Committee shall review the Policy and By-Laws every two years.

23. GENERAL

- (a) The Constitution of the Canadian Union of Public Employees and the Canadian Labour Congress shall govern all matters not covered herein, and the principles enunciated in the Constitution shall be the guide to any action deemed necessary by this Local.
- (b) The President, First Vice-President and Secretary-Treasurer shall be properly bonded with a faithful performance of duty bond. Such bond shall be reviewed annually by the Trustees.
- (c) Central Council shall be responsible for and shall indemnify the President, other Officers, Special Assignment Officers and members as deemed necessary and authorized by Central Council for any claim instituted or damages ordered against the President or any Officers, Special Assignment Officers and members indemnified in respect of any act done by them in the course of and within the jurisdiction of their duties.

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