

**CIVIC SERVICE UNION 52**  
**Constitution**



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## CSU 52 Constitution

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## **1. NAME**

### **1.01**

Apr 7/98 The name of this Organization shall be "Civic Service Union 52" (hereinafter referred as "CSU 52").

### **1.02**

Oct 2/01 In this document, "CSU 52" may be substituted with "the Union."

## **2. OBJECTS**

### **2.01**

The objects of the Union are to:

- (a) increase the knowledge, skill and proficiency of its members;
- (b) promote harmonious relations between members of the Union and employers;
- (c) bargain collectively on behalf of employees and to regulate relations between employers and employees;
- (d) further the common and individual interests and welfare of its members;
- (e) provide a planned security program for its members and their dependants through approved insurance, pension, hospitalization, medical service group contracts and similar devices;
- (f) foster a wholesome fraternal spirit among members by assisting with the promotion of social activities and activities of a recreational and cultural nature;
- (g) advance and support the cause of worthy community interests and social well-being;
- (h) charter local unions to act as bargaining agents under the Alberta Labour Code, Canada Labour Code, or any other legislation that permits collective bargaining and any amendments thereto or successor legislation;
- (i) affiliate with any labour organization;

Nov 3/92 (j) protect the jurisdiction of the members of the Union.

## **3. MEMBERSHIP**

### **3.01 Membership**

Apr 7/98 Membership in CSU 52 shall be designated as: Active, Honorary Life, Honorary and Associate.

### **3.02 Active Membership**

Nov 3/92 All persons employed by municipal, public, and private employers, or charitable organizations, on whose behalf CSU 52 bargains, shall be eligible for Active Membership in the Union. All Active Members shall subscribe to Union Principles and the Constitution & Bylaws of CSU 52.

### 3.03 Honorary Life Membership

May 7/02 Honorary Life Membership may be conferred upon any Union member who has made outstanding contribution to the Union. An Honorary Life Member shall have the right to attend any General Meeting and shall be allowed to address such meeting as would an Active Member. However, such member shall not be permitted to hold office in the Union nor vote on issues being considered by the Union after the member retires. Candidates may be nominated by an Active Member and must be approved by three-fourths (3/4) of the members present at a regular meeting.

### 3.04 Honorary Membership

Honorary Membership may be conferred upon any person who has made an outstanding contribution to the Union. Candidates may be nominated by an Active Member and must be approved by three-fourths (3/4) of the members present at a regular meeting.

### 3.05 Honorary Life and Honorary Memberships

Dec 5/00 The method by which an employee shall be nominated for the award of Honorary Life Member, as enunciated in Article 3.03, or Honorary Member, as enunciated in Article 3.04, shall be as follows:

- (a) the name of the nominee for the award shall be submitted in writing to the President one week prior to the Board of Directors Meeting;
- (b) the name of the nominee shall be accompanied by the reasons, in writing, for the nomination;
- (c) the President shall ensure that the name and reasons for the nomination are placed on the Agenda for the next Board of Directors Meeting;
- (d) the Board of Directors shall consider the nomination and may meet with the nominator, if necessary, to discuss the nomination;
- (e) the Board of Directors shall, upon conclusion of the investigation of the nominee:
  - Oct 2/01 (i) recommend to the General Membership, on behalf of the nominator, that the nominee receive the award for which the member is nominated;
  - (ii) advise the nominator that the nomination is rejected along with the reasons for same.

### 3.06 Associate Membership

- Dec 5/00
- (a) All Union Office staff shall be eligible for Associate Membership only. Associate Members shall be required to pay CSU 52 dues and shall be entitled to attend Union functions at Active Member rates. All Associate Members must subscribe to Union Principles and to the Constitution & Bylaws of CSU 52. Such members shall not be permitted to hold office in the Union or sit on committees. They may vote on issues being considered by the Union with the exception of issues related to their Steelworkers Agreement.
  - (b) New Union Office staff will be offered Membership by the Hiring Committee within thirty (30) days of their start date.
  - (c) All Union Office staff with reversion rights to a CSU 52 position must hold Associate Membership, to retain those rights.

### 3.07 Good Standing

Dec 5/00 An Active Member is a person who has paid the initiation fee, and is currently paying dues to the Union, or have pre-paid their dues upon approved leave. An Active Member can have their status of Good Standing revoked as per Bylaws Article 7.

## 4. MEMBERS & COMMUNITY SUPPORT COMMITTEE

### 4.01

Oct 4/05 The Committee is governed by the terms of the Bylaws of Union 52 Benevolent Society.

## 5. BOARDS OF CSU 52

### 5.01 Board of Directors

Oct 20/15 Effective January 1, 2016, the Executive Board shall be the CSU 52 Board of Directors and comprise the following Directors:

- (a) President
- (b) First Vice-President
- (c) Second Vice-President/Secretary of the Board
- (d) Treasurer
- (e) Chief Trustee
- (f) Chief Shop Steward
- (g) One (1) Director for each Contractual Unit

## 6. COMMITTEES

Apr 3/18

### 6.01 Standing Committees

The following Committees shall be Standing Committees of the Union. Nominations and elections to committee positions, other than Negotiations Committees, will take place at the January General Meeting. Negotiations Committees will be elected for collective bargaining, at the call of the Contractual Unit Director. These Standing Committees shall follow the CSU 52 Bylaws, Committee Terms of Reference and Policy & Procedures of the Union:

- (a) Bylaws
- (b) Discipline
- (c) Financial Review
- (d) Grievance Appeal
- (e) Negotiations

- (f) Sergeant-at-Arms
- (g) Shop Stewards Assembly

## 6.02 Other Committees

- (a) The following Committees shall be Other Committees of the Union. Nominations and elections to committee positions will take place at the January General Meeting. These Other Committees shall follow the CSU 52 Bylaws, Committee Terms of Reference and Policy & Procedures of the Union:
  - (i) Education, consisting of four (4) members
  - (ii) History, consisting of three (3) members
  - (iii) Publications, consisting of five (5) members
  - (iv) Social, consisting of six (6) members
  - (v) Young Workers, consisting of five (5) members
- (b) As may be deemed necessary from time to time, committees may be appointed by the Board of Directors and approved by the Membership at a General or Special Meeting of the Union.

## 6.03 Membership

- Oct 20/15 (a) No member, other than the President, may sit on more than two (2) paid Committees, excluding the Shop Stewards Assembly.
- Oct 2/07 (b) Wage Replacement Committees are not considered paid Committees.

# 7. SHOP STEWARDS ASSEMBLY

## 7.01 Shop Stewards Assembly

- Jun 6/95 Shall consist of Shop Stewards elected by Active Members in a Department or Section provided:
- May 3/05 (a) The members represented total fifteen to thirty (15-30). In the event that there are less than fifteen (15) members in a Department or Section, the Shop Steward shall represent 100% of those members.
- Oct 20/15 (b) The Chief Shop Steward shall determine eligibility if set criteria for situations in Article 7.01(a) do not apply.

# 8. REPRESENTATIVES AND DELEGATES

## 8.01 Delegates to Conventions

- Apr 5/16 (a) The number of delegates to attend any convention for which a Convention Call is received shall be as decided by the Membership present and voting at a General or Special Meeting of the Union.
- Apr 5/16 (b) Delegates to conventions shall be nominated and elected at a General or Special Meeting of the Union. Nominees shall be eligible provided they have been given credit for four (4) of the last six (6) General Meetings and Contractual Unit Meetings.



## 8.02 Other Representatives and Delegates

Other Representatives and Delegates as are deemed necessary shall be elected by the Membership at any General or Special Meeting of the Union. Nominees shall be eligible provided that they have attended, or have been given credit for, four (4) of the last six (6) General Meetings and Contractual Unit Meetings.

## 9. TERMS OF OFFICE

### 9.01 Terms of Office

- Apr 3/18 (a) Directors and Delegates elected or appointed shall assume the duties of office on January 1<sup>st</sup> of each year.
- (i) The President and Second Vice-President/Secretary of the Board shall be elected for a two (2) year term in even years.
  - (ii) The First Vice-President and Treasurer shall be elected for a two (2) year term in odd years.
  - (iii) The Contractual Unit Directors from the City of Edmonton and Edmonton Space & Science Foundation shall be elected for two (2) year terms in odd years, and the representatives from EPCOR, Capital Power and Edmonton Public Library shall be elected for two (2) year terms in even years.
  - (iv) The Chief Shop Steward shall be elected by the Shop Stewards for a two (2) year term in odd years.
  - (v) The Chief Trustee will be elected for a two (2) year term in even years.
- Apr 3/18 (b) Committee Members elected or appointed shall assume the duties of office on the second Tuesday of January of each year.

### 9.02 Ratification

Feb 1/00 Shall take place at the first meeting following their elections.

### 9.03 Vacancies

- Oct 3/06 (a) A vacancy may occur on the Board of Directors, Shop Stewards Assembly or Committees through death, resignation, suspension or any other cause.
- Oct 3/06 (b) A vacancy on the Board of Directors (other than the President or the Chief Shop Steward) and on Committees shall be filled by election at a General Meeting for the duration of the departing member's term.
- Oct 3/06 (c) In the event the Office of the President becomes vacant, the First Vice-President shall automatically assume the Presidency for the remainder of the term in office, or until the next October Board of Directors election if the vacancy occurs in the first year of the President's term. The Second Vice-President/Secretary of the Board shall assume the position of the First Vice-President.
- Oct 3/06 (d) In the event the Chief Shop Steward's position becomes vacant, the Shop Stewards shall elect, at their next meeting, a Shop Steward to assume the duties of the Chief Shop Steward for the remainder of the term in office.
- Apr 5/16 (e) In the event the Assistant Chief Shop Steward's position becomes vacant, the Shop Stewards shall elect, at their next meeting, a Shop Steward to assume the duties of the Assistant Chief Shop Steward for the remainder of the term in office.

Oct 3/06 (f) In the event a Shop Steward's position becomes vacant, the members in the Department or Section shall elect a Shop Steward for the remainder of the term in office.

## 9.04 Declaration to Office

Apr 3/18 The newly elected Directors of the Board and Committee Members of CSU 52 will be affirmed in the presence of the General Members. All newly elected Directors and Committee Members must sign a Declaration to Oath form bearing the text of the oath, before assuming office.

The following Oath of Office shall be declared:

I, \_\_\_\_\_, do most solemnly declare that I will perform the duties of my office for my elected term to the best of my ability as described in the CSU 52 Constitution & Bylaws.

I will seek to know and abide by all the bylaws, applicable policies and legislation as required for me to perform the duties of my office in CSU 52.

I will preserve the dignity of CSU 52. I will lead by example, conduct myself in a professional manner, and will preserve confidential Union matters as such.

Within fourteen (14) days of the end of my term in office, I will return all property belonging to CSU 52.

**CIVIC SERVICE UNION 52**  
**Bylaws**



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## 1. DUES AND INITIATION FEES

### 1.01 Initiation Fee

Oct 5/10 New members will be issued a Membership Card upon payment of the initiation fee as set by the Membership.

### 1.02 Collection

The dues for all members and employees, except Life and Honorary Members, shall be the amount as passed by the Membership at the time the Union budget is approved and shall be collected bi-weekly through the “Rand” system of check-off for Union dues.

### 1.03 Amount

Oct 4/05 For any person coming under the scope of our Collective Agreement and earning less than \$250.00 in a pay period, the Union dues shall be a maximum of \$2.30.

### 1.04 Leave Without Pay

May 1/01 Any member off work on leave without pay shall pay Union dues in advance of their leave at the rate as per Article 1.03. Arrangements for payment can be made by contacting the Union’s Financial Administrator/Building Coordinator and shall be the responsibility of the member.

### 1.05 Temporary Appointments

Apr 5/16 Any member temporarily appointed to an Out-of-Scope or Managerial position shall continue to remit full dues as per the Contractual Unit position to which they hold reversion rights. All arrangements for the deduction of Union dues shall be made by contacting the appropriate Human Resources or Payroll Personnel. The payment of Union dues is the responsibility of the member and is mandatory for the bridging of seniority while Out-of-Scope.

## 2. DUTIES OF DIRECTORS

Oct 20/15

### 2.01 Board of Directors as A Whole

The Board of Directors as a whole shall:

- Apr 4/17 (a) meet at least monthly and more often as may be required for the efficient conduct of the business of the Union;
- Oct 7/03 (b) allow the meeting to be open to Union members to view and that only those portions of the Board of Directors meetings that deal with confidential issues, such as staffing or grievances, be held in camera or at the discretion of the Chair;
- (c) be responsible for the satisfactory operation of Union business in the interval between meetings;
- (d) be responsible for general supervision of all Committees and adequate reporting of its action to General Meetings of the Union;

- (e) prepare and present an Annual Budget at the General Meeting in January;
- Apr 4/17 (f) present to the Membership a signed annual audited statement at the April General Meeting and that any special audit, as may be requested by the General Membership, also be presented to the Members at the next General Meeting following the completion of the Audit and be available to the Membership upon request.

## 2.02 President

Apr 3/18 The President shall:

- (a) preside at all meetings of the Union and all meetings of the Board of Directors;
- (b) be an ex-officio member of all Committees, except the Discipline and Grievance Appeal Committees;
- (c) appoint all Committees not otherwise ordered;
- (d) sign all orders on the Treasury when ordered by the Union;
- (e) transact such other business as may pertain to the President's office, and which may be necessary for the proper functioning of the Union.

## 2.03 First Vice-President

Apr 3/18 The First Vice-President shall:

- (a) in general, assist the President in the performance of the President's duties;
- (b) convene and preside at meetings at the request of or in the absence of the President;
- (c) in the absence of the President, assume the roles and responsibilities of the President;
- (d) perform such duties as the Board of Directors shall from time to time determine.

## 2.04 Second Vice-President/Secretary of the Board

Apr 3/18 The Second Vice-President/Secretary of the Board shall:

- (a) in general, assist the President in the performance of the President's duties;
- (b) convene and preside at meetings at the request, or in the absence, of the President and First Vice-President;
- (c) ensure that the minutes of all meetings of the Board of Directors and the Membership, and all correspondence of the Board are properly kept;
- (d) be responsible for ensuring that notices for all meetings of the Board of Directors and for any General Meetings of CSU 52 are published in accordance with its Bylaws and Policies;
- (e) perform such duties as the Board of Directors shall, from time to time, determine.

## 2.05 Treasurer

Apr 3/18 The Treasurer shall:

- (a) be responsible for corporate liquidity, investments, and risk management related to the Union's financial activities; accountable to forecast cash flow positions, related borrowing needs, and available funds for investment;



- (b) be insured by a bond as outlined in policy. Any Treasurer who cannot qualify for a bond shall be immediately disqualified from the role of Treasurer and the Union shall proceed with the election of another Treasurer;
- (c) present to the monthly Board of Directors meeting a report of the financial performance against budget and financial position for the previous month of Civic Service Union 52, such report then to be presented to the next scheduled General Meeting of the Union;
- (d) submit the books and records monthly to the Financial Review Committee for audit and shall furnish the Financial Review Committee with proof of balance in the Bank or Credit Union where the funds of the Union are on deposit;
- (e) ensure that the expenses of the Union shall only be for the purposes of the Union and, in all cases, shall be paid by cheque signed by the Treasurer and counter-signed by the President. If the President is not available, the First Vice-President may sign. If the First Vice-President is not available, the Second Vice-President/Secretary of the Board may sign. However, a petty cash fund may be authorized by the Union, from which expenditures can be made.
- (f) defer the ability to sign cheques (due to an absence from office) to the President, the First Vice-President or the Second Vice-President/Secretary of the Board;
- (g) recommend honorariums for the Board of Directors and any paid committees for the ensuing year and submit them for inclusion in the Annual Budget;
- (h) recommend an Auditor cooperatively with the Financial Review Committee.

## 2.06 Chief Trustee

Oct 20/15 The Chief Trustee shall:

- (a) be the Chair of the Financial Review Committee;
- (b) be the spokesperson for the Committee;
- (c) report at meetings, as required;
- (d) attend all Board of Directors Meetings of the Union.

## 2.07 Chief Shop Steward

Apr 3/18 The Chief Shop Steward shall:

- (a) attend and report at all Board of Directors Meetings;
- (b) preside at all Shop Steward Assembly Training Sessions;
- (c) be responsible for development and delivery of education and training programs for Shop Stewards;
- (d) increase the knowledge, skill and proficiency of Shop Stewards;
- (e) work with Contractual Unit Directors to recruit and maintain Shop Stewards in each Contractual Unit.

## 2.08 Contractual Unit Directors

Oct 5/04 The Contractual Unit Directors shall:

- (a) represent the global interest of the members of their unit;
- (b) attend all Board of Directors Meetings of the Union and assume full duties and responsibilities of a member of the Board;
- (c) work with the Shop Stewards within their respective Contractual Unit area and with the Chief Shop Steward of the Union;
- (d) attend meetings or Committees related to the Contractual Unit as required;
- (e) chair meetings of and/or for members of the Contractual Unit, as applicable;
- (f) be an active member of the Labour/Management Committee within the Contractual Unit, where applicable;
- (g) lead the Negotiations Committee for their Contractual Unit;
- (h) provide members and Shop Stewards with advice, counsel and direction;
- (i) represent the Union at functions as required;
- (j) assist the Chief Shop Steward with recruitment of Shop Stewards within the Contractual Unit;
- (k) respect confidentiality;
- (l) attest to the Oath of Office as noted in Article 9.04 of the CSU 52 Constitution;
- (m) keep the membership informed with regular updates regarding relevant issues arising from all Union and Management meetings;

Apr 4/17 (n) work with Personnel Managers and Labour Relations Officers in interpretation and administering the Collective Agreement;

(o) provide support at discipline and dismissal meetings when called upon;

Oct 20/15 (p) arrange and host a Contractual Unit Meeting a minimum of two (2) times a year for their respective Contractual Unit.

## 2.09 Term of Office

Apr 4/17

- (a) A Director shall be deemed to have resigned from the Board if he or she misses three (3) regularly scheduled Board meetings, unexcused, in one (1) calendar year, or fails to properly discharge their role and responsibilities. Such a person may be reinstated to the Board by a motion, with support of two-thirds (2/3) of the Directors on the Board.
- (b) A Director shall be deemed removed from the Board if he or she has been suspended of Membership in good standing, including suspension from holding Union positions as outlined in Article 7.02(a)(iv) of the CSU 52 Bylaws.
- (c) A vacancy of a Board of Director position shall be filled in accordance with Article 9.03 of the CSU 52 Constitution.

### 3. STANDING COMMITTEES

Apr 4/17

#### 3.01 Negotiations Committee

The Negotiations Committee shall:

- (a) represent the Union on all matters pertaining to Negotiations and Bargaining;
- (b) provide the Union, through study and survey, with the best possible information on trends and developments across the nation in respect to wage increases and working conditions, and will give guidance to the Membership on demands;
- (c) report to the Union at General or Special Meetings, on the progress of negotiations from time to time during the period of Negotiations.

#### 3.02 Discipline Committee

(a) The Discipline Committee shall:

- (i) investigate all charges against member(s) as brought before the Union under Article 7 of the CSU 52 Bylaws;
- (ii) arrange meetings, call witnesses and gather evidence to enable the Committee to arrive at a fair and impartial decision;
- (iii) at all times, be guided by the Labour Relations Code;
- (iv) consist of five (5) members elected at the January General Meeting for a two (2) year term. Three (3) members shall be elected in even years and two (2) members in odd years.

Apr 4/17

(b) A Director of the Board or Grievance Appeal Committee member is not eligible to sit on this Committee.

#### 3.03 Shop Stewards Assembly

Apr 4/17 The Shop Stewards shall:

- (a) ensure the Collective Agreement, and labour and human rights are adhered to by observing and reporting on matters in the workplace;
- (b) represent the members in the work area by being aware, learned, and a sounding board, and sharing information;
- (c) be a liaison with the members and the Union;
- (d) increase the knowledge, skill and proficiency of Shop Stewards and the Union Membership;
- (e) follow the Terms of Reference of this Committee and the Policy & Procedures of the Union.

#### 3.04 Sergeant-at-Arms Committee

Apr 4/17

(a) The Sergeant-at-Arms shall:

- (i) attend the door and admit none but Active Members of the Union (except by direction of the Presiding Officer);
- (ii) assist in maintaining order;
- (iii) keep accurate records of attendance for quorum at meetings, for honoraria and eligibility for Board of Directors elections;

- (iv) consist of two (2) members elected at the January General Meeting for a two (2) year term. One (1) member to be elected in even years and one (1) member to be elected in odd years.
- (b) At no time will a Sergeant-at-Arms Committee member hold the position of Chief Shop Steward.
- (c) Should a member be elected as the Chief Shop Steward or Assistant Chief Shop Steward, that member cannot hold a position of Sergeant-at-Arms.
- (d) A Director of the Board may not be elected to this Committee. In the absence of one (1) Sergeant-at-Arms Committee member, a Director of the Board will be appointed to sit as Sergeant-at-Arms by the Chair of the meeting.

### 3.05 Grievance Appeal Committee

- Apr 7/17 (a) The Grievance Appeal Committee shall:
  - (i) hear appeals of grievances denied by the CSU 52 Labour Relations Officers, staff, and the President of CSU 52. The President of CSU 52 and the involved Labour Relations Officer shall be obligated to inform the grievor of right to a hearing with the Grievance Appeal Committee, to determine if the decision by the President of CSU 52 and the Labour Relations Officer should be overturned and the grievance advanced. The decision of the Grievance Appeal Committee is final and binding;
  - (ii) hear appeals of the decision of the Discipline Committee. Its decision on these appeals may be appealed to the General Membership;
  - (iii) consist of five (5) members elected at the January General Meeting for a two (2) year term. Three (3) members shall be elected in even years and two (2) members in odd years.
- Apr 3/18 (b) A Director of the Board or Discipline Committee member is not eligible to sit on this Committee.

### 3.06 Financial Review Committee

- Oct 20/15 (a) The Financial Review Committee shall:
  - (i) review and report on the financial status of the Union;
  - (ii) ensure that the finances of the Union are managed in the best interest of the Membership, and are carried out in accordance with the mandate set by the Membership at the Annual General Meeting(s);
  - (iii) review the financial transactions of the Union to ensure proper spending concerns;
  - (iv) have a presence at Board meetings to ensure good financial governance concerns, that arise as a result of the Committee's reviews, will first be brought to the President then the Board for review and resolution. Where the concerns of the Committee are not resolved by the President or the Board, the Committee may call a Special General Meeting for the purpose of addressing the situation with the Membership. Such a meeting may be called by a two-thirds (2/3) majority vote of the Committee.
- Apr 5/16 (v) consist of the Chief Trustee of the Union and two (2) members elected at the January General Meeting for a two (2) year term. One (1) member shall be elected each year.
- Apr 5/16 (b) The Chief Trustee will be elected by the General Membership as part of the CSU 52 Board of Directors election cycle.

### 3.07 Bylaws Committee

Apr 4/17 The Bylaws Committee shall:

- (a) ensure that the CSU 52 Constitution & Bylaws are up to date and registered with the appropriate authorities;
- (b) identify any conflict and/or implications to the Constitution & Bylaws arising from notices of motion;
- (c) advise the Union Membership of any conflicts and/or implications arising from the notices of motion, prior to the motions being voted on;
- (d) identify gaps between the Constitution & Bylaws and the Policy & Procedures Manual;
- (e) consist of five (5) members elected at the January General Meeting for a two (2) year term. Three (3) members shall be elected in even years and two (2) members in odd years.

## 4. MEETINGS

### 4.01 General Meetings

Oct 20/15 Effective January 1, 2016, General Meetings of the Union shall be held following the Union 52 Benevolent Society meetings five (5) times per year beginning the second Tuesday of each January, and the first Tuesday of each April, June, October and December.

### 4.02 Contractual Unit Meetings

Oct 20/15 Effective January 1, 2016, each Director elected to represent a Contractual Unit will be responsible to hold a minimum of two (2) meetings per year with their Contractual Unit members.

### 4.03 Special Meetings

Oct 20/15 Special Meetings of the Union shall be held at the call of the President at a time convenient to the majority of the members. Notices of Special Meetings shall be provided by written notices posted in the workplace at least fourteen (14) days prior to the meeting. Any five (5) Active Members in good standing may request a Special Meeting to be held provided that such request:

- (a) is in writing;
- (b) is addressed to the Board of Directors;
- (c) is signed by the five (5) members;
- (d) and indicates the purpose of such a meeting.

Special Meetings shall consider only that business for which the meeting has been called and as is set forth in the notices of such Special Meeting.

### 4.04 Annual Meetings

Oct 20/15 The Annual General Meeting will be held in place of the January General Meeting.

## 4.05 Emergency Meetings

Oct 20/15 Emergency Meetings of the Union shall be held at the call of the President at a time convenient to the majority of the members. Notices of Emergency Meetings can be provided by any means of communication and public media if necessary and must be sent to all Shop Stewards and Mailout Representatives. Emergency Meetings shall consider only that business for which the meeting has been called and as is set forth in the notices of such Emergency Meeting.

## 4.06 Quorum

- Oct 4/05 (a) No business shall be transacted at any General, Special, Annual or Emergency Meeting unless a quorum of members is present at the time when the meeting proceeds to business. A quorum shall be of members personally present and not being less than thirty (30) in number, except where herein otherwise provided.
- Mar 5/96 (b) A quorum for all Committees shall be a majority to qualify for a meeting and an honorarium.
- Oct 5/10 (c) Quorum for the Shop Stewards Assembly is thirty (30) Shop Stewards.

## 4.07 Who May Attend

Dec 5/00 General, Special, Annual, Emergency and Board of Directors Meetings of the Union may be attended by Active, Honorary Life and Associate Members in good standing only. The Sergeant-at-Arms will be responsible for the effective check on membership at each regular or General, Special, Annual or Emergency Meetings of the Union.

## 4.08 Place of Meeting

- Oct 4/05 (a) General and Annual Meetings  
 The General and Annual Meetings of the Union shall be held in such building, hall or room as the Membership shall decide providing that when any change of meeting place is decided by the Membership or arranged by the Board of Directors due to unavailability of the regular meeting place, that good and sufficient notice of change is posted for the information of all Active Members.
- (b) Special and Emergency Meetings  
 Special and Emergency Meetings of the Union shall be held in a location most convenient to the majority of the Active Members of the Union.
- Oct 20/15 (c) Contractual Unit Meetings  
 Contractual Unit Meetings shall be held in a location most convenient to the majority of the Active Members of the Union.

## 4.09 Union Card

- Oct 4/11 All CSU 52 card carrying members who are on the Union Office Voters Eligibility list are eligible to vote whenever there is a Union Vote, providing that the member shows one of the following:
- a) Union Membership Card;
  - b) Employer's picture identification;
  - c) Picture identification that shows their home address.

## 5. ELECTION PROCEDURE FOR BOARD OF DIRECTORS POSITIONS

Apr 3/18 CSU 52 is governed by a Board of Directors elected from within its membership. The election process may be done by electronic ballot, by mail-in ballot, or in person ballot. The Board of Directors will determine the election process.

### 5.01 Election Dates

- Apr 3/18 (a) Board of Directors Members (except Chief Shop Steward)
- (i) Nominations will take place at the October General Meeting.
  - (ii) The Membership will decide on an election date (or election period in the event of an electronic or mail-in ballot vote) proposed by the Returning Officer, which shall not be less than fourteen (14) days or more than twenty-four (24) days from the nominations.
- Oct 20/15 (b) Union Scrutineers & Assistant Returning Officer  
Two (2) Union Scrutineers and an Assistant Returning Officer shall be elected at the June General Meeting to oversee the election of the Board of Directors. A member of the Board of Directors is not eligible for election to these positions.
- Apr 3/18 (c) Returning Officer  
Shall be appointed by the Assistant Returning Officer within seven (7) calendar days of the June General Meeting. A member of the Board of Directors is not eligible for appointment to this position.
- Jun 2/15 (d) Election Cycle  
The CSU 52 election cycle will end on December 31<sup>st</sup>.

### 5.02 Nominations

- Apr 3/18 (a) Qualifications
- (i) Any Active Member in good standing may nominate another Active Member in good standing for the Board of Directors.
  - (ii) For nomination to the Board of Directors, the nominee must have Shop Steward and/or Committee experience and have attended a minimum of six (6) regularly scheduled General Meetings and/or Shop Steward Training Sessions and/or Unit Meetings of the Contractual Unit to which the nominee belongs, during the period of October 1<sup>st</sup> of the preceding year to September 30<sup>th</sup> of the current year, and must submit a completed nomination form signed by three (3) Active Members, by commencement of the meeting in which nominations are made. Special Meetings are excluded for the purpose of determining qualification.
  - (iii) For Contractual Unit Directors, the nominator and the nominee must be members of the Contractual Unit in question.
  - (iv) A member accepting a nomination cannot hold the position of Union Scrutineer, Returning Officer or Assistant Returning Officer.
  - (v) Should a Board of Directors Member be vacating an existing position at the October General Membership Meeting to run for a different Board of Directors position, nominations and election for the vacant position shall take place at the following General Membership Meeting.
- Apr 3/18 (b) Duties and Terms of Position  
The Presiding Officer will state clearly the number of members to be elected, describe in detail the duties of the position, and term of office for each Board of Directors position.

Apr 3/18 (c) Nominations

- (i) Nomination forms shall be available four (4) to six (6) weeks prior to the October General Membership Meeting. Interested candidates must complete the nomination form and be nominated by at least three (3) Active Members in good standing.
- (ii) For candidates wishing to represent their bargaining unit, the nominee and nominators must be members of the same bargaining unit.
- (iii) Nomination forms must be submitted to the Assistant Returning Officer prior to the scheduled commencement time of the October General Meeting. If the nominee is unable to attend the October General Meeting:
  1. The nominee, or their designate, shall submit the completed nomination form to the Assistant Returning Officer prior to the scheduled commencement time of the October General Meeting; or
  2. A scanned copy of the completed nomination form shall be emailed to the Assistant Returning Officer, no later than four (4) hours prior to the scheduled commencement time of the October General Meeting.

Apr 3/18 (d) Acceptance of Nomination

- (i) The Assistant Returning Officer will announce all nominees in alphabetical order for each position.
- (ii) The Assistant Returning Officer will verify with the Sergeant-at-Arms if the nominee is qualified as per Bylaws Article 5.02(a). Any unqualified nominees shall be removed from the list of nominees, unless there is only one candidate nominated for the position, an acclamation is pending and Bylaws Article 5.02(e) is effected.
- (iii) Upon verification of qualification by the Sergeant-at-Arms, the Assistant Returning Officer will ask each nominee, commencing in reverse alphabetical order (according to candidate surname), "If elected, are you willing to serve in this capacity?" Any nominee who declines will have their name struck from the list. Any nominee who accepts will have their name left on the list of candidates for the position.
- (iv) Acceptance of nomination must be done in person, or provided in writing (signed and dated by the nominee) at the October General Meeting.
- (v) Any member of the Board of Directors who accepts nomination for another position on the Board of Directors will be deemed to have resigned their former position, effective the date the position nominated to is filled, as per Constitution Article 9, Terms of Office. Nomination for any resulting vacancy will be held at the next General Meeting at which the election for such position shall occur.

Apr 3/18 (e) Acclamation

- (i) When only one (1) candidate comes forward for election to any position, the candidate is said to be "elected by acclamation." The Presiding Officer shall ask the Second Vice-President/Secretary of the Board or designate to cast a single ballot for the nominee. The Presiding Officer shall then declare the nominee duly elected.
- (ii) Where an acclamation is declared for a position and the candidate does not have the qualifications according to Bylaws Article 5.02(c), the candidate will be acclaimed to the position with full voting privileges.



Apr 3/18 (f) Presentation

- (i) Candidates who are nominated for Board of Directors positions shall be given the opportunity to make a presentation at a Special Meeting before the Election Date.
- (ii) Candidates may hand in a written presentation to be attached to the minutes of the Special Meeting.
- (iii) Candidate campaign material will be posted on the CSU 52 website and CSU 52 social media sites.

### 5.03 Duties of Election Officers

(a) Returning Officer

- (i) has overall authority on election decisions on Election Day;
- (ii) assure Scrutineers are notified of all election problems occurring during the election;
- (iii) advise all candidates, in writing, of all election and campaign rules, including their right to:
  1. inspect the Union’s Membership, Shop Stewards and Mailout Representatives lists;
  2. distribution of campaign literature;
  3. funding availability;
  4. have a Scrutineer.
- (iv) advise all candidates that no campaigning is allowed on Union or employer time;
- (v) assure all campaign literature and Notice of Election is circulated or posted as soon as possible;
- (vi) assure that all candidates are treated fairly and equally;
- Oct 4/05 (vii) refrain from campaigning or recommending any candidates during the period of the Election;
- (viii) assure that no campaigning is conducted on Election Day;
- (ix) assure that Poll Clerks and Scrutineers have received adequate training on election procedures and assist them in performance of their duties if required;
- (x) supervise the count of ballots, election results and any recount;
- (xi) provide a report in writing at the November Board of Directors Meeting and at the December General Meeting;
- (xii) responsible for provision of the ballots and election supplies;
- (xiii) any noncompliance may be referred to the Discipline Committee.

(b) Assistant Returning Officer

- Oct 20/15 (i) shall have a Returning Officer appointed within five (5) working days of the June General Meeting;
- (ii) assist the Returning Officer;
- (iii) prepare the polling station list;
- Feb 1/05 (iv) assure that all candidates are treated fairly and equally;
- (v) name one or more Poll Clerks who will be ex-Active Members of the Union;
- (vi) prepare and send out Notice of Election to all Shop Stewards and Mailout Representatives not less than fourteen (14) days or more than twenty-four (24) days prior to Election Day;
- (vii) prepare ballots and voters eligibility list, ensure that all members not in good standing are crossed off the list;
- (viii) ensure out-of-town voting procedures are adhered to as per the Policies & Procedures of CSU 52.

- (c) Union Scrutineers
  - (i) ensure all election procedures are adhered to on Election Day and any noncompliance is reported in writing to the Returning Officer before the count;
  - (ii) oversee the counting in the counting room;
  - Feb 1/05 (iii) assure that all candidates are treated fairly and equally;
  - Feb 1/05 (iv) refrain from campaigning or recommending any candidates during the period of the Election;
  - Oct 2/07 (v) are required to attend a recount.

## 5.04 Election Preparation

- (a) Ballots  
Ballots indicate the position(s) to be filled, the number to be elected and a listing of the candidates' names in alphabetical order. The ballot shall provide a space for the voter to mark an "X" or other acceptable form of approval beside each candidate's name, colour coordinated with the appropriate Contractual Unit Voter Eligibility List.
- Apr 4/17 (b) Campaign Funding
  - (i) Any reimbursement for printing of campaign literature must be submitted to the Union Office.
  - (ii) A limit for reimbursement will be set by the Membership, upon recommendation by the Financial Review Committee, at the Nominations Meeting.
  - (iii) All printed election campaign material, whether for an incumbent or one who is seeking election for the first time, shall use an outside printing service. Under no circumstance will printing be undertaken by the Union Office staff or at the Union Office.
- (c) Notice of Election  
The bulletin shall:
  - (i) list all candidates for office and number of positions to be filled;
  - (ii) explain election procedures;
  - (iii) indicate that a valid card is required to vote and that new or replacement Union cards will not be issued on Election Day;
  - (iv) identify the valid colour of the Membership Card for each Contractual Unit;
  - (v) include a polling station list and a notice to Shop Stewards and Mailout Representatives that they are required to post or circulate all election literature promptly;
  - (vi) identify the location, dates and times of the Advance Poll and Election Day polls.
- (d) Issue of Union Cards  
No new or replacement cards will be issued on Election Day. The onus is on the Union member(s) to have a valid card on Election Day. Shop Stewards and Mailout Representatives may be required to give any assistance to members who require a card.
- Oct 2/07 (e) Campaign Posters
  - (i) Campaign posters and literature shall only be displayed where permitted by the employer.
  - (ii) Candidates may use the CSU 52 logo on their campaign literature.
- (f) Voter Eligibility List  
A list of eligible voters, by Contractual Unit, shall be provided by the Union Office prior to the Election. The list shall be printed on the same colour paper as the Union Membership cards for each Contractual Unit.
- May 1/01 (g) Polling Stations List  
A list consisting of the number and locations of polling booths shall be distributed by the October General Meeting.

- (h) Polling Hours
- Oct 6/09 (i) The Returning Officer shall determine and publish the opening hours of polls, including roving polls.
- Oct 2/12 (ii) On Advance Poll day, the poll will operate between 9:00 a.m. and 6:30 p.m.

## 5.05 Polling Place Procedures

- (a) The Poll Clerks will be supplied with Voter Eligibility Lists, a supply of ballots, a ballot box and seal, envelopes for challenged ballots, a list of their polling stations and operating times, identification, a ruler, pencils, polling station signs, and other applicable supplies necessary to perform their duties.
- Oct 4/11 (b) All Active Members in good standing who are on the Voter Eligible List will be allowed one vote for each position that is open for election; with the exception that only members of the specific Contractual Units may vote for their respective Contractual Unit Director.
- Oct 4/11 (c) The Poll Clerk will ascertain and verify the name of the voter and cross the name off the Voter Eligibility List. The Poll Clerk will then give the voter a ballot or form (in accordance with the instructions provided by the Returning Officer) which has been folded and initialed on the back by the Poll Clerk. The voter will then complete the ballot and return it to the Poll Clerk who will check for the Poll Clerk's initials. Either the Poll Clerk or the voter will place the ballot immediately into the ballot box.
- Oct 2/01 (d) The ballot box shall be sealed in the presence of the first voter, whose name shall be marked as the first voter on the Voter Eligibility List. The first voter is required to confirm that the ballot box was empty and sealed in their presence.
- Oct 2/01 (e) Voters will vote by the use of the letter "X" or appropriate form, before the name of their choice of candidate. Where there is more than one position up for election, the voter may mark the ballot according to the number of candidates required to fill each position.
- Feb 3/04 (f) Subject to Article 5.05 (b), any voter whose name does not appear on the Voter Eligibility List(s) shall have their ballot deemed a challenged ballot.
  - (i) Such a ballot shall be placed in an envelope and sealed by the Poll Clerk with no markings.
  - (ii) The above envelope is then placed in a second envelope, sealed and marked accordingly; Poll Number - Voter Number, being the same as the name added to the bottom of the Voter Eligibility List. The said envelopes will be given to the Returning Officer for review and decision of validity, with approval of the two (2) Union Scrutineers.
- (g) Replacement ballots shall only be issued to a voter, should a ballot be spoiled, upon return of the spoiled ballot to the Poll Clerk. Any such spoiled ballots shall be placed in an envelope marked "Spoiled Ballots" (including reasons) and returned to the Returning Officer at the closing of the polls.
- (h) Scrutineers shall not dispute election procedural discrepancies with the Poll Clerks or voters. Any alleged violation of the election procedures shall be:
  - (i) phoned in immediately to the Returning Officer(s) for response/action; and/or
  - (ii) reported upon arrival at the count room.

All discrepancies are to be followed by a report in writing.
- (i) The number of ballots issued to each Poll Clerk and the number of "mail-in ballots" issued to Union Members shall be recorded by the Returning Officer. Any discrepancies must be resolved prior to announcement of election results.

- (j) Polling stations shall be opened at the scheduled opening time and shall remain open until the scheduled closing time. Any eligible voters in line at the closing of the poll shall be entitled to vote. Any voters arriving after the scheduled closing time, shall not be permitted to vote.

## 5.06 Counting Procedure

### (a) Election Day Count

- (i) Following the closing of polling booths, the Returning Officer(s) will open the ballot box(es) in the presence of the Poll Clerks, the two (2) Union Scrutineers and other Scrutineers wishing to be present. No other persons shall be allowed in the Count Room.
- (ii) The Poll Clerks will tally the results of the ballots.
- (iii) The candidate receiving the majority of votes shall be declared elected. In the case of election for more than one (1) candidate, the candidate receiving the largest number of votes shall hold the higher office in the Union.
- Apr 5/16 (iv) In the case of ballots for a position that has more than one (1) position to be elected, the counting will be on the same basis as in Article 5.06(a)(iii).
- (v) The Returning Officer shall note results of counted ballots, such information to be signed by Poll Clerks and Scrutineers.
- (vi) The Returning Officer shall place all ballots in a ballot box following the count, lock same and hold under lock for a period of thirty (30) days following the date of the Election, after which time all ballots are to be destroyed by the Returning Officer. If a request for a recount has been made, the ballots shall be held for an additional thirty (30) days then destroyed.
- Jun 1/04 (vii) Poll Clerks, Scrutineers and other election personnel are required to stay for the duration of the ballot count and the compilation of results.

## 5.07 Announcement of Results

- Oct 20/15 (a) The results of the election will be announced at the December General Meeting.
- (b) The newly elected Directors will be sworn in at the January General Meeting.
- (c) Duties of office are effective on January 1<sup>st</sup>.

## 5.08 Recount

- Oct 2/07 (a) A request for a recount, which must be made in writing, may be made by the Returning Officer, Candidate or Candidate Scrutineer, and must be made within seven (7) days from the Election Day count.
- (b) Such recount is to be conducted by the Returning Officer, the Assistant Returning Officer and the two (2) Union Scrutineers. The Candidate Scrutineer(s) may be present if requested by the Candidate(s). A report must be announced within seven (7) days of such said request.

## 5.09 Tie Vote

- (a) In the event of a tie, which would affect the election results, a secondary election by roving polls will be held. The ballots shall contain the names of the candidates who were tied. The secondary election shall conform to the aforementioned procedures.
- Feb 1/05 (b) In the event of a tie vote for an election to a Committee at a General Membership Meeting, a secondary election will be held immediately for the tie candidates.

## 5.10 Remuneration for the Election

Feb 3/04 The Treasurer shall bring forward for approval, allowable election expenses and honorariums at the October General Meeting.

## 6. HONORARIUMS AND EXPENSES

Oct 20/15

### 6.01

Honorariums for members shall be voted upon at the Annual General Meeting in January and shall be for the twelve (12) month period commencing the following month of January.

### 6.02

Expense reimbursement standard amounts shall be determined by the Board of Directors and presented at the Annual General Meeting in January and shall be for the twelve (12) month period commencing the following month of January. The approved expense amounts shall be included in the CSU 52 Policy & Procedure Manual. However, nothing in this article is to prevent specific expense reimbursements being voted upon at any General Meeting.

### 6.03

Apr 4/17 The annual salary of the President shall be paid at five percent (5%) over the top of “Step F” of the Labour Relations Officer rate.

## 7. UNION DISCIPLINE

### 7.01 Discipline of Members

Oct 7/08

#### (a) Grounds of Discipline

Any member may bring another member before the Union for discipline where the other member:

- (i) violates the Constitution & Bylaws of CSU 52;
- (ii) supports, organizes or assists in the withdrawal of members from this Union;
- (iii) publishes or circulates among the member(s) false reports or misrepresentations;
- (iv) misappropriates the funds or assets of this Union;
- (v) furnishes a complete or partial list of the Membership of this Union to any unauthorized person(s);

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- (vi) crosses any lawful picket line;
- (vii) fails to comply with the penalties imposed by the Discipline or Grievance Appeal Committees;
- (viii) engages in any other conduct prejudicial to the good order and welfare of this Union.

#### (b) Initiation of Charges

- (i) A member initiating a charge that another member has contravened one or more of the grounds enumerated in Article 7.01(a) shall deliver a written, signed and dated complaint to the Chair of the Discipline Committee. Charges tendered in electronic format are not permitted and will not be accepted or acted upon.

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- (ii) The charge shall be delivered to the Chair of the Discipline Committee not more than ninety (90) calendar days after the date the member first became aware, or reasonably should have been aware, of the occurrence of the act giving rise to the charge.

- (iii) The time intervening, if any, between a joint request of members to initiate an Alternative Dispute Resolution process, established in accordance with the Union’s Alternative Dispute Resolution Policy, and the date the Alternative Dispute Resolution process concludes shall not be included in the calculation of this time limitation.
- Oct 6/09 (iv) The charge shall include:
  1. the name of the member being charged;
  2. the section(s) of Article 7.01(a) alleged to have been contravened, including specification of any section(s) of the Constitution & Bylaws alleged to have been violated;
  3. details of the charge, including particulars as to the date and location of the alleged contravention;
  4. the signature, printed name and current mailing address of the member bringing the charge.
- (c) Pre-Hearing Procedure
  - Oct 6/09 (i) The Chair of the Discipline Committee shall call a meeting of the Discipline Committee within twenty-one (21) calendar days of receipt of the charge to review the charge to ensure that it meets the requirements of Article 7.01(b) above.
  - (ii) If it is determined that the charge does not meet the requirements of Article 7.01(b), the charge shall be dismissed and the member bringing the charge shall be notified accordingly.
  - (iii) If it is determined that the charge meets the requirements of Article 7.01(b), all documentation before the Committee will be provided to the member charged.
- (d) Discipline Committee Hearing
  - Oct 6/09 (i) Except as otherwise prescribed by the CSU 52 Constitution & Bylaws, the procedures to be followed at Discipline Hearings shall be in accordance with the CSU 52 Discipline Policy.
  - Oct 6/09 (ii) The Discipline Committee shall forthwith arrange for a hearing to take place and shall provide the parties at least fourteen (14) calendar days’ notice of the date, time and location of the hearing.
  - (iii) Should the member bringing the charge fail to attend the hearing, the Discipline Committee shall dismiss the charge.
  - (iv) The Discipline Committee, where it so requires, may have the assistance of legal counsel. Legal counsel for the Discipline Committee will provide only legal advice and assistance to the Committee and will not participate in decision-making, present evidence or provide legal assistance to any other participant. The Union will pay the costs of the legal counsel for the Discipline Committee.
  - Oct 6/09 (v) After the hearing, the Discipline Committee will meet and deliberate to make its decision and to prepare written reasons. Only members of the Discipline Committee who attend the hearing may participate in decision making. A quorum of all five (5) Committee members is required to conduct a Discipline Committee hearing, except where withdrawals for reason of conflict of interest when the requisite quorum shall be not less than three (3) Committee members. The decision of the majority is the decision of the Committee. If there is no majority, the decision of the Chair is the decision of the Committee.
  - (vi) Within fourteen (14) calendar days of the conclusion of the hearing, or such further time as may be agreed by the parties, the Discipline Committee shall provide its decision. The decision shall be in writing with copies immediately sent by priority post to the member bringing the charge and to the member charged.
  - (vii) If the Discipline Committee finds that the charge is not proven on a balance of probabilities, it shall dismiss the charge or those parts of the charge as are not proven.

## 7.02 Penalty

Oct 7/08

- (a) If a charge is found to be proven the Discipline Committee may, as part of its decision, impose a penalty against the member charged. The penalty may include one or more of the following:
  - (i) a verbal or written reprimand;
  - (ii) a requirement to take certain types of education;
  - (iii) a requirement to take steps to rectify any wrongs created by actions or conduct of the member charged;
  - (iv) suspension of Membership in good standing, which includes suspension from holding Union positions;
  - (v) such other reasonable penalty options as the Discipline Committee determines are appropriate in the circumstances.
- (b) A time limit shall be fixed by the Discipline Committee both as to commencement and duration of any suspension and for any action that is required to be taken by the member charged, and the time when the action must be completed.
- (c) Any penalty imposed shall be stayed and shall not take effect pending exhaustion of rights of appeal as provided hereafter.
- (d) A suspended member must retake the CSU 52 Oath and must sign the CSU 52 Oath Card before reinstatement to membership in good standing takes effect.
- (e) The Discipline Committee shall be responsible to monitor whether its decisions have been complied with and to report non-compliance to the Board of Directors and the General Membership.

## 7.03 Appeal to the Grievance Appeal Committee

Oct 7/08

- (a) The decision of the Discipline Committee may be appealed by the member bringing the charge, or by the member charged, by delivering written notice of the appeal to the Chair of the Grievance Appeal Committee not more than fourteen (14) calendar days after the decision of the Discipline Committee is mailed by priority post to the member.
- (b) The grounds of appeal must be stated in the Notice of Appeal and shall be limited to:
  - (i) the decision of the Discipline Committee is unsupported by the evidence presented;
  - (ii) a substantive failure of the Discipline Committee to comply with the requirements of fairness which may have impacted the decision reached;
  - (iii) the penalty imposed is excessive or otherwise inappropriate;
  - (iv) new and previously unavailable evidence to be tendered for consideration.
- (c) The Chair of the Grievance Appeal Committee shall convene a hearing of the Grievance Appeal Committee to review the case within thirty (30) calendar days of receiving the appeal and shall provide at least fourteen (14) calendar days' notice of the date, location and time of the hearing to all parties affected by the Appeal Proceedings.
- Oct 6/09 (d) The Grievance Appeal Committee shall conduct the hearing on the appeal in accordance with the procedures set out in the CSU 52 Discipline Policy.
- Oct 6/09 (e) Only members of the Grievance Appeal Committee who attend the hearing may participate in decision-making. A quorum of at least three (3) Committee members is required to conduct appeal proceedings. The decision of the majority is the decision of the Committee. If there is no majority, the decision of the Chair is the decision of the Committee.



- (f) The Grievance Appeal Committee shall provide its written decision and reasons by mailing the decision and reasons, to the member charged and to the member bringing the charge by priority post within fourteen (14) calendar days after the conclusion of the hearing, unless otherwise agreed by the parties.
- (g) The decision of the Grievance Appeal Committee may be to uphold or reverse the decision of the Discipline Committee or may be to modify the penalty imposed by the Discipline Committee. Where the decision is to modify the penalty, such decision must include the date when the penalty is to commence, the duration of the penalty and the date when the penalty must be completed.

## 7.04 Participation in Decision Making

Oct 7/08

- (a) Should an investigation of a charge have been commenced, but a decision not rendered when the term of office of a Discipline Committee member expires, such member shall continue to serve until all proceedings have concluded and decisions have been rendered. New charges or ones for which the investigation has not been commenced shall be handled by the incoming Discipline Committee.
- (b) Should a member of the Discipline Committee or the Grievance Appeal Committee be elected to the Board of Directors of the Union, such member shall not participate in Discipline Committee proceeding or Grievance Appeal Committee proceedings after taking office as a member of the Board of Directors.

## 7.05 Appeal to the General Membership

Oct 7/08

- (a) Only the member charged under Article 7.01(a) may appeal the decision of the Grievance Appeal Committee to the General Membership.
- (b) Notice of Motion to appeal to the General Membership to overturn the decision of the Grievance Appeal Committee must be given to the Board of Directors in writing within fourteen (14) calendar days of the date the decision of the Grievance Appeal Committee is sent by priority post to the parties.
- (c) The President shall cause the Notice of the Motion to be sent to the members. The Motion shall be included in the agenda for the next General Membership Meeting following a notice period of at least one (1) month.
- (d) The member charged shall provide a written statement of the reasons for the appeal for inclusion with the Notice of Motion to the members.
- (e) The Grievance Appeal Committee shall provide, for inclusion with the said Notice of Motion, a copy of the decision made by the Grievance Appeal Committee.
- (f) The decision of the Grievance Appeal Committee may be overturned by a two-thirds (2/3) majority of those members present and voting by secret ballot in favour of the motion to overturn the decision. The Chair will announce whether the Motion has been carried.
- (g) The results of the vote of the Membership on the Motion to overturn the decision of the Grievance Appeal Committee shall be announced at the meeting and be recorded in the Meeting Minutes. The decision of the Membership shall be final and binding.

## 7.06 Final Decision

Oct 7/08 If there are no appeals, all appeals have been exhausted or all appeal periods have expired, then the decision of the Discipline Committee, the Grievance Appeal Committee or the General Membership as the case may be is final and binding. Any penalty imposed shall be announced at the next General



Meeting, except in the case of appeal to the General Membership, where the penalty imposed, if any, shall be announced at the same meeting that heard the appeal.

## 7.07 Records

Oct 6/09 All records of the Discipline Committee and the Grievance Appeal Committee shall be treated as confidential and kept in a secure location.

## 8. SENIORITY

Oct 5/04 CSU 52 and its agents will not file grievances which result in the Union challenging the qualification of senior selected candidates on job postings, and as a result will not accept any grievances on behalf of junior applicants.

## 9. AMENDMENTS

### 9.01 Constitution & Bylaws

Apr 5/16

- (a) The Bylaws may only be amended at the April General Meeting of the Union, provided that a written notice has been recorded in the minutes of the January General Meeting.
- (b) Amendments shall require a minimum of seventy-five percent (75%) of the members present and voting, to be adopted.

### 9.02 Board of Directors Motions

- Sept 7/99 (a) Board of Directors motions duly moved, seconded and voted on, shall be recorded in the Board of Directors Meeting Minutes. Any Board of Directors motions which are not presented at the General Meeting shall be deemed to be non-binding and invalid, with the exception of personnel or grievance decisions held “in camera.”
- (b) A record of votes cast shall be maintained by the Recording Secretary.
- (c) Members present at a General Meeting shall have the right, through a majority vote of three-fifths (3/5) of the members voting and present, to amend a Board of Directors motion, including but not limited to:
  - (i) a Board of Directors’ motion pertaining to the hiring and firing of Union employees;
  - (ii) non-budgeted expenditures over one-thousand dollars (\$1,000.00);
  - (iii) capital expenditures over two-thousand dollars (\$2,000.00).
- (d) A motion to direct the Board of Directors to reconsider a motion requires a simple majority.
- (e) The discussion and any vote shall take place under the agenda item “Business Arising.”

## **10. RULES OF ORDER**

### **10.01 Chairman**

Oct 2/01 The President (or the Vice-Presidents in order of seniority, in the President's absence), shall take the Chair at the time specified at all General and Special Meetings. In the absence of the President and Vice-Presidents, a President pro tem shall be chosen by the Union.

### **10.02 Question**

The President shall state every question coming before the Union, and before allowing debate therein, and immediately before putting it to vote, shall ask, "Is the Union ready for the question?" Should no member rise to speak and the Union indicates readiness, the question shall then be put. After the President has risen, no member shall be permitted to speak upon it.

### **10.03 Motions**

A motion to be entertained by the Presiding Officer must be seconded and the mover as well as the seconder must rise and be recognized by the chair.

### **10.04 Amendments**

A motion to amend, or 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 shall be in order which is a direct negative of the resolution.

### **10.05 Order of Business**

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.

### **10.06 Motions in Writing**

Oct 4/05 All resolutions and motions other than those named in Article 10.17, or 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 Union.

### **10.07 Dividing a Question**

At the request of any member and upon a majority vote of those present, a question may be divided.

### **10.08 Withdrawing a Motion**

Any member having made a motion can withdraw it with consent of the seconder, but a motion once debated cannot be withdrawn except by a majority vote of those present.

### **10.09 Rules of Order**

Oct 2/01 When a member desires to speak on a question or offers a motion, the member shall rise in their place and respectfully address the Presiding Officer, but shall not proceed further until recognized by the chair, except to state that they rise to a point of order or on a question of privilege.

## 10.10 Order of Addressing Chair

When two (2) or more members rise at the same time to speak, the Presiding Officer shall decide which one is entitled to the floor.

## 10.11 Speaking to the Question

Every member, while speaking, shall adhere to the question under debate, avoid all personal, indecorous or offensive language, as well as any reflection on the Union or any member thereof.

## 10.12 Call to Order

Oct 2/01 If a member is called to order while speaking, the member shall cease speaking until the point is determined when, if decided in order, the member may again proceed.

## 10.13 Sectarian Discussion

No sectarian discussion shall be permitted in the meeting at any time.

## 10.14 Length of Speaking

Oct 2/01 No member, except the Chair of a Committee or the mover or seconder of a resolution, shall speak more than ten (10) minutes at any one time, or more than once on the same question until all members wishing to speak have had an opportunity to do so, when the member may be allowed to speak a second time by permission of the Chair.

## 10.15 Yield Chair

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 Union, or to introduce a new question.

## 10.16 Vote of Chair

Oct 2/01 The Presiding Officer shall have the same rights as other members to vote on any question. In case of a tie, the Presiding Officer may give a casting vote or, if the Presiding Officer chooses, refrain from voting, in which case the motion does not prevail and the decision is in the negative.

## 10.17 Motions in Order

When a question has been put, no motion shall be in order except:

- (a) to adjourn;
- (b) the previous question;
- (c) to lay on the table;
- Oct 2/01 (d) to postpone for a definite time, or indefinitely;
- (e) to refer;
- (f) to divide or amend;

which motions shall have precedence in the ordered name. The first three (3) of these shall be decided without debate.

## 10.18 Adjournment

A motion to adjourn is in order except:

- (a) when a member has the floor;
- (b) when members are voting.

## 10.19 Adjournment Repeated

A motion to adjourn, having been put and lost, shall not be in order again if there is further business before the Union, until fifteen (15) minutes have elapsed.

## 10.20 Previous Question

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 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, then the original resolution as amended shall be put to the Union.

## 10.21 To Postpone

Oct 2/01 If circumstances arise that make it desirable to postpone consideration of an issue for the time being or indefinitely, a motion to this effect can be made. The motion should indicate what the time period will be. It must be seconded and is debatable.

## 10.22 To Refer

Oct 2/01 To send an issue to a Committee (standing or special) for study and report before the main body makes its decision on the issue. This motion must be seconded and is debatable and should include how long the Committee has to deliberate.

## 10.23 Division

Before the Presiding Officer declares the vote on a question, or after a vote has been declared lost or carried by acclamation, and before the Union 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.

## 10.24 Appeal of Chair

Oct 2/01 If any member shall feel personally aggrieved by the decision of the Chair, the member may appeal to the Union for such decision.

## 10.25 Appeal Procedure

Oct 2/01 Any member may appeal a decision of the President, or other Presiding Officer. If an appeal is made, the Presiding Officer shall state the decision and provide the reason(s) for it from the Chair. The member making the appeal shall then briefly state the reason(s) for the appeal. Without further debate, the Presiding Officer shall then put the question before the assembly by asking, "Shall the decision of the Chair stand as the decision of the Union?" It shall require a majority vote to sustain the appeal.

## **10.26 Reconsideration**

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.

## **10.27 Meeting Entry/Exit**

No member shall enter or leave a meeting during the:

- (a) reading of the minutes;
- (b) initiation of new members;
- (c) installation of officers;
- (d) taking of a vote; and
- (e) no member shall be allowed to leave without the permission of the Presiding Officer.

## **10.28 Confidentiality**

All business done in the Union shall be strictly secret to all outside the Union.

## **10.29 Bourinot's Rules of Order**

All rules and proceeding of debate not herein provided for shall be decided in accordance with Bourinot's Rules of Order.