

INTERIM STRUCTURE DOCUMENT FOR CUPE LOCAL 5441

The following document is to supplement Appendix "B" of the CUPE Constitution, to safeguard the rights of all members, to provide for responsible administration of the Local, and to involve as many members as possible through the sharing of duties and responsibilities.

MEMBERSHIP MEETINGS

- a) Regular general membership meetings shall be held monthly, starting January 9th, 2019 and then every third Wednesday of the month.

Regular general membership meetings will rotate start times and site location on a monthly basis.

- (1) A quorum for the transaction of business at any meeting shall be twenty-five (25) members, including at least nine (9) members of the Executive Board.
- (2) In the event of no quorum, the Executive Board will carry out the business of the local that comes before it.
- (3) In the event of no quorum, the Executive Board shall make a report of the business carried out and present it at the next general membership meeting.

VOTING FUNDS

Except for the ordinary expenses and bills as approved by the membership, no sum over \$500 (five-hundred) shall be voted for the purpose of a grant or contribution to any member or cause outside of the union except if by a recommendation of the Executive Board and voted at the membership meeting.

INTERIM EXECUTIVE BOARD

The officers of the Local shall be:

President
1st Vice-President
Secretary-Treasurer
Recording Secretary
Executive Chief Steward

Site Vice-President (SJHC)
Site Vice-President (SMH)
Site Vice President (PHC)

Lead Steward – Clerical (SJHC)
Lead Steward – Clerical (SMH)
Lead Steward – Clerical (PHC)

Lead Steward – Service (SJHC)
Lead Steward – Service (SMH)
Lead Steward – Service (PHC)

The Executive Board shall expand by 1 Site Vice President following a transfer of justification vote to join the Local, and by 1 additional Site Vice President for every 1250 members per site.

The Executive Table Officers shall be comprised of:

President
1st Vice-President
Secretary-Treasurer
Recording Secretary
Executive Chief Steward

Executive Board Duties

- (a) The Executive Board shall meet at least once every month.
- (b) A majority of the Board constitutes a quorum.
- (c) The Executive Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.

Duties of Elected Officers, Trustees and Stewards

(a) The President shall:

- be bonded
- if the President cannot qualify for a bond, they shall be immediately disqualified from office and the Local shall proceed with the election of another President
- bonding amounts shall conform to the minimum guidelines as established by the National Secretary-Treasurer and distributed to all chartered organizations.
- enforce the CUPE Constitution;
- preside at all membership and Executive board meetings and preserve order;
- decide all points of order and procedure (subject always to appeal to the membership);
- have a vote on all matters (except appeals against their rulings) and in case of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie;
- ensure that all officers perform their assigned duties;
- fill committee vacancies where elections are not provided for;
- introduce new members and conduct them through the initiation ceremony;
- sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution or vote of the membership;
- be allowed necessary funds, not to exceed \$200 monthly, to reimburse themselves or any officers for expenses, supported by vouchers, incurred on behalf of the Local;
- be a member of the Bargaining Committees;
- be a member of the Grievance Committee;
- have first preference as a delegate to any convention, school or conference to which the Local is affiliated;

- be an ex-officio member of all committees, unless already deemed a member of a committee by this document (i.e. Bargaining Committee, Grievance Committee);
- is a full-time elected officer, on paid leave, subject to agreement with the Employer.

(b) The 1st Vice-President shall:

- if the President is absent or incapacitated, perform all duties of the President;
- if the office of President falls vacant, be Acting President until a new President is elected;
- render assistance to any member of the Board as directed by the Board;
- be a member of the Grievance Committee;
- be a signing officer;
- be bonded as per the National Constitution;
- if the 1st Vice-President cannot qualify for a bond, they shall be immediately disqualified from office and the Local shall proceed with the election of another 1st Vice-President.

(c) The Secretary-Treasurer shall:

- be bonded as per the National Constitution;
- bonding amounts shall conform to the minimum guidelines as established by the National Secretary-Treasurer and distributed to all chartered organizations;
- if the Secretary-Treasurer cannot qualify for a bond, they shall be immediately disqualified from office and the Local shall proceed with the election of another Secretary-Treasurer;
- regularly make full financial report to Local executive and regular general meetings as per B.3.6 of the Constitution;
- receive all revenue, dues and assessments;

- keep a record of each members' payments, and deposit promptly all money with a bank or credit union;
- prepare all CUPE Per Capita Tax Forms and remit payment;
- record all transactions in a manner acceptable to the Board and in accordance with good accounting practices;
- make all books available for inspection by the auditors and/or Trustees on reasonable notice, and have the books audited;
- provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- be a signing officer;
- be empowered with the approval of the President to employ necessary clerical assistance to be paid for out of the Local's funds with approval of membership;
- on termination of office, surrender all books, records and other properties of the Local to their successor;
- will be allowed two (2) days leave of absence with pay per month to conduct Treasurer's duties or more if required as determined by the President.

(d) The Recording Secretary shall:

- keep full, accurate and impartial account of the proceedings of all regular membership meetings and Board meetings;
- answer correspondence and fulfil other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices to members;
- be responsible for maintaining the Local's website, and any social media;
- maintain member contact information database;
- maintain the Local's internal e-mail communication system;

- have all records ready on reasonable notice for auditors and Trustees;
- preside over membership and board meetings in the absence of both the President and the 1st Vice-President;
- on termination of office, surrender all books, seals and other properties of the Local to their successor;
- will be allowed two (2) days leave of absence with pay per month to conduct Recording Secretary duties or more if required as determined by the President.

(e) The Executive Chief Steward shall:

- keep records of all grievances submitted by members;
- assist the members in the filing of grievances, and attend Step 2 grievance hearings as needed;
- make recommendations on whether or not to forward a grievance to arbitration;
- be a member of the Grievance Committee;
- report to the Executive Board and the membership on the status of grievances;
- be a member of the Bargaining Committees;
- be a full-time officer, on paid leave, subject to agreement with the Employer.

(f) Site Vice-Presidents shall:

- preside over Site/Unit membership meetings and preserve order;
- keep full, accurate and impartial account of the proceedings of all Site/Unit membership meetings;
- report to the Executive Board on no less than a monthly basis, on all Site activities;
- ex officio of all Site-specific committees (i.e. H&S, Redeployment, Return to Work) unless already deemed a member of a committee by this document;

- enforce CUPE Constitution;
- decide all questions of order and procedures (subject always to appeal to the membership);
- vote on all matters (except appeals against their ruling), in case of tie vote have right to cast deciding vote;
- render assistance to any member of the Board as directed by the Board;
- will be allowed two (2) days leave of absence with pay per month to conduct Site Vice-President duties or more if required as determined by the President.

(g) The Lead Stewards shall:

- be responsible for tracking, filing and hearing of grievances in their Site/Unit;
- be a member of the Grievance Committee if their Site/Unit is directly involved in the grievance;
- report to the Site Vice President(s);
- work in conjunction with the Executive Chief Steward as required;
- enforce CUPE Constitution;
- render assistance to any member of the Board as directed by the Board.

(i) The Stewards Shall:

- investigate all membership complaints within departments when necessary;
- assist in the filing and hearing of grievances within departments at the initial stages of the grievance procedure with the Lead Steward;
- be a member of the Grievance Committee when a grievance involving their department arises.

Note: the number of stewards for each Site are determined as per the Collective Agreements

(h) The Trustees shall:

- there shall be three trustees elected by the membership at large, and they shall not form part of the Executive Board;
- act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary and the Standing Committees at least once every calendar year;
- make a written report of their findings to the first membership meeting following the completion of each audit;
- submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct and proper manner;
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- ensure that proper financial reports are made to the membership;
- audit the record of attendance;
- inspect at least once a year any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership;
- send a copy of the completed audit report (on the prescribed form provided by the National Secretary-Treasurer), as well as a copy of their report to the Local Union membership along with a copy of their recommendations and/or concerns to the President and Secretary-Treasurer and the Secretary-Treasurer's response, to the National Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative.

Duration of Terms of Office

The duration of the terms of the above-noted interim Elected Officers, Trustees and Stewards, shall be for one year (February – January).

INTERIM OUT-OF-POCKET EXPENSES *(effective date of election to a position)*

Interim out-of-pocket expenses shall be paid out at the end of each month.

President: \$233.00 per month
1st Vice President: \$175.00 per month
Secretary-Treasurer: \$150.00 per month
Recording Secretary: \$150.00 per month
Executive Chief Steward: \$150.00 per month

Site Vice-Presidents: \$150.00 per month

Lead Stewards: \$125.00 per month
Stewards: \$25.00 per month

Phone & Data expenses to a maximum of \$75 each, with sufficient documentation, for each Executive Board member.

Expenses:

- (i) The in-town expense for attendance at full day, pre-authorized union functions on behalf of Local 5441 shall be \$25.00.
- (ii) The overnight out-of-town expense for attendance at full day, pre-authorized union functions on behalf of Local 5441, shall be \$90.00
- (iii) Receipted parking, travel and accommodation expenses incurred during pre-authorized union functions on behalf of Local 5441 shall be reimbursed in full provided receipts are provided. All arrangements must be made ensure only reasonable costs.
- (iv) The local will be responsible to cover childcare expenses, with receipts to a limit of \$40.00 per day. Cost above this must be approved by the general membership prior to the claim being made.
- (v) Any person using their own vehicle in performance of pre-authorized union functions on behalf of Local 5441 shall be compensated per kilometre at the maximum CRA approved rate.

DELEGATES TO CONVENTIONS, SEMINARS & MEETINGS

As decided by the General Membership upon recommendation of the Executive Board and in accordance with the budget.

DUES

The monthly dues shall be determined by a vote of the membership and in accordance with Appendix B of the Constitution.

COMMITTEES

(a) Negotiating Committees

There shall be two special ad hoc committees established to negotiate a 1st agreement following the representation votes. The function of the Committees is to prepare collective bargaining proposals and to negotiate a collective agreement.

For Service

The Committee shall consist of the President, the (4) four Hospital Site-VP's, the Executive Chief Steward and nine (9) members-at-large from the Servicing Unit [three (3) from each site]. The nine (9) members-at-large of the Negotiating Committee shall be elected, three (3) from each Site. Should the three member-at-large candidates with the most votes at a specific Site, not include either a Full-Time or Part-Time member, than the top two in votes shall be declared elected, and the third seat shall be determined by either the Full-time or Part-time member receiving the most votes.

For Clerical

The Committee shall consist of the President, three (3) Hospital Site-VP's (one per each Site), the Executive Chief Steward and six (6) members-at-large from the Clerical Unit, two (2) from each site – one Full-time, one Part-time.

The CUPE Representative assigned to the Local shall be a non-voting member of the Committees and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership, or, interest arbitration.

(b) Special Committee

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

(c) By-Law Committee

A By-Law Committee shall be elected in January 2020. The committee will be comprised of two representatives from each Site, plus the President. The Committee shall review the model by-laws and propose amendments to ensure all Sites and Units are represented by Table Officers and on the Executive Committee. The committee shall propose by-laws that are appropriate to the newly structured Local. The proposed by-laws shall be presented to the membership no later than May 2020.

(d) Grievance Committee

The Grievance Committee shall meet on an ad hoc basis to determine whether or not a grievance shall be forwarded to arbitration. The Grievance Committee will compromise of the following: the President; the Vice-President; the Executive Chief Steward; and the Lead Steward and Steward involved in the grievance(s) in question.

This structural document shall remain in effect, until such time as By-Laws are approved by the National President's Office.

Any elections as per the newly approved By-Laws in the spring will be requested to be deferred until January 2021. The Elected Officers as per this Interim Structure Document, will therefore remain in place from January 2020 until January 2021.