

By-Laws

Of the

CANADIAN UNION OF PUBLIC

EMPLOYEES

 LOCAL 5500

Employer is

**O.C. TRANSPO**

WITHIN THE CITY OF OTTAWA

April 2014

The By-Laws of this Chartered local shall not be inconsistent with any of the provisions of Constitution of the Canadian Union of Public Employees and shall contain the following provision:

**PREAMBLE**

In order to improve the social and economic welfare of its members without regards to sex, color, race or creed, sexual orientation, nationality, age or language, to promote efficiency in public employment and to manifest its belief in the value of the unity of organized labor, local 5500 of the Canadian Union Of Public Employees has been formed.

The following By-Laws are adopted by the Local pursuant to, and to supplement, appendix “B” of the 2013 CUPE Constitution, to safeguard the rights of all members, to provide for responsible administration of the local, and to involve as many members as possible through the sharing of duties and responsibilities.

**ARTICLE 1- NAME**

 1. This Union shall be known as CUPE Local 5500.

**ARTICLE 2- OBJECTIVES**

The objectives of CUPE Local 5500 are to:

1. Secure adequate pay of work performed and generally advances the economic and social welfare of its members and of all workers.
2. Support CUPE in reaching the goals set off in Article II of the CUPE Constitution:
3. Provide an opportunity for its members to influence and shape their future through free democratic trade unionism:
4. Encourage the settlement by negotiation and mediation of all disputes between the members and their employers:

**ARTICLE 3- JURISDICTION**

1. This Local Union shall include and be limited to jurisdiction over workers engaged in Supervisors of Transportation, (Fleet) Transit Maintenance and Transit Law Enforcement and/or workers in these fields.

**ARTICLE 4- MEMBERSHIP**

**4.01**- Any worker employed within the jurisdiction covered by the Charter of the Local, shall be eligible for membership upon payment of applicable CUPE Local 5500 dues.

**4.02**- Any full time worker whose substantive position falls within CUPE 5500 shall be eligible to run, and hold a position within the executive, and will be afforded all voting rights and privileges.

**4.03**- Each person signing an application for membership into CUPE Local 5500 shall there by pledge to comply with the objects, By-Laws and policies of the Local and the National Union.

**ARTICLE 5- OFFICERS AND DUTIES**

**5.01** The executive board shall consist of the Local President, Vice-President,

Secretary-Treasurer and Recording Secretary

**5.02** Local Executive shall also have one member at large from each certification

 I.e. Transportation, Fleet, and Transit Law Enforcement to be known as

 Grievance Officer to assist the Local Executive and act on behalf of the

 Certification they represent.

***No member can hold more than one position on the Executive board***

* 1. The President shall be a member ex officio of all committee within the Local.
	2. At all Collective Agreement negotiations there shall be the President or his/her designate and at least one representative present from each certification if dealing with something that effects all certifications. If negotiations are taking place for 1 certification only then Executive must include that certifications representative during such negotiations.
	3. No agreement shall be entered into by any Local Union Representative which changes any terms or provisions of any existing contract i.e. Policy Grievances unless approval has been granted for such action by the **President** or his/her designate the **Vice – President** of the Local. If critical to the integrity of the C/A a meeting between the Executive Board shall take place to keep all informed.
	4. Hierarchy of the Local executive will be as follows, President, Vice-President, Secretary-Treasurer, and Recording Secretary. In absence of the Executive board the President will designate a Grievance officer that assists the local to look after the needs of the local.
	5. Representatives to Conventions shall be appointedby the President and rotated from the elected officers of the Local.Ifremaining open delegates’ positions are available and is deemed by Executive to send, those positions shallbe elected from members in good standing. The President may attend allconventions by virtue of the office.
	6. Three (3) elected trustees shall be responsible for examining all monies and books of the local as explained or outlined in Article 7 of the Constitution.
	7. The President, Secretary-Treasurer and 4 members in good standing from the Local shall sit on the Local By-Law Committee. A quorum for such meeting must have either the President or Secretary Treasurer in attendance along with 3 out of the 4 members from the membership on the Committee present.
	8. Once a year there shall be an outside accounting firm contracted to assist the Secretary-Treasurer in maintaining the integrity and professionalism required to represent the finances of the Local. This protects complete executive and membership equally.
	9. There shall be an outside accounting firm contracted to assist the Secretary-Treasurer in maintaining the integrity and professionalism required to represent the finances of the Local. This protects complete executive and membership equally.

*The President of CUPE Local 5500 shall receive compensation of twenty two (22) hours per month, at the top rate of this Local*.

***Duties of President*** *–As Per the 2013 National Constitution.B.3.1*

*The Vice President shall receive compensation of Ten (10) hours per month at the top rate of a member of this Local.*

***Duties of Vice President*** *-* *As Per the 2013 National Constitution.B.3.2*

*The Recording Secretary shall receive compensation of Seven (7) hours per month at the top rate of a member of this Local.*

***Duties of Recording Secretary -***  *As Per the 2013 National Constitution.B.3.3*

*The Secretary Treasurer shall receive compensation of ten (10) hours per month at the top rate of a member of this Local.*

***Duties of Secretary Treasurer -***  *As Per the 2013 National Constitution.B.3.4*

*Each Grievance Officers (1) per certification Transportation, Transit Law, (Fleet) Transit Maintenance shall receive compensation of Seven (7) hours per month at the top rate of this Local.*

***Duties of Grievance Officers*** *– To be first contact from individual Certifications and look after needs of local in that Certification. Grievance Officers are to keep the Executive apprised of all things going on in the Certification and seek out assistance from the Executive when needed or required. Grievance Officers have the signing authority for their Local Certification on personal Grievances or complaints. Grievance officers may sign off Policy Grievances upon consultation and approval of President or in absence Vice President of Local.*

----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

1. In the event of a strike or lockout, all Officers wages will be suspended and they shall receive strike pay benefits as stipulated in the National Defense Fund Regulations.
2. Officers and members booked off on Local Union Business will be paid their

Applicable wage rates and shift differentials.

1. Rate of payment for KM’S traveled for Union Business will be **.**50 cents per

Kilometer travelled.

1. The Local provides cellular phones for the complete executive and pays all costs of doing business. Costs not associated with Union position on phone bill that are outside the parameters of office will be paid by individual. Secretary Treasurer will check bills monthly and settle any discrepancies as they arise or if billing needed.
2. The stewards will receive a monthly phone allowance of $30.00 Dollars provided their cell numbers are made available to the membership and posted along with the executive numbers.
3. CUPE Local 5500 Per Diems shall be $125.00Dollars (one hundred and Twenty five dollars) per a full day when off on Union Business or approved CUPE 5500 leave. $65.00 dollars (Sixty Five dollars) a day for partial days. President or designate are required to approve such leave. When on Union approved leave and 3 meals are supplied the compensation will be the partial day per Diem. President or designate may elect to pay for meal etc. in lieu of paying per diem for each member if working in the City of Ottawa on behalf of the local on approved leave.
4. An Education Budget and Charitable donation budget will be presented to the membership in December each year by the Secretary Treasurer. Budgets to be passed by Executive and presented to membership. Approval on an Education Course outside of the Jurisdiction must be approved by the executive officers of the Local.

**ARTICLE 6- NOMINATION, ELECTION AND INSTALLATION OF OFFICERS**

**6.01** Elections of all Executive positions shall normally take place in Decemberduring even years. Normal term of office is 2 years but can be extended to up to 3 years no longer. If term is extended past the Two years as approved by the membership the next election will be a shortened or lengthened term to get the elections back on schedule as set out. Nominations for all executive positions shall be held at the Novembergeneral Membership meeting on even years. There shall be a second nomination meeting called later in same month. Date ofElection inDecemberwill be set prior to any nomination for office.

**6.02** To run for any Executive position members must be nominated and can except nomination to one position only. Positions of President, Vice President, Secretary Treasurer and Recording Secretary can be nominated from any member in good standing in the Local. Nominations for Grievance officers must come from the certification they wish to represent. Each nominee can have a scrutinizer at all election votes.

**6.03** To be eligible for nomination a member shall have been a member in good standing for the last twelve (12) months and have attended at least 33.3% percent 1/3 of the membership meetings held, unless a valid reason, acceptable to the local, is given for non-attendance by the next membership meeting. No nomination shall be accepted unless the member is in attendance at the meeting or has allowed to be filed at the meeting his consent in writing, duly witnessed by another member. No member shall be eligible for nomination if he is in arrears of dues and/or assessments. Summer adjournments moved by the membership shall count for attendance for 1 meeting in the current year. Stewards must attend 4 General Membership meetings a year, to remain as Shop Stewards for individual Certifications.

**INSTALLATION**

The swearing in of the New Executive will take place at the Monthly General Membership meeting in January odd years following the month after an election. In the case of an extended term the swearing in of New Executive will take place the next General Membership meeting following the Election. All officers must follow B.39 in the National Constitution.

**ELECTION**

1. At a membership meeting at least one month prior to Election Day the President shall, subject to approval of the membership present, appoint an Election Committee consistent of a Chief Returning Officer and assistant(s) if needed. The committee shall consist of members of the local in good standing or retired members who are neither officers nor candidates for office. A recognized National Officer or Retired officer can also be appointed as a returning officer. He or she shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its responsibilities as confidential.

2. The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Chief Returning Officer.

3. The Chief Returning Officer shall be responsible for issuing, collecting and counting ballots. There is NO Proxy votes allowed under the National Constitution.

4. The vote shall be by secret ballot. The person receiving the largest number of votes in any election shall stand elected unless only one person is nominated for office; in that case the person shall stand by Acclamation.

5. Any member may request a recount of the votes for any election and a recount shall be conducted if the request is supported, in a vote, by at least the number of members equal to the quorum for a membership meeting.

6. An Election of Trustee is held every June for Position Financial Trustee 3 yr. term at theMonthly General Membership Meeting.

***Duties of Trustees -*** *As Per the 2013 National Constitution.B.3.12*

**ARTICLE 7- VACANCY OF POSITIONS**

**7.01** Should any Executive position become vacant for any reason, nominations shall be held at the next General Monthly meeting with election to be held within Thirty (30) days of the Nominations, with an Election will be held 30 (thirty) days. To be eligible the member must comply with Article 6.01 (b)

**7.02** In the event of vacancy of the Executive position occurs during the last six (6) months of term, the Local President shall appoint a member until the regular election is held.

**ARTICLE 8- UNION LOCAL FINANCES**

 **8.01** All cheques issued by the Local Union or authorized by the Local Executive and all legal documents shall require the signature of any two of the following: President, Vice President or Secretary-Treasurer. The signing Officers shall be bonded to an amount approved by the Local Executive Board,

**8.02** All monies in the hands of any officers of the Local Union shall be deposited in the name of the Local Union and a complete record of all monies received and paid out shall be kept unless otherwise authorized by the membership all monies paid out shall be by cheque.

**8.03** Financial records of this Local must be available for viewing at the general meeting.

**ARTICLE 9- DUES AND ASSESSMENTS**

**9.01** Local dues for every member shall be two (2) % percent at their regular rate.

**9.02** Article B.4.3 c) Regular monthly dues shall be established or altered by CUPE Local 5500 only at a regular or special membership meeting, provided that at least seven (7) day’s notice at a previous meeting or at least sixty (60) day’s notice has been given.

**9.03** The Local Union shall have the right to put levy on its members, such as assessments as may be determined by a two-third (2/3) majority vote of the members at a General Meeting, provided notice of assessment had been posted for at least fourteen (14) days prior to the vote.

**9.04** Members who except position outside of the Bargaining unit while under job protection of the Local shall be deducted dues at the substantive position being protected.

**ARTICLE 10- MEETINGS**

**10.01** The Executive Board shall be responsible for holding at least one (1) meeting per month. If moved and passed by membership the Local can adjourn meetings for 2 summer months but reserves the right to call emergency meeting if required.

**10.02** Executive Board meeting shall be called prior to a General meeting, to discuss and pass recommendations on matters that require membership approval, or held at the call of the President, or a majority of the Executive Board Members. Minutes are to be taken at all of the Executive Board Meetings.

**QUORUM**

1. At General or Special Meetings, ten percent 10% of active members constitute a quorum, including three (3) members of the Executive Board.
2. Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than twenty (20) members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least forty-eight (48) hours noticed of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

**ARTICLE 11-AMENDMENTS**

**11.01** These By-Laws will not be amended, added to, or suspended except upon a majority vote of those present and voting at a regular or special membership meeting following seven days notice at a previous meeting or at least sixty (60) days written notice.

**ARTICLE 12- RETIRED MEMBERS**

**12.01** Upon retirement, any member in good standing will become an honorary member in the Local and shall not be required to pay dues.

**ARTICLE 13- COMMITTEES**

**13.01** Before the appointment of members on any ongoing committee, the President shall sanction the appointment of the Member(s). Member(s) appointed shall directly report to members at the next General Meeting or report directly to the Executive Board after every committee meeting.

  ***Members of CUPE Local 5500 By-Law Committee***

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mike Hooper, Ross Brotzman, Fleet Transportation Maintenance

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Shawn Carnegie, Colin Burrill,

Fleet Maintenance Transit Law

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Luc Cyr, Secretary Treasurer Wayne Watts – President

CUPE Local 5500 CUPE Local 5500

**Signed in the City of Ottawa, Ontario April 14, 2014**