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INTRODUCTION AND REFERENCES

The following Bylaws are adopted by the Component of Air Transat of the Canadian Union of Public Employees (CUPE) fashioned by the Bylaws of the Airline Division of CUPE to:

- Improve the social and economic well-being of all its members;
- Promote Equality for all members and to oppose all types of Harassment and Discrimination;
- Promote the efficiency of Public Services;
- Express its belief in the unity of Organized Labour.

The following Bylaws are adopted by the Component in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1) and the Bylaws of the Airline Division of CUPE, to protect the rights of all members, to provide for responsible governance of the Component, and to involve as many members of the Component as possible through the sharing of Duties and Responsibilities.

CUPE Chartered Organizations shall respect and apply the CUPE National Equality Statement to all of the Chartered Organizations' activities. The CUPE National Equality Statement can be found in Appendix A to these Bylaws.

The Component Code of Conduct applies to Membership Meetings and other functions organized by the Component and can be found in Appendix B of these Bylaws.

The Rules of Order for the Component can be found in Appendix C of these Bylaws.

ARTICLE 1 - NAME AND JURISDICTION

- 1.1 CUPE: Canadian Union of Public Employees.
- 1.2 The Division: Airline Division of CUPE.
- 1.3 The Component: Air Transat Component of CUPE.
- 1.4 The Locals: CUPE Chartered Locals who have members employed by Air Transat.
- 1.5 The Component includes all members of each Local.
- 1.6 Chair: Appointed by the Component President with consultation from the Executive and responsible for the function of a Committee he's selected to.
- 1.7 The Web Site of the Component is the www.atcomponent.com
- 1.8 The French and English texts are equal in the Component Bylaws.
- 1.9 Masculine pronouns shall be understood to include the feminine gender.
- 1.10 The email for the:
Component President...president@atcomponent.com
Component Vice President...vp@atcomponent.com
Component Secretary Treasurer...treasurer@atcomponent.com
Component Administrative Assistant...assistant@atcomponent.com
- 1.11 The Trial Procedure Provisions. (Article B.11 of CUPE National Constitution)
- 1.12 The Employer: Air Transat.
- 1.13 The Executive: The Executive Board shall include all Officers of the Component (except Trustees) and the President (or an elected representative) of each Local.

ARTICLE 2 - OBJECTIVES

THE OBJECTIVES OF THE COMPONENT ARE TO:

- 2.1 Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members; either through Collective Bargaining or through the medium of Legislation or Regulations affecting its member's employment conditions.
- 2.2 Provide an opportunity for its members to influence and shape their future through free democratic trade unionism.
- 2.3 Eliminate Harassment and Discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, color, nationality, age, sex/gender, language, sexual orientation, transgender, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears.
- 2.4 Establish strong working relationships with the public we serve and the communities in which we work and live.
- 2.5 Support CUPE, the Division and Locals in reaching all of the Objectives set out in Article II of the CUPE National Constitution.
- 2.6 Inform regularly all Component members on the matters affecting the Union, including Component activities to fulfill Union Objectives.
- 2.7 Negotiate the Collective Agreement covering its members.
- 2.8 Administer and enforce the Collective Agreement, in conjunction with its Locals, in all other respects.
- 2.9 Encourage the settlement by Negotiation for all the Grievances and disputes between the members and the Employer in accordance with the established procedures.

- 2.10 Proceed to Arbitration or Mediation when necessary, to settle disputes and Grievances between its members and the Employer.
- 2.11 Establish and maintain Component Committees in accordance with these Bylaws.
- 2.12 Receive and Administer the Union Dues received from its Employer in accordance with these Bylaws and the Division Bylaws.
- 2.13 Establish and approve a Component Budget every year.

ARTICLE 3 - AFFILIATIONS

3.1 INITIATION FEE AND READMISSION FEE

3.1.1 The payment of Initiation Fee and Readmission Fee are allowed for all Chartered Locals under CUPE. Payment of the Initiation Fee is a tangible confirmation of the desire to become a member of your Local Union and CUPE. The payment of the Initiation Fee is mandatory as provided for under (Article B.4.1) and only the level of the Initiation Fee is discretionary.

3.1.2 Each application for membership in the Local Union will be directed to the Secretary-Treasurer of the Component and will be accompanied by an Initiation Fee of 5 dollars which shall be in addition to Monthly Dues.

3.1.3 The Secretary-Treasurer shall issue a receipt. (Article 4 Collective Agreement)

3.1.4 If the application is rejected, the Initiation Fee shall be returned.

3.1.5 The Readmission Fee cannot be less than the Initiation Fee.

3.1.6 The Initiation Fee or the Readmission Fee may be amended by Referendum Vote by the members of the Component.

3.2 MEMBERSHIP CARD IN GOOD STANDING

3.2.1 During Initial Training, as per the Collective Agreement with Air Transat; the President or the Local representative will offer the possibility to sign up for the Membership Card.

3.2.2 The Membership Card in good standing allows vote and voice during Local Membership Meeting and Special Membership Meeting of the Component; and allows to the process of Election, Referendum and to participate as per the Bylaws of the Component, the Division and CUPE National.

3.3 OATH OF MEMBERSHIP

New members will take this oath:

<<I promise to support and obey the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union.>> (Article B.8.4 National)

3.4 CONTINUATION OF MEMBERSHIP

Once accepted, a member continues as a Member in Good Standing while employed within the jurisdiction of the Component unless the member loses Good Standing under the provisions of the CUPE National Constitution. (Article B.8.3)

3.5 MEMBERSHIP OBLIGATIONS

3.5.1 Members are obligated to abide by the CUPE National Constitution and these Bylaws as amended from time to time.

3.5.2 Members will provide the Administrative Assistant with their current address, personal contact number(s), and an e-mail address (not issued by the Employer). The member will advise the Administrative Assistant of any changes to their contact information. This information will be protected and used to communicate with members. Such communications will take the form of mail, e-mail, telephone or any other as required.

3.5.3 In the case of a conference call, the telephone number may be shared with a service provider under contract with the Component to provide technical equipment to support a virtual meeting.

ARTICLE 4 - DUES AND SPECIAL DUES

- 4.1 Monthly Dues minimum of 1.5% of the regular salary, as per the Bylaws of the Division. (Article 7)
- 4.2 The Division Defence Fund Regulation found in Appendix "A".
- 4.3 The regular Monthly Dues may be amended by Referendum Vote by the members of the Component.
- 4.4 Notwithstanding the above provisions, if the CUPE Convention raises minimum Fees and/or Dues above the level herein established, these Bylaws will be deemed to have automatically amended to conform to the new CUPE minimum.
- 4.5 Special Assessment may be levied in accordance with CUPE Constitution. (Article B.4.2).

ARTICLE 5 - NON-PAYMENT OF DUES AND SPECIAL DUES

- 5.1 A member who fails to pay Dues and Assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next Membership Meeting. The member may return to Member in Good Standing by paying a Readmission Fee and any other penalty set by the Component. The Readmission Fee cannot be less than the Initiation Fee of the Component.
- 5.2 A member who has been laid off up to 60 months or unable to work because of sickness shall pay the Readmission Fee but may not be required to pay arrears. (Article B.8.6 National)
- 5.3 A member that transfers outside the scope and who has not paid Union Dues must pay a Readmission Fee.

ARTICLE 6 - MEMBERSHIP MEETINGS

6.1 RIGHT TO ATTEND MEETINGS

6.1.1 The National Officers, or their Designated Representatives, have the right to attend all meetings of subordinate bodies of the Union, with voice but no vote. (National 9.4)

6.1.2 Component Officers as a courtesy will notify the Local Presidents if they will be attending the Local Meeting, with voice but no vote. (Unless they are members of that Local.)

6.2 LOCAL MEMBERSHIP MEETING

The Component Officers will have the opportunity to deliver a report at all Local Membership Meeting. Such business will be conducted in accordance with Local Bylaws. The date, time, and location of the meeting will be determined by the Locals.

6.3 SPECIAL MEMBERSHIP MEETING

Special Membership Meeting of the Component may be required, and shall be called by the Executive Board or may be requested in writing by no fewer than 10% of the members. The President shall immediately advise members when a Special Meeting is called, and ensure that all members receive at least 10 days notice of the Special Meeting and the subject(s) to be discussed. No business shall be transacted at the Special Meeting other than that for which the meeting is called and notice given.

6.4 COMPONENT QUORUM

The minimum number of members required to be in attendance for the transaction of the business at any Special Meeting shall be 5 members, plus 2 members of the Executive Board. (1 Local + 1 Component)

6.5 MEMBERSHIP MEETING AGENDA

References: CUPE National Constitution (B.6.1)

ARTICLE 7 - OFFICERS OF THE COMPONENT

7.1 All Component Officers are elected by the members.

7.2 The Officers of the Component shall be the President, Vice-President, Secretary-Treasurer and (3) Trustees.

7.3 The terms of office for Trustees shall be so that one serves for a period of three years, one for two years and one for one year (Article B.2.4 National). Each year thereafter, the Component shall elect one Trustee for a three-year period. No member who has been a signing Officer for the Component is eligible to run for Trustee, until at least one full term of office has elapsed.

- 7.4 All elected Local Trustees who have received training can serve as Component Trustees for the rest of the mandate should a sufficient amount of Component Trustees not have been elected, (Ideally, one Trustee per Local) and provided that the term of office does not exceed the three-year limit (Article B.2.4 National).

ARTICLE 8 - EXECUTIVE BOARD OF THE COMPONENT

- 8.1 The Executive Board shall include all Officers, (except Trustees) and the President (or an elected representative) of each Local.
- 8.2 The Component Executive will hold meetings in person as often as required but at least 8 times per year. If this is absolutely impossible, the alternative will be to conduct a Conference Call. The Component President shall convene the Executive when requested by a majority of its Executive.
- 8.3 A majority of the Executive constitutes a Quorum.
- 8.4 The Executive Board shall hold title to any real estate of the Component as Trustees for the Component. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a Membership Meeting and having it approved.
- 8.5 The Executive Board shall do the work delegated to it by these Bylaws and shall be held responsible for the proper and effective functioning of all Committees.
- 8.6 Should any Executive Board member fail to answer to roll call for 3 consecutive Regular Meetings or 3 consecutive Regular Executive Board Meeting without having submitted good reasons, refer to Local Bylaws for vacancies(Article 11.21/22/23 for Component Officers) at the following Membership Meeting. (National Article B.2.5)(Note: alternative Local representative)
- 8.7 The Executive is the Bargaining Committee as per these Bylaws.

- 8.8 The Component Executive shall ensure that any major changes to the Collective Agreement made by the Component during the Term of the Agreement shall be ratified by a majority of the Component Membership.
- 8.9 The Executive is the Grievance Committees as per these Bylaws.
- 8.10 The Component Executive must report on their Union activities at all Component Executive Meeting. This report must be sent to the Secretary-Treasurer and to the Administrative Assistant in writing at least one day prior to such meeting. Any addition to these reports will be added to the minutes by the Secretary-Treasurer.
- 8.11 Be empowered, with the approval of the membership to employ necessary Administrative Assistance to be paid for out of the Component funds.

ARTICLE 9 - DUTIES AND RESPONSIBILITIES OF OFFICERS

Each Officer of the Component is encouraged to participate in CUPE educational courses to enhance their leadership skills, knowledge and expertise.

9.1 THE COMPONENT PRESIDENT SHALL:

9.1.1 Enforce the CUPE National Constitution, the Component Bylaws and the Equality Statement;

9.1.2 Interpret these Bylaws as required;

9.1.3 Preside at all Special Membership Meetings and Executive Board Meetings and preserve order;

9.1.4 Decide all Point of Order and Procedures; (Subject to the appeal of the membership)

9.1.5 Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated;

9.1.6 Ensure that all Officers perform their assigned Duties;

9.1.7 Fill Committee Vacancies; (Article 14.4 of these Bylaws)

9.1.8 Sign all checks and ensure that the Component funds are used only as authorized or directed by the CUPE Constitution, Component Bylaws, or vote of the membership; (Article 10 of these Bylaws)

9.1.9 Have first preference as a Delegate to the CUPE National Convention as per Division Bylaws; (Article 9.3)

9.1.10 Preside over all Grievance and the Negotiation Committee meetings and any other functions that may be required;

9.1.11 Fulfill all other Functions and Responsibilities as per the (COCP) Council of Component Presidents; (Article 10 Division)

9.1.12 Prepare and distribute all notices to members and file a copy of all correspondences/communications as circulated;

9.1.13 Answer correspondence and fulfil other administrative duties; (Notices to members, etc.)

9.1.14 Be responsible for the conduct of the affairs and business of the Union at the Component, including the negotiation and enforcement of the Collective Agreement.

9.2 THE VICE-PRESIDENT OF THE COMPONENT SHALL:

9.2.1 If the President is absent or not eligible, perform all Duties of the President;

9.2.2 Preside over Special Membership and Executive Board Meetings in the absence of the President;

9.2.3 If the office of the President falls vacant, be Acting-President until a new President is elected through a by-election;

9.2.4 Render assistance to any member of the Executive as directed by the Executive Board.

9.3 THE SECRETARY-TREASURER OF THE COMPONENT SHALL:

9.3.1 Receive and administer the Dues perceived by the Employer (Article 4 of the Collective Agreement) as per these Bylaws, the Bylaws of the Division and CUPE Constitution;

9.3.2 Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Component;

9.3.3 Record all Financial Transactions in a manner acceptable to the Executive Board and in accordance with good accounting practices;

9.3.4 Make a full Financial Report to meetings of the Component Executive Board;

9.3.5 Make a written Financial Report to each Regular Membership Meeting, detailing all Income and Expenditures for the specific period;

9.3.6 Prepare all CUPE National Per Capita Tax forms and remit payment, no later than the last day of the following month;

9.3.7 Sign all checks and ensure that the Component funds are used only as authorized or directed by the CUPE Constitution, Component Bylaws, or vote of the membership; (Article 10 of these Bylaws)

9.3.8 Keep an accurate, full and impartial record of each meeting of the Component Executive and any other meetings as deemed necessary and forward such records to the members of the Component Executive in writing at least one day prior to such meeting;

9.3.9 Preside over Component Executive Meetings in the absence of both the President and the Vice President;

9.3.10 Make all books available for inspection by the Trustees and/or Auditors upon reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable amount of time, respond in writing to any recommendations and concerns raised by the Trustees;

9.3.11 Provide the Trustees with any information they require in order for completing the Audit, including forms provided by CUPE National;

9.3.12 Be in charge of the books, documents, files and effects of the Component, which shall, at all times, be subject to the inspection by the Component President;

9.3.13 Ensure that these records include a copy of the full Financial Report presented by the Secretary-Treasurer;

9.3.14 Record all Amendments and/or Additions in the Bylaws, and make certain that these are sent to the National President for approval prior to implementing;

9.3.15 Keep full, accurate and impartial account of the proceedings of all Component Executive Meetings or Special Component Membership Meetings;

9.3.16 Perform other duties required by the Component Bylaws or the National Constitution;

9.3.17 Membership authorization is not required to pay Per Capita Tax to CUPE National, the Provincial Division Affiliation, or the Division Defense Fund Replenishment.

9.4 THE TRUSTEES SHALL:

9.4.1 Act as Auditing Committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer at least once every calendar year;

9.4.2 Make a written report of their finding to the first Membership Meeting following the completion of each Audit;

9.4.3 Submit in writing to the President and the Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order that the Component funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner;

9.4.4 Be responsible to ensure that monies have not paid out without proper constitutional or membership authorization;

9.4.5 Ensure that the proper Financial Reports have been given to the membership;

9.4.6 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 Component, and report their finding to the membership.

9.4.7 Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:

- i. Completed Trustee Audit Program;
- ii. Completed Trustee Report;
- iii. Secretary Treasurer Report to the Trustees;
- iv. Recommendations made to Executive of the Component;
- v. Secretary-Treasurer response to recommendations;
- vi. Concerns that have not been addressed by the Component Executive.

(Article B.3.10 to B.3.12 National)

ARTICLE 10 - OUT OF POCKET EXPENSES

10.1 OUT OF POCKET EXPENSES OF THE COMPONENT

The funds of the Component can only be spent for the following reasons:

10.1.1 By a Budget or Revised Budget which can only be authorized by a majority of the membership present and voting at each Regular Local Meeting or at a Special Assembly of the Component;

10.1.2 A Revised Budget must be done when the forecast in one of the category will exceed \$2 per member of the budgeted amount;

10.1.3 Any Out of Pocket Expenses above \$5,000 must be approved by the Executive Board; (Must respect the actual Budget accepted by the membership)

10.1.4 The Out of Pocket Expenses and the checks are only authorized and signed by the President and the Secretary-Treasurer of the Component;

10.1.5 The Vice-President of the Component is the co-signer for the Out of Pocket Expenses and checks of the President and the Secretary-Treasurer of the Component; (We do not approve and signed our own Out of Pocket Expenses or checks.)

10.1.6 To avoid delays and only with the approval of the President and Secretary-Treasurer, the Vice-President may act as a signing authority.

10.2 PAYMENT OF THE COMPONENT FUNDS TO MEMBERS OR CAUSES OUTSIDE OF CUPE:

10.2.1 In the case of a grant or a contribution to a member(s) or a Cause(s) Outside of CUPE greater than \$1 per member, a Notice of Motion must be made at a Local Membership Meeting or Special Membership Meeting and then approved before the grant or contribution can be paid out;

10.2.2 Since January 2012, CRA considers any cash or near cash (such as a gift card) to be either taxable income or a taxable benefit from the first dollar, and therefore subject to applicable withholding taxes and reporting on either a T4 or a T4A, depending on the circumstances of the payment;

10.2.3 The Component Executive Officer shall be given a \$100 honorarium per each year of service at the end of a completed mandate;

10.2.4 If a mandate is incomplete, the Executive Board will arbitrate on the special circumstance(s) and the amount will be calculated on a minimum basis of \$8 per month.

10.3 OUT OF POCKET FORM:

10.3.1 By signing, countersigning, or endorsing the Out of Pocket Form; certifies that these expenses and services rendered were necessary in the service of the Air Transat Component;

10.3.2 Any Out of Pocket Form incomplete or unreadable will be returned;

10.3.3 Only the current approved format of the Out of Pocket Form will be processed;
(Electronic or paper)

10.3.4 Any Out of Pocket Form submission that has a delay of more than 90 days must be approved by the Executive Board for the reimbursement.

10.4 OUT OF POCKET FORM REIMBURSEMENT POLICIES:

10.4.1 At \$0.52 per kilometer, up to \$600 per month;

10.4.2 Food allocation for 4 hours of work and more: \$20 or
Food allocation for 8 hours work and more: \$50;

10.4.3 Up to \$25 allocation per person with receipt for a meal with a member who requires a meeting or representation for a Union matter;

10.4.4 Parking, public transport, taxi, car rental/fuel if necessary, etc..., with receipt;

10.4.5 Hotel with receipt if not direct billing;

10.4.6 Per Diem as per the Collective Agreement; (If not at home base)

10.4.7 Per Diem will be calculated for all rest periods less than 12 hours between two periods at a home base when conducting meetings, attending Convention/Conference/Union Education workshops or during Bargaining and/or Bargaining Preparation;

10.4.8 Home internet assistance with receipt, \$40 per month; (For the Executive Board and the Chair of Health and Safety Component)

10.4.9 Child Care: \$35.00 per day, per child to a maximum of \$300 per month per category, with receipt, up to a maximum of \$900 for the entire month. These categories are Executive, Bargaining, Arbitration, Committees, Conference/Convention and Education.

10.4.9.1 Caring for children, dependants or the elderly are barriers to actively participating in the union at the Component level. The Component is committed to removing barriers within its control so that all members have equal access to participation;

10.4.9.2 Any member who is on authorized Component business shall be eligible for Child Care, Dependant Care, and/or Elder Care expenses where required. Upon proof of payment, claims shall be reimbursed;

10.4.9.3 Claims will not be paid for a spouse, partner, or a family member who normally provides care without charges. Claims will not be paid for periods of time where a member would normally have paid for care such as during normal hours of work at their job.

10.4.10 No Cash advance unless approved by the majority of the membership at all Regular Local Meeting or at a Special Meeting of the Component.

ARTICLE 11 - ELECTION, NOMINATION AND INSTALLATION OF OFFICERS

NOTICE OF ELECTION (October 19th)

- 11.1 The Term of Office for the Component Officers shall be 3 years (January 2009).
- 11.2 The referendum vote process will be 2 days longer than the longest pairing available system wide and results shall be made available January 19, by 24 hours eastern time at the latest. The candidate receiving the most votes shall be declared elected.
- 11.3 No member shall be eligible for Election and Nomination if he is in arrears of Dues and/or Assessments.
- 11.4 The Component Executive will use an electronic method that will be used to conduct the Referendum style (plurality) vote and will advise the Chair of the Tabulating Committee.
- 11.5 A <<Notice of Election>> shall be issued by the Chair of the Tabulating Committee 90 days prior to the End of Term of Office. (October 19th)

NOMINATION PAPER (November 19th)

- 11.6 Members in Good Standing who desire to be nominated for a Component Officer position shall file a Nomination Paper, to be received at the Tabulating Committee 60 days prior to the End of Term of Office. (November 19th)
- 11.7 The Tabulating Committee will also announce on this date, the total amount of Members in Good Standing.

- 11.8 Candidates may be nominated for only one Component position. Nomination Papers must have at least 50 signatures or 5% of Members in Good Standing of the Component, whichever is less.
- 11.9 The Nomination Papers must be sent by Registered Mail prior to the deadline to the attention of: the Component Chair of the Tabulating Committee.

VOTING INFORMATION AND CANDIDATE STATEMENT

11.10 Voting Information and Candidate Statement (one page letter size each) will be included in this package.

11.11 CANDIDATE STATEMENT:

11.11.1 For the Election of Officers; each candidate can provide the Chair with a Résumé which will be photocopied in black and white and inserted in the material sent to each voting member.

11.11.2 Candidate Statements will use the following guidelines:

One (1) page (8 1/2" x 11") double sided for both official languages.

Content:

Full name;

Education;

Experience (both within and outside the Airline Industry);

Involvement and experience within the Union, the Division or CUPE;

Volunteer work;

A paragraph or paragraphs, to answer the question: "How can my skills and experience help CUPE, the Division, the Component and its Locals?"

11.11.3 Candidate Statements shall be submitted as per the Component Bylaws. Should there be a problem with any of the Candidate Statements regarding the style, content and translation, the Candidate Statements will be modified and the candidate advised. Should the deadline be ignored or missed, the particular candidate loses the opportunity to have his Candidate Statement included in the Ballot Package.

11.12 (December 10th deadline) The Component Chair of the Tabulating Committee will send out the Referendum Ballot Information to the membership 30 days prior to the first day of voting.

11.13 Voting Period (9 to 19 January) (noon to noon)

AFTER THE COUNT

11.14 The Tabulating Committee must prepare a Tabulating (Result) Sheet. This sheet must be signed by the Chair of the Committee on the day that the election is complete or before the results are released.

11.15 The Tabulating Committee will notify each candidate and also the Component President of the voting results before the membership.

11.16 The Tabulating Committee will publish to the membership regarding the outcome of the vote.

INSTALLATION OF OFFICERS (January 20th)

11.17 There will be a transition period (between January 20th and 30th) for all newly elected and out-going Officers. (Except for the Trustees)

11.18 All out-going Officers of the Component must give all properties, assets, funds, including the internet passwords and all records of the Component to their successors by the third day of the transition period.

11.19 All signing Officers of the Component shall be bonded through the master bond held by CUPE National. Any Officers who cannot qualify for the bond shall be disqualified from Office.

APPEAL PROCEDURES

11.20 In the event that any Candidate is not satisfied that the election was held in accordance with these Bylaws, the Candidate(s) may appeal the decision of the Tabulating Committee within 15 days of the election results. The appeal will then be heard within 30 days of the election results. The Tabulating Committee shall file a response to the Candidate(s) within 7 days of the hearing.

VACANCIES

11.21 COMPONENT PRESIDENT

Should the position of the Component President become vacant, it shall be filled by the Component Vice-President who shall then perform the Duties of the Component President. The Component Executive shall choose one (1) member of the Component Executive to perform the Duties of the Component Vice-President, until such time as an election can be called.

11.22 COMPONENT VICE-PRESIDENT

Should the position of the Component Vice-President become vacant, the Component Executive shall choose one (1) member of the Component Executive to perform the Duties of the Component Vice-President, until such time as an election can be called.

11.23 COMPONENT SECRETARY-TREASURER

Should the position of the Component Secretary-Treasurer become vacant, the Component Executive shall choose one (1) member of the Component Executive to perform the Duties of the Component Secretary-Treasurer, until such time as an election can be called.

11.24 A VACANT TRUSTEE POSITION: (Article 7.4 of these Bylaws)

ARTICLE 12 - BALLOTING PROCEDURE

12.1 GENERAL

12.1.1 A motion must be passed by the Component Executive on whether the vote will be electronic, mail in ballot, or any other means.

12.1.2 Voting must be done by secret ballot. (1 member equals 1 vote).

12.1.3 Eligible voters must be Members in Good Standing of the Component. (Administrative note - Voter's name must appear on the Specific Membership List for the specific vote)

12.1.4 The list of Members in Good Standing as eligible voters will be completed from the Membership Records of the Component (As provided by the employer) and will be referred to as the "Specific Membership List". This list will be given/sent to the Chair of the Tabulating Committee.

12.1.5 All voting material will be provided to the Committee as required.

12.1.6 Ballot boxes, if used, must have seals and be large enough to contain all ballot envelopes.

12.1.7 Ballot printing arrangements will be made for the Committee. The text or question on the ballot will be decided by the Component Chair of the Tabulating Committee in conjunction with the Component Executive.

12.1.8 The Tabulating Committee is responsible for the entire voting procedure which includes but not limited to:

12.1.8.1 Establishing dates and length of voting period which will be at least 2 days longer than any pairing available to the membership of the Component;

12.1.8.2 If additional assistance is necessary for conducting the vote, the Component Chair of the Tabulating Committee may make a request for other members to the Component Executive;

12.1.8.3 At no time during the voting process will there be less than two (2) Tabulating Committee members present unless the vote is conducted electronically, in which case, committee assistance will be used as required;

12.1.8.4 If it is an election, candidates cannot be members of the Committee;

12.1.8.5 Members in Good Standing of the Component must be notified that a vote will be taking place. Notification will be by electronic bulletin and/or posting of a notice in the Crew Room with advance notice;

12.1.8.6 The Chair of the Tabulating Committee shall liaise with the Component Administrative Assistant and/or a CUPE National Servicing Representative regarding preparation of balloting material.

12.1.9 Balloting material must be secure at all times.

12.1.10 All ballot will a security mark or pin number.

12.1.11 When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared void.

12.2. SCRUTINEERS

Scrutineers will be permitted to observe the tallying of votes on the election result day, provided that:

12.2.1 He holds an affidavit signed by a candidate stating he is a Scrutineer for that candidate;

12.2.2 He does not interfere with the count;

12.2.3 He does not express an opinion in the count room regarding the outcome or possible outcome of a vote, nor express, either verbally or through body language, an opinion of the competency of the Tabulating Committee;

12.2.4 He takes notes quietly, but does not interrupt the work of the Tabulating Committee by asking questions or making comments;

12.2.5 No cost will be incurred by the Component in order to have a Scrutineer.

12.3 RECALL

A majority of the Union membership of any Component may at any time petition the Component Executive and cause a recall ballot of the Component President, Component Vice-President, Secretary-Treasurer, or Trustee(s), if applicable. *Note: "if applicable" refers to Trustees only.* In any such recall ballot, two-thirds (2/3) majority vote of the ballots cast and at least 50% of the total membership of the component must vote in the recall for the results to be valid.

ARTICLE 13 - DELEGATES TO CONVENTIONS

The credential that the Component is given by CUPE National will be given preference to the Component President or an alternate Component Officer such as the Vice President or the Secretary Treasurer. (Article 9.3 Division)

ARTICLE 14 - COMMITTEES

14.1 NEGOTIATING COMMITTEE

14.1.1 The Negotiating Committee shall consist of all the members of the Component Executive. (Or their designated Local Vice-Presidents)

14.1.2 The CUPE Representatives assigned to the Negotiating Committee shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to the ratification of the Collective Agreement by the membership.

14.2 TABULATING COMMITTEE

Prior to the Notice of Election, each local shall elect 1 Tabulating Committee member at their respective Regular Membership Meeting. If required, and in order to respect timelines, a Special Meeting shall be held. Each member will have a 3-year mandate.

14.3 GRIEVANCE COMMITTEE

14.3.1 The Grievance Committee shall consist of all the members of the Component Executive. (Or their designated Local Vice-Presidents)

14.3.2 The CUPE Representatives assigned to the Grievance Committee shall be a non-voting member of the Committee and shall be consulted at all stages of the process.

14.3.3 The functions of this Committee are as follows:

14.3.3.1 Locals will use a Grievance Grid to list their Grievances with a brief outlook. The Component and each Local President will provide updated Grievance information with their Component Executive report;

14.3.3.2 All charges against Members or Officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution;

14.3.3.3 Prepare a report on the Status of all Grievances to be submitted to the Executive Board, the National Representative, and to the Membership Meeting;

14.3.3.4 All Grievances denied by the Employer must be forwarded to the Component Executive who will determine, by way of vote, whether such Grievances merit advancement to Arbitration or Mediation;

14.3.3.5 The manner in which Grievances proceed to Arbitration or Mediation will be decided and approved upon by the Component Executive;

14.3.3.6 Any decision by the Union to withdraw a Grievance may be appealed by the grievor by to the Component Executive within ten 10 days of receiving such a decision.

14.4 OTHER COMMITTEE

14.4.1 The Component Executive will decide which Committees require a Chair. Following consultation from the Component Executive, the Component President will appoint each Committee Chair. All Component Chairs shall be given a mandate including time frame and method of reporting.

ARTICLE 15 - MODIFICATION OF BYLAWS

15.1 CUPE CONSTITUTION

These Bylaws are always subordinate to the CUPE Constitution (including Appendix B) as it now exists or may be amended from time to time, and in the event of any conflict between these Bylaws and the CUPE Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE Constitution. (Article 9.2(c), 13.3 and B.5.1)

15.2 ADDITIONAL BYLAWS

A Component can amend or add to its Bylaws only if:

15.2.1 The Amended or Additional Bylaws do not conflict with the CUPE Constitution;

15.2.2 Notice of the intention to propose the Amended or Additional Bylaw was given at least 7 days before at a previous Local Membership Meeting or 60 days before in writing; (Article 13.3 and B.5.1 National)

15.2.3 The Amended or Additional Bylaws are approved by a majority vote (Article 12 of these Bylaws) called for that purpose by the Component Executive before April first of each year when required;

15.2.4 Proposals submitted by the Locals and the Component Executive will become one package which will be distributed to each member. This package will be available in paper format and discussed at each Local Membership Meeting or Special Membership Meeting of the Component (webinar as a second step option only) within 60 days of distribution to the Membership. The Component Officers and the Local President or his representative will be in attendance at these meetings in order to answer any questions and/or concerns. Further information may be provided to the Membership as required;

15.2.5 A Membership vote will then be held.

15.3 EFFECTIVE DATE OF AMENDED OR ADDITIONAL BYLAWS

The Amended or Additional Bylaws do not come into effect until they have been approved in writing by the National President. The National President will decide whether to approve the Amended or Additional Bylaws within 90 days of receiving them and will withhold approval only where they conflict with the CUPE Constitution. (Article 13.3 and B.5.1)

15.4 DISTRIBUTION OF BYLAWS

The Component Bylaws will be made available to the Membership in French or English.

APPENDIX A

EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation, and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile, or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic, or homophobic hurts and thereby, divides us. So too does discrimination on the basis of ability, age, class, religion and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue, or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society, and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all persons deserve dignity, equality, and respect.

APPENDIX B

CODE OF CONDUCT

The Component is committed to ensuring that all of its meetings and activities are safe environments where members are encouraged to speak. Existing members are encouraged to welcome, mentor and support new members and equity-seeking members.

The Component strives to promote core values which include the principles of solidarity, equality, democracy, integrity, and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

The Component is committed to creating a Union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. The Component needs to ensure that it provide a safe environment for members, staff and elected Officers to carry out our work. The Component expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

This Code of Conduct for the Component sets out standards of behaviour for members at meetings, and all other events organized by the Component. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these Bylaws. It does not apply to complaints arising in the workplace, as those are dealt with through the Grievance procedure and/or the applicable workplace harassment policy.

As members of the Component, we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

- Abide by the provisions of the Equality Statement;
- Respect the views of others, even when we disagree;
- Recognize and value individual differences;
- Communicate openly;
- Support and encourage each other;
- Make sure that we do not harass or discriminate against each other;
- Commit to not engaging in offensive comment or conduct;
- Make sure that we do not act in ways that are aggressive, bullying, or intimidating; and
- Take responsibility for not engaging in inappropriate behaviour due to abuse of alcohol or other drugs while participating in Union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons' mental and/or physical well-being.

A complaint regarding this Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code, by asking the person to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. Once a complaint is received, a designated Officer of the Component will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer of the Component shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

This Code of Conduct is designed to create a safe, respectful and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the Bylaws of Component, the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member's right to access the trial provisions of the CUPE National Constitution.

APPENDIX C

RULES OF ORDER

1. The President will be the Chairperson at all Membership Meetings. In the absence of the President, the Vice-President will be the Chairperson at the Membership Meeting. In the absence of the President and Vice-President, the Secretary-Treasurer will be the Chairperson at the Membership Meeting. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a Committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: "Is the Membership ready for the motion?" If no member rises to speak, the motion will be voted upon.
5. A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
6. A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
7. An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.

8. On motion, the regular order of business at a Membership Meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
9. Motions other than those named in Rule 19, or motions to accept or adopt the report of a Committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.
10. At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.
11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
13. The Chairperson will keep a speakers' list and in all cases will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Component or other members.
15. A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
16. Religious discussion of any kind is not permitted.

17. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
18. The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
19. When a motion is before the members, no other motion is in order except a motion to 1) adjourn; 2) put the previous question; 3) lay on the table; 4) postpone for a definite time; 5) refer; or 6) divide or amend. These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.
20. The Chairperson will ask "Will the main question be now put?" where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
21. A motion to adjourn is in order except when a member is speaking or when members are voting.
22. A motion to adjourn, if lost, is not in order if there is further business before the Membership of the Component, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before the Membership proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Secretary Treasurer will count the standing vote.

24. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, "Will the decision of the chair be upheld?" A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
25. At a membership meeting, where a question has been decided, any two members who voted with the majority can give notice of a motion to reconsider a decision of the membership at the next membership meeting. The motion to reconsider requires the support of a two-thirds majority of members who vote. If two-thirds majority of members support reconsideration, the question will be placed in front of the membership for debate and a subsequent vote.
26. Members are allowed to leave a meeting with the permission of the Vice-President; however, in no case will a member leave during the reading of minutes, the initiation of new members, the installation of Officers, or the taking of a vote.
27. The Component business and the proceedings of meetings are not to be divulged to any persons outside the Union, or CUPE.
28. All meetings of the Component will be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these bylaws as appendix C. These rules shall be considered as an integral part of the bylaws and may be amended only by the same procedure used to amend the bylaws.
29. In situations not covered by Appendix "C" above, the CUPE National Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.