

**CANADIAN UNION OF PUBLIC EMPLOYEES**

**LOCAL UNION NO: 3890**

**BY-LAWS**

## PREAMBLE

**In order to improve the social and economic welfare of its members without regard to sex, colour, race, or creed, to promote efficiency in the public employment and to manifest its belief in the value of the unity of organized labour, this Local of the Canadian Union of Public Employees (herein after called CUPE) has been formed.**

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

### SECTION 1 - NAME

The name of this Local will be: **Canadian Union of Public Employees, Local 3890, Chignecto-Central Regional School Board.**

The Local will be comprised of three (3) Geographic Units. These Units are as follows:

- 1) Northern Region: Cumberland
- 2) Central Region: Colchester East-Hants
- 3) Eastern Region: Pictou

### SECTION 2 - OBJECTIVES

The Objectives of the Local are to:

- A. Secure adequate enumerations for the work performed and generally advance the economic and social welfare of its members and of all workers.
- B. Support CUPE in reaching the goals set out in Article 2 of the CUPE Constitution.
- C. Provide an opportunity for its members to influence and shape their future through free democratic trade unionism.
- D. Encourage the settlement by negotiation and mediation of all disputes between the members. and their employer.

### **SECTION 3 - INTERPRETATION and DEFINITIONS**

- A. Masculine pronouns will be understood to include the feminine gender.
- B. Numbers of Articles at the end of sections or subsections refer to relevant Articles of the CUPE Constitution, which should be read with these By-Laws.

### **SECTION 4 - MEMBERSHIP MEETING - (Regular and Special)**

- A. General Membership Meetings will be held three (3) times per year, October, February, and May, on the third Sunday at 2:00 p.m. If a Statutory Holiday weekend intervenes, the Executive Board will give a week's notice of any changes in the date of the General Membership Meeting.
- B. General Membership Meetings will be held in the following locations:
  - October - New Glasgow
  - February - Truro
  - May - Springhill
- C. Special 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 Membership Meeting when so ordered or requested and shall see that all members receive at least seventy-two (72) hours notice of the Special Meeting and the subject(s) to be discussed. No other business will be transacted at the Special Meeting other than that for which the Meeting was called and given notice.
- D. A quorum for the transaction of business at any Regular or Special Meeting shall be at least twenty (20) members and four (4) members of the Executive Board.
- E. The order of Business for General Membership Meetings is as follows:
  - 1. Roll Call of Officers
  - 2. Voting on New Members and Initiation
  - 3. Reading of the Minutes
  - 4. Matters Arising
  - 5. Treasurer's Report
  - 6. Communications and Bills
  - 7. Executive Committee Report
  - 8. Reports of Committees and Delegates
  - 9. Nominations, Elections, or Installations
  - 10. Unfinished Business
  - 11. New Business
  - 12. Good of the Union
  - 13. Adjournment  
(article B.8)

## **SECTION 5-REGION MEMBERSHIP MEETINGS (Regular and Special)**

- A. One (1) Regional Membership Meeting shall be held every three (3) years in November. The purpose of the meeting is for the election of Regional Officers to include Vice-President, Trustee, Shop Stewards, Bursary Committee, and Wellness Initiative.
- B. Special Regional Membership Meeting may be ordered by the Vice-President or requested in writing by no fewer than fifteen (15) members of that region. The Vice-President shall immediately call a Special Meeting of the Region when so ordered or requested and shall see that all members of that Region receive at least seventy-two (72) hours notice of the Special Meeting and the subject(s) to be discussed. No other business shall be transacted at the Special Meeting, other than that for which the meeting is called and notice given.
- C. A quorum for the transaction of business at a Regular or Special Meeting of the Region shall be twelve (12) members, including at least one (1) member of the Executive Board.
- D. The order of business at the Regional Membership Meeting is as follows:
  - 1. Roll Call of Officers
  - 2. Voting on New Members and Initiation
  - 3. Reading of the Minutes
  - 4. Matters Arising
  - 5. Treasurer's Report
  - 6. Communications and Bills
  - 7. Executive Committee Report
  - 8. Reports of Committees and Delegates
  - 9. Nominations, Elections, or Installations
  - 10. Unfinished Business
  - 11. New Business
  - 12. Good of the Union
  - 13. Adjournment  
(article B.8)

## **SECTION 6- LOCAL OFFICERS**

- A. The officers of the Local shall be: President, Vice-President (Northern Region), Vice-President (Central Region), Vice-President (Eastern Region), Secretary-Treasurer, Recording Secretary, and three (3) Trustees ( one for each region).
- B. A Sergeant-at-Arms shall be appointed at each General Membership Meeting by the Vice-President of that region.

## **SECTION 7 - REGIONAL OFFICERS**

The Regional Officers shall be Vice-President, and Trustee.

## **SECTION 8 - LOCAL EXECUTIVE BOARD**

- A. The Local Executive Board shall comprise of all Officers, except Trustees and Sergeant- at Arms. ( Article B.2.2)
- B. The Board shall meet at least once a month. (Article B.3.13)
- C. A majority of the Board constitutes a quorum.
- D. The Executive Officers shall hold title to any real estate of the Local as trustees of the Local. They shall have no right to sell, convey, or encumber any real estate without first giving notice and submitting the proposition to a General or Special Membership Meeting and having it approved.
- E. The 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.
- F. All Charges against members or Officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution. (Article B.6.1 - B.6.7)
- G. All Board Members shall be expected to attend the majority of General Membership Meetings and Executive Board Meetings unless there is sufficient cause. (Article B.2.5)

## **SECTION 9 - REGIONAL EXECUTIVE BOARD**

- A. The Regional Executive Board shall comprise of Vice-President and Trustee.
- B. All charges against members or officers must be made in writing and dealt with in accordance with the CUPE Constitution. (Article B.6.1 to B.6.7)
- C. All Board Members shall be expected to attend the majority of General Membership Meetings.

## **SECTION 10 - DUTIES OF LOCAL OFFICERS**

### A. The **President** shall:

1. Enforce the CUPE Constitution and these By-Laws;
2. Preside at all General Membership Meetings, Special Membership Meetings, and Executive Board Meetings and preserve order;
3. Decide on all points of order and procedure (subject always to appeal to the membership );
4. Have a vote on all matters (except appeals against his 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;
5. Ensure that all Officers perform their assigned duties;
6. Fill Committee Vacancies where elections are not provided for;
7. Introduce new members and conduct them through the initiation ceremony;
8. Sign all cheques and ensure that the Locals funds are used only as authorized or directed by the Constitution, By-Laws or vote of the membership;
9. Have first preference as a delegate to the CUPE National Convention, CUPE Nova Scotia Convention and the Nova Scotia School Board Council of Unions;

### B. The **Vice-President** shall:

1. Preside at all meetings of the Region that the Vice-President represents;
2. If the Office of President falls vacant, the Executive Board shall elect an Acting President from among the three (3) Regional Vice-Presidents as until such time a new President is elected in a By-Election;
3. Render assistance to any member of the Executive Board as directed by the Executive Board; .

### C. The **Recording Secretary** shall:

1. Keep full, accurate and impartial accounts of the proceedings of all General Membership Meetings, Special Membership Meetings, and Executive Board Meetings;
2. Record all amendments to the By-Laws;
3. Answer correspondence and fulfill other secretarial duties as directed by the Executive Board;
4. File a copy of all letters sent out and keep on file all communications;
5. Prepare and distribute all circulars and notices to members;
6. Have all records ready on reasonable notice for Auditors and Trustees;
7. Be empowered, with the approval of the Executive Board, to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
8. On termination of Office, surrender all books, seals, and other properties of the Local to his/her successor; (Article B .. 3.3)

D. The **Secretary-Treasurer** shall:

1. Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member's, and deposit promptly all money with a Credit Union or Bank;
2. Prepare all CUPE National per capita tax forms and remit payment no later than the last day of the following month;
3. Record all financial transactions in a manner acceptable to the Board and in accordance with good accounting practices;
4. Make a full financial report to meetings of the Local's Executive Board; as well as a written financial report to each of the Local's Region's, detailing all income and expenditures for the month;
5. Be bonded through the master bond held by the National Office, and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
6. Pay no money unless supported by a voucher, except that no voucher shall be required for payment of per capita taxes to any organization to which the Local is affiliated;
7. Make all books available for inspection by the Auditors and/or Trustees on reasonable notice, and have books audited annually;
8. Provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
9. Be empowered, with the approval of the Executive Board, to employ necessary clerical assistance to be paid for out of the Local's Funds;
10. On termination of Office, surrender all books, records, and other properties of the Local to his/her successor; (Article B.3.4 - B-3.9.)

E. The **Trustees** shall:

1. Act as an Auditing Committee on behalf of the members and audit books and accounts of the Secretary-Treasurer, Recording Secretary, and Standing Committees of the Local annually;
2. Report their findings to the first General Membership Meeting following the completion of each audit;
3. Be responsible to ensure that monies are not paid out without proper Constitutional of Membership authorization;
4. Ensure that proper financial reports are made to the membership;
5. Inspect annually 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;
6. Use audit forms approved by the National Office and send a copy of each annually to the National Secretary-Treasurer in accordance with the provisions of the CUPE Constitution. (Article B.3.10 – B.3.12)

F.. The **Sergeant-at-Arms** shall:

1. Guard the inner door at all General Membership Meetings and Special Membership Meetings and to admit no one but members in good standing or Officers and Officials of CUPE, except on the order of the President and by consent of the members present;
2. Assist in maintaining the record of membership attendance at meetings;
3. Perform such duties as may be assigned by the Executive Board from time to time.

## **SECTION 11 - DUTIES OF REGIONAL OFFICERS**

A. The **Vice-President** shall:

1. Enforce the CUPE Constitution and these By-Laws;
2. Shall attend all Executive Board Meetings, unless unable to and with approval of the President;
3. Preside at all Regional Membership Meetings and preserve order, unless unable to and with approval of the President;
4. Decide all points of order and procedure (subject always to appeal to the membership)
5. Have a vote on all matters (except appeals against his/her rulings) and in case of a tie vote in Regional matters, including Regional Elections, have the right to cast an additional vote to break the tie;
6. Ensure that all Regional Officers perform their assigned duties;
7. Fill committee vacancies of the Region where elections are not provided for.

## **SECTION 12 – OUT OF POCKET EXPENSES**

The following expense allowance shall be provided:

### **A. Out of Pocket Expenses**

1. President	\$ 200.00 per month
2. Vice-Presidents	\$ 200.00 per month
3. Secretary-Treasurer	\$ 200.00 per month
4. Recording Secretary	\$ 200.00 per month
5. Trustee	\$ 200.00 per year
6. Sergeant-at Arms	\$ 25.00 per meeting

### **B. Lost Wages**

When two (2) or more members of the Local or Region are required to attend Union Business and there will be lost wages, each member will receive the same hourly rate as the highest paid member attending.



### **C Child Care Expenses**

The Local will pay up to twenty-five (\$25.00), per household, for child care expenses. (babysitting) for children under the age of twelve (12) if the member is required to attend Union Business. Receipts are required.

### **D. Mileage**

The Local will pay the CUPE National Rate if a member is required to use his/her personal vehicle when attending to Union Business or actual transportation costs. If the CUPE National Rate is increased, these by-laws will be deemed to have been automatically amended to conform to the new rate.

### **E. Meal Allowance**

Maximum of \$ 60.00 per day

Breakfast	\$ 15.00
Lunch	\$ 20.00
Dinner	\$ 25.00

### **F. Per Diem**

If a member is required to attend to Union Business, on his regular day off or during an evening, the following Per Diem will be paid;

\$ 100.00	per day
\$ 75.00	per evening

### **G. Telephone, Postage, and Stationary**

A member will be reimbursed for any long distance telephone charges, postage, and stationary purchased on behalf of the Union. Receipts are required.

### **H. Accommodations**

Receipts are required.

### **I. Retired Members**

Members retiring from the School Board shall be awarded a gift certificate from the Local as follows:

More than five but less than ten years of service	\$ 150.00
More than ten but less then fifteen years of service	\$ 225.00
More than fifteen years of service	\$ 300.00

Should any member be forced to resign from the School Board because of Medical Reasons, the afore mentioned awards would also apply.

**J. Bereavement**

In the event of the death of a Local Member or his/her immediate family, a cash donation of One Hundred (\$100.00) will be made to the estate or member. The definition of immediate family is husband, wife, common-law spouse, children, step-children, and parents of the member. .

**SECTION 13 - E. I. REBATE**

The E. I. Rebate shall be used for education of the members, and to provide bursaries to members and dependants of members attending post-secondary institutes.

**SECTION 14 - FEES, DUES, AND ASSESSMENTS**

**A. Initiation Fee**

Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee of five dollars ( \$5.00) which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned. (Article B.4.1. & B. 10.2.)

**B. Dues**

The monthly dues shall be 1.65 of regular gross earnings on a bi-weekly basis. (Article B. 4.3.)

Changes in the levels of the Initiation Fee or the Monthly Dues can be affected only by following the procedure for amendment of these by-laws, with the additional provision that the vote must be by secret ballot. (Article B.4.1. & B. 4.3.)

Notwithstanding the above provisions, if the CUPE Convention raises the minimum fees and/or dues above the level herein established, these by-laws will be deemed to have been automatically amended to conform to the new CUPE minima.

Special Assessments may be levied in accordance with Article B. 4.2 of the CUPE Constitution.

**C. Benevolent Fund**

**1. Preamble**

The purpose of the Benevolent Fund is to assist permanent employees in distress. The guiding principle of the Benevolent Fund is the honesty and integrity of the members.

**2. Funding of the Committee**

Each permanent employee will contribute one dollar ( \$ 1.00) per pay period to the Benevolent Fund. Temporary employees are exempt from this and cannot make requests to the funds. A vote will take place twice a year at the October and May General Membership Meetings. See appendix B.

**SECTION 15 - NOMINATIONS, ELECTIONS, AND INSTALLATIONS OF OFFICERS**

**A. Officers of the Local**

To Be eligible for nomination, a member must have attended at least two (2) of the General Membership Meetings held in the past twelve (12) months unless a valid reason, acceptable to the Local, has been given for non-attendance.

**1. President**

**Nomination**

The call for nomination for the Office of President will be at the May General Membership Meeting

**2 Recording Secretary and Secretary-Treasurer**

**Nomination**

The Call for the offices of Recording Secretary and Secretary-Treasurer shall be received at the General Membership Meeting held in May. No Nominations shall be accepted unless the member is in attendance or has allowed to be filed at the meeting with his/her consent in writing, duly witnessed by another member.

**B. Elections**

1. At the General Membership Meeting held in May, the President shall, subject to the approval of the members, present/appoint and Elections Committee consisting of a Returning Officer and assistant (s). The committee shall include a member of each region who is neither an officer nor candidate for office. It shall have full responsibilities 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 Returning Officer.
3. The Returning Officer shall be responsible for issuing, collecting, and counting ballots. He/she must be fair and impartial and see that all arrangements are unquestionably democratic.
4. The Returning Officer shall ensure that the ballot boxes are taken to the CUPE Office in New Glasgow for safe keeping. The Returning Officer shall be responsible for picking up the ballot boxes from the CUPE Office in New Glasgow on the day of the General Membership Meeting.
5. The Voting shall take place in each region on the first Saturday of the Month of October. The Vote shall be by secret ballot.
6. A plurality of votes cast shall be required before any candidate can be declared elected. In case of a tie vote, the presiding officer will cast the deciding vote.
7. When two or more nominees are to be elected to anyone office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member (s) ballot will be declared spoiled. .
8. 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 General Membership Meeting.

### **C. Installations**

All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for three (3) years, or until a successor has been elected and installed -.

### **D. Officers of the Region**

To be eligible for nomination, a member must have attended at least two (2) of the General Membership Meetings held in the last twelve (12) months unless a valid reason, acceptable to the Region, has been given for non-attendance.

#### **1. Nomination**

Nominations shall be received at the regular Regional Membership Meeting held in the month of November. 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.

## **2. Elections**

- a) At the Regional Membership Meeting in November, the Vice-President shall, subject to the approval of the members present, appoint an Elections Committee consisting of a Returning Officer and assistant. The committee shall be members of the Region Who are neither officers nor candidates for office. It shall have full responsibility for voting arrangements and shall treat information submitted to it in connection with its . responsibilities as confidential.
- b) The Regional Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available in good time to the Returning Officer.
- c) The Returning Officer shall be responsible for issuing, collecting and counting ballots. He/she must be fair and impartial and see that all arrangements are unquestionably' democratic.
- d) The voting shall take place at the regular Regional Membership Meeting in November. The vote shall be by secret ballot.
- e) Voting to fill an office shall be conducted and completed, and recounts dealt with, before balloting may begin to fill another office.
- f) A majority of votes cast shall be required before a candidate can be declared elected, and second and subsequent ballots shall be taken, if necessary, to obtain a majority. On the second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot shall be dropped. In case of a tie, the presiding officer may cast the deciding vote.
- g) When two or more nominees are to be elected to any office by ballot, each member voting shall be required to vote for the full number of candidates to be elected or the member (s) ballot will be declared spoiled.
- h) 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 Regional Membership Meeting as laid down is section 5 ©.

### **E. Installations**

All duly elected officers shall be installed at the meeting at which elections are held and shall continue in office for three (3) years or until a successor has been elected and installed.

## **SECTION 16 - BY-ELECTIONS**

Should an office fall vacant pursuant to Section 14 of these By-Laws or for any other reason, the resulting by-election should be conducted as closely as possible in conformity with this section.

**SECTION 17- DELEGATES TO THE CONVENTION AND THE  
NSSBCU CONVENTION**

**A. CUPE National Convention**

Except for the Presidents option, two additional delegates may be chosen by election at the May General Membership Meeting.

**B. CUPE Nova Scotia Convention**

Except for the Presidents option, three other delegates shall be chosen by election, one from each region, at a General Membership Meeting.

**C. District Labour Council**

A delegate to each District Labour Council shall be elected at a regular Regional Membership Meeting.

**D. Nova Scotia School Board Council of Unions (NSSBCU)**

The President will be the Member on this committee.

**SECTION 18 - COMMITTEES**

**A. Negotiation Committee**

This shall be a special ad hoc committee established at least six (6) months prior to the expiry of the Locals Collective Agreement and be automatically disbanded when a new Collective Agreement has been signed. The Function of this committee is to prepare collective bargaining proposals and to negotiate a Collective Agreement. The Committee shall consist of seven (7) members; The President, the three (3) Vice- Presidents, and one (1) member from each region elected at a Regional Membership Meeting. The CUPE representatives assigned to the Local shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

**B. Special Committees**

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 or may be appointed by the President or the Executive Board. One member of the Board may sit on any special committee as ex-officio member.

### **C, Grievance Committee**

This committee shall process all grievances not settled at the initial stage and its reports shall be submitted first to the Executive Board, with a copy to the CUPE Representative, and then to a membership meeting. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the Collective Agreement. The committee shall appoint its secretary from among its members. The Executive Board shall determine the procedure for the processing of grievances.

### **D, Bursary Committee**

The Bursary Committee shall have one (1) representative from each region, elected at the Regional Membership Meeting. These three (3) representatives will be responsible for:

- a) making sure the application meets all requirements as set forth in the by-laws
- b) making sure applications are available to all members and schools
- c) awarding and notification of bursary recipients

## **SECTION 19 - RULES OF ORDER**

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian Parliamentary Procedures. Some of the more important rules to ensure free and fair debate are appended to these by-laws as Appendix "A". These rules shall be considered as an integral part of the by-laws and may be amended only by the same procedure used to amend the by-laws.

In situations not covered by Appendix "A", the CUPE Constitution may provide guidance, but, if the situation is not dealt with there, **Bourinot's Rules of Order** shall be consulted and applied.

## **SECTION 20 - AMMENDMENT**

- A. These By-Laws 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 By-Laws and the CUPE Constitution, the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President (Articles 9.2.c, 12.3, & B. 7.1. )
- B. These By-Laws shall not be amended, added to, or suspended except upon a majority vote of those present and voting at a General Membership Meeting or Special Meeting following seven days notice at a previous meeting or at least sixty days written notice. (Article B. 7.1 )

C. No Change in these By-Laws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President. (Articles 12.3 & B. 7.1 )



**APPENDIX" A" TO THE BY-LAWS OF LOCAL 3890, CUPE**

**RULES OF ORDER**

1. The President or, in his/her absence, the Vice-President (of the Presidents choice) shall take the chair at all Membership Meetings. In the absence of both the President and Vice-Presidents, the Recording Secretary shall act as President, and in his/her absence a president pro-tern shall be chosen by the Local.
2. No member, except the chairperson of a committee making a report or the mover of a resolution shall speak more than five (5) minutes, or more than once on the- same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a resolution shall be limited to fifteen (15) minutes, except with the consent of the meeting.
3. The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask" is the Local ready for the question?". Should no member rise to speak, the question shall then be put.
4. A Motion to be entertained by the presiding officer must be moved and seconded; both the mover and the seconder must rise and be recognized by the chair.
5. A motion to amend, or to 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, which is a direct negative of the resolution shall be in order.
6. 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.
7. All resolutions and motions other than those named in Rule 17, or those 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 Local.
8. At the request of any member, and upon a vast majority vote of those present, a question may be divided when the sense will admit of it.
9. Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority **vote** of those present.

10. When a member wishes to speak on a question or to make a motion, he/she shall rise in his/her place and respectfully address the presiding officer, but, except to state that he rises to a point of order or on a question of privilege, he/she shall not proceed further until recognized by the chair.
11. When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
12. Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Local or Member.
13. If a member, while speaking, is called to order, he/she shall cease speaking until the point is determined, if it is decided he/she is in order, he/she may again proceed.
14. No religious discussion shall be permitted.
15. The President shall take no debate while presiding, but may yield the chair to the Vice-President in order to speak on any question before the Local, or to introduce a new question.
7. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he/she may in addition, give a casting vote, or, if he/she chooses, refrain from breaking the tie, in which case the motion is lost.
17. When a motion is before the Local, no other motion shall be in order except:
  1. To Adjourn
  2. To put forth previous questions
  3. To lay on the table
  4. To postpone for a definite time
  5. To refer
  6. To divide or amend, which motions shall have precedence in the order named ( The first three of these shall be decided without debate)
18. 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 it is 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 and amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
19. A motion to adjourn is in order except (1) when a member has the floor, and (2) when members are voting.

20. A motion to adjourn, having been put forth and lost, shall not be in order again, if there is further business before the Local, until fifteen (15) minutes have elapsed.
21. After the presiding officer declares the vote on a question, and before the Local 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 the same.
22. If any member wishes to challenge (appeal) a decision of the chair, he/she must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for his/her challenge. The Chairperson may then state the basis for his/her decision, following which the Chairperson shall immediately and without debate put the question; " Shall the decision of the chair be sustained?".  
A majority vote shall decide except that in the event of a tie, the chair is sustained.
23. 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.
24. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers, or the taking of a vote. No member shall be allowed to leave without the permission of the Vice-President.
25. The Local's business, and proceedings of meetings, are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees

**APPENDIX" B" TO THE BY-LAWS OF LOCAL 3890, CUPE**

**BENEVOLENT FUND**

1. The Benevolent Fund will be set up outside the perimeters of the CUPE Local 3890 accounts. This will be a separate account with all expenses incurred coming directly from this account. All expenses are defined as cost of cheques, bank charges, and fees. Any interest accumulated will stay in the account. Expenses incurred such as per diems, travel, meals, etc ... will not be charged to the Benevolent Fund. Cheque signing would be given to two members of the Benevolent Fund Committee.
2. The Executive Committee has been entrusted by the General Membership to be deemed the Benevolent Fund Committee. (The President, The Three Vice-Presidents, The Recording-Secretary, and the Secretary Treasurer). The Benevolent Fund Committee would be responsible to provide a report semi-annually to the members and would adhere to all guidelines set and outlined in the By-Laws. Strict confidentiality would apply to the committee and no bias would be used. Members may approach any member of the Benevolent Fund Committee whereupon they would be responsible to bring this to the Committee for consideration. All claims would be considered at the monthly Executive Meeting and only those that are legitimate, would be given further consideration. Any claims requiring consideration immediately, would be done so by telephone. If the Committee deems a claim not to be legitimate, the member making the claim can appeal to the membership at the next General Membership Meeting. The membership can overturn the Benevolent Fund Committees decision only after the appeal has been made. Any member of the Benevolent Fund Committee who makes a claim, must step down from the committee until a decision has been made by other committee members.
3. Legitimate claims defined as:
  - a) Illness, Death, or Destruction to a member
  - b) Unforeseen circumstances - those claims that are as yet undefined, ergo unforeseen
4. The Benevolent Fund Committee will be responsible to make decisions on an individual basis. A member can make up to two (2) claims in any twelve (12) month period. These claims combined cannot exceed seven hundred and fifty ( \$ 750.00) dollars in the same twelve (12) month period.
5. Special Consideration will be given to extenuating circumstances.