



CUPE NEWFOUNDLAND AND LABRADOR

CONSTITUTION

May 2024

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PREAMBLE

This Constitution is designed to give proper balance to the administration of CUPE Newfoundland and Labrador. Duties should be shared by the many, rather than the few. While various committees have been designated as “Standing Committees” this in no way precludes the possibility of future committees being established from time to time, as may be required and necessary. In order to improve and maintain the social and economic welfare of its members, and to give clear evidence of its recognition of the unity of Organized Labour, this CUPE Newfoundland and Labrador has been formed, and does now establish this Constitution for its government.

LAND ACKNOWLEDGEMENT

We respectfully acknowledge the land on which we gather as the ancestral homelands of the Beothuk [bee-oth-uck], whose culture has now been erased forever. We also acknowledge the island of Ktaqmkuk [uk-dah-hum-gook] (Newfoundland) as the unceded, traditional territory of the Beothuk and the Mi'kmaq [mee-gum-maq]. And we acknowledge Labrador as the traditional and ancestral homelands of the Innu [in-new] of Nitassinan [ne-tass-eh-nen], the Inuit [in-new-eet] of Nunatsiavut [nu-nat-see-ahvut], and the Inuit of NunatuKavut [nu-nah-tuhk-ah-vut]. We recognize all First Peoples who were here before us, those who live with us now, and the seven generations to come. As First Peoples have done since time immemorial, we strive to be responsible stewards of the land and to respect the cultures, ceremonies, and traditions of all who call it home. As we open our hearts and minds to the past, we commit ourselves to working in a spirit of truth and reconciliation to make a better future for all.

We recognize all First Peoples who were here before us, those who live with us now, and the seven generations to come. As First Peoples have done since time immemorial, we strive to be responsible stewards of the land and to respect the cultures, ceremonies, and traditions of all who call it home. As we open our hearts and minds to the past, we commit ourselves to working in a spirit of truth remembering that we are all treaty people.

Explanation – why we as settlers do land acknowledgements:

To recognize the land is an expression of gratitude and appreciation to those whose territory you reside on, and a way of honouring the Indigenous people who have been living and working on the land from time immemorial. It is important to understand the long-standing history that has brought you to reside on the land and to seek to understand your place within that history. Land acknowledgements do not exist in a past tense, or historical context: colonialism is a current ongoing process, and we need to build our mindfulness of our present participation. It is also worth noting that acknowledging the land is Indigenous protocol.

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 ~~sisters and brothers~~ **persons** deserve dignity, equality and respect.

ARTICLE 1 – NAME AND AUTHORITY

- a) This organization shall be known as CUPE Newfoundland and Labrador.
- b) This CUPE Newfoundland and Labrador shall be subject to the Constitution of the Canadian Union of Public Employees.

ARTICLE 2 – OBJECTIVES AND METHODS

- a) The objective of CUPE Newfoundland and Labrador shall be:
 - 1) To advance the efficiency of public employees generally and the Labour Movement as a whole.
 - 2) To support the objectives of the Canadian Union of Public Employees, as set out in Article II of the Canadian Union of Public Employees Constitution.
 - 3) To promote suitable legislative measures within this province to further the interests, aims and objectives of its member local unions as from time to time prevail.
 - 4) To promote the maximum participation of locals in CUPE Newfoundland and Labrador, the Canadian Labour Congress, Provincial Federations, District Public Employee Councils and Labour Councils.
 - 5) To assist in the organization of unorganized workers generally, and public employees in particular, in this Province.
 - 6) To promote such educational, legislative, social and other activities as may assist the affiliated locals.
 - 7) To obtain the maximum participation by locals in programs in the Canadian Union of Public Employees.
- b) The policy of this body is to conduct its policy and business in a peaceful and lawful manner.
- c) CUPE Newfoundland and Labrador further stands unequivocally for equality of treatment regardless of race, colour, nationality, ancestry, place of origin, gender, religion, sexual orientation, disability, age, criminal record, marital status, or political affiliation or activity, and will oppose discrimination of same wherever it occurs or appears.
- d) The methods of obtaining the objectives of CUPE Newfoundland and Labrador shall be:
 - 1) Establishing cooperative relations between employees and employers.
 - 2) Promote desirable legislation.

- 3) Conducting educational programs designed to enlighten the general public and the membership with respect to problems of public Employees.
- 4) Supporting District Councils of Public Employees, for dealing with matters peculiar to a particular area, and for assisting in organizational efforts of this Union.
- 5) Co-operating with the National Union and its departments in furthering the general well-being of the Canadian Union of Public Employees.
- 6) The first caucus meeting at the Convention of the Newfoundland and Labrador Federation of Labour, Canadian Labour Congress, the CUPE National Convention shall be scheduled for the first day of convention registration which is usually Sunday. During this caucus the limited questions to be asked of election candidates shall be determined. CUPE Newfoundland and Labrador will hold at least one caucus meeting at the CUPE National convention and the Newfoundland and Labrador Federation of Labour convention. These caucus meetings shall be scheduled for the first day of registration.

To promote unity within CUPE Newfoundland and Labrador, caucus choice regarding election to office shall require a 2/3 majority vote. If this is not achieved the voting delegates at Convention shall be released to vote as they wish. If delegates do not agree with caucus' choice they shall not speak against it during Convention.

ARTICLE 3 – MEMBERSHIP

The membership of CUPE Newfoundland and Labrador shall be open to any Local or District Council chartered by, and in good standing with the Canadian Union of Public Employees.

A local union, once affiliated, ceasing membership in CUPE Newfoundland and Labrador must pay all per capita tax arrears for the time outside the membership of CUPE Newfoundland and Labrador, but not to exceed one year's per capita tax, to be fully reinstated as affiliate members. The foregoing shall be subject to formal appeal to the CUPE Newfoundland and Labrador Executive Committee by any delinquent local for relief from the provisions of this section. Such decision to be submitted to the next convention, for approval of amendment.

ARTICLE 4 – CONVENTIONS

a) Date and Location

CUPE Newfoundland and Labrador shall meet annually except in extenuating circumstances (which will be voted on by the Presidents, in consultation with their members, of all affiliated Locals and carried by a 2/3 majority) at such place, time and date as fixed by the Executive Committee, having regard for time and place of conventions held by organizations to which CUPE Newfoundland and Labrador is affiliated.

b) Convention Call

The Convention call shall be in the hands of all affiliates at least sixty (60) days prior to the date of Convention. A current copy of the CUPE Newfoundland and Labrador Constitution and By-Laws be attached.

c) Representation

At all conventions of CUPE Newfoundland and Labrador, the basis of representation from affiliated organizations shall be:

1) From Local Unions paying per capita tax on:

50 members or less	1 delegate
51 to 100 members	2 delegates
101 to 300 members	3 delegates
301 to 500 members	4 delegates

and one additional delegate for each additional 100 members or major portion thereof. One (1) additional delegate per Local for a youth delegate (maximum age 35). This extra delegate will be the financial responsibility of the Local.

- 2) i) A Local Union in arrears for two or more months will not be allowed representation to the CUPE Newfoundland and Labrador Convention in accordance with Article 6.7 of the CUPE National Constitution.
- ii) Local Unions having less than twenty-five (25) members may make application to the CUPE Newfoundland and Labrador Executive Committee for transportation and registration fee subsidization to assist in their sending of a delegate to Convention, and the CUPE Newfoundland and Labrador Committee is empowered to act thereof. These Local Unions must show financial need and the CUPE Newfoundland and Labrador Executive Board will make a determination based on the National Union's guidelines for financial assistance.

d) Alternate Delegates

An affiliated Local Union or District Council may elect alternate delegates to attend Annual Conventions. An Alternate delegate shall be entitled to attend sessions of the convention but shall not be entitled voice or vote, except in the absence of a duly elected delegate. For the purpose of this section, the duly elected alternate delegate must be in possession of a delegate's badge prior to being afforded voice or vote. It shall be the responsibility of the presiding officer to ensure the intent of this section is carried out.

e) Registration Fees

Delegates, Alternate Delegates and Guests (other than official guests) to the Annual Convention shall pay registration fee, the amount of which shall be determined by the Executive.

f) Quorum

A quorum shall be one half of the delegates properly credentialed and seated at any regular convention of the CUPE Newfoundland and Labrador but less than that number may adjourn to meet a specific time.

g) Resolutions and Amendments

All resolutions to be considered at a convention must be submitted by a Local Union, or district council, or by the Executive Board of CUPE Newfoundland and Labrador or committee thereof, so that they are in the hands of the Secretary not later than twenty-one (21) days prior to convention. These resolutions shall be dealt with at Convention before any late resolutions with the exception of emergency resolutions. Emergency is defined as something that has happened twenty (20) days prior to the Convention. All resolutions must be submitted under the letterhead of an affiliate submitting same and signed by the President Officer and Secretary of such affiliate. All Locals shall be provided with copies of all correspondence related resolutions passed at the annual Convention which required follow up action by the CUPE Newfoundland and Labrador Executive.

h) Convention Committees

There shall be three (3) Convention Committees namely: Credentials, Resolutions and Constitution and Law. All Chairpersons and members of committees shall be appointed by the Executive Committee from the registered delegates. All Committees shall be notified as early as possible prior to the opening of the Convention, if it is necessary during the convention that revisions made to the said committees, or that additional committees are required, the President shall appoint same, subject to the approval of the delegates. The President, if it is found necessary, shall be empowered to convene such committees prior to the term of appointment, shall expire at the adjournment of the Convention.

i) Order of Business

- 1) Land Acknowledgement
- 2) Credentials Committee Report (Interim)
- 3) President's Report
- 4) Recording Secretary's Report
- 5) Treasurer's Report
- 6) Trustee's Report
- 7) Officer's Report
- 8) Reports of Standing Committees
- 9) Reports of Convention Committees

- 10) Final Report of the Credentials Committee
- 11) Nominations
- 12) Good and Welfare Suggestions
- 13) Adjournment.

j) Rules of Order

Rules of Order shall be in accordance with Appendix A” attached hereto, and forming part of this Constitution. Bourinot’s Rules of Order shall prevail on matters not covered by the Rules of Order.

k) Executive Reports to Conventions

All Executive Officers and Chairpersons of Standing Committees shall submit a written report to the Secretary of their activities during their term of office, at least thirty (30) days prior, where possible, to the Convention the same to be made part of the general convention report.

l) Convention Report

A complete report of the convention shall be prepared by the Secretary, with the assistance of the Executive Committee, and shall be included with the convention materials at the next annual convention.

m) Incumbent Officers of the Convention

The President, Vice-President, Recording Secretary, Secretary-Treasurer, three (3) Executive Officers and the Chair of the Trustees Committee shall attend such convention as full accredited delegates, at the expense of CUPE Newfoundland and Labrador, provided the aforementioned officers are members in good standing of an affiliated local union.

n) Staff Voice at Convention

Staff Representatives and National Executive Board Members of the Canadian Union of Public Employees, shall be permitted voice on any debate which is not of a nature that would intrude on the autonomy of CUPE Newfoundland and Labrador where its administration is concerned.

o) Smoking

All conventions and conferences of CUPE Newfoundland and Labrador to be smoke-free.

p) Child Care

Child care shall be provided at the annual CUPE Newfoundland and Labrador Convention provided enough members require the service to make it economical.

If there are not enough members to warrant on-site day care a supplement of up to \$75.00 per day will be paid to a member needing this service. Receipts will be needed before payment is made.

- q) From time to time invite local high school students to its provincial convention along with other community groups.
- r) All conventions and conferences of CUPE Newfoundland and Labrador to be scent free.

ARTICLE 5 – EXECUTIVE BOARD AND TRUSTEES

- a) The Executive Board shall consist of a President, Vice-President, Recording Secretary, Treasurer and two (2) Executive Officers.
- b) The two (2) Diversity Vice-Presidents shall be from:
 - i) Indigenous, Black and Racialized
 - ii) 2SLGBTQI+, Disabilities and Women
- c) One (1) Young Worker.
- d) There shall be three (3) Trustees.
- e) The term of office for the President, Vice-President, Recording Secretary, Treasurer and two (2) Executive Officers will be for two (2) years. Two (2) Diversity Vice-Presidents and one (1) Young Worker term of office will be two (2) years. The term of office for the Trustees shall be three (3) years, two (2) years and one (1) year. For the implementation period the person garnering the most votes will be for the three (3) year term, the following years the person newly elected will be for a three (3) year term.

ARTICLE 6 – ELECTION OF EXECUTIVE BOARD AND TRUSTEES

- a)
 - 1) Election of Executive Board shall be held in the morning of the closing day of convention in even numbered years.
 - 2) Elections for the purpose of electing the trustee for the three (3) year term shall be held on the morning of the closing day of convention in each year.
 - 3) There shall be an election forum for those seeking election on the Wednesday morning of the election. Convention will commence forty-five (45) minutes early on that morning to accommodate this forum.
 - 4) The senior trustee shall serve as the Chair of the Trustees Committee.
- b) No person shall be eligible for election to any of the offices, unless they are accredited delegate and a member in good standing of their local union, and said person, if elected shall retain office only so long as their local union, remains an affiliated member of

CUPE Newfoundland and Labrador. Further, no person shall be eligible for election to any office unless they are a member in good standing of an affiliated local union, and a delegate from their own union or an officer of CUPE Newfoundland and Labrador.

- c) The President shall appoint an Election Committee Chairperson who shall appoint assistants to conduct the elections. They shall not be candidates for office.
- d) The Election Committee Chairpersons shall be responsible for the issuing and receiving of ballots to and from the delegates.
- e) Elections shall be conducted by secret ballot; one delegate, one vote, with a simple majority.
- f) Nominees allowing their names to go forward for office shall, upon acceptance of nomination, come forward to the convention platform, and clearly and audibly speak the following lines to the assembled delegates:

“I solemnly promise and declare that I will support and obey the Constitution, objectives, principles and policies of the Canadian Union of Public Employees”.
- g) Immediately following the close of voting, the Election Committee shall proceed to count the ballots, and upon completion of same, they shall notify the Chairpersons, and their report shall be made immediately.
- h) The election of each office shall be completed before nominations may be accepted for subsequent offices.
- i) All duly elected officers shall be installed immediately following the completion of elections, and shall take office at the close of the convention.
- j) I (give name) do most sincerely promise that I will truly and faithfully, to the best of my ability, perform the duties of my office for the ensuing term, as prescribed in the Constitution and Laws of CUPE Newfoundland and Labrador, and as an Officer of CUPE Newfoundland and Labrador, I will at all times endeavour, both by counsel and example, to promote the harmony and preserve the dignity of its sessions. I further promise that at the close of my official term, I will promptly deliver all monies, books, papers, or other property in my possession, to my duly elected successor in office.
- k) Nomination and election of Table Officers will proceed in the following order:

Odd Years

President

Recording Secretary

Even Years

Vice-President

Secretary-Treasurer

Nomination and election for two (2) Executive Officers two (2) Diversity Vice-Presidents and one (1) Young Worker shall be in even years.

ARTICLE 7 - DUTIES OF OFFICERS AND TRUSTEES

a) President

- 1) It shall be the duty of the President to preside at all conventions of CUPE Newfoundland and Labrador, and all meetings of the Executive Committee. The President shall be an ex-officio member of all committees.
- 2) The President shall preserve order and enforce the Constitution of CUPE Newfoundland and Labrador.
- 3) The President shall have the authority to interpret the Constitution and their interpretation shall be conclusive and in full force and effect unless reversed or changed by the Executive Committee or by the convention, or the Canadian Union of Public Employees.
- 4) The President shall sign all cheques and bank drafts and other official documents relevant to the operation of CUPE Newfoundland and Labrador.
- 5) The Executive shall book off the President of CUPE Newfoundland and Labrador from May 2022~~4~~ to May 2024~~5~~ inclusive. This book off time shall be at the member's normal regular salary with expenses.

b) Immediate Past President

The Executive Committee may invite the immediate past President to attend executive committee meetings in the first term or any portion thereof of the succession of a new president. They shall assist the officers and members by making available to them the benefits of their experience in office. They shall have full voice but no vote at meetings.

c) Vice-President

It shall be their duty in the absence of the President, to preside and perform all duties pertaining to the office of President, and to render such assistance as may be required. In the case of the permanent vacancy in the office of President, they shall become the President.

d) The Recording Secretary

The Recording Secretary shall:

- 1) Keep a full accurate account of the proceedings of all Conventions and Executive Committee meetings.
- 2) Conduct the correspondence, and take charge of all books, papers and effects pertaining to their office.

- 3) Represent CUPE Newfoundland and Labrador wherever directed by the Executive.
- 4) Be empowered, with approval of the President, to employ such stenographic or other assistance as they find necessary.

e) Treasurer

The Treasurer shall:

- 1) Take charge of all books, papers and effects pertaining to their office.
- 2) Keep a record of the total membership of each Local and report to the convention the number of affiliated locals and total members.
- 3) Shall have all books, papers and other effects ready at all times, on reasonable notice, for inspection.
- 4) They shall receive all monies due CUPE Newfoundland and Labrador, issue receipts for same and deposit promptly all monies, in a chartered bank as approved by the Executive Committee, to the credit of CUPE Newfoundland and Labrador. A cancelled cheque, or other negotiable instrument shall be considered as a receipt.
- 5) They shall make all disbursements authorized by the Executive Committee by cheques countersigned by the President or Vice-President.
- 6) Prior to the issuing of any cheque or payment, the Treasurer shall complete an expense voucher or have one completed by the payee and have attached all pertinent invoices and/or receipts.
- 7) They shall turn over all books and records relative to receipts and expenditures to the Trustees in April and October of each year, for a Trustees Report to be presented annually to the Convention.
- 8) The Treasurer shall ~~else~~ **rectify** all accounts of CUPE Newfoundland and Labrador ~~at the end of the quarter immediately preceding the annual convention,~~ **in the month of February in each calendar year** and all monies received and disbursed after that date shall not be reported in the general balance account to the convention. They shall have printed the financial statement as approved by the Trustees as separate document for submission to the Convention.
- 9) It shall be the duty of the Treasurer to send out an annual statement to all Local Unions, showing the per capita standing of the Local Union to which it is sent and to point out the Constitutional requirements of CUPE Newfoundland and Labrador to remain in good standing.

- 10) All signing officers shall be bonded through the National Office of the Canadian Union of Public Employees for an amount recommended by the National Secretary-Treasurer. The premium for such bonding to be paid by CUPE Newfoundland and Labrador.
- 11) Shall be responsible for the CUPE banner.
- 12) Shall be responsible for keeping an inventory of all CUPE Newfoundland and Labrador property.

f) Executive Officers

The Executive Officers will maintain close liaison with all public employees organizations in their various towns and cities, and generally inform such organizations of the plans and aims of CUPE Newfoundland and Labrador. They will keep the Executive Committee informed of all matters in their locality which may affect the general welfare of the public employees throughout the province. They will attend all meetings of the Executive at whatever time and place they are called by the President. A designated Executive Officer shall be assigned by the Executive to assist the Recording Secretary with their duties as needed. Executive Officers will be expected to act as liaisons to Standing Committees.

g) Diversity Vice-Presidents and Young Workers

- 1) The Diversity Vice-Presidents shall be a representative from equity seeking groups.
- 2) The Diversity Vice-Presidents in their role must be inclusive and supportive of our Indigenous people, Racialized workers, 2SLGBTQI+, Women and Young Workers.
- 3) The Diversity Vice-Presidents are advisors to the Executive Board on matters of diversity.
- 4) The Diversity Vice-Presidents shall have full voice and vote.
- 5) The Diversity Vice-Presidents may also support CUPE Newfoundland and Labrador committees in matters involving a diversity lens.
- 6) Following their election, the Diversity Vice-Presidents shall develop a work plan for their two (2) years in office. This plan will be presented at the next Executive Board meeting for discussion and approval by the Executive Board.
- 7) The Diversity Vice-Presidents shall attend meetings of the Executive Board whenever called and perform duties as directed by the Executive Board, some of which will be attending events that support diversity in our community.

- 8) The Diversity Vice-Presidents will chair a Diversity Caucus meeting for self-identified members at the CUPE Newfoundland and Labrador Convention.
- 9) The Diversity Vice-Presidents shall maintain communications with the Executive Board on issues affecting workers from equality groups within the Union. They shall provide communications in conjunction with the CUPE National Staff Equality Representative. They shall maintain communication with other diversity committees within the labour movement.
- 10) The Diversity Vice-Presidents will endeavor to engage in ongoing self-development and education on emerging trends as it relates to the position as well maintain contact with other provincial and National diversity Vice-Presidents so that our efforts are aligned with the rest of CUPE from coast to coast to coast.

h) Trustees

- 1) Act as an auditing committee on behalf of the members, and audit the books and accounts of the Treasurer semi-annually.
- 2) Report their findings to the Convention annually.
- 3) Be responsible to ensure that monies are not paid out without proper authorization.
- 4) Ensure that proper financial reports are made to the Convention.

i) Newfoundland and Labrador Federation of Labour Affiliate Vice-President

The affiliate Vice-President Newfoundland and Labrador Federation of Labour for CUPE Newfoundland and Labrador shall be the President of CUPE Newfoundland and Labrador. In the event that the President is unable to serve then the Affiliate Vice-President shall be the Vice-President of CUPE Newfoundland and Labrador.

j) Choice of the Office of National Regional Vice-President for Newfoundland and Labrador

Subject to Article XI of the CUPE National Constitution, the name put forward as candidate of CUPE Newfoundland and Labrador's choice for the Office of National Regional Vice-President for CUPE Newfoundland and Labrador, shall be that of the President of CUPE Newfoundland and Labrador. However, in the event that the President is elected to another office on the National Executive Board or otherwise abstains from assuming the position of National Regional Vice-President for Newfoundland and Labrador, the candidate's name put forward will be ~~that of Vice-President~~ **a member of CUPE Newfoundland and Labrador's Executive Board.**

ARTICLE 8 – EXECUTIVE BOARD

- a) The Table Officers of CUPE Newfoundland and Labrador shall consist of President, Vice-President, Recording Secretary and Secretary Treasurer. The Table Officers shall conduct the day-to-day business and meet three (3) times a year.
- b) The Table Officers shall conduct all business referred to it by the Convention, and shall, in the interval between conventions have full and complete charge of all business of CUPE Newfoundland and Labrador not otherwise provided for.
- c) The Executive Board shall have the power to utilize the fund of CUPE Newfoundland and Labrador for furthering the aims, interests, and the good and welfare of the members comprising this organization.
- d) The Executive Board shall meet two (2) times a year. The Executive Board shall, wherever possible, allot sufficient time to complete all business on the agenda of each meeting. The exact locale shall be designated by the Executive. Four (4) members shall constitute a quorum.
- e) Should a vacancy occur in the office of Recording Secretary, Treasurer or Vice-President, the Executive Board shall elect from their members, one to fill the office for the balance of the term, or until the next CUPE Newfoundland and Labrador Convention.
- f) Standing Committees
 - 1) The Secretary will forward to all affiliates a notice requesting the names for membership on Standing Committees with the Convention Call biennially in even numbered years, to coincide with the year of the election of the Executive Board.
 - 2) The incoming Executive Board will appoint members to the Standing Committees for a period of two (2) years.
 - 3) In the event that a committee(s) fails to fulfil its mandate as outlined in this Constitution, the Executive Board may remove such committee member(s) as it deems appropriate and install new member(s).
 - 4) One (1) member of the CUPE Newfoundland and Labrador Executive will be appointed to each committee to act as a liaison.
 - 5) The Standing Committees shall be as follows:

Health and Safety Committee,
Contracting-Out Committee,
Human Rights Committee,
Global Justice Committee,
Pension Committee, and
Atlantic Maritimes Indigenous Council (CAMIC)

Each committee will consist of three (3) members and one (1) Chairperson, except the Atlantic Maritimes Indigenous Council which will consist of two (2) members with gender parity.

- 6) The CUPE Newfoundland and Labrador Executive may also appoint such other ad hoc committees as it deems appropriate.
 - a) The mandate of the Global Justice Committee is to support the international struggle by workers for social justice by increasing awareness of international labour struggles and promoting local actions in solidarity with international labour groups.
 - b) The Equity Committee shall advocate for the equality of treatment of all workers, regardless of race, colour, nationality, ancestry, place of origin, gender, religion, sexual orientation, disability, age, criminal record, marital status, or political affiliation or activity.
 - c) The Occupational Health and Safety Committee shall work to promote a healthy and safe work environment for all CUPE members in Newfoundland and Labrador.
 - d) The Contracting-Out and Privatization Committee shall work to educate and inform members on the continued threat of contracting out and privatization and the resulting degradation of public services and bargaining unit work.
 - e) The mandate of the Pension Committee shall be to work toward a defined benefit pension plan for all CUPE members including retirees.
 - f) The Council will:
 - i) Meet face to face once per year and by other means (teleconference, etc.) at least 3 times per year.
 - ii) Provide advice to the Executive Boards of CUPE Newfoundland and Labrador, Prince Edward Island, CUPE New Brunswick, and CUPE Nova Scotia on issues related to Indigenous communities, and racism and employment equity as they affect Indigenous workers.
 - iii) Promote and defend the rights of all Indigenous peoples.
 - iv) Work to improve the working conditions of Indigenous people.
 - v) Promote resources that advance employment equity and the rights and protections of Indigenous workers through education and collective bargaining.
 - vi) Seek input from and promote participation of Indigenous CUPE members from all provinces in the Atlantic and Maritime regions.

- vii) Work towards the elimination of racism inside and outside the union, through education, collective bargaining and taking action.
 - viii) Work to improve understanding of the perspectives of Indigenous peoples among CUPE members and employers, through education and awareness.
 - ix) Work to improve understanding of inherent Indigenous rights, treaties and the United Nations Declaration on the Rights of Indigenous Peoples.
 - x) Participate in, and coordinate with, coalitions, other provincial labour bodies, campaigns and other political organizing activities, that promote and defend the rights of Indigenous peoples.
 - xi) Support and work in collaboration with other committees and ad hoc/working groups to achieve common goals.
- g) Ad hoc committees will be appointed for a period to be determined by the Executive Committee.
 - h) CUPE Newfoundland and Labrador shall appoint a committee to coordinate the activities of CUPE members at a Convention of the Newfoundland and Labrador Federation of Labour, Canadian Labour Congress and the National Convention.
 - i) Each Standing Committee will submit to the CUPE Newfoundland and Labrador Executive Board for approval an annual workplan including a proposed budget for the upcoming year.
 - j) All Standing Committees may prepare resolutions and constitutional amendments pertaining to their mandates as outlines in this Article for presentation to the CUPE Newfoundland and Labrador Annual Convention.
 - k) Liaison persons shall be given ample notice of Committee meetings and shall make every possible effort to attend.
7. The CUPE Newfoundland and Labrador Division Executive will select members to participate on Newfoundland and Labrador Federation of Labour (NLFL) Committees. The Division Executive will notify affiliated locals when nominations are being sought. Locals will nominate members by providing names to the Division Executive by the specified deadline. Locals are responsible for any costs associated with their members participating on NLFL Committees.

ARTICLE 9 – FINANCE

The revenue of CUPE Newfoundland and Labrador shall be as follows:

- a) From all local unions a per capita tax of one dollar and fifty cents (\$1.50) per member per month, payable monthly. This per capita tax shall be paid on all dues paying members including Rand Formula.

Twenty-five cents (\$0.25) of each per capita paid shall be reserved for the CUPE Newfoundland and Labrador Public Relations Fund.

If there is a fightback campaign initiated, a special assessment of \$1.00 per member per month, payable monthly may be levied on all Locals affiliated to CUPE Newfoundland and Labrador after the Executive has given Locals a month's notice to be reviewed at each annual Convention. Any Local who does not pay the assessment will be considered in arrears and will not be permitted to sit at the CUPE Newfoundland and Labrador Convention.

- b) The disbursement from the CUPE Newfoundland and Labrador ~~Convention's Account~~ **Convention Budget** shall be limited to the following:

- 1) Rent of convention hall.
- 2) Rent of ~~function~~ **meeting** room.
- 3) Cost of hospitality room **and food**. (~~not to exceed 12% of the Convention Fund Account~~).
- 4) Cost of supplies (kits, etc.)
- 5) Banquet and dance (~~if not sponsored by the Convention municipality, the monies allotted for this purpose to be held on reserve for the next convention~~).
- 6) ~~Accommodation for press room, etc.~~ **Cost of audio-visual services.**

- c) Purchases:

All expenditures of CUPE Newfoundland and Labrador shall be duly authorized by the Executive Committee, and in accordance with Article 7 (5)(e).

- d) Expenses:

- 1) reasonable hotel accommodations
- 2) a per diem of ~~\$40.00~~ **\$50.00** per day in town
- 3) a meal allowance commensurate with CUPE National rates per day out of town, to be adjusted annually immediately following the Provincial Convention
- 4) reasonable transportation expenses, including taxi fares to and from the airport
- 5) mileage rate will be established at the prevailing rate as set by CUPE National
- 6) where applicable, reimbursement of lost wages
- 7) in addition to the regular per diem an Executive Member attending meetings of the CUPE Newfoundland and Labrador Executive on their scheduled days off shall receive \$20.00 per day.
- 8) an amount up to \$50.00 per day for childcare expenses shall be paid upon production of receipts

- 9) CUPE Newfoundland and Labrador shall pay the following honoraria:
- | | |
|----------------------------------|---------------------|
| President | \$500.00 |
| Vice-President | \$500.00 |
| Recording Secretary | \$500.00 |
| Treasurer | \$500.00 |
| and all other Executive Officers | \$500.00 per annum. |

e) CUPE Newfoundland & Labrador Public Relations Fund

CUPE Newfoundland & Labrador will set up a separate fund to cover the costs associated with promoting CUPE in the province. The fund will be financed by the setting aside of twenty-five cents (\$0.25) of each per capita remitted by the locals. The fund shall be used to promote CUPE in the province through the means of advertising in various media. CUPE Newfoundland & Labrador will endeavour at all times to use the cost-sharing mechanism of CUPE National.

- f) In commemoration of CUPE Newfoundland & Labrador's 40th Anniversary, CUPE Newfoundland & Labrador will make an annual donation of one thousand dollars (\$1,000.00) to the CUPE National's Global Justice Fund.

ARTICLE 10 – GEORGE NEWELL SCHOLARSHIP FUND

The Executive will award, annually, \$1,500.00, in a scholarship to a member(s) of an affiliated local(s) who is attending the CUPE Atlantic/Maritimes Indigenous Council (CAMIC).

In years in which there are no member(s) attending the Labour College of Canada the scholarship shall be awarded to member(s) of an affiliated local attending the CUPE Atlantic Regional Weeklong School.

In either case, the scholarship will be awarded on the basis of need.

A maximum of \$3,000.00 shall be allowed to accumulate in the scholarship fund at any one time.

ARTICLE 11 – AMENDMENT TO THE CONSTITUTION

This Constitution, or any of its clauses, may be amended at any regular convention by form of resolution, or Executive Committee recommendation by two-thirds majority vote of the delegates at such convention.

ARTICLE 12 – TIME CAPSULE

CUPE Newfoundland & Labrador will house the 50th Anniversary Time Capsule, created at the 2013 Annual CUPE Provincial Convention, at the St. John's CUPE Office.

ARTICLE 13 – NL NEW DEMOCRATIC PARTY

CUPE Newfoundland and Labrador shall maintain its affiliation to the NL New Democratic Party.

POLICY ON HARASSMENT

CUPE Newfoundland and Labrador believes that union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. We want a union that supports groups that have historically been the victims of unfair treatment or could be in the future. CUPE Newfoundland and Labrador recognizes that harassment in any form prevents CUPE members from participating equally at CUPE-sponsored events.

CUPE Newfoundland and Labrador believes that our union must create an environment at these functions in which every member is valued equally, and perceives themselves to be value equally, regardless of race, colour, ancestry, place of origin, gender, marital status, religion, sexual orientation, disability, age, criminal record, or political affiliation or activity.

CUPE Newfoundland and Labrador recommends, therefore, that the following action plan be adopted to confront harassment at CUPE functions. We also encourage locals to develop similar action policies and procedures. The action plan addresses four kinds of harassment, as defined here.

Sexual Harassment

Sexual harassment is any sexual advance that threatens a worker's job or well-being. It is often an expression of power made by someone in authority. Sexual harassment means being treated as a sex object rather than a person. It means being judged on physical attributes rather than skills, qualifications, and abilities. The key element differentiating harassment from flirtation, "friendly gestures", or kidding around is that harassment is not welcome, not mutual, and not equal.

Sexual harassment can also be defined as any repeated and unappreciated, or demeaning, sexual comments, looks, suggestions or physical contact that creates a negative psychological and emotional environment in the workplace or in the union. Sexual harassment is always demeaning, offensive, intimidating, embarrassing, and hurtful.

Sexual harassment does not include reasonable interaction between consenting parties.

Examples of sexual harassment include:

- verbal abuse;
- unwelcome remarks, jokes, innuendoes or taunting about a person's body, attire, age, marital status, etc.;
- displaying of pornographic, offensive or derogatory depictions, pictures, materials, or graffiti;

- practical jokes which ought reasonably to be known to cause embarrassment or humiliation;
- invitations or requests which are reasonably known to be as unwelcome – whether indirect, explicit or intimidating;
- leering or other gestures;
- demands for sexual favours
- unnecessary physical contact such as touching, patting, pinching, hugging, punching; and
- physical assault, up to and including rape.

Racial or Ethnic Harassment

Racial harassment refers to words or actions taken by one or more individual(s) against another which show disrespect or cause humiliation to another employees or union members because of their race, colour, creed, ancestry, place of origin, or ethnic origin. Racial harassment refers to destructive practices which, even in jest or when disguised as a joke, are derogatory and humiliating in their effect. Acts of harassment may be subtle or overt. But they are always demeaning, offensive, intimidating, embarrassing, and hurtful.

Examples of racial harassment include:

- slurs, gestures, name-calling, innuendoes, or taunts about an individual's racial or ethnic background;
- similar remarks about other racial groups made in the presence of another;
- unwelcome banter, "teasing" or jokes that are racially insulting or present stereotypical portrayals of racial or ethnic groups;
- displaying racist, derogatory or offensive pictures, materials, or graffiti;
- refusing to work with or even have contact with an employee on the job or in the union because of their racial or ethnic background;
- threats, intimidation, assaults, or any use of physical force or violence because of a member's racial or ethnic background.

Harassment on the Basis of Sexual Orientation

Many CUPE members and their families are discriminated against on the basis of their sexual orientation. This discrimination is rooted in homophobia.

Homophobia is a pervasive and irrational fear of homosexuality. Homophobia includes the fear heterosexuals have of any homosexual feelings within themselves, and any overt mannerisms or action that would suggest homosexuality, and the resulting desire to suppress or stamp out homosexuality. It also includes the self-hatred and self-denial of homosexuals who know what they are but have been taught all their lives by a heterosexual society that people like themselves are sick, sinful and criminal.

Harassment on the basis of sexual orientation can be defined as any comment, gesture or action directed at an individual's sexual preference or orientation. It is always demeaning, offensive, intimidating, embarrassing, and hurtful.

Examples of harassment on the basis of sexual orientation include:

- slurs, gestures, name-calling, innuendos, or taunts about a lesbian, gay, or bi-sexual co-worker or union member;
- unwelcome banter, "teasing" or jokes that set apart lesbians, gays, and bi-sexuals;
- displaying homophobic, derogatory or offensive depictions against lesbians, gays, and bi-sexuals;
- refusing to work with or even have contact with a lesbian, gay man, or bi-sexual;
- threats, intimidation, assaults, or any use of force or violence because of a person's sexual orientation.

Personal Harassment

Personal harassment can be as serious as the other types of harassment. Personal harassment can be defined as a pattern of derogatory remarks or actions about an individual's intelligence, competence, religious belief, age, physical appearance or other characteristics which creates a negative psychological and emotional environment in the workplace or in the union. Personal harassment is always demeaning, offensive, intimidating, embarrassing, and hurtful.

Examples of personal harassment include:

- verbal abuse
- unwelcome gestures;
- actions that invade the privacy or personal property of co-workers and union members;
- spreading unfounded or mis-informed rumours that unjustly damages a co-worker or union member's reputation; and
- condescension or paternalism that undermines self-confidence.

AN ACTION PLAN TO END HARASSMENT

In the Union

A provincial awareness and educational campaign will be conducted using union meetings, bulletins, special sections in union newsletters, forums, guest speakers, audio-visuals and anti-harassment courses.

A sufficient number of selected staff and members will be trained to serve as ombudspersons at labour schools, conferences, and conventions. A selection committee will determine criteria and choose individuals for training in consultation with the National Union. CUPE Newfoundland and Labrador Officers and Human Rights Committee members have the option of being involved in this process.

Ombudspersons would investigate and process harassment complaints. If appropriate, the ombudspersons would seek an informal resolution to the complaint. If the complainant requests support in the form of conciliation, the ombudspersons would seek resolution through a conciliation process. If informal resolution and conciliation cannot resolve the situation, then the ombudspersons would investigate the case and report to the table officers of CUPE Newfoundland and Labrador.

The selection committee will be composed of an officer of CUPE Newfoundland and Labrador, one staff representative, and one representative from CUPE Newfoundland and Labrador Human Rights Committee.

CUPE may invite the Newfoundland and Labrador Federation of Labour and its affiliates to participate in training sessions. This could widen the impact of our work while giving us additional resources and input to improve CUPE's action program.

The team of ombudspersons will have to be replenished from time to time. Annual training sessions for new members could be combined with a meeting of trained ombudspersons which evaluates the programs' operation.

CUPE Newfoundland and Labrador Executive may consider the use of a membership survey to support the awareness and education campaign against harassment. The Executive should consult CUPE National, the Canadian Labour Congress, and the Newfoundland and Labrador Federation of Labour on this matter.

CUPE Newfoundland and Labrador will make available through National Office harassment material for new members' orientation kits and meetings. This material includes the Harassment Awareness Kit and the Resource Kit on Co-Worker Sexual Harassment produced by the CUPE Human Rights Branch, materials produced by the Anti-Racism Office, the Rainbow Committee and the newly established National Pink Triangle Committee, and the appropriate CUPE policies.

CUPE Newfoundland and Labrador will read CUPE's Equality Statement at the beginning of each provincial CUPE event and distribute a copy of the Statement to all participants. CUPE Newfoundland and Labrador may also develop and distribute provincial material to assist CUPE locals in developing a harassment-free union and workplace.

CUPE Newfoundland and Labrador will ensure that a wide range of non-alcoholic beverages are available at all union hospitality events. Larger union events should include hospitality rooms or a common room where no alcohol is served. Individuals are responsible for their words and actions, but it is also recognized that substance abuse can increase the likelihood of harassment occurring.

CUPE Newfoundland and Labrador will encourage and support the education of CUPE staff, leadership, local union activists, and shop stewards on the different types of member to member harassment and work with CUPE National to provide training on how to deal with these forms of harassment and work towards the eradication of harassment within one union.

Within the Workplace

CUPE Newfoundland and Labrador will encourage Locals to:

- Bargain comprehensive no harassment clauses into collective agreements that include a detailed definition of harassment and its rationale, a sensitive grievance procedure, and a strong obligation on management to ensure a harassment –free working environment. A procedure for dealing with co-worker harassment should also be negotiated.
- Bargain no discrimination clauses that include no discrimination on the basis of race, sex, marital or family relations, sexual orientation, as well as other union-oriented protection.
- Bargain contract language to provide fully paid workplace awareness sessions jointly facilitated by the Union and the employer for union members and management at all levels.
- Bargain that a joint union and management committee develop resource material and a poster for wide workplace distribution to keep the workplace free from harassment in all its manifestations.

A workplace educational campaign would ensure that the membership is involved. This could begin following the education work with CUPE staff, leadership, and shop stewards. Staff representatives or appropriate CUPE Newfoundland and Labrador Executive members could then visit workplaces to explain what constitutes harassment, what a member can do if they are being harassed, and how and where those instigating harassment can seek help. This might also be accomplished by informed shop stewards.

In Society at Large

CUPE Newfoundland and Labrador can fight for women's, racial, personal equality and equality on the basis of sexual orientation. CUPE Newfoundland and Labrador can lobby for better legislative protection against harassment, lobby to have sexual orientation included in provincial human rights legislation under equality rights, work with coalitions, other unions, and non-union organizations striving for progressive change on these issues, and build a media campaign to combat harassment.

WHAT TO DO IF YOU ARE HARASSED AT A CUPE-SPONOSRED FUNCTION

This section assumes that an ombudsperson committee to deal with harassment incidents is in place at a CUPE function. If no committee exists, these complaints should be directed to a representative of the CUPE body responsible for the event; the CUPE Regional Director, or an identified member of the CUPE Newfoundland and Labrador Executive. Since different sections of CUPE may be responsible for the CUPE function, it is important that the individual(s) responsible for the event work with CUPE Newfoundland and Labrador.

There are four (4) distinct ways in which you might choose to respond to harassment. Ombudspersons can assist you in handling your complaint. If at all possible, try to resolve member to member harassment through informal resolution or conciliation with the confidentiality of all involved parties respected.

1) Informal Resolution

The ombudspersons will seek informal resolution where possible. The ombudspersons ensure that the alleged harassment will not be repeated. The complainant need not deal with the alleged harasser directly.

2) Conciliation

Conciliation is only an option if the complainant wishes it to take place. This alternative operates similarly to that of informal resolution except that the ombudspersons act as conciliators involved with both parties.

3) Formal Complaint

Should the alleged harassment fail to be resolved by the above processes, then the complainant may wish to lodge a formal complaint. This complaint would be fully investigated by ombudspersons who would then report to the President of CUPE Newfoundland and Labrador, the Human Rights Committee Liaison (officer of CUPE Newfoundland and Labrador), and a confidential report given to all other CUPE Newfoundland and Labrador officers for their consideration. The investigation would have full input from all parties concerned.

4) External Alternatives

Every effort should be made to ensure that there are sufficient resources and services to resolve harassment within our union. Situations may arise, however, where a victim of harassment may wish to consider external alternatives. For example, a case involving a CUPE staff person may need to be addressed through the collective agreements between CUPE and the staff unions. Complaints may be taken to the Newfoundland and Labrador Human Rights Commission. Charges may be laid under the Criminal Code.

IF YOU ARE A VICTIM OF HARASSMENT, THESE ARE SOME THINGS YOU CAN DO:

- Tell Someone – Inform the ombudsperson committee appointed to deal with complaints of harassment. Advise the committee if you know of others who have had similar problems with the harasser. If there is not a committee, approach a trained resource person such as your union representative or an elected union official.
- Say No – Tell the harasser(s) clearly that you do not welcome their actions, remarks, or suggestions. The most important thing you can do is to take some positive action to stop the harassment. Perhaps you will want to have an ombudsperson or a friend with you if you choose to confront the harasser.
 - The committee or individual will help you to resolve the conflict through available courses of action – informal or formal, internal or external, and possible methods of resolution. All such discussions will be treated with completed confidentiality by both the complainant and the resource person(s). The purpose of this is to attempt to resolve the complaint before it reaches the stage where a formal complaint is necessary.
- Document What Happened – Write down the date, time, location, names of witnesses when possible, how the person (people) whom you are alleging harassed you, approached you and how you responded. Record particulars of action of a speech in as thorough and detailed fashion as possible. If you suffer any adverse health problems or work or union-related problems as a result of the harassment, document them whether or not you can prove they are related to the harassment.

WHAT TO DO IF YOU ARE ACCUSED OF HARASSMENT AT A CUPE-SPONSORED FUNCTION

- Stop Your Actions or Speech – If you are told that your actions or speech is unwelcome and unwanted, then stop and listen. Remember, it is not up to you to define what is uncomfortable for another person.
- Try to Resolve the Complaint – You may be approached informally with concerns about alleged harassment. This is a good opportunity for both parties to resolve the incident in a positive manner. Confidentiality will be respected for all parties concerned.
- Document What Happened – Write down the date, time, location, names of witnesses when possible, and your interpretation of the incident.

APPENDIX “A”
RULES AND ORDER OF BUSINESS

The rules and order of business governing conventions shall be:

- 1) The President, in their absence or at their request, the Vice-President shall take the chair at the time specified, at all regular and special conventions. In the absence of both the President or their designated representative, a Chairperson shall be chosen by the Executive Committee.
- 2) No question of religious character shall be discussed.
- 3) When a delegate wishes to speak they shall proceed to one of the microphones provided for that purpose. When recognized by the Chairperson, they shall give their name and the organization they represent and shall confine their remarks to the question and issue.
- 4) Speeches shall be limited to five minutes except in moving motion when the delegate shall be allowed ten minutes.
- 5) A delegate shall not speak more than once upon a subject until all who wish to speak have had an opportunity to do so.
- 6) A delegate shall not interrupt another except it be to call a point of order.
- 7) If a delegate be called to order they shall, at the request of the Chairperson, take their seat until the question of order has been decided.
- 8) Should a delegate persist in unparliamentary conduct, the Chairperson will be compelled to name them and submit their conduct to the judgment of the convention. In such case the delegate whose conduct is in question should explain and then withdraw, and the Convention will determine what course to pursue in the matter.
- 9) When a question is put, the Chairperson after announcing the question shall ask, “Are you ready for the question?” If no delegate wishes to speak, the question shall be put.
- 10) Questions may be decided by a show of hands or a standing vote on the basis of one vote per delegate. A roll call vote may be demanded by two-thirds of the delegates present. In a roll call vote each delegate shall be entitled to one vote.
- 11) Two delegates may appeal the decision of the Chair. The Chairperson shall then put the question thus: “Shall the decision of the Chair be sustained?” The question shall not be debatable except that the Chairperson may make an explanation of their decision.
- 12) When the previous question is moved, no discussion or amendment to either motion is permitted. If the majority vote that “the question be now put”, the original motion has to be put without debate. If the motion to put the question is defeated, discussions will continue on the original motion.

- 13) Committees may combine resolutions or prepare a composite to cover the intent of the question at issue. Reports of Committee are not subject to amendment except as is acceptable to the committee, but a motion to refer back to the committee for reconsideration shall be in order.
- 14) A delegate shall not move a motion to refer back after they have spoken at the question at issue.
- 15) A motion to refer back is not debatable and when properly seconded the question shall be immediately put to the convention.
- 16) If the report of a committee is adopted it becomes the decision of the convention. If defeated it may be referred back to the Committee for reconsideration.
- 17) When a question is pending before the Convention, no motion shall be in order except – to refer – to adjourn for the previous question – to postpone for a definite time. If any of the foregoing motions is negated, it cannot be renewed until after an intermediate proceeding.
- 18) A motion may be reconsidered provided the mover of the motion to reconsider voted with the majority, and notice of motion is given for consideration at the next sitting, and said notice of motion is supported by two-thirds of the delegates qualified to vote.
- 19) The Executive Committee is empowered to establish the hours of Convention.

APPENDIX “B”

CUPE NEWFOUNDLAND & LABRADOR PUBLIC SECTOR COORDINATED BARGAINING PUBLIC RELATIONS FUND

Purpose

The sole purpose of the “CUPE Newfoundland and Labrador Public Sector Coordinated Bargaining Public Relations Fund” is to finance public relations campaigns directly related to public sector master bargaining.

Composition

The following CUPE Locals are members of the “CUPE Newfoundland and Labrador Public Sector Coordinated Bargaining Public Relations Fund”:

- 488 Western Memorial Hospital
- 879 St. Patrick’s Mercy Home/Glenbrook Lodge
- 1560 English School Board, St. John’s and Area
- 1860 Newfoundland & Labrador Housing
- 2033 English School Board, Marystown & Area
- 2212 English School Board, St. Anthony & Area
- 2329 Provincial Public Libraries
- 2543 Government House
- 3148 English School Board, Corner Brook & Area
- 4934 Bonne Bay Health Centre
- 4935 Bay St. George Long Term Care Centre
- 4936 Calder Health Centre
- 4937 LeGrow Health Care Centre
- 4938 Rufus Guincharde Health Care Centre
- 4939 Sir Thomas Roddick Hospital
- 5078 Child, Youth & Family Services

Assessments

As of June 1, 2010, the monthly assessment for the “CUPE Newfoundland and Labrador Public Sector Coordinated Bargaining Public Relations Fund” shall be \$0.25 per member per month.

Administration

The “CUPE Newfoundland and Labrador Public Sector Coordinated Bargaining Public Relations Fund” will be administered in the same manner as all other CUPE Newfoundland and Labrador accounts. The account will have three (3) signing authorities: President, Vice-President and Secretary-Treasurer of CUPE Newfoundland and Labrador and will be overseen by the Trustees Committee.

Meeting & Voting Procedure

There shall be a meeting of all Locals which are members of the “CUPE Newfoundland & Labrador Public Sector Coordinated Bargaining Public Relations Fund” at each CUPE Newfoundland and Labrador Division Convention. All delegates representing those Locals at the convention are entitled to attend. The CUPE Newfoundland and Labrador Secretary-Treasurer shall report to the meeting on the status of the fund.

The President may also from time to time call a meeting of all Locals which are members of the “CUPE Newfoundland and Labrador Public Sector Coordinated Bargaining Public Relations Fund”.

The minutes for every meeting will be recorded and maintained by the CUPE Newfoundland and Labrador Secretary-Treasurer.

Motions for consideration at meetings may be proposed by the Executive of CUPE Newfoundland and Labrador or by any of the constituent Locals.

Voting shall be a simple majority of all in attendance.

APPENDIX C

Code of Conduct

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our 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.

CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination, and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff, and elected officers to carry out our work. CUPE's expectation is that mutual respect, understanding, and co-operation will be the basis of all our interaction.

This Code of Conduct sets out standards of behaviour for participants at national convention, conferences, schools, meetings, and any other union events organized by CUPE National, CUPE Newfoundland and Labrador, or any other CUPE chartered body. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National and at events, meetings, and activities by other CUPE bodies. 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 CUPE members, staff, and elected officers, 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.**
- Take responsibility for not engaging in inappropriate behaviour due to use 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 the 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 them 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. A complaint shall be brought to the attention of an ombudsperson when there is one available. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
3. The ombudsperson or the person in charge will work to seek a resolution. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge. The person in charge has the authority to expel members from the event for serious or persistent offenses.
4. If the complaint involves a national staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another CUPE chartered organization, the complaint shall be referred to the person responsible for their employment.
5. If the person in charge is a party to the complaint, an alternate will be designated to assume the role.
6. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For other events, the presiding officer shall receive a report on the matter.
7. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member's participation in future events organized by CUPE National. For other events, the presiding officer shall consult the National President.

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 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 under Appendix F of the CUPE National Constitution.