



**CONSTITUTION AND BY-LAWS**  
**CANADIAN UNION OF PUBLIC EMPLOYEES**

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## **ARTICLE 1 - NAME**

This organization shall be known as the Nova Scotia Long Term Care Coordinating Committee and shall be under the auspices of CUPE Nova Scotia of the Canadian Union of Public Employees, hereinafter referred to as the "Committee".

## **ARTICLE 2 - PURPOSE**

The Committee shall determine its program of activity, which should provide for co-operation and unification of bargaining agendas and pinpoint the problems that are peculiar to that particular occupation with a view to having them dealt with further through the executive and C.U.P.E. Nova Scotia of C.U.P.E. The Regional Director shall appoint a coordinator to oversee and advise the committee.

## **ARTICLE 3 - OBJECTIVES**

The objectives of the Committee shall be:

- i) To unite long term care workers of Nova Scotia in coordinating and presenting common objectives and matters pertaining to long term care workers' locals and members;
- ii) To present, in writing, matters legal and legislative, of concern to long term care workers to C.U.P.E.'s regional legal and legislative officer and CUPE Nova Scotia;
- iii) To submit to the C.U.P.E. Co-Ordinator those matters referred to the Committee by the locals of long term care workers for the coordinator's consideration, advice and/or assistance;
- iv) To arrange any meetings that may be required with the Provincial Government or any of its departments or agencies;
- v) To encourage member locals who are not affiliated with CUPE Nova Scotia to do so;
- vi) To establish and maintain an up-to-date file of current long-term care collective agreements.
- vii) To assist in the organizing of unorganized Long-Term Care Facilities for Special Care Workers.

#### **ARTICLE 4 - MEMBERSHIP**

- (a) Membership in the Committee shall be open to all long-term care locals which are chartered by the Canadian Union of Public Employees. The Committee shall encourage all locals to affiliate to CUPE Nova Scotia.
- (b) The Committee shall not be dissolved where there is more than fifty (50) percent of the groups desirous of maintaining affiliation.

#### **ARTICLE 5 - MEMBERSHIP FEES**

- (a) The membership per capita shall be an amount equal to two percent (2%) of the point eight five percent (.85% of per capita local unions pay to National. This amount would be forwarded directly to the Secretary-Treasurer of the Committee.

#### **ARTICLE 6 - REPRESENTATION**

- (a) Representation from affiliates at meetings of the Committee shall be by two (2) delegates with full voting power.
- (b) Alternate delegates may be appointed or elected by each affiliate at the local level but shall only be allowed to vote in the absence of the regular voting delegate(s) from that affiliate.
- (c) Representation at meetings shall be based on the paid-up fund assessment to the meeting date. All dues must be paid up in full by the end of December of each year. If not paid the Local will not be able to attend Conference.
- (d) The Committee Executive shall attend meetings of the Committee with voice but without vote unless a delegate from an affiliate.

#### **ARTICLE 7 - OFFICERS**

- (a) The Officers of the Committee shall be a Chairperson, Vice-Chairperson, Recording Secretary, Secretary-Treasurer and three (3) Trustees. The three (3) Trustees not to be members of the Committees Executive.

(b) Each region shall select a representative and an alternate at the annual meeting held prior to the CUPE Nova Scotia Convention. The regions shall be comprised of the Locals serviced out of each C.U.P.E. office, i.e. Halifax, New Glasgow, Yarmouth and Sydney. The Alternates are not Officers and are only utilized on an ad hoc basis; only when the Area Vice-President cannot attend meetings/functions or assume the Area Vice-President position if it is vacated.

(c) Terms of Office:

Chairperson	Two (2) years - elected in even years
Secretary Treasurer	Two (2) years - elected in odd years
Vice-Chairperson	Two (2) years - elected in odd years
Recording-Secretary	Two (2) years - elected in even years
Trustees	- Three (3) years - Two (2) years - One (1) year
Four (4) Regional Members	Two (2) years - Sydney & Yarmouth elected in even years - New Glasgow & Halifax elected in odd years

## **ARTICLE 8 – DUTIES OF OFFICERS**

### **CHAIRPERSON**

- (i) The Chairperson shall preside at all meetings of the Committee, sign all orders on the treasury when ordered or authorized by the Committee, appoint all committees not otherwise constitutionally ordered, and transact such other business as may of right pertain to his/her office and which may be necessary for the proper functioning of the Committee.
- (ii) The chairperson shall be properly bonded with a faithful performance of duty bond. Such bond shall not be for less than \$50,000 and shall be approved by the National Secretary-Treasurer of the Canadian Union of Public Employees.
- (iii) The Chairperson shall sit ex officio on all sub-committees established by the Long Term Care Coordinating Committee. The Long Term Care Committee Chairperson shall sit on and chair the Provincial Bargaining Committee.

- (iv) Chairperson or designate will attend CUPE Nova Scotia Convention as a delegated from the Long Term Care Coordinating Committee and all costs will be covered by the Committee.

### **VICE-CHAIRPERSON**

The Vice-Chairperson shall perform the duties of the Chairperson in the absence of that officer, and, in case of the resignation or incapacity of the Chairperson, shall perform the duties of the Chairperson until such vacancy is filled. The Vice-Chairperson shall also preside when called upon by the Chairperson and at times when the Chairperson may be temporarily unable to discharge the duties. The Vice-Chairperson shall sign orders on the Treasury and approve expense vouchers as required and be bonded to the amount of \$50,000.

### **RECORDING-SECRETARY**

The Recording-Secretary shall maintain a correct, full and impartial record of the proceedings of each meeting of the Committee and all the meetings of the Committee Executive. This officer shall perform such other duties as the Committee or By-Laws directs.

### **SECRETARY-TREASURER**

The Treasurer shall keep all financial accounts of the Committee and shall maintain correct and proper accounts of all Committee affiliates. The Treasurer shall deposit all monies in a credit union or bank if no credit union is available. The Treasurer and any signing officers shall be bonded with a faithful performance of duty bond, which shall not be less than \$50,000 through the master bond held by the Canadian Union of Public Employees.

The Treasurer shall make a financial report at the Committee's Annual Meeting.

The Treasurer's report shall go out to the Long Term Care Coordinating Committee Executive quarterly. The Secretary-Treasurer must have the Financial Officers course or be willing to take the course as soon as possible after election.

### **AREA VICE-PRESIDENT**

- (i) Attend all Executive meetings and conference calls.
- (ii) Give a report at the annual conference.
- (iii) Attend Regional meetings in their area.

- (iv) Contact Locals in their area on a continual basis.
- (v) Report any concerns in their area.

### **TRUSTEES**

The Trustees shall examine the books and records of the Treasurer and inspect or examine all properties, bonds, and all other assets of the Committee yearly and shall report to the next Annual Meeting of the Committee following the end of each year on the conditions of the funds and accounts, together with such other information they may deem necessary to the efficient and honest administration of the Committee. They shall transmit a copy of such report to the National Secretary Treasurer of the Canadian Union. The three (3) year Trustee shall be required to attend the Financial Officers Course when it is offered in the area the Trustee is from.

### **ARTICLE 9 – MEETINGS**

- (a) The Committee shall hold its annual meeting prior to the CUPE Nova Scotia Convention each year. The duration of the meeting shall normally not exceed two (2) days.
- (b) The regional representative shall be responsible for setting up meetings in each region. Where possible the representative will be encouraged to conduct quarterly meetings. Representatives of the Committee Executive may attend regional meetings in an effort to keep locals in each region apprised of the provincial scene.
- (c) Registration fee for the Annual Meeting shall be one-hundred (\$100.00) dollars per delegate. A registration fee as set by the Committee Executive shall be charged for any special meetings or conferences.
- (d) Any table officers shall be entitled to attend the Long-Term Care Coordinating Conference until such time as their successors are elected. Chairperson, Vice-Chairperson, Secretary-Treasurer and Recording-Secretary shall be deemed to be delegates to the Conference with all rights and privileges.
- (e) Where possible, the Long-Term Care Coordinating Committee Executive, as a whole, must meet face-to-face at least once a year, and at least one conference call per year.
- (f) A one-day conference will be held in October of each year. The registration fee shall be fifty dollars (\$50.00) per delegate.



**ARTICLE 10 - EXPENDITURES**

The following annual out-of-pocket expenses will apply:

Chairperson	-	\$500.00
Vice-Chairperson	-	\$300.00
Treasurer	-	\$400.00
Recording-Secretary	-	\$300.00
Regional Member	-	\$150.00

It is the sole responsibility of the Long Term Care Coordinating Committee to cover expenses of the Provincial Bargaining Committee.

It is the sole responsibility of the Lead Home Local to cover their own expenses.

**Accommodation** – Actual cost of room, excludes charges for mini-bar, etc. The following provides a guide as to when accommodations would normally be appropriate:

<b>Distance (one way)</b>	<b>Meeting Start Time</b>	<b>Meeting End Time</b>	<b>Room</b>
Less than 90 kms			None
90-200 kms	10:00 a.m. or later	4:00 p.m. or sooner	None
90-200 kms	Before 10:00 a.m.		Night Before
90-200 kms		4:00 p.m. or after	Night After
201-400 kms	Before 1:00 p.m.		Night Before
201 – 400 kms		1:00 p.m. or after	Night After
More than 400 kms			Night Before and After

**Lost Wages** – In all cases, a dated letter from the Employer, on letterhead, stating that a member is missing a scheduled shift in order to attend to Union business must be presented.

If the Employer is covering lost wages and benefits on the payroll, a statement of lost wages must be submitted and payment will be made directly to the Employer or Union Local, if the Local is reimbursing to the Employer.

If the Employer is not covering lost wages, hourly rate times hours lost must be verified.

**Meals** – Meeting and travel time of four (4) hours or more is \$60.00. Meeting and travel time less than four (4) hours is \$30.00. Meals for Out of Province shall be seventy-five dollars (\$75.00).

**Mileage** – Mileage allowance will be reimbursed at the same rate as is in effect for CUPE National.

In cases where members qualify for accommodations the night before and/or after the meeting date, they shall be paid a meal allowance of \$30.00.

**Telephone** – Actual cost of long distance calls, plus tax. Does not include cost of Savings Plan. Prefer copy of phone bill, plus breakdown of calls – including who was called.

**Family Care Allowance** - Up to \$25.00 per day, shall be paid on verification of expense and shall only be applicable for days when not in receipt of lost wages.

Where possible, to cut costs, two members from the same area should travel in one vehicle, and share one double room.

**Bursary** – There shall be two (2) scholarships offered annually valued at \$250.00 each to honour our past member the Late Michael McNeil

**Individuals** planning enrolment at an accredited community college or post-secondary institution in the relevant academic year may make application. The successful applicant will be required to provide proof of registration.

**Eligibility** is based on CUPE Members that work either in a nursing home facility or a facility under the Department of Community Services and sons, daughters, legal wards and grandchildren.

**Basis of Awards** shall be the applicant's financial need and current ongoing volunteerism/social activism in his/her community.

**Application** must be completed and on the prescribed form and must be received by the Nova Scotia Long Term Care Committee, Secretary Treasurer, not later than May 1<sup>st</sup> each year. Supporting documents must be provided with the form in order for the application to be considered.

**Decisions** of the Long Term Care Executive will be final. The Long Term Care Committee assumes no responsibility for applications or supporting documents that may become lost, misdirected, or otherwise not received by the deadline. It is the applicant's sole responsibility to ensure that the application is prepared correctly, legibly and in a timely manner. Late submissions will not be considered. Consideration will be given to first time applicant's.

**Confidentiality** Member data is highly confidential and must be treated as such. The Long Term Care Committee will confirm that they will, at all times, keep confidential the affairs of the membership. The names of the successful applicant's will be announced at the annual conference.

All inquiries regarding the Scholarship should be directed to:

Janet MacDonald  
Secretary Treasurer, LTCCC  
2328 Lawrencetown Road  
Dartmouth, NS B2Z 1L6  
902-452-1592 (cell) janetmacdonald1@eastlink.ca

**Application Form: Part 1**

1. Name of Applicant:

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Last Name	First Name	Middle Initial
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2. Address:

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Street and Number	City/Town	Province	Postal Code
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3. Telephone Number:

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Home	Work	Other
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4. Post-Secondary Institution Attending:

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5. What degree/diploma do you plan to attend:

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6. How do you intend on financing your education? Check all applicable.

Student Financial Assistance     Family Support     Self     Other\*

\*Other – scholarships, bursaries, grants, awards, or other funding arrangements.

Please indicate the amounts of each:

\_\_\_\_\_

\_\_\_\_\_

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

**Application Form: Part 2**

1. Include an outline of your involvement in unpaid volunteer activities by providing a typewritten resume and cover letter describing your volunteerism/social activism, the length of service and time commitment.
2. Include a reference letter completed by an individual who is familiar with your volunteer or activism activities with full contact information included but is not related.

I certify that the foregoing statements and information is complete to the best of my knowledge and hereby give authorization to the Long Term Care Committee to verify any information given on this application.

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

## **ARTICLE 11 - ELECTIONS**

- (a) Nominations and Elections shall take place at the Committee's Annual Meeting.
- (b) To be eligible for election candidates must be accredited delegates to the Annual Meeting of the Committee or a member of the present executive.
- (c) Elections shall be by secret ballot and a presiding officer will appoint a returning officer and scrutineers to count the ballots. The successful candidate must be elected by a simple majority. (50% plus one)
- (d) When electing a Provincial Negotiating Committee, one person from each area, and one alternate, will be elected. You must work in a Nursing Home or represent members working in a Nursing Home to be eligible to be elected to the Nursing Home Provincial Negotiating Committee, and you must work in the Community Services group or represent members working in a Community Services group to be eligible to be elected to the Community Services Provincial Negotiating Committee. In order to run for this position, the nominated person's local must be paid up to date with per capita, pursuant to Article 6(c).
- (e) When a vacancy occurs the Co-Ordinator shall send out to each affiliated local notice of the vacant position and official nomination papers. Nominations shall be sent back to the Co-Ordinator within thirty (30) days of receipt of such notice. Two (2) ballots shall be sent out immediately by the Co-Ordinator to each affiliated local and must be returned within thirty (30) days of receipt of the ballots.
- (f) Any candidate may appeal for a re-count of votes for whichever office he or she was a candidate, providing that the request is made at the time of the elections.
- (g) Following the election, the successful candidates will come to the front of the hall and cite the following Oath of Office:

**"I \_\_\_\_\_ 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 the Canadian Union of Public Employees, and as an officer of this Council 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 of this Council in my possession to my duly elected successor in office.”**

\*\*\* THE TERM OF OFFICE OF ALL ELECTED OFFICERS SHALL COMMENCE IMMEDIATELY FOLLOWING THE ADJOURNMENT OF THE MEETING. \*\*\*

## **ARTICLE 12 – C.U.P.E. OFFICERS AND STAFF REPS**

C.U.P.E. Officers, National Executive Board members, C.U.P.E. Nova Scotia Officers and Staff Representatives may attend Committee meetings with voice but without vote.

## **ARTICLE 13 – BY-LAW AMENDMENTS**

These by-laws shall not be amended, added to, suspended except upon a majority vote of those present and voting at a regular or special membership meeting following seven days’ notice at a previous meeting or at least sixty days written notice. 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.

## **ARTICLE 14 – ORDER OF BUSINESS**

1. Call Meeting to Order
2. Approval of the Agenda
3. Roll Call of Officers
4. Reading of Minutes of Previous Meeting
5. Matters Arising out of Previous Minutes
6. Executive Officers Report
7. Correspondence and Bills
8. Treasurer’s Report
9. Reports of Committees

10. Report of Special and/or Ad Hoc Committees
11. Trustees Report
12. Reports of Affiliates
13. Unfinished Business
14. New Business
15. Nominations and Elections
16. Adjournment

## RULES OF ORDER

1. The President or, in his absence, the Vice-President, shall take the chair at all membership meetings. In the absence of both the President and Vice-President, the Recording Secretary shall act as President, and in his absence a President pro-tem 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 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 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 mover and 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 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 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 shall rise in his 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 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 thereof.
13. If a member, while speaking, is called to order, he shall cease speaking until the point is determined; if it is decided he is in order, he may again proceed.
14. No religious discussion shall be permitted.
15. The President shall take no part in 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.
16. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, he may in addition give a casting vote, or, if he 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 the previous question (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 an 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 and lost, shall not be in order again, if there is further business before the Local, until fifteen 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 same.
22. If any member wishes to challenge (appeal) a decision of the chair, he 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 challenge. The Chairperson may then state briefly the basis for his 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 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; and 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.