CONSTITUTIONAL AMMENDMENTS
FOR THE
SPECIAL MEMBERSHIP MEETING
ON
JANUARY 22nd, 2019
Section 3 INTERPRETATION AND DEFINITIONS

NEW

3.5 Active members are those members who are known to promote solidarity, or assist in coordinating union activities or contribute directly to the operation of our union. Examples of such members include, but are not limited to, shop stewards or those who serve on union committees.

Section 4 MEMBERSHIP MEETINGS – REGULAR AND SPECIAL

NEW

4.5 Active members who regularly attend general monthly meetings who, at times, are prohibited from doing so because of their work schedule can request to be marked as ‘present’. This request must be made prior to a membership meeting. Such requests will be subject to approval by the membership at the next scheduled membership meeting. If the member’s request is approved, it will not count towards quorum.

Section 6 OFFICERS

NEW

6.2 Executive Board members who are required to meet (as per Section 7.2) outside regularly scheduled working hours will receive a per diem of $35 prorated on a 7-hour day with a minimum per diem of $17.50. No per diems will be given for lunch hour (Mon – Fri 12-2 pm) meetings.

NEW

6.3 Trustees who are required to meet outside regularly scheduled working hours, in fulfilment of their duties (as per Section 8.9) will receive a per diem of $35.00 prorated on a 7-hour day with a minimum per diem of $17.50. No per diems will be given for lunch hour (Mon – Fri 12-2 pm) meetings.

8.1 The President shall:

Old Version

(d) have a vote on all matters (except appeals against their rulings) and in case of a tie vote in any matter, including elections, have the right to cast the deciding vote.

New Version

(d) have a vote on all matters (except appeals against their rulings) and in case of a tie vote in any matter, including elections, have the right to cast the deciding vote.
Section 8.2 The First Vice-Present shall:

Old Version

(a) If the President is absent or incapacitated, perform all duties of the President.

New Version (replace old version)

(a) If the President is on sick leave for 10 working days or more the First Vise-President shall be assigned, pending Departmental approval, as President with all accompanying compensation, perform all duties of the President. For sick leave less than 10 days and any other leave the President’s duties will be performed without compensation.

Section 9 – HONORARIA

OLD VERSION

9.1 The position of President shall be a paid full-time position on Band 10. The President will be placed on Band 10 as per our Collective Agreement, Section 21.12. Appendix b-1 shall also apply

9.2 All executive members except the President shall receive an honorarium. Honoraria shall be paid at the following rates:

3 Vice-Presidents -$250.00 per annum
Sergeant-at-Arms -$250.00 per annum
Secretary-Treasurer -$400.00 per annum
Secretaries (Recoding & Correspondence) -$400.00 per annum

9.3 Honoraria will be paid each December and is paid on a pro-rated basis for the months an executive member has served in the preceding 12 months.

Section 9 - HONORARIA INCIDENTALS

NEW VERSION

9.1 The position of President shall be a paid full-time position on Band 10. The President will be placed on Band 10 as per our Collective Agreement, Section 21.12. Appendix b-1 shall also apply

9.2 All unpaid executive members of the Executive Board except the President shall receive a payment for incidentals and shall be paid at the following rates:
President -$500.00 per annum
3 Vice-Presidents - $250.00 per annum
Secretary-Treasurer - $400.00 per annum
Recording Secretary - $400.00 per annum
Sergeant-at-Arms Membership Officer - $250.00 per annum

The intent of this clause is to prepare for the event where any paid positions are no longer full time paid.

9.3 Incidentals will be paid each December and is paid on a pro-rated basis for the months an executive member has served in the preceding 12 months.

Section 13 - DELEGATES TO CONFERENCES, CONVENTIONS, SCHOOLS AND SEMINARS

OLD VERSION
13.1 Except for the President’s option, Section 8(a), all delegates to conferences, conventions, schools and seminars shall be chosen by election at membership meetings and the decision of the membership shall be final. To be eligible to attend conferences, conventions, schools and seminars a member shall be in good standing. If a member cannot attend the meeting, they shall indicate in writing to the Education Committee prior to the meeting their willingness to stand. Interested members will be given an opportunity, if they so wish, to summarize their current union activity and involvement.

13.2  
(a) All St. John’s CUPE weekend schools shall be open to all St. John’s members who have not done the course within the last 3 years (or less, if there have been considerable changes to the course). Consideration will be given to granting permission for Corner Brook members to attend the St. John’s course if the course will not be offered within a year in Corner Brook.
(b) All Corner Brook CUPE weekend schools shall be open to all Corner Brook members who have not done the course within the last 3 ye given to Executive and Committee members wishing to attend a conference on issues relevant to their activity in the local.
(c) CUPE Weeklong Schools - members attending CUPE Weeklong schools must have been active in the union over the past year or intend to take on an active role after completion of a course. The member must have attended a minimum of 50% of the monthly meetings during the past 12 months to be eligible.
(d) Conferences - members attending conferences must be active in the union over the past year or intend to take an active role after the conference and they must have attended at least 50% of the monthly meetings during the past 12 months to be eligible. Preference will be given to Executive and Committee members wishing to attend a conference on issues relevant to their activity in the local.
(e) Conventions (other than the CUPE National Biennial Convention) - members attending conventions must have been active in the union over the past year or intend to take an active role after the convention and must have attended 50% of the monthly meetings during the past 12 months.
(f) CUPE National Biennial Convention - attendance as credentialed delegate shall be limited to Executive Committee members, except that, when the Executive members do not fill all the credentialed delegate positions, an election may be held to fill those outstanding positions. Furthermore, in the event
a recommendation is made to send an alternate &/or guest delegate(s) to the National Convention, there shall be an election to select the member(s) to attend from the general membership. The election shall be held in accordance with Section 13.1.

NEW VERSION

13.1 Except for the President’s option, Section 8 (a), all delegates to conferences, conventions, schools and seminars shall be chosen by election at membership meetings and the decision of the membership shall be final. To be eligible to attend conferences, conventions, schools and seminars a member shall be in good standing and take an active role (i.e. committee work) in the business of the Local. If a member cannot attend the meeting, they shall indicate in writing to the Education Committee prior to the meeting their willingness to stand. Interested members will be given an opportunity, if they so wish, to summarize their current union activity and involvement.

13.2 (a) All St. John’s CUPE weekend schools shall be open to all St. John’s members who have not done the course within the last 3 2 years (or less, if there have been considerable changes to the course). Consideration will be given to granting permission for Corner Brook members to attend the St. John’s course if the course will not be offered within a year in Corner Brook.

(b) All Corner Brook CUPE weekend schools shall be open to all Corner Brook members who have not done the course within the last 3 2 years (or less, if there have been considerable changes to the course). Consideration will be given to granting permission for St. John’s members to attend the Corner Brook course if the course will not be offered within a year in St. John’s.

(c) CUPE Weeklong Schools - members attending CUPE Weeklong schools must have been active in the union over the past year or intend to take on an active role after completion of a course. The member must have attended a minimum of 50% or 5 of the 9 general monthly meetings during the past 12 months to be eligible.

(d) Conferences - members attending conferences must be active in the union over the past year or intend to take an active role after the conference and they must have attended a minimum of 50% or 5 of the 9 general monthly meetings during the past 12 months to be eligible. Preference will be given to Executive and Committee members wishing to attend a conference on issues relevant to their activity in the local.

(e) Conventions (other than the CUPE National Biennial Convention) - members attending conventions must have been active in the union over the past year or intend to take an active role after the convention and must have attended a minimum of 50% or 5 of the 9 general monthly meetings during the past 12 months.

(f) CUPE National Biennial Convention - attendance as credentialed delegate shall be limited to Executive Committee members, except that, when the Executive members do not fill all the credentialed delegate positions, an election may be held to fill those outstanding positions. Furthermore, in the event a recommendation is made to send an alternate &/or guest delegate(s) to the National Convention, there shall be an election to select the member(s) to attend from the general membership. The election shall be held in accordance with Section 13.

Section 14.1 COMMITTEES

NEW

14.1 (i) The Negotiating Committee shall be entitled to a per diem of $35.00 per day when meeting with the Committee and/or when in negotiations with Memorial University.
14.2 STANDING COMMITTEES

OLD VERSION
(g) Scholarship Committee

1. It shall be the duty of this Committee to:

   (i) notify all members in a timely manner, by newsletter and email news list of the deadline for receiving applications for scholarship;
   (ii) supply and receive scholarship applications;
   (iii) review all applications and award ten (10) $1,000 scholarships based on the criteria set forth in section 17 of these by-laws;
   (iv) notify the executive board of the ten successful applicants and the name of their parent or spouse who is a member of the local one week prior to the May membership meeting;
   (v) notify the ten successful applicants and their parent or spouse, who is member of the local, that they have been awarded a CUPE Local 1615 scholarship. Also, to extend an invitation to same to the May membership meeting to receive their award and;
   (vi) notify unsuccessful applicants they may reapply in the future.

2. This committee shall be composed of 5 members, at least one of which shall be from Corner Brook. The committee shall appoint a secretary from among its members.

3. It shall be the duty of the secretary to maintain a file of all scholarship applications from each year, to be kept in the local’s office. It shall also be the duty of the committee’s secretary to keep a list of all scholarship winners for the past seven (7) years.

NEW VERSION
(g) Scholarship Award Committee

1. It shall be the duty of this Committee to:

   (i) notify all members in a timely manner, by newsletter, listserv and email news, social media, and listserv list of the deadline for receiving applications for scholarship award; all information pertaining to the scholarships awards and the application required.
   (ii) supply and receive scholarship award applications;
   (iii) review all applications and award ten (10) $1,000 scholarships awards based on the criteria set forth in section 17 of these bylaws;
   (iv) notify the executive board of the ten (10) successful applicants and the name of their parent or spouse who is a member of the local one week prior to the May membership meeting;
   (v) notify the ten successful applicants and their parent or spouse, who is a member of the local, that they have been awarded a CUPE Local
1615 scholarship award. Also, to extend an invitation to same to the May membership meeting
to receive their award and;
(vi) notify unsuccessful applicants they may reapply in the future.

2. This committee shall be composed of five (5) members, at least one of which shall be from Corner
Brook. The committee shall appoint a secretary from among its members.

3. It shall be the duty of the secretary to maintain a file of all scholarship award applications from each
year, to be kept in the local’s office. It shall also be the duty of the committee’s secretary to keep a list
of all scholarship award winners for the past seven (7) years.

Section 14 – STANDING COMMITTEES

OLD VERSION

(c) CUPE Cares Committee
1. It shall be the duty of this Committee:
(i) to have sent some token (flowers, fruit basket, book, etc.) of the Local’s concern and desire to help to
any member (active or retired) who is in hospital due to illness or confined to their home due to
illness for periods of two weeks or greater;
(ii) to send flowers (or other comparable gift) to members celebrating the birth/adoption of a child;
(iii) to extend the Local’s condolences; (i) to the family of a deceased Local member (active or retired)
and (ii) to a member (active or retired) upon the death of an immediate family member. Flowers or
charitable donation in accordance with the custom or wishes of the family shall express the Local’s
condolences. (Immediate family members shall include stepparents and stepchildren but not
grandparents, aunts, uncles or cousins.) and; (iv) to maintain a record of all gifts (flowers or otherwise)
and to whom they were sent. As well a record of all charitable donations and on whose behalf they were
made.
2. The Committee shall be composed of five members. There shall also be a CUPE Cares committee at
the Corner Brook campus comprised of two members.
3. For the purposes of this clause all floral arrangements shall be limited to $80.00, excluding delivery
charges; gifts and charitable donations shall be limited to $50.00.
4. For this Committee to fulfill its duty, it will be the responsibility of Local members to notify the
Committee when one of their fellow union members is affected by either of the above situations.

NEW VERSION

(c) CUPE Cares Committee
1. It shall be the duty of this Committee:
(i) to have sent some token (flowers, fruit basket, book, etc.) of the Local’s concern and desire to help to
any member (active or retired) who is in hospital due to illness or confined to their home due to
illness for periods of two weeks or greater;
(ii) to send flowers (or other comparable gift) to members celebrating the birth/adoption of a child;

(iii) to extend the Local’s condolences; (i) to the family of a deceased Local member (active or retired) and (ii) to a member (active or retired) upon the death of an immediate family member. Flowers or charitable donation in accordance with the custom or wishes of the family shall express the Local’s condolences. (Immediate family members shall include stepparents and stepchildren but not grandparents, aunts, uncles or cousins.). For non-immediate family members, the Local should send a card of condolence to the member and; (iv) to maintain a record of all gifts (flowers or otherwise) and to whom they were sent. As well a record of all charitable donations to all organizations and on whose behalf they were made. 

2. The Committee shall be composed of five members. There shall also be a CUPE Cares committee at the Corner Brook campus comprised of two members.

3. For the purposes of this clause all floral and fruit arrangements shall be limited to $80.00, excluding delivery charges; gifts and charitable donations to organizations shall be limited to $50.00.

4. For this Committee to fulfill its duty, it will be the responsibility of Local members to notify the Committee when one of their fellow union members is affected by either of the above situations 

Section 16 CUPE LOCAL 1615 STRIKE FUND

OLD VERSION

16.1 The purpose of this fund will be to finance strike actions against the employer and pay the members of the Local during the initial stages of a strike or lock-out. This fund can also be used to help Local members who are in extreme financial distress during a job action.

16.2 The CUPE LOCAL 1615 STRIKE FUND will be set up as a separate bank account to which the Secretary-Treasurer shall deposit 5% of all monthly membership dues or the amount in excess of 150,000.00 dollars that the Local has within its accounts, other than the Strike Fund account, as of December 31st of each calendar year, whichever is greater. The Secretary Treasurer, upon consultation with the membership, will conservatively invest a portion (or all) of this fund in term deposits or guaranteed investment certificates with the Newfoundland and Labrador credit union or any other provincially-registered financial institution.

16.3 Rules Governing THE CUPE LOCAL 1615 STRIKE FUND

(a) Strike action, for the purposes of this By-law, will be understood to include legal and wildcat strikes, as well as employer sponsored lockouts.

(b) The monies in this account cannot be used for any reason other than those associated with a strike action taken against the employer.

(c) Ninety (90%) percent of this fund is to be held in reserve for payment to the members of Local 1615. The remaining ten (10%) percent shall be used to finance any strike action.

(d) Members shall receive a payment of $400.00 on the seventh day after a strike commences and another on the fourteenth day of the strike. If the strike ends between the eighth and thirteenth day then members will receive a payment of $100.00 upon returning to work. In the event a strike does not last 7 days members will still receive the initial payment of $400.00.
Section 16 – CUPE LOCAL 1615 STRIKE FUND

NEW VERSION

16.1 The purpose of this fund will be to finance strike actions against the employer and pay the members of the Local during the initial stages of a strike or lockout. This fund can also be used to help Local members who are in extreme financial distress during a job action. From the first day of the strike or lockout CUPE National will pay $300.00 a week.

16.2 The CUPE LOCAL 1615 STRIKE FUND will be set up as a separate bank account to which the Secretary-Treasurer shall deposit 5% of all monthly membership dues or the amount in excess of 150,000.00 dollars that the Local has within its accounts, other than the Strike Fund account, as of December 31st of each calendar year, whichever is greater, if the Fund is less than $1,000,000.00. The Secretary-Treasurer, upon consultation with the membership, will conservatively invest a portion (or all) of this fund in term deposits or guaranteed investment certificates with the Newfoundland and Labrador credit union or any other provincially-registered financial institution.

16.3 Rules Governing THE CUPE LOCAL 1615 STRIKE FUND

(a) Strike action, for the purposes of this By-law, will be understood to include legal and wildcat strikes, as well as employer sponsored lock-outs.
(b) The monies in this account cannot be used for any reason other than those associated with a strike action taken against the employer.
(c) Ninety (90%) percent of this fund is to be held in reserve for payment to the members of Local 1615. The remaining ten (10%) percent shall be used to finance any strike action.
(d) Members shall receive a payment of $400.00 $150.00 on the seventh day after a strike commences and another on the fourteenth day of the strike. If the strike ends between the eighth and thirteenth day then members will receive a payment of $100.00 $150.00 upon returning to work. In the event a strike does not last 7 days members will still receive the initial payment of $400.00 $150.00.
(e) Monies paid to members, in the event of a strike, will be contingent upon the balance of the fund. If the balance of the fund cannot support section 16.3(d) then the benefits will be pro-rated.
(f) The balance of this fund will be capped to maintained at $1,000,000.00 $500,000.00. Once this cap has been reached no further monies will be deposited into it, until such time as the balance drops below this amount. The fund will continue to accrue interest after the cap has been reached. All interest accrued will be transferred into the Local’s operating/chequing account.

Section 17 SCHOLARSHIPS
OLD VERSION

17.1 Realizing the importance of Post-Secondary education the members of CUPE Local 1615 will award up to ten (10) scholarships, valued at $1,000.00, each year. The awarding of these scholarships will be on a competitive basis and open to the daughters, sons and spouses of current, honorary, retired and deceased members of CUPE Local 1615.

17.2 The granting of these scholarships will be decided by the Scholarship Committee based on the following regulations:
(a) only the daughters, sons and spouses of current, honorary, retired and deceased members of CUPE Local 1615 are eligible to receive scholarships. Eligibility will ultimately be decided by the Scholarship Committee, their decision shall be final;
(b) the competition will be open to students currently in full time attendance at any University or any programme (of at least two (2) years duration) at any other recognized post-secondary institution;
(c) in order for candidates to be considered they must have achieved an average of at least 65% in their previous full-time semester. As well, candidates must supply the committee with an official transcript with their application;
(d) the competition will be based on academic achievement only;
(e) no person shall receive more than one CUPE Local 1615 scholarship;
(f) of the ten scholarships available, six (6) will be reserved for Memorial University students, assuming at least six applicants meet the minimum requirements.

NEW VERSION

17.1 Realizing the importance of Post-Secondary education the members of CUPE Local 1615 will award up to ten (10) scholarships, valued at $1,000.00, each year. The awarding of these scholarships will be on a competitive basis and open to the daughters, sons, and spouses of current, honorary, retired and deceased members and the members themselves of CUPE Local 1615.

17.2 The granting of these scholarships will be decided by the Scholarship Award Committee based on the following regulations:
(a) only the daughters, sons and spouses of current, honorary, retired and deceased members of CUPE Local 1615 are eligible to receive scholarships. Eligibility will ultimately be decided by the Scholarship Award Committee; their decision shall be final;
(b) the competition will be open to students currently in full time attendance at any University or any programme (of at least two (2) years duration) at any other recognized post-secondary institution;
(c) in order for candidates to be considered they must have achieved an average of at least 65% in their previous full-time semester. As well, candidates must supply the committee with an official transcript with their application;
(d) the competition will be based on academic achievement only random selection as determined by the committee. The awards will be selected at the April general monthly meeting by the members of the Award Committee using a random selection process.

(e) no person shall receive more than one CUPE Local 1615 scholarship award;

(f) of the ten scholarships awards available, six (6) will be reserved for Memorial University students, assuming at least six applicants meet the minimum requirements.

Section 18 – GENERAL

OLD VERSION
18.1 Donations
(a) Within a fiscal year, the Local may spend up to a maximum of $5,000 donations to registered charities. Donations may be solicited by registered charities in writing or by Local union members soliciting on their behalf and voted on at regular membership meetings. Donations to individual registered charities shall be limited to a maximum of $200.00 each year. The Recording Secretary shall keep a running total of all donations to registered charities in the minutes of the regular monthly membership meetings.

(b) In instances where solicitations cannot be presented to a membership meeting the Board may approve such donations. All such decisions shall be presented to the next regular membership meeting.

(c) When presenting the minutes at the September membership meeting the Recording Secretary shall report to the membership the total of all donations awarded in the previous year. If the total is less than the budgeted $5,000.00 outlined in (a) above, the members present may vote to donate the remaining funds to charities; in this instance, no one charity shall be given more than allowed in 18.1(a).

(d) Strike appeals and donations to aid various local, national and international humanitarian effects in times of disaster shall not be constrained by (a) above and shall be entertained when they arise. No donation of this sort shall be greater than $1,000.00 without a written notice of motion.

NEW VERSION
18.1 Donations
(a) Within a fiscal year, the Local may spend up to a maximum of $5,000 donations to registered charities for the purpose of donations. Donations may be solicited by registered charities organizations in writing or by Local union members soliciting on their behalf and voted on at regular membership meetings. Donations to individual registered charities organizations shall be limited to a maximum of $200.00 to $250.00 each year. The Recording Secretary shall keep a running total of all donations to registered charities organizations in the minutes of the regular monthly membership meetings.
In instances where solicitations cannot be presented to a membership meeting the Board may approve such donations. All such decisions shall be presented to the next regular membership meeting.

When presenting the minutes at the September membership meeting the Recording Secretary shall report to the membership the total of all donations awarded in the previous year. If the total is less than the budgeted $5,000.00 outlined in (a) above, the members present may vote to donate the remaining funds to charities; in this instance, no one charity shall be given more than allowed in 18.1(a).

Strike appeals and donations to aid various local, national and international humanitarian effects in times of disaster shall not be constrained by (a) above and shall be entertained when they arise. No donation of this sort shall be greater than $1,000.00 without a written notice of motion approval from the membership.

Local members who sit on CUPE National or Division executives or committees shall be entitled to apply for advances from Local 1615 on out of pocket expenses from CUPE National or Division provided the Secretary-Treasurer is given at least 72 hours notice. The Secretary-Treasurer will be required to ensure all advances to members be collected and properly documented in accordance with good accounting practices.

NEW

18.5 RETIREMENT AWARD

Upon official notification of retirement, a member will be awarded a one-time amount of $200.00 for recognition for long standing service.

OLD VERSION

Names of Honorary Members shall be listed under this article in the CUPE Local 1615 constitution and those selected, even if deceased, will be granted all rights and privileges of this Local.

HONORARY MEMBERS
Eric Baggs
John Butters
Vivian Dawe
Helger Eckenweber
Morley Garrett
Bev Greene
John Haggas
Marcel Juteau
Dawn Learning
John Lewis
Mary McGrath
Paul Murphy
Mike Ryan
Peggy Sturge
Michael Sullivan
NEW VERSION
19.2 Names of Honorary Members shall be listed under this article in the CUPE Local 1615 constitution and those selected, even if deceased, will be granted all rights and privileges of this Local.

HONORARY MEMBERS
Eric Baggs
PATTI BRYANT
John Butters
Vivian Dawe
Helger Eckenweber
Morley Garrett
Bev Greene
John Haggas
LORRAINE JACKSON
Marcel Juteau
CAROL KENNEDY
Dawn Learning
John Lewis
Mary McGrath
MIKE MURPHY
Paul Murphy
FRANK PIPPY
JANE RYAN
Mike Ryan
Peggy Sturge
Michael Sullivan
Ralph Tapper
Teresa Toope
Irene Whitfield
Judy Winsor