



**CUPE ALBERTA DIVISION**

**CONSTITUTION**

**March 2023**

**CANADIAN UNION OF PUBLIC EMPLOYEES  
ALBERTA DIVISION CONSTITUTION  
TABLE OF CONTENTS**

---

|                                                                            |           |
|----------------------------------------------------------------------------|-----------|
| <b>PREAMBLE .....</b>                                                      | <b>2</b>  |
| <b>ARTICLE ONE – NAME .....</b>                                            | <b>2</b>  |
| <b>ARTICLE TWO – GOALS.....</b>                                            | <b>2</b>  |
| <b>ARTICLE THREE – MEMBERSHIP.....</b>                                     | <b>3</b>  |
| <b>ARTICLE FOUR – STRUCTURE .....</b>                                      | <b>3</b>  |
| <b>ARTICLE FIVE – ELECTIONS .....</b>                                      | <b>5</b>  |
| <b>ARTICLE SIX – DUTIES OF THE DIVISION EXECUTIVE AND TRUSTEE(S) .....</b> | <b>7</b>  |
| <b>Section 1 – President.....</b>                                          | <b>7</b>  |
| <b>Section 2 – General Vice Presidents .....</b>                           | <b>7</b>  |
| <b>Section 3 – Secretary Treasurer .....</b>                               | <b>8</b>  |
| <b>Section 4 – Recording Secretary .....</b>                               | <b>8</b>  |
| <b>Section 5 – Area Vice Presidents .....</b>                              | <b>9</b>  |
| <b>Section 6 – Diversity Vice President .....</b>                          | <b>9</b>  |
| <b>Section 7 – Young Workers Vice President .....</b>                      | <b>9</b>  |
| <b>Section 8 – Trustees .....</b>                                          | <b>10</b> |
| <b>Section 9 – Miscellaneous Expense Recovery .....</b>                    | <b>10</b> |
| <b>ARTICLE SEVEN – REVENUE .....</b>                                       | <b>11</b> |
| <b>ARTICLE EIGHT – INTERPRETATION.....</b>                                 | <b>12</b> |
| <b>ARTICLE NINE – CONVENTION .....</b>                                     | <b>12</b> |
| <b>ARTICLE TEN – AUDITING OF ACCOUNTS .....</b>                            | <b>14</b> |
| <b>ARTICLE ELEVEN – TRAVELING EXPENSES .....</b>                           | <b>14</b> |
| <b>ARTICLE TWELVE – INSURANCE .....</b>                                    | <b>15</b> |
| <b>ARTICLE THIRTEEN – RULES OF ORDER .....</b>                             | <b>15</b> |
| <b>ARTICLE FOURTEEN – EDUCATION FUNDING .....</b>                          | <b>15</b> |
| <b>Pat Lenihan Bursary .....</b>                                           | <b>15</b> |
| <b>Rick Malcolm Education Scholarship.....</b>                             | <b>15</b> |
| <b>ARTICLE FIFTEEN – COMMITTEES.....</b>                                   | <b>16</b> |
| <b>ARTICLE SIXTEEN – CHILD CARE AND EXPENSES .....</b>                     | <b>17</b> |
| <b>ARTICLE SEVENTEEN – SMALL LOCAL ASSISTANCE FUND.....</b>                | <b>18</b> |
| <b>ARTICLE EIGHTEEN – EXECUTIVE MEETING ATTENDANCE .....</b>               | <b>18</b> |
| <b>ARTICLE NINETEEN – PRESIDENT’S WAGES .....</b>                          | <b>18</b> |
| <b>APPENDIX ONE – CUPE CODE OF CONDUCT .....</b>                           | <b>19</b> |

**CANADIAN UNION OF PUBLIC EMPLOYEES  
ALBERTA DIVISION  
CONSTITUTION**

---

(Revised at the 73<sup>rd</sup> Annual Convention, Fort McMurray, Alberta)

***PREAMBLE***

**WHEREAS:** Public Employees in the Province of Alberta, are entitled to freedom of organization, full right of collective bargaining and economic security for themselves and their dependents, and

**WHEREAS:** For the attainment of these goals, all public employees, chartered by the Canadian Union of Public Employees, should be afforded every opportunity to unite in one body, for their common benefit, to protect the good and welfare and economic security of all their members.

**BE IT THEREFORE RESOLVED:**

That we in Provincial Convention assembled these days, March 22, 23 and 24, 2023, in the city of Fort McMurray in the Province of Alberta, amend the Constitution of the Central Provincial Body of Public Employees, as follows:

***ARTICLE ONE – NAME***

This organization shall be known as the "Canadian Union of Public Employees Alberta Division," hereinafter referred to as the "Division."

***ARTICLE TWO – GOALS***

**Section 1**

This Division is organized for the purpose of voicing and promoting the interest, needs and aspirations of its affiliates and provide them the fullest opportunity to participate in discussions relative to problems of economic and social security for all Public Employees, and their dependents, individually and collectively.

**Section 2**

This Division shall meet annually in convention to discuss, review, and determine the goals, policies, needs, and aspirations of its membership.

**Section 3**

This Division shall endeavour to promote the goals, and interests of its members by promoting suitable legislative measures at every level of government.

**Section 4**

This Division will oppose discrimination on the basis of age, ancestry, class (economic status), colour, creed, disability, family status, genetic characteristics, gender identity, gender expression, language, marital status (including single status), national or ethnic origin, place of

origin, political affiliation, race, record of offences, religion, sex (including pregnancy and breastfeeding) or sexual orientation and supports equal treatment of all individuals.

#### **Section 5**

The Division shall cooperate with all recognized labour organizations with similar goals and may form united fronts with similar minded organizations to assist in securing justice for all and shall promote and establish harmonious labour relations.

#### **Section 6**

This Division shall promote and protect the interests and welfare of each member, while cultivating feelings of friendship and goodwill of its members.

#### **Section 7**

This Division shall exercise its full role in the Labour Movement.

### ***ARTICLE THREE – MEMBERSHIP***

Any Union, District Council, Council of Unions or Provincial Council of Unions duly chartered by the CANADIAN UNION OF PUBLIC EMPLOYEES, within the Province of Alberta, shall be eligible for membership in this Division.

### ***ARTICLE FOUR – STRUCTURE***

#### **Section 1**

The Annual Convention shall be the Supreme Authority of this Division.

#### **Section 2**

The members of the Division Executive Committee are the President, General Vice Presidents, Secretary Treasurer, Recording Secretary, the Area Vice Presidents, one Young Workers Vice President and one Diversity Vice President. The Division Executive Committee shall govern this Division between Conventions.

Division Executive Committee quorum for transaction of business shall be 50% plus one.

Alternate Area Vice Presidents shall:

- a) be eligible to attend the first Division Executive meeting following Convention.
- b) attend one additional meeting within their area as determined by the Division Executive Committee prior to the next Convention.
- c) be entitled to voice but no vote unless the Area Vice President is absent.
- d) attend Division Executive meetings with voice and vote in the absence of their Area Vice President.

### Section 3

The Division shall be divided into the following areas for the purposes of geographical representation:

|               |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Peace River   | North of the 55th parallel to Alberta boundary, west to the British Columbia border and east to the 115th longitude.                                                                                                                                                                                                                                                                                                            |
| Fort McMurray | North of the 55th parallel to Alberta boundary, east to the Saskatchewan border and west to the 115th longitude.                                                                                                                                                                                                                                                                                                                |
| North West    | The area outside the Edmonton area, North to the 55th parallel, West of Highway #2 to the British Columbia border, South to the 53 <sup>rd</sup> parallel.                                                                                                                                                                                                                                                                      |
| North East    | The area outside of the Edmonton area, North to the 55th parallel, Highway #2 East to the Saskatchewan border Highway #2 South of Edmonton, North of Highway #26 and Highway #14 to the Saskatchewan border.                                                                                                                                                                                                                    |
| Edmonton Area | The area within the corporate limits of the City of Edmonton, along with St. Albert, Sherwood Park, Spruce Grove, Stony Plain, Leduc and Beaumont.                                                                                                                                                                                                                                                                              |
| Red Deer Area | South of Highway #26, and #14, but not including Highway #14, North of the 53 <sup>rd</sup> parallel to the 51 <sup>st</sup> parallel, East and West to the Provincial boundaries.                                                                                                                                                                                                                                              |
| Calgary Area  | The area within the corporate limits of the City of Calgary and Airdrie, East to Strathmore, South to Highway #817 and Highway #24, south to Highway #547 to Okotoks, Highway #7 to Highway #22 to Highway #758, straight West of Bragg Creek to the British Columbia border                                                                                                                                                    |
| Lethbridge    | South of Highway #547, South of Highway #7 to United States border, West of Highway#22, straight West of Bragg Creek to the British Columbia border, south of Highway #547, West of Highway #23, south of Highway #520, West of Highway #845 and #62. East and south of Mossleigh on Highway #23 to the 50th parallel, east to Highway #845 then south to the border, west to the B.C. boundary and north to the 51st parallel. |
| Medicine Hat  | 51 <sup>st</sup> parallel South to the United States Border, East to the Saskatchewan border, east of Highways#817, #24, #23, North on Highway #520 East on Highway #845, #62, #520 to the Saskatchewan border.                                                                                                                                                                                                                 |

Each area shall be represented by an Area Vice President and an Alternate both of whom shall be elected at Convention.

### Section 4

The President, General Vice Presidents, Secretary Treasurer, Recording Secretary, Diversity Vice President, and Young Worker Vice President shall be the Table Officers and shall administer this

Division when Convention and/or Division Executive Committee are not in session. Meetings of the Table Officers may be called at any time by the President. Four members shall constitute a quorum for the transaction of business.

## **ARTICLE FIVE – ELECTIONS**

### **Section 1**

Members of the Division Executive shall:

- a) Be members in good standing of duly chartered Locals of the Canadian Union of Public Employees affiliated to this Division; and shall
- b) be elected from delegates attending the Convention. Area and Alternate Area Vice President must reside in the area they represent. Young Workers Vice President must be no greater than 35 years of age.

### **Section 2**

In the election for the two General Vice Presidents positions:

- a) one shall represent Red Deer and north, the other shall represent the area south of Red Deer.
- b) At the time of the election, General Vice Presidential candidates must reside in the area they represent.

### **Section 3**

All members of the Division Executive Committee and the Alternate Area Vice Presidents shall be elected for a two-year term at Convention on the following basis:

|            |                                                                                                                                      |
|------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Odd Years  | President<br>Recording Secretary<br>General Vice President (South)<br>Alternate Area Vice Presidents<br>Young Workers Vice President |
| Even Years | Secretary Treasurer<br>General Vice President (North)<br>Area Vice Presidents<br>Diversity Vice President                            |

All elected officers take office at the close of Convention.

The Division shall fill a vacancy in the following manner:

- a) In the event of a vacancy, in the term of office of a Table Officer, the Division Executive shall have the power to fill the vacancy, by majority vote of all its Executive members, for the period up to the next Division Convention.
- b) In the event of a vacancy of the Diversity Vice President or Young Workers Vice

President positions, the Division Executive Committee shall seek nominations from the Affiliated District Councils and Affiliated Locals in the Province. The Executive shall fill the vacant position by majority vote of its Executive members for the period up to the next Division Convention.

- c) In the event of a vacancy of an Area Vice President or Alternate Area Vice President, the Division Executive Committee shall fill the vacancy, by majority vote of its members for the period up to the next Division Convention. Affiliated District Councils and Local Unions in the region shall be consulted as to nomination for replacement of an Area Vice President or Alternate Area Vice President.
- d) In the event of a vacancy of two (2) or more Trustees, the Division Executive Committee shall seek nominations from the Affiliated District Councils and Affiliated Locals in the Province. The Executive shall fill the vacant position by majority vote of its Executive members until the next Division Convention.

#### **Section 4**

One three (3) year term Trustee shall be elected at each Convention and, in the event of a vacancy occurring, additional Trustees may be elected to fill the unexpired terms.

#### **Section 5**

All elections shall be by secret vote either in person or electronically. To be elected, a candidate must receive more than 50% of the votes cast. In the event of a tie, the election shall be decided by subsequent vote(s). If no candidate receives a majority of votes cast, a second election will be held. The candidate who received the fewest votes from the first election will be removed from the second election. This process will continue until a candidate is elected by a majority of votes cast.

#### **Section 6**

The Division's nominee to the CUPE National Executive Board shall be elected at the Division Convention held in the odd year. The nominee shall attend the subsequent National Convention as a Division Delegate. Term of office for National Executive Board Member shall be governed by the National Constitution.

#### **Section 7**

If the Division President is elected as the General Vice President and has a delegate credential from CUPE National, the Division's nominee elected at the Division Convention as the Regional Vice President shall attend the national Convention as the delegate for CUPE Alberta.

#### **Section 8**

Delegates to other Provincial Division Conventions shall be appointed by the Division Executive Committee.

#### **Section 9**

Nominees for election to the Division Executive Committee allowing their names to go forward, shall, when nominated be asked if they are willing to take the oath as shown in this Constitution and to qualify must clearly reply in the affirmative to the following:

"Do you solemnly promise and declare that you will faithfully support and comply with the Constitution, goals, principles and policies of the Canadian Union of Public Employees, Alberta Division?"

### **Section 10**

A candidate who is elected to office must come forward to the front of the convention and clearly and audibly take this oath:

"I \_\_\_\_\_, promise to perform the duties of my office, as set out in the Constitution and laws of the Canadian Union of Public Employees, faithfully and to the best of my ability for the term of office. As an officer of the Canadian Union of Public Employees I will always promote the harmony and dignity of its sessions by council and example. I also promise to turn over all property of the Canadian Union of Public Employees to my successor at the end of my term."

## ***ARTICLE SIX – DUTIES OF THE DIVISION EXECUTIVE AND TRUSTEE(S)***

### **Section 1 – President**

#### **The President shall:**

- a) Preside at all meetings of the Division;
- b) Sign all cheques authorized by the Executive and transact any other business as may pertain to the office of President;
- c) Call four Executive meetings per year and such special meetings as are required. Meetings may be requested at any time by 50%, or more, of the Executive;
- d) Appoint committees not provided for in this Constitution;
- e) Ensure that all Division Executive perform their duties in accordance with the Constitution;
- f) Endeavour to promote legislation favourable to public employees;
- g) In case of emergency, select members to fill vacancies or unexpired terms of office;
- h) Have automatic delegate status for all Conventions and Conferences of this Division and the National C.U.P.E. Convention at Division expense.
- i) Convene the Executive, in the shortest possible time, following a vacancy in the position of Secretary Treasurer, for the purpose of filling such vacancy.

### **Section 2 – General Vice Presidents**

#### **The General Vice Presidents shall:**

- a) Assist the President in the performance of their duties;
- b) Preside at all meetings at the request of, or in the absence of, the President;
- c) Perform such duties as are assigned, from time to time, by the Division Executive;
- d) Have automatic delegate status at all Conventions and Conferences of this Division, at



Division expense;

- e) Maintain close liaison with the Area Vice Presidents, and their alternates, in the area they represent.

At the first Division Executive Committee meeting following Division Convention an election shall be held to determine which General Vice President shall be "First G.V.P." and which will be "Second G.V.P.". In the event that either the President's or Recording Secretary's position becomes vacant, the "First G.V.P." shall perform those duties until a successor is appointed or elected. In the event that the Secretary Treasurer's position becomes vacant, the "Second G.V.P." shall perform these duties until a successor is appointed or elected. In the event that a General Vice President's position becomes vacant the Division Executive Committee shall, by majority vote, fill the position until the next Convention.

### **Section 3 – Secretary Treasurer**

#### **The Secretary Treasurer shall:**

- a) Subject to Convention, Division Executive Committee and Presidential direction, be responsible for all financial matters and documentation;
- b) Keep and maintain a correct record of Division receipts and disbursements;
- c) Produce an up to date quarterly financial statement for each Executive meeting and a year end up to date financial statement for Convention;
- d) Keep no more than \$100,000 in the Division General account with all funds in excess transferred and held in secure interest earning investments;
- e) Pay all bills authorized by the Executive, with a cheque signed by the President or in an emergency situation a General Vice President and themselves;
- f) Keep the President and Executive Committee informed of all vital financial matters, including per capita tax arrears;
- g) Carry out the instructions of the Executive and, with the approval of the President, employ, direct, and fix compensation for all office help necessary for the proper functioning of the Division's Goals and Policies;
- h) Have automatic delegate status for all Conferences and Conventions of the Division, at Division expense;
- i) Be bonded, at Division expense, in such amount as may be determined from time to time by the Division Executive Committee.

### **Section 4 – Recording Secretary**

#### **The Recording Secretary shall:**

- a) Keep a correct, full and impartial record of Division Executive and Table Officers meetings;
- b) Be responsible for all official Division correspondence;

- c) Perform any such other duties as the Executive Committee or this Constitution may direct;
- d) Have automatic delegate status at all Division Conventions and conferences at Division expense;
- e) Convene the Executive, in the shortest possible time, following a vacancy in the position of President, for the purpose of filling such vacancy.

### **Section 5 – Area Vice Presidents**

#### **The Area Vice Presidents and their Alternates shall:**

- a) Maintain close liaison with CUPE Locals and District Councils in their area, keeping them informed of matters that may impact the general welfare of Public Employees in the Province;
- b) Submit a written report to each Division Executive Meeting outlining the present position of each local in their area regarding negotiations, grievances, classifications, and/or any other pertinent matters;
- c) When possible, attend all meetings of the Executive and delegate their Alternate if unable to attend;
- d) Serve on committees as required;
- e) Have access to the contact information that is provided by the locals for all Locals in their area.

### **Section 6 – Diversity Vice President**

#### **The Diversity Vice President shall:**

- a) Maintain close liaison with CUPE Locals and District Councils in Alberta, keeping them informed of matters that may impact the general welfare of Public Employees;
- b) Submit a written report to each Executive meeting outlining the present position of issues impacting Diversity groups and individuals in the province regarding negotiations, grievances, classification, legislation, and/or pertinent matters;
- c) When possible, attend all meetings of the Executive and serve on committees as required;
- d) Have automatic delegate status at all Division Conventions and conferences at Division expense;
- e) Have access to the contact information that is provided by the locals.

### **Section 7 – Young Workers Vice President**

#### **The Young Workers Vice President shall:**

- a) Work with Area Vice Presidents to distribute information to the locals/councils affiliated with CUPE Alberta and visit up to 12 locals per year, subject to the approval of the Executive Board;
- b) Work on committees as required;

- c) Recruit young CUPE workers to become active in their locals and CUPE Alberta;
- d) Inform and create dialogue with young workers;
- e) Submit a written report to each executive meeting outlining the current issues impacting young workers, steps to solve these issues and a general update to previous and future plans;
- f) Attend all meetings of the Executive, when possible;
- g) Have access to the contact information for all Local Presidents.
- h) Have automatic delegate status at all Division Conventions and conferences at Division expense.

**Section 8 – Trustees**

**The Trustee shall:**

- a) Examine the books and records of the Division
- b) Inspect and examine all properties, bonds, assets, and liabilities of the Division twice yearly. In the years when there is no change in the position of Secretary Treasurer, they will be examined annually;
- c) Report the results of those examinations to the Division Executive at the subsequent Executive meeting;
- d) Report to the Division Convention as to the financial status of Division funds, assets and liabilities;
- e) Include such other financial information or recommendations in their reports as they deem necessary.

**Section 9 – Miscellaneous Expense Recovery**

Members of the Division Executive shall be reimbursed for miscellaneous out of pocket expenses as the following:

| <b>POSITION</b>               | <b>PER MONTH</b> |
|-------------------------------|------------------|
| Secretary Treasurer           | \$550.00         |
| Recording Secretary           | \$550.00         |
| General Vice President        | \$250.00         |
| Diversity Vice President      | \$250.00         |
| Young Workers Vice President  | \$250.00         |
| Area Vice President           | \$200.00         |
| Alternate Area Vice President | \$100.00         |

## **ARTICLE SEVEN – REVENUE**

### **Section 1**

Revenue of the Division shall be derived from Per Capita, using the “Rand” formula paid monthly, no later than the last day of the following month. The Division Per Capita will be \$1.30 per member per month effective January 1, 2020. On August 1, 2022, Division Per Capita payments from Local Unions will become voluntary and payment of Per Capita will not be required to affiliate or remain affiliated to CUPE Alberta Division. Voluntary Per Capita paid by a Local Union will not exceed the January 1, 2020, rate. District Councils shall pay an annual Per Capita of \$50.00 on the first January of each year.

### **Section 2**

- a) \$0.95 of each per capita dollar collected shall be placed into General Revenue;
- b) \$0.05 of each dollar collected shall be placed into all Arbitration Accounts when that fund falls below \$50,000
- c) \$0.05 of each dollar collected shall be placed into the Small Local’s Assistance Account when the Arbitration Account reaches \$50,000.
- d) Interest revenue generated from these Accounts (Arbitration and Small Local Assistance) shall be allocated as follows: first to the Arbitration Account when below \$50,000, and thereafter to the Small Local Assistance Account.
- e) Any revenue in the Arbitration Account over \$50,000 will be transferred into the General Revenue Account.

### **Section 3**

- a) All Local Unions that are in arrears for 6 consecutive months in their Per Capita tax to CUPE Alberta shall be informed by a letter from the Secretary Treasurer that they are in arrears.
- b) Following this notification, should the dues not be paid by the end of the following month of notification of being in arrears, the Alberta Division Secretary Treasurer and President will schedule a meeting with the Secretary Treasurer and President of the Local and will advise the Division Executive Committee the outcome of this meeting.
- c) Following notification of the Division Executive Committee, the Secretary Treasurer shall notify both the President and the Secretary Treasurer of the Local in arrears that they may be suspended from CUPE Alberta for failing to pay their Per Capita tax owed unless payment is made in full within 15 days of notification.
- d) If payment is not made to CUPE Alberta within 15 days, the Local may be considered not in good standing and their membership may be suspended from CUPE Alberta.
- e) Should the Local Union wish to become a Local in good standing to CUPE Alberta following suspension, the terms and conditions shall be negotiated between the Division Executive Committee and the Local Union Executive Board.

Affiliated Locals involved in strike or lockout may seek a prorated reduction of Per Capita Tax from the Executive Committee based upon the number of days off work as a result of such strike or lockout.

## **ARTICLE EIGHT – INTERPRETATION**

- a) This Constitution, once adopted, shall not be altered, amended or revised except by Convention resolution duly approved by a clear two thirds of the accredited delegates attending that Convention.
- b) Constitutional Resolutions must be forwarded to the Recording Secretary at least *forty-five (45)* days prior to the Convention at which the resolution is to be presented. The Division Executive may submit Constitutional resolutions after the *forty-five (45)* day period with the concurrence of two thirds of the Convention delegates.
- c) The Division President has the sole authority to interpret this Constitution. The President’s decision may be appealed to the Division Executive Committee and to Convention.

## **ARTICLE NINE – CONVENTION**

### **Section 1**

Division Conventions shall be held annually with the Convention Call being distributed to affiliates ninety days in advance; facilities and time set by the Division Executive.

Delegates duplicate copy of their credential must be returned to Secretary Treasurer at least fifteen days prior to the Convention.

### **Section 2**

A quorum for the transaction of business is one-half of the registered delegates.

### **Section 3**

The Division President shall, in consultation with the Division Executive, appoint such committees as are necessary to conduct the affairs of the Convention. Those committees may be requested, by the Executive Committee, to meet, at Division expense, prior to the Convention, to consider those matters placed before them.

### **Section 4**

- a) Resolutions to be introduced for consideration at Convention shall be signed by the President and Recording Secretary of the affiliate and sent to the Division Recording Secretary no less than forty-five (45) days prior to the Convention.
- b) CUPE Alberta Division Occupational Groups and Standing Committees are also eligible to submit Resolutions for consideration at Convention. Date for submission of the resolutions will be determined by the Division Executive.

- c) Emergency resolutions can be submitted to the Division Convention Committees only if the resolution submitted is deemed by the Committee to be a new threat less than forty-five (45) days prior to Convention.
- d) Division Convention Committees may submit resolutions, at any time, for consideration with the concurrence of a majority of Convention delegates.

### **Section 5**

Delegates representing Locals to Division Conventions and Conferences must have their Local's Nationals and Division per capita fees paid up to the last per capita period preceding the Convention or Conference prior to being accredited. Delegates representing District Councils, Council of Unions or Provincial Councils of Unions must have their affiliation paid.

### **Section 6**

Staff employed by the Canadian Union of Public Employees shall be entitled to have voice but no vote at Division Conventions and Conferences.

### **Section 7**

The meeting site for the Division Convention may be rotated in the following order:

1. Red Deer
2. Grande Prairie
3. Lethbridge
4. Fort McMurray
5. Medicine Hat
6. Calgary
7. Edmonton

Any change or additions to this order must be approved by the CUPE Alberta Division Executive.

### **Section 8**

Representation to all Division Conventions shall be based upon the average membership over the preceding calendar year prior to the Convention as determined by Per Capita fees paid during that period. As of August 1, 2022, if Local Unions are not paying voluntary affiliation fees, representation to Division Convention shall be based upon the average membership over the preceding year prior to Convention as determined by the CUPE National Per Capita Tax paid by the Local Union during that period.

### **Section 9**

Affiliates chartered in the year of the Convention shall have their delegate entitlement based upon the Per Capita Fees paid for the period immediately prior to the Convention.

### **Section 10**

- a) Delegate entitlement shall be: two delegates for the first one hundred members and

one delegate for each additional hundred, or fraction thereof. Any chartered organization entitled to representation shall also be entitled to one registered alternate delegate permitted voice and vote only while replacing a delegate from the same chartered organization and while in possession of that delegate's badge. Affiliated District Councils, Council of Unions and Provincial Council of Unions shall each be entitled to two delegates. One executive member of a Division Occupational Group may have delegate status on behalf of the Committee if they are not delegates on behalf of their Local, District Council, Council of Unions, or Provincial Council of Unions.

- b) Delegate entitlement shall not be transferable between Locals.
- c) Alternate delegates attending Division Convention shall have the choice to be seated on the floor with the delegates.

### **Section 11**

The registration fee for the Alberta Division Convention is set by the Division Executive. Twenty dollars (\$20.00) of this fee shall be made available to the Hosting District Council to cover Convention expenses.

## ***ARTICLE TEN – AUDITING OF ACCOUNTS***

The Division books and financial records will be closed annually on December 31st and then audited by the Trustees as per Article 6, Section 8.

## ***ARTICLE ELEVEN – TRAVELING EXPENSES***

### **Section 1**

Table Officers, Division Executive members, and delegates working on behalf of the Division and meeting in the city/town of their residence or in a city/town within fifty (50) kilometres of their residence shall recover any wage loss and shall receive twenty-five dollars (\$25.00) per day for miscellaneous expenses. This section shall not apply to Full Time Table Officers.

### **Section 2**

Table Officers, Division Executive members and delegates working on behalf of the Division and meeting outside the city/town of their residence shall recover any wage loss and shall receive \$60.00 dollars per day for miscellaneous expenses, along with paid single accommodation and recovery of travel expenses as approved by the Division Executive Committee.

### **Section 3**

Table Officers, Division Executive members and delegates working on behalf of the Division and meeting outside the province of Alberta shall recover any wage loss and shall receive \$74.00 dollars per day for miscellaneous expenses, along with paid single accommodation and recovery of travel expense as approved by the Division Executive Committee.

## **ARTICLE TWELVE – INSURANCE**

All members of the Division Executive and its Committees shall be insured under coverage available to Union Officers through a master policy held by the Canadian Union of Public Employees, Ottawa.

## **ARTICLE THIRTEEN – RULES OF ORDER**

All rules and proceedings of debate shall be in accordance with Bourinot's Rules of Order.

## **ARTICLE FOURTEEN – EDUCATION FUNDING**

### **Pat Lenihan Bursary**

- a) One scholarship not exceeding \$1000.00, maintained from the General Revenue account of the Division, may be awarded each calendar year for assistance to a CUPE member of an affiliated Alberta Local in good standing with CUPE Alberta Division to attend Labour College.
- b) Applications shall be submitted to the Secretary Treasurer of the Division prior to the Labour College Program
- c) A letter of endorsement from their Local must accompany the application
- d) Any individual who has previously received this bursary from CUPE Alberta is exempt.
- e) The amount of any financial assistance for recipient shall be decided by the Executive Committee and all decisions will be final

### **Rick Malcolm Education Scholarship**

- a) One scholarship not exceeding \$1000.00, maintained from the General Revenue account of the Division, may be awarded each calendar year for a CUPE member of an affiliated Alberta Local in good standing with CUPE Alberta Division or a member of their immediate family who is pursuing post-secondary studies. Immediate family will be limited to spouse and children.
- b) The name of the member or of their immediate family member who is eligible must be submitted through their Local Union. A letter of endorsement from their Local must accompany the application.
- c) Any individual who has previously received this scholarship from CUPE Alberta is exempt.
- d) Applications will be submitted to the Secretary Treasurer of the Division by September 1<sup>st</sup> of each year and the scholarship will be awarded by December 31<sup>st</sup> of each year.
- e) Successful applicants will be required to provide proof of registration from an accredited post-secondary institution.



- f) The amount of any financial assistance for the recipient shall be decided by the Division Executive Committee and all decisions will be final.

All applicants must submit an essay of approximately 1,000 words on one of the following topics:

1. Why unions?
2. What Union membership means to me.
3. The importance of youth involvement in today's unions.
4. CUPE's contribution to Alberta.
5. Other

CUPE Alberta Division assumes no responsibility for any applications or supporting documentation lost, misdirected, or otherwise not received by the deadline. It is the applicant's sole responsibility to ensure that the application is made correctly, legibly and in a timely manner.

The name of the successful applicant and their essay will be published in official publications and/or on CUPE Alberta's website and a photo of the winner may be obtained by CUPE Alberta for this purpose.

## ***ARTICLE FIFTEEN – COMMITTEES***

### **Section 1**

The Division Executive Committee has the power to establish committees as they deem necessary. Committees shall be informed as to their duties and shall, upon request, report to the Division Executive. Committee members must be bona fide members of the Division and shall be appointed by the Executive.

### **Section 2**

The Chair of any Committee may request approval from the Table Officers to attend a Division Executive Meeting to discuss matters arising out of their Committee; such attendance shall be at the expense of the Division.

### **Section 3**

In even years Standing Committees will be appointed at the first Division Executive meeting held after the month in which the Alberta Division Convention is held. The Division Executive Board shall appoint, for a two year term, the following Standing Committees/Council as outlined in the Terms of Reference and a Division Executive member to act as a reporting liaison for each Committee/Council. The Division Executive liaison shall have voice but no vote on the Committee/Council.

1. Indigenous Council
2. Anti-Privatization/Political Action Committee

3. Pensions and Benefits Committee
4. Communication, Technology and Literacy Committee
5. Equality and Justice Committee
6. Environment and Health and Safety Committee
7. International Solidarity Committee

#### **Section 4**

CUPE Alberta Standing Committee meetings shall be approved by the Division Executive. Any other meetings shall be called through the CUPE Alberta Secretary Treasurer.

Each Committee shall submit copies of their minutes to the Recording Secretary of CUPE Alberta.

#### **Section 5**

A quorum shall be 50% plus one of the members on any Committee/Council. Quorum shall not include Division Executive liaison to the Committee/Council.

#### **Section 6**

The Division Executive reserves the right to dissolve, by a two thirds majority vote, any Committee established under this article. The provision of this section shall be subject to appeal at the next Division Convention.

#### **Section 7**

CUPE Alberta Division will allocate \$1000.00 per term to each CUPE Alberta Committee or Council to be shown as a line item in the budget.

### ***ARTICLE SIXTEEN – CHILD CARE AND EXPENSES***

#### **Section 1**

The Division may pay for and provide on-site child care for delegates and invited guests attending Division Conventions, Conferences, Committee meetings and the CUPE Alberta Week Long Schools. The Division Secretary Treasurer shall ensure that the Division and its Table Officers are protected against any legal action that may arise as a result of these services being offered by the Division.

#### **Section 2**

The Division shall reimburse delegates for off-site child/dependent care expenses, unless such expenses would have been normally incurred had the employee been performing their regular work shift.

Within one (1) month of the close of a Division sponsored function, delegates, through their Local Unions, may apply to the Canadian Union of Public Employees Alberta Division for reimbursement of receipted child/dependent care expenses to a maximum of \$100.00 per day per child/dependent.

Original receipts of payment from the care giver/facility must be provided with an accompanying letter from the Local Union verifying the costs, in addition to the "Child/Dependent Care" expense form provided by the Division Secretary Treasurer. To be eligible for Child Care Expenses the Local must be in good standing.

#### ***ARTICLE SEVENTEEN – SMALL LOCAL ASSISTANCE FUND***

The Division shall establish and maintain a fund to encourage small Locals to attend Division functions. Locals may access this fund in the following manner.

- a) The Division shall reimburse affiliated Locals of 100 members or less, 100% of the Local's cost for lost wages, hotel and transportation for two delegates to attend the Division Convention.
- b) Upon approval of the Division Executive, the Division may reimburse affiliated Locals of 100 members or less, 100% of the Local's cost for lost wages, hotel and transportation for two delegates to Division sponsored functions other than the Convention.
- c) Locals wishing to access these funds must make application, in writing, to the Division Secretary Treasurer prior to adjournment of the final day of the convention or other function.
- d) Should the Small Local Assistance Fund be unable to meet its financial obligations, funds shall be accessed from the Division General accounts.
- e) To be eligible for Small Local Assistance to a Division function the local must be in good standing.

#### ***ARTICLE EIGHTEEN – EXECUTIVE MEETING ATTENDANCE***

Should any Executive Committee member fail to attend two (2) Consecutive scheduled Executive Committee meetings which they are eligible to attend, without having submitted good and sufficient cause, their position shall be declared vacant and filled at the earliest convenience.

#### ***ARTICLE NINETEEN – PRESIDENT'S WAGES***

The President shall be a full time officer of CUPE Alberta.

Wages of the President shall be the same as the one year rate CUPE National Representative.

Further increase to the wage of the CUPE Alberta President shall be the same percentage increase as provided to the CUPE National Representatives.

The benefits and pension entitlement will be as per the Collective Agreement of the Local from which the CUPE Alberta President originates and will be calculated on the CUPE Alberta President's current wages.

## **APPENDIX ONE – CUPE CODE OF CONDUCT**

### **Code of Conduct**

The mandate of our union, the Canadian Union of Public Employees (CUPE) Alberta Division, 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 Alberta, 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.

