



**CANADIAN UNION OF
PUBLIC EMPLOYEES
LOCAL 1606**

BYLAWS

Approved by National: June 16, 2016

RO/gb/cope#491

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PREAMBLE

In order to improve the social and economic welfare of its members without regard to sex, color, race or creed, or sexual orientation to promote efficiency in public employment and to manifest its belief in the value of unity or organized labour, this Local of the Canadian Union of Public Employees (hereinafter referred to as CUPE) has been formed.

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

Section 1 - NAME

The name of the Local shall be: Canadian Union of Public Employees, Local 1606 - Buffalo Trail Regional Division No. 28.

Section 2 - OBJECTIVES

The objectives of the Local are to:

- a) secure adequate remuneration for work performed and generally advance the economic and social welfare of its members and of all workers;
- b) support CUPE in reaching the goals set out in the CUPE Constitution and the policies of the National Union;
- c) provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- d) encourage the settlement by negotiation and mediation, of all disputes between the members and their employers.

Section 3 - INTERPRETATION and DEFINITIONS

Masculine pronouns shall be understood to include the feminine gender.

Section 4 - MEMBERSHIP MEETINGS (Regular and Special)

- a) Regular membership meetings for the Local shall be held September, November, January, March and May. The May meeting shall be the Annual General Meeting of the Local. Meetings will be held the second Wednesday at 7:00 p.m.
- b) Special membership meetings may be ordered by the Executive Board or requested in writing by no fewer than eight (8). The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least twenty-four (24) hours notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.
- c) A quorum for the transaction of business at any regular or special meeting shall be eight (8), including at least three (3) members of the Executive Board.
- d) The order of business at regular membership meetings is as follows:
 - 1) Roll Call of Officers
 - 2) Reading of Equality Statement
 - 3) New Members and Initiation
 - 4) Reading of Minutes
 - 5) Matters Arising
 - 6) Treasurer's Report
 - 7) Communications and Bills
 - 8) Executive Board Reports
 - 9) Reports of Committees and Delegates
 - 10) Nominations, Elections or Installations
 - 11) Unfinished Business
 - 12) New Business
 - 13) Good of the Union
 - 14) Adjournment

Section 5 - VOTING OF FUNDS

Except for ordinary expenses, budgeted expenses and bills as approved at membership meetings no sum over two hundred dollars (\$200.00) shall be voted for the purpose of a grant or contribution to a member or any cause outside CUPE, except by Notice of Motion given in writing and dealt with at the following membership meeting.

Section 6 - OFFICERS

- a) The Officers of Local 1606 shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary, Membership Officer and three (3) Trustees.
- b) All officers shall be elected by the membership.

Section 7 - EXECUTIVE BOARD

- a) The Executive Board shall be made up of all officers, except Trustees.
- b) The Board shall meet monthly.
- c) A majority of the Board constitutes a quorum.
- d) The Executive Officers shall hold title to any real estate of the Local as trustees for the Local. They shall not have the right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposition to a membership meeting and having it approved. All officers authorized to sign on behalf of the Local shall be properly bonded as per the CUPE Constitution. All signing officers must qualify to be bonded. Any signing officers, who fail to qualify for the bond, shall be asked to resign their office.
- e) The Board shall do the work delegated to it by the Local and shall be held responsible for the proper and effective functioning of all committees.
- f) All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.
- g) Should any Board member fail to answer the roll of three (3) consecutive membership or three (3) consecutive executive meetings without good and sufficient reason, their office will be declared vacant and filled at the next meeting.

Section 8 – SHOP STEWARDS

Three (3) Shop Stewards will be elected annually.

The President of the Local Union shall act in the capacity of the Chief Shop Steward.

Section 9 – DUTIES of Officers

All Officers must give all properties, assets, funds and all records of the Local Union to their successors at the end of their term of office.

All signing Officers of Local 1606 shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority.

a) The President shall:

- enforce the CUPE Constitution and these Bylaws;
- preside at all membership and Executive Board meetings and preserve order;
- decide all points of order and procedure (subject always to the appeal of the membership);
- have a vote on all matters (except appeals against his rulings) Have the same right to vote as other members. In the case of a tie vote, the President may cast another vote or the President may refrain from casting an additional vote, in which case the motion is defeated.
- ensure that all officers perform their assigned duties;
- fill committee vacancies where elections are not provided for;
- introduce new members and conduct them through the initiation ceremony;
- sign all cheques and ensure that the Local's funds are used only as authorized or directed by the Constitution, Bylaws, or vote of the membership;
- be allowed necessary funds to reimburse himself or any officers for expenses, supported by vouchers and receipts, incurred on behalf of the Local;
- have first preference as a delegate to the CUPE National Convention and/or CUPE Alberta Convention-;
- be permitted sufficient book off time per month to be paid from the Local's funds to perform functions of the office. All book off time will be reported to the membership at the next Regular Meeting;
- on termination of office, surrender all books, records and other properties of the Local to his successor.

b) The Vice-President shall:

- if the President is absent or incapacitated, perform all duties of the President;
- if the office of President falls vacant, be Acting President until a new President is elected;
- render assistance to any member of the Board as directed by the Board;
- represent the members from the Buffalo Trail Regional Division-;
- maintain the Local's webpage;
- on termination of office, surrender all books, records and other properties of the Local to his successor.

c) The Recording Secretary shall:

- keep full, accurate and impartial account of the proceedings of all regular or special membership and Board meetings. These records must also include a copy of the full financial report presented at the Executive Board meetings and the written financial report presented at the general membership meetings by the Secretary-Treasurer. The record will include trustee reports;
- record all alterations in the Bylaws;
- answer correspondence and fulfill other secretarial duties as directed by the Board;
- file a copy of all letters sent out and keep on file all communications;
- prepare and distribute all circulars and notices for auditors and Trustees;
- preside over membership and Board meetings in the absence of both the President and Vice-President;
- be empowered, with the approval of the membership, to employ necessary stenographic or other assistance to be paid for out of the Local's funds;
- on termination of office, surrender all books, seals, and other properties of the Local to his successor.

d) The Secretary-Treasurer shall:

- receive all revenue, initiation fees, dues and assessment, and deposit promptly all money with a bank or Credit Union;
- prepare all CUPE National per capita tax forms and remit payment no later than the last day of each month;
- record all financial transactions in a manner acceptable to the Board in accordance with good accounting practices;
- pay no money unless supported by a voucher duly signed by the President and one other member of the Board or any two (2) other members of the Board, except that no voucher shall be required for payment of per capita fees to any organization to which the Local is affiliated;
- make all books available for inspection by the auditors and/or Trustees on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the trustees;
- Provide the Trustees with any information they may need to complete the audit report forms supplied by CUPE;
- be empowered, with the approval of the membership, to employ all necessary assistance to be paid for out of the Local's funds;
- sign all cheques and ensure that the Local Union's funds are used only as authorized or directed by the National Constitution, Local Union Bylaws, or vote of the membership. In consultation with the Executive Board, designate a signing officer during prolonged absences;
- be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every

disbursement made, receipts for all money sent to CUPE National, as well as, records and supporting documents for all income received by the Local Union;

- make a written financial report to each regular membership meeting, detailing all income and expenditures for the period;
- be bonded through the master bond held by CUPE National. Any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
- be permitted sufficient book off time per month to be paid from the Local's funds to perform function of the office. All book off time will be reported to the membership at the next Regular Meeting;
- on termination of office, surrender all books, records and other properties of the Local to his successor.

e) The Shop Steward shall:

- represent members in their assigned areas;
- report any complaints or grievances to the President and Vice-President;
- when available take Shop Steward courses, subject to membership approval;
- investigate a member's complaint or grievance;
- report grievance activities to regular membership meetings.

f) The Trustees shall:

- audit the books and accounts of the Secretary-Treasurer, the Recording Secretary and the Standing Committees at least once a calendar year;
- report their findings in writing to the first membership meeting following the completion of each audit;
- submit in writing to the President and Secretary-Treasurer, any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union's funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct and proper manner;
- be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- ensure that proper financial reports are made to the membership;
- audit the record of attendance;
- inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local, and report their findings to the membership;
- use audit forms supplied by the National Office and send a copy of each yearly audit to the National Secretary-Treasurer, as well as a copy of their report to the Local Union membership along with their recommendations and/or concerns to the President and Secretary-Treasurer of the Canadian Union of Public Employees, with a copy to the assigned servicing representative, in accordance with the provisions of the CUPE Constitution.

g) The Membership Officer shall:

- guard the inner door at membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the President and by consent of the members present;
- assist in maintaining the record of membership attendance at meetings;
- perform such other duties as may be assigned by the Executive from time to time.

Section 10 - OUT OF POCKET EXPENSES

Any CUPE member who is required to act on behalf of the members of the Local by attending meetings such as Joint Committee, Negotiations, Policy, Professional Development and Shop Stewards, who are performing their duties other than regular general union meetings, shall receive mileage for all kilometers travelled in their own personal vehicle outside of their home community. Such mileage will be paid at the same rate as presently paid by the Buffalo Trail Regional Division No. 28.

a) The following out-of-pocket expenses shall be paid once a year in May.

President	\$1,000.00
Vice-President	\$800.00
Recording Secretary	\$800.00
Secretary-Treasurer	\$1,000.00
Membership Officer	\$125.00
Shop Stewards (3)	\$100.00
Good and Welfare Committee (3)	\$100.00
Professional Development Committee (1)	\$100.00
Trustees (3)	\$100.00

b) All Executive members shall receive mileage for all kilometers travelled to general membership meetings held outside of their home community.

Section 11 - FEES, DUES and ASSESSMENTS

a) Initiation Fees

Each application for membership in the Local shall be directed to the Secretary-Treasurer and shall be accompanied by an initiation fee of two dollars (\$2.00), which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt.

b) The readmittance fee shall be \$2.00.

c) Monthly Dues

The monthly dues shall be 1.5% of straight time earnings. Changes in the levels of initiation fees, or monthly dues can be effected only by following the procedure for amendment of these Bylaws, with the additional provision that the vote must be by secret ballot.

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

Special assessments may be levied in accordance with the CUPE Constitution.

d) Non Payment of Dues and Assessments

A member who fails to pay dues and assessments for three months is automatically suspended from membership. The suspension will be reported to the Executive Board by the Secretary-Treasurer. The Executive Board will report all suspensions to the next membership meeting. The member may return to membership in good standing by paying a readmission fee and any other penalty set by the Local Union. The readmission fee cannot be less than the initiation fee of the Local Union.

A member who has been unemployed or unable to work because of sickness shall pay the readmission fee but may not be required to pay arrears.

Section 12 - NOMINATION, ELECTION and INSTALLATION OF OFFICERS

a) Nominations shall be received at the regular membership meeting held in the month of May. No nomination shall be accepted unless the member is in attendance at the meeting, or has allowed to be filed at the meeting, his consent in writing, duly witnessed by another member.

b) Elections:

- 1) The Executive Board shall determine the form of the ballot and ensure that sufficient quantities are made available.
- 2) The President shall appoint a balloting committee who shall be responsible for issuing, collecting and counting the ballots.
- 3) Candidates for office shall be entitled to appoint scrutineers to observe the counting of the ballots.
- 4) The voting shall take place at the Annual General meeting in May. The vote shall be by secret ballot.
- 5) Voting to fill one office shall be conducted and completed and recounts dealt with, before balloting may begin to fill another office.
- 6) A majority of the votes cast will be required before any candidate can be declared elected, and second and subsequent ballots will be taken if necessary to obtain a majority. On second and subsequent ballots, the candidate receiving the lowest number of votes in the previous ballot will be dropped.
- 7) In the event of a tie vote, a second and subsequent ballot(s) will be taken if necessary until a candidate receives a majority of votes cast and can be declared elected. In the event the tie vote persists, subsequent ballots may be deferred to the next membership meeting.
- 8) When two or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member's ballot will be declared spoiled.

- c) Installation:
- 1) All duly elected officers shall be installed at the meeting at which elections are held. Table officers of the Executive committee shall be elected for two year terms on the following basis: in even years (e.g. 2004, 2006) the president and treasurer, in odd years (e.g. 2005, 2007) vice-president and recording secretary. All other officers shall continue in office for one (1) year, or until such time as a successor has been elected and installed, provided however, that no term of office shall be longer than three (3) years.
 - 2) The terms of office for Trustees shall be as laid down in the CUPE Constitution.
- d) By-Elections

Should an office fall vacant pursuant to Section 7(g) of these Bylaws or for any other reason, the resulting by-elections should be conducted as closely as possible in conformity with this Section.

Section 13 - DELEGATES TO CONVENTIONS

- a) Except for the President's option (Section 9 a), all delegates to conventions, conferences and seminars shall be chosen by the Executive Board or election at membership meetings.
- b) All delegates elected to convention, conferences, and seminars held outside of the town in which they reside, shall be paid transportation expenses at the same rate presently paid by the Buffalo Trail Regional Division No. 28. A per diem allowance of **86.00** ~~\$60.00~~ per day for expenses plus hotel allowance, and an amount equal to any loss of salary incurred by attendance at the convention, conference, or seminar. All expenses must be verified by receipt.
- c) Any members required to attend meetings, hearings, or other union business on a non-work day and while in the performance of their elected office shall be paid the per diem allowance of **\$86.00** ~~\$60.00~~/day.
- d) All members attending Union functions are required to provide a report at the following general membership meeting. This report shall be in writing.

Section 14 – COMMITTEES

- a) **Negotiation Committee**

This shall be a special ad hoc committee established at least two (2) months prior to the expiry of the Local's Collective Agreement and automatically disbanded when the new Collective Agreement has been signed. The function of this

committee is to prepare collective bargaining proposals and to negotiate a collective agreement. The committee shall consist of the Local 1606 President and up to four (4) additional members elected at a membership meeting. The CUPE Representative assigned to the Local shall be a non-voting member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

Committee members shall be paid an annual out-of-pocket allowance of \$100.00.

b) **Standing Committees**

The Chairperson of each standing committee shall be elected by the members at the membership meeting. The Chairperson and the Executive Board may with the concurrence of the membership, jointly appoint other members to serve on a committee. The President shall be a member, ex-officio, of each committee. There shall be four (4) standing committees as follows:

1) **Shop Stewards**

There shall be three (3) Shop Stewards elected for the Local. Shop Stewards shall report to the Executive and the National Representative the status of grievance(s) one week prior to any regular or special meeting and at the membership meetings of the Local. Shop Stewards shall investigate and process all grievances not settled at the initial stage, with a copy to the CUPE Representative. Grievances must be in writing on the forms provided by the National Office and be signed by the complainant or complainants, as provided for in the Collective Agreement.

2) **Good and Welfare Committee**

The Committee shall comprise of three (3) members. This Committee may:

- (i) If a member is ill over three (3) days, send a gift on behalf of the Local Union not to exceed \$45.00.
- (ii) Extend the Local's condolences in the event of death of a member or one of their immediate family. The Committee shall make a donation to the family's charity of choice not to exceed \$75.00.
- (iii) Present farewell gifts as follows:
to any member who has been in the Local a minimum of five (5) years, a gift of \$10.00 per year shall be given when leaving the Buffalo Trail Regional Division #28.

They shall be reimbursed by the Local for expenses incurred in the performance of their duties.

3) **Joint Committee – shall be comprised of three (3) Executive members. The committee is established to provide a forum for Board and CUPE**

representatives to meet and discuss matters of mutual concern related to working conditions that are not part of the collective agreement. Additionally, the committee will strive to increase and improve communications between the Board and CUPE in order to resolve issues and concerns that may arise. Matters pertaining to negotiations or grievances are not part of this Committee's mandate, nor can the committee bind either part.

- 4) Professional Development Committee – The purpose of the committee is to provide a forum for the employer and union representatives to meet and discuss matters of mutual concern related to working conditions that are not part of the Collective agreement. The Committee shall be comprised of one (1) member elected by the membership. The PDF Committee liaises with the membership regarding the PDF Fund throughout the contract year in accordance with established guidelines, and is the primary contact person for members. One of the Committees tasks is to chair two meetings (September, and January). The purpose of each meeting is to assess and priorities the type of development requested by the membership and in conjunction with the Executive Board direction, the distribution of PDF funds (if applicable). The representative is elected for a one-year term at the Annual General Meeting of the membership.

Section 15 - RULES OF ORDER

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

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

Section 16 – AMENDMENT

- a) These Bylaws are always subordinate to the CUPE Constitution including Appendix “A” as it now exists or may be amended from time to time, and in the event of any conflict between these Bylaws and the CUPE Constitution, the latter shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President.
- b) The Local Union may, by a majority vote at a regular meeting, or at a special meeting called for that purpose, make such additional Bylaws as it may deem advisable, providing that at least seven (7) days notice at a previous meeting or at least sixty (60) days written notice has been given and further provided that such Bylaws do not conflict with the Constitution. The same shall not become

effective until approved by the National President of the Canadian Union of Public Employees. Such approval shall not be withheld unless there is conflict with the Constitution, and further that a decision on this matter shall be rendered within ninety (90) days.

APPENDIX "A" TO THE BYLAWS OF CUPE LOCAL 1606

RULES OF ORDER

1. The President will be the Chairperson at all membership meetings. In the absence of the President, the Vice-President will be the Chairperson at the membership meeting. In the absence of the President and Vice-President, the Recording Secretary will be the Chairperson at the membership meeting. In the absence of the President, Vice-President and Recording Secretary, members at the membership meeting will select a Chairperson by majority vote. Quorum rules must be met.
2. Members are not allowed to speak about an issue for more than five minutes. Members can only speak to an issue once unless there is agreement by the members at a meeting, or where all those wishing to speak have had the opportunity to speak.
3. The Chairperson of a committee who is making a report or the mover of a motion may speak for up to fifteen minutes. With the agreement of the members present, the fifteen minutes may be expanded.
4. The Chairperson will state every motion presented at a membership meeting before allowing debate on the motion. Before putting a motion to a vote, the Chairperson will ask: "Is the Local ready for the motion?" If no member rises to speak, the motion will be voted upon.
5. A motion must be moved and seconded. The mover and seconder must rise and be recognized by the Chairperson.
6. A motion to amend a motion, or a motion to amend an amendment are allowed, however a motion to amend an amendment to an amendment is not allowed.
7. An amendment to a motion or an amendment to an amendment to a motion that is a direct negative to the main motion is never permitted.
8. On motion, the regular order of business at a membership meeting may be suspended where two-thirds of those present vote to do so. The regular order of business should only be suspended to deal with urgent business.
9. Motions other than those named in Rule 19, or motions to accept or adopt the report of a committee, will, if requested by the Chairperson, be put in writing prior to beginning debate and vote.

10. At the request of a member, and upon a majority vote, a motion which contains more than one action or issue can be divided.
11. The mover of a motion can withdraw the motion upon the consent of the seconder prior to the end of debate. Once debate has ended on a motion, the motion can only be withdrawn upon unanimous vote of the members present.
12. A member who wishes to speak on a motion, or a member who wishes to move a motion, shall rise and respectfully address the Chairperson. The member shall not proceed until the member is recognized by the Chairperson except where the member rises to a point of order or on a question of privilege.
13. The Chairperson will keep a speakers list and in all cases will determine the order of speakers including those circumstances where two or more members rise to speak at the same time.
14. A member, while speaking, will speak only to the issue under debate. Members shall not personally attack other members. Members will refrain from using language that is offensive or in poor taste. Members will generally not speak in a manner that reflects poorly on the Local Union or other members.
15. A member that is called to order will stop speaking until the point of order is determined. If it is decided that the member is in order, then the member may continue speaking.
16. Religious discussion of any kind is not permitted.
17. The Chairperson will not take part in any debate. Where the Chairperson wishes to speak on a resolution or motion, or where the Chairperson wishes to move a motion, the Chairperson must rise from the chair and hand the chair over as outlined in Rule #1.
18. The Chairperson will have the same right to vote as other members. In the case of a tie vote, the Chairperson may cast another vote or the Chairperson may refrain from casting an additional vote, in which case the motion is defeated.
19. When a motion is before the members, no other motion is in order except a motion to
 - 1) adjourn;
 - 2) put the previous question;
 - 3) lay on the table;
 - 4) postpone for a definite time;
 - 5) refer; or
 - 6) divide or amend.

These six motions shall have precedence in the order indicated. Motions 1 through 3 shall be decided without debate.

20. The Chairperson will ask “Will the main question be now put?” where a motion for the previous question is moved and seconded. If approved, the Chairperson will then take votes on the motion and amendments to the motion (if any) in order of priority. If an amendment or an amendment to an amendment is approved, then members will be asked to vote on the motion as amended.
21. A motion to adjourn is in order except when a member is speaking or when members are voting.
22. A motion to adjourn, if lost, is not in order if there is further business before the Local Union, until fifteen minutes have elapsed.
23. After the Chairperson declares the vote results on a question, and before the Local Union proceeds to another order of business, any member can ask for a division. A standing vote on the division will be taken and the Recording Secretary will count the standing vote.
24. If a member wishes to appeal a decision of the Chairperson, the member must appeal at the time the decision is made. If the appeal is seconded, the member will be asked to state briefly the basis for the appeal. The Chairperson will then state briefly the reasons for the decision. Following immediately and without debate, the Chairperson will ask, “Will the decision of the chair be upheld?” A majority vote shall decide. In the event of a tie vote, the decision of the chair is upheld.
25. After a question has been decided, any two members who have voted with the majority can move reconsideration, provided that a motion for reconsideration is made at either the meeting where the decision proposed for reconsideration was made, or at the very next meeting.
26. Members are allowed to leave a meeting with the permission of the Vice-President; however in no case will a member leave during the reading of minutes, the initiation of new members, the installation of officers, or the taking of a vote.
27. The Local Union’s business and the proceedings of meetings are not to be divulged to any persons outside the Local Union, or the Canadian Union of Public Employees.