

Nov/79

CUPE: Facts from Constitution

Object: organization of workers, particularly in public service in Canada  
advance social, economic and general welfare of public employees  
defend and extend civil rights and liberties; preserve democratic trade unionism  
improve wages, working conditions, job security, other conditions  
etc.

Achieved by:

establishing co-operative relations between employers & -ees  
promoting required, desired legislation  
conducting educational programs to enlighten general public to probs. of pub. emp.  
organizing & supporting CUPE bodies, CLC bodies, international labour bodies

Jurisdiction:

Federal, Prov., Municipal, or local authority employees  
employees of public boards, commissions, or authorities at any level of govt.  
employees of hospitals, social or welfare agencies  
public utility employees  
other employee groups wishing CUPE membership, and legally recognized for certif.

Charters revoked:

by majority roll call vote at Convention  
National Executive Board may suspend local and charge Jurisdiction Committee  
to investigate such disputes; report to Natl. Exec. Bd.  
Natl. Exec. Bd. ruling final, binding, subject to ratification at Convention

Transferring Jurisdiction:

Locals may transfer all or part to another local, after special membership meeting  
of local transferring at which 2/3s members in attendance accept motion, and  
local receiving jurisdiction gains majority consent by similar procedure.  
Natl. Exec. then approves with seal to complete transfer

Merging Locals:

After due notice to members of both locals of special meeting, merging resolutions  
must pass by 2/3s in attendance at meeting of each local

Organization:

Provincial Division:

One per province; established after 10+ locals indicated desire; only chartered  
Locals or District Councils entitled membership  
has authority to make policy in addition to, not at variance with, CUPE policy  
assists Natl. Exec. Bd., officers, and staff with implementing policies

District Councils:

in any area of province, estab. when 5+ locals indicate desire  
co-ordinates activities of locals in area; assists Natl. Exec., etc., with policy

Service Division:

Natl. or Provincl.; estab. by Natl. Exec. Bd. (chrted by CUPE); one only per  
classification of service  
may act on behalf of or in place of locals in S.D., exercising rights of locals;  
establish S.D. by-laws; after approval of locals in S.D. and Natl. Exec. may  
enact or amend by-laws  
by-laws outline method of representation; policy-making; admin structures and  
bodies; determine number, qualifications, duties of officers, powers of  
officers, method of election or nomination; give S.D. power to levy per capita  
tax, to estab. procedure of setting amt. per capita tax, means of collection  
(may include per capita owed CUPE Natl.; power to convene S.D. meetings;  
power to dissolve S.D., means of disposing of assets;  
is subject to powers of control and supervision by Consitutn. of CUPE as any  
other CUPE body

(NO SERVICE DIVISIONS IN B.C.)



Organization (con't.)

Provincial Union:

Locals operating on provncl-wide basis may be chartered as Provncl. Unions  
has all rights, priveleges, obligations of Local  
have authority to make policy in addition to, not at variance with, CUPE policy

Provincial Council of Unions:

where possible by labour leg., and desirable for sole purpose of certification and  
colletive bargaining, may be chartered

Natl. Exec. Bd. makes or approves necessary rules & regs. governing operation of PC  
Councils of Unions:

for purpose of collective bargaining, and under authority of Natl. Exec. Bd., may  
be chartered

Natl. Exec. Bd powers: estab. Cncl. jurisdiction; approve by-laws; dissolve/revoke  
Provincial Occupational Grps:

estab. under aus. of Provncl. Divsn; to co-ord activities/programs of occptl. groups  
structure & by-laws subject to approval. of Natl. Exec. Bd.

locals not in Provncl. Divisin may join in Provncl. Occptl. Grp.

Structure of CUPE:

Convention; Natl. Exec. Bd.; Natl. Exec. Committee; Natl. Officers; Provincial Divi-  
sions; District Councils; Service Divisions; Provincial Unions; Local Unions  
no local, or body subordinate to CUPE or Natl. officers, empowered to act as agent  
of CUPE Natl. or bind CUPE, execpt with authorization of Natl. Pres./Sec./or  
Natl. Exec. Bd.

Convention:

bi-ennial; dlegates: 1 per 100 up to 200; 1 per next 300; 1 per next 500 up to 3000+  
Provncl. Divisin; Dist. Cncls; Service Divsns.; Councils get 1 delegate per body  
based on paid membership, including RAND formula members

Special conventions: by directn of regular conventn., by Natl. Exec. Bd., by request  
of majority of locals in CUPE; called within 30 days of request, giving 60 days  
notice; representatn as at regular conventn.

delegates must be members in good standing (officers must have been in gd. stdg.  
and under collective agreement when elected), and not life or honorary member

Natl. Exec. BD.

governing body CUPE outside of conventn.; composition: Natl. offcrs (Pres, S-T,  
5 Genl VPs, 10 Regional VPs elected by convention); meets min. 4 X per year;  
quorum = 1/2 Natl. Bd. ; action by majority vote; may conduct business by  
phone, telegraph or letter

powers: examine internal servicing facilities & requirements of locals, or other  
CUPE bodies, and where advisable return sufficient \$ to maintain internal  
servicing in lieu of direct assistance from CUPE personnel

-to conduct investigations of any body in cases of suspected corruption/domination,  
or activity or policy contrary to CUPE policy-then schedule hearing before  
Natl. Exec. Bd. if requested-make recommendations; may with 2/3s vote  
of Natl. Exec. Bd. place body under supervisn, trusteeship or suspension; this  
action appealable at next Convention

Natl. Pres. power, under emergency, to place body underadministrator, if also received  
substantive evidence from provncl. orgtn or need; decision subject to reviee  
by Natl. Exec. Committee; both subject to review by Natl. Exec. Bd. (body may  
make representatn at that meeting); if upheld, admin continues;  
admin. given full authority to conduct affairs and finances of body, subject  
to authority of Natl. Exec. Bd. and Natl. Pres.; for maximum 12 months, then  
either elections held, or re-appointed by Natl. Exec. Bd.

Note:---- also statement these provsns not designed to enroach on autonomy; intent to  
interpret in strict legal sense; actions always subject to appeal at Convention



CUPE Constitution con't.

Natl. Exec. Commtee:

Natl. Pres., S-T, and five general VPs; responsible when Natl. Exec. Bd. not meeting; meets just before mtgs of Natl. Exec. Bd. and min. halfway betwn such meetings; quorum: majority of commiittee; majority vote; may use phone, etc. for business in lieu of mtg. ; Natl. Offcrs. prepare agendas, etc.

National Officers:

Pres.: reprsnt CUPE, carry out policy; interpret constitution, preside Convention; report to Convention, etc.

Sec.-Treas.: chief admin. officer; all finances; budget; books & documents; invest surplus funds, secty. at Conventn; ensure bonding other officers; able to inspect all bodies' books; admin. per capita tax (arrears warning & suspension proceedings) ; forward list of salaries of officers and staff; forward local contracts

Officers have voice, no vote at all meetings of any body; hire staff; etc.; elected by majority vote at convention, etc.

Locals:

charte4ed by CUPE;

on dissolution, assets & funds revert to CUPE in trust until re-organized or local conforms with CUPE consitution and laws; otherwise delivered to CUPE may make by-laws not in conflict with Constitution or Service Dvsn by-laws

Per Capita Tax:

Provncl. Divsn fee: \$25.00 per year

Dist. Cncl.: \$5.00 per year; Service Divsn. \$10 per year

Per Capita:

monthly: all fulltime workers (including Rand) \$6

all parttime (incldg. Rand) \$3.30

breakdown: \$.80 to Natl. Defence Fund;

initiation fees: \$1.00 per member

Strikes/lockouts: if over 15 days may get whole or half dispensation on per capita

Other dispensations: possible during organizing periods; or when promote growth of union

General:

she = he in language

expect all bodies to affiliate with CLC bodies

Jan 180 \$6.60 per member per mo.

25¢ per member per mo → CLC  
80¢ to Nat'l Defence Fund

BC Brta per capita: 80¢ member per mo.  
regardless of full  
time/part time