



AIR CANADA COMPONENT OF CUPE BYLAWS

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Air Canada Component of CUPE Bylaws

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PREAMBLE – CUPE EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic or homophobic hurts and thereby divides us. So too, does discrimination on the basis of ability, age, class, religion, language and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff and elected officers must be mindful that all persons deserve dignity, equality and respect.

SECTION 1 – NAME and JURISDICTION

- 1.1** The name of this Component shall be the Air Canada Component of CUPE (hereinafter referred to as the "ACC").
- 1.2** The assets and property of the Component shall be governed by the laws of Ontario.
- 1.3** The ACC is a Component composed of all Locals chartered by the Canadian Union of Public Employees (hereinafter referred to as "CUPE") with members employed by Air Canada and is established pursuant to the CUPE Constitution and the Airline Service Division (hereinafter referred to as the "ASD") Bylaws.

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SECTION 2 – DUTIES and OBJECTIVES

The principal duties and objectives of the ACC shall be to:

- (a) Establish at all times the highest possible wage standards, job security, and conditions of employment for its members either through collective bargaining or through the medium of legislation or regulations affecting its members, which will protect and improve their employment conditions;
- (b) Work with its Locals to support CUPE in reaching the goals set out in Article II of the CUPE Constitution;
- (c) Provide an opportunity for its members to influence and shape their future through free democratic trade unionism;
- (d) Work on its own initiative and with CUPE, other Components and other unions and bodies, as applicable, domestically and internationally, to promote the membership's objectives, including representation of the member's interests before appropriate government agencies and bodies on legislative and regulatory issues affecting the union;
- (e) Promote a safe and healthy work environment for all members;
- (f) Negotiate the collective agreement covering its members;
- (g) Settle promptly all disputes and grievances, which may arise between its members and their employer, in accordance with procedures established in its Collective Agreement;
- (h) Proceed to arbitration, as applicable, to settle disputes and grievances between its members and their employer;
- (i) Administer and enforce the Collective Agreement, in conjunction with its Locals, in all other respects;
- (j) Inform regularly all ACC members on the matters affecting the union, including Component activities to fulfill union objectives;
- (k) Establish and maintain Component Committees in accordance with these Bylaws;
- (l) Receive and administer the union dues received from the employer in accordance with these Bylaws;

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- (m) Establish and approve a Component budget;
- (n) Pay, or cause to be paid, all properly substantiated expenses associated with the Component's activities;
- (o) Remit the specified budget shares for Locals in accordance with these Bylaws; and
- (p) Train and educate its union officers and members in accordance with the Component budget.

SECTION 3 - INTERPRETATION and DEFINITIONS

- 3.1** The English and the French texts of these Bylaws have equal force.
- 3.2** Masculine or feminine pronouns shall be understood to include all persons.
- 3.3** The Canadian Union of Public Employees shall be referred to as "CUPE".
- 3.4** The Air Canada Component of CUPE shall be referred to as the "ACC" and/or the "Component".
- 3.5** The earnings of the "highest earner of the bargaining unit in that month" is defined as income earned from flying hours and regular vacation only in the respective month. It shall include any Continuous Duty Day (CDD), Duty Overtime (DOT), Draft, Duty Period Guarantee (DPG), and Trip Hour Guarantee (THG).

For greater clarity, the earnings calculation shall exclude any profit sharing, bonuses, lumpsum payment, vacation backpay, timebank or backpay of any sort. Short term and long term special assignment are also excluded.

SECTION 4 – COMPONENT EXECUTIVE COMMITTEE

- 4.1** The ACC shall have a Component Executive Committee (hereinafter referred to as the "ACCEX").
- 4.2** The ACCEX shall be composed of the Component President, the Component Vice-President, the Component Secretary-Treasurer, and the Local Presidents.
- 4.3** Local Presidents may assign a Local Vice-President as their designate to meetings of the ACCEX.

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- 4.4** The ACCEX shall form the Component Negotiation Committee. The ACCEX may form a smaller Negotiating Committee if it so desires. All Collective Agreements shall be ratified by a Membership Referendum Vote in accordance with Appendix "B" of these Bylaws.
- 4.5** The ACCEX shall ensure that any major changes to the Collective Agreement recommended by the Component Negotiation Committee during the term of the Collective Agreement shall be ratified by a two-thirds (2/3) majority of all of the members of the ACCEX representing at least half (1/2) of the total membership. This Collective Agreement change will not take effect unless it is also subsequently ratified by a Membership Referendum Vote in accordance with Appendix "B" of these Bylaws.
- 4.6** The ACCEX shall meet as often as required but at least once quarterly. The Component President shall convene the ACCEX when requested by a majority of the ACCEX members. A two-thirds (2/3) majority of all of the members of the ACCEX representing at least half (1/2) of the total membership constitutes a quorum.

Additionally, during an election year, a transitional ACCEX meeting shall be held within thirty (30) days of the Component President taking office. The transitional ACCEX meeting shall comprise:

- The newly elected Officers of the Component; and
- The sitting Local Presidents (or designates).

The Component President shall also hold the first ACCEX meeting between fifteen (15) and thirty-five (35) days of the Local Presidents taking office.

- 4.7** Motions of the ACCEX shall only be carried when supported by a two-thirds (2/3) majority of all of the members of ACCEX representing at least half (1/2) of the total membership.
- 4.8** Should any ACCEX member fail to answer the roll call for four consecutive regular ACCEX meetings without having submitted good reasons for those absences or sent a designate, their office shall be declared vacant and shall be filled in accordance with these Bylaws.
- 4.9** Title to any real estate of the Component shall be held in trust by all three (3) of the Component President, Component Vice-President and Component Secretary-Treasurer. The right to sell, purchase, convey, or encumber any real estate held by the Component shall be ratified by a two-thirds (2/3) majority of all of the members of the ACCEX representing at least half (1/2) of the total membership and shall also be ratified by a Membership Referendum Vote in accordance with Appendix "B" of these Bylaws.

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SECTION 5 - COMPONENT OFFICERS

5.1 The Officers of the Component shall be the Component President, the Vice-President, the Secretary-Treasurer. All Component Officers shall be elected by the membership under the direction of the Component Tabulating Committee. Voting procedures shall be in accordance with Appendix "B" of these Bylaws.

5.2 Component Trustees. Three (3) Component Trustees shall be elected by the membership under the direction of the Component Tabulating Committee. Voting procedures shall be in accordance with Appendix "B" of these Bylaws

An Alternate Trustee position will be added to serve as one of the three (3) Trustees should any of the duly elected Trustees not be able to complete their duties as per 6.4.

The Alternate Trustee will be the candidate in the last election with the next highest vote count. If there is no candidate willing to perform the Trustee duties, the vacancy for the Alternate Trustee position shall be filled through the by-election process.

SECTION 6 - DUTIES OF COMPONENT OFFICERS

6.1 The Component President shall:

- (a) Be responsible for the conduct of the affairs and business of the Union at the Component, including the negotiation and enforcement of the Collective Agreement;
- (b) Preside over all meetings of the ACCEX;
- (c) Be the Chairperson of the Component Negotiation Committee and carry out all duties related with this function;
- (d) Have sole authority to interpret the Collective Agreement;
- (e) Have sole authority to interpret the Component Bylaws, subject to appeal to the National President of CUPE;
- (f) Ensure the proper handling of all grievances at the Component and/or arbitration levels;
- (g) Appoint and remove the Chairpersons of all Component Committees and ensure

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the proper functioning of all Component committees;

- (h) Be an ex officio member of each Component Committee;
- (i) Report on the administration of their office to meetings of the ACCEX;
- (j) Represent the Component at the Council of the Component Presidents meetings of the ASD (hereinafter referred to as the "Council"), or send their designate; and forward a report to each Local within twenty-one (21) days after any meeting; and
- (k) In combination with any Company paid flight release, receive a supplementary payment from the Union, in order to receive a total monthly pay of one dollar (\$1.00) more than the highest earner of the bargaining unit in that month.

6.2 The Component Vice-President shall:

- (a) Assist the Component President in their duties;
- (b) Replace the Component President in their absence;
- (c) Perform such duties as may from time to time be assigned by the Component President and/or the ACCEX;
- (d) Report on the administration of their office to meetings of the ACCEX; and
- (e) In combination with any Company paid flight release, receive a supplementary payment from the Union, in order to receive a total monthly pay equal to the highest earner of the bargaining unit in that month.

6.3 The Component Secretary-Treasurer shall:

- (a) Complete CUPE Financial Officer training within ninety (90) days of taking office if not already completed.
- (b) Be responsible for the supervision of the financial affairs of the Component;
- (c) Throughout their term, and on behalf of the Component membership, be responsible for maintaining, organizing, safeguarding and keeping files, supporting documents, authorizations, invoices and/or vouchers for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received;

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- (d) Receive all revenue, initiation fees, dues, and assessments and deposit promptly all money with a bank or credit union;
- (e) Prepare all CUPE National per capita forms as required and remit payment no later than the last day of the following month;
- (f) Be responsible for establishing and supervising proper accounting procedures in the receipt and disbursement of funds in accordance with these Component bylaws;
- (g) Prepare and submit to the ACCEX for approval a budget of the anticipated revenue and expenses of the Component for the fiscal year no later than ninety (90) days after the beginning of the same fiscal year;
- (h) Ensure that, except for ordinary expenses and budgeted expenses as approved at ACCEX meetings, no sum over five hundred (\$500.00) shall be spent for the purpose of a grant or contribution to a member or any cause outside CUPE, except by a notice of motion given in writing and dealt with at the following ACCEX meeting;
- (i) Ensure quarterly financial statements are prepared and submitted to the ACCEX;
- (j) Report on the administration of their office to meetings of the ACCEX;
- (k) Be in charge of books, documents, files and effects of the Component, which shall, at all times, be subject to inspection by the Component President;
- (l) Have the books audited by a qualified auditor annually and provide such audits to the Component Trustees, CUPE and the ACCEX;
- (m) Have the books audited by the Component Trustees and provide such Trustees' Reports to CUPE;
- (n) Make a full financial written report regularly to the ACC membership on the financial matters affecting the union;
- (o) Be bonded through the master bond held by CUPE and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office;
- (p) On termination of office, surrender all books, seals and other properties of the Component to their successor;
- (q) Keep an accurate, full and impartial record of each meeting of the ACCEX and

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any other meetings as may be deemed necessary and forward such records to members of the ACCEX within thirty (30) days after the meeting;

- (r) Record all duly approved alterations to the Component Bylaws and forward the amended Bylaws to the ACCEX within thirty (30) days of the alteration;
- (s) Audit the record of attendance to regular ACCEX meetings and submit same to the ACCEX annually;
- (t) Perform such duties as may from time to time be assigned by the Component President and/or the ACCEX.
- (u) If deemed a full time release by ACCEX, shall be compensated at one hundred and five (105) hours per block month to be paid at the same rate as the Component Vice-President; and
- (v) In combination with any Company paid flight release, receive a supplementary payment from the Union, in order to receive a total monthly pay equal to the highest earner of the bargaining unit in that month.

6.4 The Component Trustees shall:

- (a) Complete CUPE Financial Officer training within ninety (90) days of taking office if not already completed.
- (b) Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer and the Component Committees at least once every calendar year;
- (c) Make a written report of their findings to the ACCEX within thirty (30) days of the completion of each audit;
- (d) Submit in writing to the Component President and Component Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Component Union's funds, records, and accounts are being maintained by the Component Secretary-Treasurer in an organized, correct and proper manner;
- (e) Be responsible to ensure that monies are not paid out without proper constitutional authorization;
- (f) Ensure that proper financial reports are made to the membership;

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- (g) 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 Component, and report their findings to the CUPE and the ACCEX;
- (h) Not permitted to audit the book for any financial year in which they held signing authority for the Component. If such a conflict occurs the Trustee must recuse them self from that year's audit and shall be replaced by the Alternate Trustee; and
- (i) Send:
 - i. a copy of the completed audit report (on the prescribed form provided by the CUPE National Secretary-Treasurer),
 - ii. as well as a copy of their report to the ACCEX,
 - iii. a copy of their recommendations and/or concerns

to the Component President and the Component Secretary-Treasurer and the Component Secretary-Treasurer's response, to the CUPE National Secretary-Treasurer, with a copy to the assigned CUPE National Representative and to the membership.

SECTION 7 - EXPENSES

7.1 All Component paid flight releases and expenses must be authorized in advance by one of the Component President, Component Vice-President or Component Secretary-Treasurer. The Component President, Component Vice-President and/or Component Secretary-Treasurer can authorize expenditures in accordance with the Component budget and Component Expense Policy, as approved by the ACCEX. The Component Expense Policy shall be reviewed and maintained in tandem with the budget. Any expenses not included in the Component budget or Component Expense Policy must be authorized by the ACCEX before being incurred.

7.2 Pre-authorized expenses shall be paid as follows:

- (a) Meal allowances shall be in accordance with the Collective Agreement;
- (b) Car allowance shall be in accordance with the Canadian Revenue Agency (CRA) guide to a maximum daily cap of fifty (50km) kilometres, or transportation shall be reimbursed up to a maximum daily cap equal to that of the car allowance; and
- (c) Reasonable hotel, meeting and other expenses once properly substantiated.

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- 7.3** The Component shall only pay for flight release charges when the flight release has been requested by the Component President.
- 7.4** Any expenses submitted more than one hundred and eighty (180) days after being incurred will not be considered for payment by the ACC unless extenuating circumstances exist. In such events, an individual must provide in writing to ACCEX the reason for the delay. A motion shall then be presented to ACCEX and a decision will be communicated to the affected member.
- 7.5** All Component Officers expense claims submitted must be approved by the other two (2) Component Officers. The person who is submitting the expense claim must not have signing authority for their own expense form or their own expense cheque. The other two (2) Component Officers must sign the expense form and the cheque. In the event an Officer is unable to perform this duty, the ACCEX will appoint an interim replacement.
- 7.6** Any equipment purchased with Component funds shall remain with Component once the term is over and an individual has not been re-elected into the same position. At the end of the term, laptops and cell phones only, may be purchased at a depreciated value of twenty (20%) percent per year based on the original receipt price. All files related to the union contained within these devices must be surrendered to the union prior to purchasing.
- 7.7** To the extent possible, all hotel bookings shall be made via the Component. Any credit card rewards acquired on the Component credit card remain the property of the Component. When required to use a personal credit card to make bookings or purchases on behalf of the Component, those points shall remain with the card holder. Loyalty points, where not associated with a credit card, may be accumulated by the individual who is required to travel.

SECTION 8 - FEES, DUES, and ASSESSMENTS

- 8.1** Initiation Fee - The initiation fee of one dollar (\$1.00) shall be paid by the Local on behalf of the member to CUPE within thirty (30) days of the Local receiving a signed membership card from a new member.
- 8.2** Readmittance Fee – The readmittance fee of one dollar (\$1.00) shall be paid by the Local on behalf of the member to CUPE upon readmittance of the expelled member.
- 8.3** Monthly Dues and Remittances - The regular monthly dues of the members shall be one point five percent (1.5%) of their gross income. The ACC shall receive and

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collect all such monthly dues from the employer and remit the specified per capita to CUPE as required by the CUPE Constitution.

8.4 Local Budgets - The ACC shall remit the budget for each Local as follows:

8.4.1 Local Budgets:

The ACC shall remit the monthly budget for each Local. Three thousand, two hundred and fifty dollars (\$3,250.00) base amount plus eight dollars (\$8.00) per dues paying member.

The ACC shall remit an additional monthly budget for each Local with less than five hundred (500) members three thousand dollars (\$3,000.00) a month.

8.5 Changes - Changes in the levels of the Initiation Fee, Readmittance Fee or the Monthly Dues can be effected only by a Membership Referendum Vote in accordance with Appendix "B" of these Bylaws.

8.6 Special Assessments - Special Assessments may be levied in accordance with Article B.4.2 of the CUPE Constitution.

SECTION 9 - COMPONENT COMMITTEES

9.1 In accordance with Section 6.1(g), the Component President shall make the following appointments (and fill vacancies as required) to the membership of the established Component Committees below:

(a) Component ***PBS*** Committee:

- Chairperson(s),
- Additional members as required, and
- The PBS Committee Representative(s) from each local (as chosen by the Local President).

(b) Component ***EAP*** Committee:

- Chairperson(s), and
- Additional national EAP coordinators as required.

(c) Component ***Grievance*** Committee:

- Chairperson(s), and
- Additional members as required.

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- (d) Component **Health & Safety** Committee:
 - Chairperson(s),
 - Vice Chairperson(s) (as applicable), and
 - The Health & Safety Committee Chairperson and alternate from each Local (as chosen by the Local President).

- (e) Component **Hotel** Committee:
 - Chairperson(s), and
 - The Hotel Committee Representatives from each Local (as chosen by the Local President).

- (f) Component **Pension** Committee:
 - Chairperson(s), and
 - Additional members as required.

- (g) Component **WIP** Board of Trustees:
 - Chairperson(s), and
 - Additional members in accordance with the ACC Wage Indemnity Plan Trust Agreement.

- (h) Component **Worker's Compensation** Committee:
 - Chairperson(s), and
 - Additional members as required.

- (i) Component **Education** Committee:
 - Chairpersons(s), and
 - Additional members as required.

9.2 Special Ad Hoc Component Committees – Special Ad Hoc Component Committees may be established for a specified purpose and period by the ACCEX in accordance with Section 9.8 of these Bylaws. The Component President shall appoint the Chairperson of any such Special ad hoc Committee and any additional members as required.

9.3 The Component President shall appoint Component Committee Chairpersons and Committee members for an initial term of no more than two (2) years commencing from the date of the first ACCEX meeting following Component Officer Elections. Component Committee Chairpersons and members may be re-appointed to subsequent two (2) year terms.

9.4 The Component President shall fill Component Committee vacancies as expeditiously as possible.

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- 9.5** For each Component Committee under Sections 9.1 and 9.2, the ACCEX shall approve:
- (a) A specific mandate;
 - (b) A budget for each fiscal year for the Committee's activities;
 - (c) A method of regular reporting to the ACCEX; and
 - (d) A method of selection of additional committee members (if required).
- 9.6** All Component paid flight releases and expenses for Component Committees must be authorized in advance by one (1) of the Component President, Component Vice-President or Component Secretary-Treasurer. The Component President, Component Vice-President and/or Component Secretary-Treasurer can authorize expenditures in accordance with the Component budget as approved by the ACCEX. Any expenses not included in the Component budget must be authorized by the ACCEX before being incurred. Each Component Committee member shall be reimbursed for their expenses in accordance with Section 7 of the Bylaws from the respective Component Committee budget.
- 9.7** Component Committee members shall report to their respective Component Committee Chairpersons when carrying out assigned Component Committee responsibilities.
- 9.8** Any member of the ACCEX at any ACCEX meeting may make a motion to establish a new or disband an existing Component Committee or a Special ad hoc Component Committee.

SECTION 10 - LOCALS

- 10.1** The principal duties and objectives of the ACC Locals are as detailed in Appendix E.2.1.
- 10.2** Each Local shall have Local Bylaws that are consistent with Appendix "E" attached to and forming an integral part of the Component Bylaws.
- 10.3** Locals may enact additional Local Bylaws as they deem necessary provided that such Local Bylaws are consistent with the ACC Component Bylaws, Appendix "E" of the Component Bylaws and the CUPE Constitution. Local Bylaws shall be subject to the approval of the National President before being applied.

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10.4 As of 2016, the Locals shall have the following Vice-President complement: Local 4094 = 8, Local 4095 = 3, Local 4091 = 5, Local 4092 = 8, Local 4098 = 1 (Base Vice-Presidents for Local 4098 will be pursuant to the Local Bylaws). Pursuant to E.6.1 and E.14.2, Locals may change the above Vice-President complements by enacting Local Bylaws.

SECTION 11 - ELECTIONS

11.1 Component Elections shall be held in accordance with Appendix "B" attached to and forming an integral part of these Bylaws.

11.2 Local Elections shall be held in accordance with Appendix "C" attached to and forming an integral part of these Bylaws.

11.3 Appeals of Component and Local elections shall be handled in accordance with Appendix "D" attached to and forming an integral part of these Bylaws.

SECTION 12 - DELEGATES to the ASD CONFERENCE & the CUPE CONVENTION

12.1 An ASD Conference shall be held every two (2) years immediately preceding the CUPE National Convention.

12.2 Representation from each Local for delegates to the ASD Conference and the CUPE Convention shall be in accordance with the CUPE Constitution.

12.3 Representation at the ASD Conference and CUPE Convention shall be based on the paid up membership, including Rand Formula payees, averaged over the last twelve (12) months before the CUPE Convention call is sent out.

12.4 All members of the ACCEX shall automatically be deemed part of their respective delegate entitlement from their Local and shall not require being elected as a delegate. Any additional Local delegates, if applicable, shall be elected in accordance with Appendix "C" of these Bylaws.

12.5 Expenses to attend the ASD Conference and CUPE Convention for the automatic delegates who are members of the ACCEX shall be pre-approved by the ACCEX and paid from the Component budget. Each Local shall pay the expenses from their Local budget for all other Local delegates.

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SECTION 13 - PROCEDURE to AMEND COMPONENT BYLAWS

- 13.1** These Component Bylaws are always subordinate to the CUPE Constitution as it now exists or may be amended from time to time, and in the event of any conflict between these Component Bylaws and the CUPE Constitution, the CUPE Constitution shall govern. Constitutional interpretation, including determination of conflict, is the prerogative of the National President of CUPE.
- 13.2** In the event of any conflict between these Component Bylaws and the ASD Bylaws and/or Local Bylaws, these Component Bylaws shall govern. Component Bylaw interpretation, including determination of conflict, is the prerogative of the Component President, subject to appeal to the National President of CUPE.
- 13.3** These Component Bylaws shall only be amended, added to, or suspended upon a Membership Referendum Vote in accordance with Appendix "B" of these Bylaws.
- 13.4** No change in these Bylaws shall be valid and take effect until approved by the National President of CUPE. The validity date of the change shall be the date of approval by the National President of CUPE.

SECTION 14 - SPECIAL ASSIGNMENT PERSONNEL

As Special Assignment is defined as quasi-management in the Collective Agreement, any member who is on a Special Assignment shall continue to pay dues and be eligible for voting but must resign from any CUPE position and shall not be eligible for nomination or appointment to any office or Committee in the Union. They shall not be eligible to attend meetings of the Union except with the approval of a majority of the members at such meetings.

SECTION 15 - TRIALS

All charges against a member and/or a union officer must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.

SECTION 16 - RULES OF ORDER

- 16.1** All meetings of the ACC and of its Locals 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".

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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.

- 16.2** 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.

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APPENDIX "A"
TO THE BYLAWS OF THE AIR CANADA COMPONENT OF CUPE

Rules of Order for Meetings

- A.1** The President or, in their absence, the Vice-President, shall take the Chair at all meetings. In the absence of both the President and Vice-President, the Secretary-Treasurer shall act as President, and in her/his absence a President pro-tem shall be chosen by the membership at the meeting.
- A.2** No member, except the Chair of a committee making a report or the mover of a resolution, shall speak more than five (5) minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairs and movers of a resolution shall be limited to fifteen (15) minutes, except with the consent of the meeting.
- A.3** The President shall state every question coming before the meeting, and before allowing debate thereon, and again immediately before putting it to a vote, shall ask: "Is the membership ready for the question?" Should no member rise to speak, the question shall then be put.
- A.4** A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the Chair.
- A.5** A motion to amend, or to amend an amendment, shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment, which is a direct negative of the resolution shall be in order.
- A.6** On motion, the regular order of business may be suspended by a two-thirds (2/3) vote of those present, to deal with any urgent business.
- A.7** All resolutions and motions other than those named in Rule A.17, or those to accept or adopt the report of a committee, shall, if requested by the presiding officer, be presented in writing before being put to the meeting.
- A.8** At the request of any member, and upon a majority vote of those present, a question may be divided when the sense will admit of it.
- A.9** Any member having made a motion can withdraw it with the consent of the seconder, except that any motion, once debated, cannot be withdrawn except by a majority vote of those present.

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- A.10** When a member wishes to speak on a question or to make a motion, they shall rise in their place and respectfully address the presiding officer, but, except to state that they rise to a point of order or on a question of privilege, they shall not proceed further until recognized by the Chair.
- A.11** When two (2) or more members rise to speak at the same time, the Chair shall decide which one (1) is entitled to the floor.
- A.12** Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous, or offensive language, as well as any poor reflection on the Component or member thereof.
- A.13** If a member, while speaking, is called to order, they shall cease speaking until the point is determined; if it is decided they are in order, they may again proceed.
- A.14** No religious discussion shall be permitted.
- A.15** The President shall take no part in debate while presiding but may yield the Chair to the Vice-President in order to speak on any question before the meeting, or to introduce a new question.
- A.16** The Chair shall vote only in order to break a tie and in elections.
- A.17** When a motion is before the meeting, no other motion shall be in order except:
- 1) to adjourn,
 - 2) to put the previous question,
 - 3) to lay on the table,
 - 4) to postpone for a definite time,
 - 5) to refer,
 - 6) to divide or amend, which motions shall have precedence in the order named.
- The first three (3) of these shall be decided without debate.
- A.18** A motion for the previous question, when regularly moved and seconded, shall be put in this form: "Shall the main question be now put?" If it is adopted, the Chair shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the meeting.
- A.19** A motion to adjourn is in order except when a member has the floor, and when members are voting.

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- A.20** A motion to adjourn, having been put and lost, shall not be in order again, if there is further business before the meeting, until fifteen (15) minutes have elapsed.
- A.21** After the presiding officer declares the vote on a question, and before the meeting proceeds to another order of business, any member may ask for a division of members present. A standing vote shall then be taken, and the Secretary-Treasurer shall count same.
- A.22** If any member wishes to challenge (appeal) a decision of the Chair, they must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for their challenge. The Chair may then state briefly the basis for their decision, following which the Chair shall immediately and without debate put the question: "Shall the decision of the Chair be sustained?" A majority vote shall decide except that in the event of a tie the Chair is sustained.
- A.23** After a question has been decided, any two (2) members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
- A.24** No member shall enter or leave a meeting during the taking of a vote without the permission of the Vice-President.
- A.25** The Union's business, and proceedings of meetings, are not to be divulged to any persons outside the Canadian Union of Public Employees.

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APPENDIX "B"
TO THE BYLAWS OF THE AIR CANADA COMPONENT OF CUPE

Component Voting Procedures

B.1 Appointment of the Component Tabulating Committee

The Component Tabulating Committee shall be composed as follows:

- (a) Each Local President shall appoint one (1) member from their Local; and
- (b) The Component President shall appoint one member from the ACC membership at large.

Component Tabulating Committee members shall be members who are neither officers nor candidates for office. The term of the Component Tabulating Committee members shall be no more than three (3) years commencing from the date of first ACCEX meeting following the regularly scheduled Local Officer Elections.

All members of the Component Tabulating Committee shall elect the Chairperson of the Component Tabulating Committee from amongst themselves. Quorum for any meeting or teleconference shall be greater than fifty (50%) percent of the members of the Component Tabulating Committee.

B.2 Responsibilities and Duties of the Component Tabulating Committee

B.2.1 The Component Tabulating Committee is responsible for the entire voting procedure.

B.2.2 The Component Tabulating Committee Chairperson in consultation with the Component Secretary-Treasurer shall establish a budget for the Component Tabulating Committee within ninety (90) days of the beginning the Component's new fiscal year. Such Component Tabulating Committee budget shall be subject to the approval of the ACCEX before any Component Tabulating Committee expenses are considered for payment by the ACC. Payment of expenses shall be in accordance with Section 7 of these Bylaws.

B.2.3 All votes shall be conducted electronically via telephone and internet.

B.2.4 The Component Tabulating Committee shall determine which electronic voting company will administer the vote. The electronic voting company shall be referred to as the "administrators".

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- B.2.5** The Component Tabulating Committee shall determine which mailing house company will provide information and personal identification numbers to the members.
- B.2.6** The Component Tabulating Committee shall assign an auditor to review the vote.
- B.2.7** The Component Tabulating Committee shall provide a list of eligible voters (hereinafter referred to as the "Membership List") to the administrators, the mailing house company and the auditors.
- B.2.8** The Component Tabulating Committee shall ensure that the administrators and the mailing house companies chosen provide service in both official languages.
- B.2.9** The administrators of the vote shall be given clear instruction not to provide any information regarding the actual vote of any individual voter to any person.
- B.2.10** The mailing house company will send voting information for all Component elections which shall include:
- Position(s) to be filled;
 - Anticipated voting dates and times;
 - How to access the voting system(s);
 - How to access the candidates' resumé(s); and,
 - The list of nominated candidates (for regular elections only)
- B.2.11** The mailing house company will send a temporary personal identification number (the "PIN") to each member at the address shown on the Membership List. Should a member want to receive their "PIN" solely via email, they must provide a verified email address and confirm they no longer wish to receive a paper document in the mail. This preference will be noted on the Membership List. Only the mailing house company, the administrator and the individual member will know the PIN for that member.
- B.2.12** The Component Tabulating Committee shall establish the date(s) of voting in accordance with these Bylaws. Voting will be held for a minimum of ten (10) calendar days.
- B.2.13** The Component Tabulating Committee shall only provide technical assistance to any member who has difficulty with the voting procedures to register their vote by telephone or internet. The Component Tabulating Committee may assign any of these administrative duties; provided the individuals who are assigned these duties are not eligible to vote.

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B.3 Eligible Voters for Component Votes

B.3.1 Eligible voters are all cabin personnel employed by Air Canada including all members on leave of absences under the Collective Agreement and applicable Letters of Understanding. The list of eligible voters shall be based on the most current Air Canada employee records and will be referred to as the "Membership List".

B.3.2 A member on laid off status and still eligible for recall in accordance with the Collective Agreement shall maintain their status as a member of the ACC without obligation to pay Union dues and shall be eligible to vote. The list of members on laid off status and still eligible to vote shall be based on the most current Air Canada employee records.

B.3.3 Temporary cabin personnel shall be eligible to vote. The list of temporary cabin personnel shall be based on the most current Air Canada employee records.

B.3.4 If during the voting process the Component Tabulating Committee is given evidence of an eligible voter's name that does not appear on the Membership List provided by Air Canada, the Component Tabulating Committee may add such name to the Membership List subject to verification of employment status with Air Canada.

B.4 Component Voting System

The plurality voting system (most votes from votes cast by members) shall be utilized in all Component electoral and Membership Referendum Votes, except for Recall which shall be in accordance with Section B.9 of these Bylaws.

B.5 Notice of Component Officer Elections

B.5.1 Beginning in 2019 Component Officer Elections shall be held in January, last a minimum of ten (10) days and close at 12:00 noon EST on the final day of voting. Terms shall be as follows:

(a) President, Vice-President, and Secretary-Treasurer elections shall be held every two (2) years until 2021. As of 2021 these elections shall be held every three (3) years.

(b) A Trustee election shall be held every year.

B.5.2 The Component Tabulating Committee shall issue a "Notice of Component Officer Elections" to the ACC membership by October 15th in the calendar year preceding the Component Officer Elections.

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B.6 Nomination Procedures for Component Officer Elections

B.6.1 Members who wish to be nominated for a Component Officer position (Component President, Component Vice-President, Component Secretary-Treasurer, or Component Trustee) shall file nomination papers and a completed Oath of Nomination form, to be received by the Chairperson of the Component Tabulating Committee by November 15th in the calendar year preceding the Component Officer Elections.

B.6.2 A candidate may be nominated for only one (1) Component position and in doing so may only solicit signatures for one intended position. Candidates shall disclose their full name and intended position clearly on the nomination papers prior to soliciting signatures.

B.6.3 Nomination forms, as provided by the Component Tabulating Committee, must have at least fifty (50) signatures from eligible voters on the Membership List.

B.6.4 The Oath of Nomination form (Appendix "F") must be completed in its entirety in order to be accepted by the Tabulating Committee.

B.7 Resumes for Component Officer Elections

Members who wish to be nominated for a Component Officer position shall also file a resumé to be received by the Chairperson of the Component Tabulating Committee by December 1st in the calendar year preceding the Component Officer Elections. Should the resumé deadline not be met, the particular candidate(s) loses the opportunity to have their resumé made available to the ACC membership. The Component Tabulating Committee shall in turn have these resúmes translated and made available online to the ACC membership. Translation shall be completed by a recognized translator who is not eligible to vote and such translation shall not be subject to approval by the candidate(s).

Resumé content must:

- fit on a maximum of either one (1) double-sided page or two (2) single-sided pages (8½" X 11");
- include enough space on the page(s) for any picture provided.
- include the full name of the candidate;
- include the intended position;
- no adverse reference shall be made to any other candidate's record.

Suggestions for resumé content include:

- picture of the candidate;
- education, experience both within and outside the airline industry;
- involvement with CUPE or other trade union experience;
- volunteer work; and

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- an essay of no more than five hundred (500) words to answer the question "How can my skills and experience help the Air Canada Component of CUPE?"

B.8 Installation of Component Officers

B.8.1 The Component Tabulating Committee shall release the results of the Component Officer Elections within fifty-three (53) hours of the voting closure and no later than 17:00 EST on January 24th of the Component Officer Elections year.

B.8.2 All duly elected officers shall be installed on February 1st of the Component Officer Elections year and shall continue in office for the applicable term or until a successor has been elected and installed. Terms shall be as follows:

(a) President, Vice-President, and Secretary-Treasurer shall maintain a term of no more than two (2) years until 2021. As of 2021, they shall maintain a term of no more than (3) years.

(b) Trustees shall maintain a term of no more than three (3) years.

(i) In 2019 only: Three (3) Trustees shall be elected to serve terms of one (1), two (2), and three (3) years.

Successful candidates shall select their preferred length of term in order of most votes received until all term vacancies are filled.

(ii) In the following years one (1) Trustee shall be elected for a three (3) year term to preserve overlapping terms.

B.9 Recall of a Component Officer

A majority of the ACC membership may at any time petition the ACCEX and cause a recall vote of the Component President, Component Vice-President, Component Secretary-Treasurer, or Component Trustee(s). In any such recall vote, a two-thirds (2/3) majority of the votes and at least fifty percent (50%) plus one (1) of the total membership of the ACC must vote for the results of the recall vote to be valid.

B.10 Vacancies in Component Officer Positions

B.10.1 Component President:

Should the position of Component President become vacant when there is less than fifty percent (50%) of the term to be fulfilled, it shall be filled by the Component Vice-President until the expiry of the term. The ACCEX shall choose

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one (1) member of the ACCEX to perform the duties of the Component Vice-President for the remainder of that term.

If fifty percent (50%) or more of the Component President's term remains, the Component Vice-President shall perform the duties of the Component President until a candidate has been declared elected via the by-election process.

B.10.2 Component Vice-President:

Should the position of Component Vice-President become vacant when there is less than 50% of the term to be fulfilled, the ACCEX shall choose one (1) member of the ACCEX to perform the duties of Component Vice-President until the expiry of the term.

If fifty percent (50%) or more of the Component Vice-President's term remains, the ACCEX shall choose one (1) member of the ACCEX to perform the duties of the Component Vice-President until a candidate has been declared elected via the by-election process.

B.10.3 Component Secretary-Treasurer:

Should the position of Component Secretary-Treasurer become vacant when there is less than 50% of the term to be fulfilled, the ACCEX shall choose one (1) member of the ACCEX to perform the duties of the Component Secretary-Treasurer until the expiry of the term.

If fifty percent (50%) or more of the Component Secretary-Treasurer's term is to be fulfilled, the ACCEX shall choose one (1) member of the ACCEX to perform the duties of the Component Secretary-Treasurer until a candidate has been declared elected via the by-election process.

B.10.4 Component Trustee(s):

Should the position of Component Trustee become vacant, a by-election shall be called.

B.10.5 By-elections to fill any vacancy shall be carried out, and the results published within sixty (60) days of the vacancy being declared. Exceptionally for by-elections:

- (a) Nomination forms, as provided by the Component Tabulating Committee, must have at least twenty-five (25) signatures from eligible voters on the Membership List;

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- (b) To have their resumé made available to the membership, candidates must submit their resumé by the deadline for receipt of nomination forms;
- (c) The Component Tabulating Committee shall only be required to make valid resúms (as per Bylaw B.7) available online;
- (d) Voting period shall be scheduled with at least ten (10) calendar days notice; and
- (e) Voting will be held for eight (8) to ten (10) calendar days.

B.11 Component Officers Elections

B.11.1 The candidate receiving the most votes (plurality) from the members voting shall be declared elected. In cases of a tie, a second and, if necessary, subsequent votes shall be held. The candidate receiving the most votes (plurality) in these subsequent votes shall be declared elected.

B.11.2 On the second and subsequent votes where there are more than two (2) candidates for one position, the candidate who has received the lowest number of votes in the previous vote shall be dropped from the ballot in a subsequent vote.

B.11.3 When two (2) or more nominees are to be elected to any one (1) office by electronic ballot, each voter shall be required to vote for the full number of candidates to be elected or the voter's electronic ballot shall be declared spoiled.

B.12 Component Membership Referendum Votes

B.12.1 Any member of the ACCEX at any ACCEX meeting may make a motion for a referendum vote of the membership. If the motion is carried, the Component President shall contact the Chairperson of the Component Tabulating Committee and enact the voting procedure.

B.12.2 The wording of the ballot question shall be approved by the ACCEX and will be provided to the Chairperson of the Component Tabulating Committee by the Component President.

B.12.3 Eligible voters shall be provided with voting material as supplied by the Air Canada Component President to the Chairperson of the Component Tabulating Committee.

B.12.4 The Component Tabulating Committee shall make printing arrangements in consultation with the Component President and the ACCEX.

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- B.12.5** Component Membership Referendum Votes, excluding Bylaw amendments, shall be scheduled with at least seven (7) calendar days notice. Such notice must be posted on the Component website and be distributed electronically via the Component e-mail distribution list. The notice must also be placed in mail folders where available.
- B.12.6** Component Membership Bylaw Referendum Votes shall be scheduled with at least sixty (60) calendar days notice. Such notice must be posted on the Component website and be distributed electronically via the Component e-mail distribution list. The notice must also be placed in mail folders where available.

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APPENDIX "C"
TO THE BYLAWS OF THE AIR CANADA COMPONENT OF CUPE

Local Voting Procedures

C.1 Eligible Voters for Local Votes

C.1.1 Eligible voters are all cabin personnel employed by Air Canada and currently based at the Local holding a vote, including all Local members on a leave of absence as defined under the Collective Agreement and applicable Letters of Understanding. The list of eligible voters shall be based on the most current Air Canada employee records and will be referred to as the "Membership List".

C.1.2 A member on laid off status and still eligible for recall in accordance with the Collective Agreement shall maintain their status as a member of the Local without obligation to pay Union dues and shall be eligible to vote. The list of members on laid off status and still eligible to vote shall be based on the most current Air Canada employee records.

C.1.3 Temporary cabin personnel shall be eligible to vote according to their base assignment. The list of temporary cabin personnel shall be based on the most current Air Canada employee records.

C.1.4 If during the voting process the Component Tabulating Committee is given evidence of an eligible voter's name that does not appear on the Membership List provided by Air Canada, the Component Tabulating Committee may add such name to the Membership List subject to verification of employment status and base location with Air Canada.

C.2 Local Voting System

The plurality voting system (most votes from votes cast by members) shall be utilized in all Local electoral votes, except for Recall which shall be in accordance with Section C.7 of these Bylaws.

C.3 Notice of Local Officer Elections

C.3.1 In 2019, Local Officer Elections shall be held in February, last a minimum of ten (10) days and close at 12:00 noon EST on the final day of voting. Beginning in 2021, Local Officer Elections shall be held in March, last a minimum of ten (10) days and close at 12:00 noon EST on the final day of voting. Terms shall be as follows:

(a) President, Vice-President, and Secretary-Treasurer elections shall be held every two (2) years until 2021. As of 2021 these elections shall be held every three (3) years.

(b) A trustee election shall be held every year.

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C.3.2 The Component Tabulating Committee shall issue a "Notice of Local Officer Elections" to the Local membership by January 15th (exceptionally December 15th for the 2019 Local Election) in the calendar year of the Local Officer Elections.

C.4 Nomination Procedures for Local Officer Elections

C.4.1 Members who wish to be nominated for a Local Officer position (Local President, Local Vice-President, Local Secretary-Treasurer, or Local Trustee) shall file nomination papers and a completed Oath of Nomination form, to be received by the Chairperson of the Component Tabulating Committee by February 15th (exceptionally January 15th in 2019) in the calendar year preceding the Local Officer Elections. The Component Tabulating Committee shall have full responsibility for voting arrangements in accordance with these Bylaws.

C.4.2 A candidate may be nominated for only one (1) position and in doing so may only solicit signatures for one (1) intended position. Candidates shall disclose their full name and intended position clearly on the nomination papers prior to soliciting signatures.

C.4.3 Nomination forms, as provided by the Component Tabulating Committee, must have signatures from lesser of either:
(a) Fifty (50) members of the eligible voters on the Local's Membership List; or
(b) Five (5%) percent of the eligible voters on the Local's Membership List.

C.4.4 The Oath of Nomination form (Appendix "F") must be completed in its entirety in order to be accepted by the Tabulating Committee.

C.5 Nomination Procedures for Local Delegate Elections

C.5.1 Members who wish to be nominated as a Local Delegate to the ASD Conference and CUPE Convention shall file nomination papers, to be received by the Chairperson of the Component Tabulating Committee no later than sixty (60) days prior to the ASD Conference and CUPE Convention. The Component Tabulating Committee shall have full responsibility for voting arrangements in accordance with these Bylaws.

C.5.2 Nominations forms, as provided by the Component Tabulating Committee, must have the signatures from the lesser of either:
(a) Fifty (50) members of the eligible voters on the Local's Membership List; or
(b) Five (5%) percent of the eligible voters on the Local's Membership List.

C.6 Installation of Local Officers

C.6.1 The Component Tabulating Committee shall release the results of the Local Officer Elections within fifty-three (53) hours of voting closure and no later than

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17:00 EST on March 24th (exceptionally February 24th in 2019) of the Local Officer Elections year.

C.6.2 All duly elected officers shall be installed on April 1st (exceptionally March 1st in 2019) of the Local Officer Elections year and shall continue in office for the applicable term or until a successor has been elected and installed. Terms shall be as follows:

(a) President, Vice-President, and Secretary-Treasurer shall maintain a term of no more than two (2) years and one (1) month until 2021. As of 2021, they shall maintain a term of no more than three (3) years.

(b) Trustees shall maintain a term of no more than three (3) years.

(i) In 2019 only: Three (3) Trustees shall be elected to serve terms of one (1), two (2), and three (3) years.

Successful candidates shall select their preferred length of term in order of most votes received until all term vacancies are filled.

(ii) In the following years one (1) Trustee shall be elected for a three (3) year term to preserve overlapping terms.

C.7 Recall of a Local Officer

A majority of the Local membership may at any time petition the Local Executive and cause a recall vote of the Local President, Local Vice-President, Local Secretary-Treasurer, or Local Trustee(s). In any such recall vote, a two-thirds (2/3) majority of the votes and at least fifty percent (50%) plus one of the total membership of the Local must vote for the results of the recall vote to be valid.

C.8 Vacancies in Local Officer Positions

C.8.1 Local President – The Local President’s position shall be filled by the Local Vice-President, or in cases of Locals with more than one Vice-President, the decision of the interim replacement shall be made from within the Local Executive, until the expiry of the term. The Component President shall appoint the interim replacement when a Local is unable to make that choice within fifteen (15) calendar days.

C.8.2 Local Vice-President(s), Local Secretary-Treasurer and Local Trustee(s) – A vacant position shall be filled by an election.

C.8.3 Nomination procedures for filling vacancies in Local Officer positions shall be made at duly called Local meetings. If an election is required, the Component

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Tabulating Committee shall have full responsibility for voting arrangements in accordance with these Bylaws.

C.9 Local Officers and Local Delegates Elections

C.9.1 The candidate receiving the most votes (plurality) from the members voting shall be declared elected. In cases of a tie, a second and, if necessary, subsequent votes shall be held. The candidate receiving the most votes (plurality) in these subsequent votes shall be declared elected.

C.9.2 On the second (2nd) and subsequent votes where there are more than two (2) candidates for one position, the candidate who has received the lowest number of votes in the previous vote shall be dropped from the ballot in a subsequent vote.

C.9.3 When two (2) or more nominees are to be elected to any office by electronic ballot, each voter shall be required to vote for the full number of candidates to be elected or the voter's electronic ballot shall be declared spoiled.

C.10 Local Officer and Local Delegate Elections Costs

In the event of Local Officer Elections and Local Delegate Elections, the Component shall pay for the costs of the Component Tabulating Committee.

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APPENDIX "D"
TO THE BYLAWS OF THE AIR CANADA COMPONENT OF CUPE

Appeal Procedures for all Component and Local Votes

D.1 Appeal Procedures

D.1.1 A member may only appeal the results of Component Elections or Local Elections for which they were a candidate.

D.1.2 A member may only appeal the results of a Local Delegate Election for which they were a candidate.

D.1.3 Any member of the ACC may appeal the results of a Component Membership Referendum Vote.

D.1.4 In all cases, the appellant must file their appeal by written notice to the Chairperson of the Component Tabulating Committee by registered mail within thirty (30) days of the vote results being released. For electoral votes, the appellant must also provide a copy of the appeal notice to all other candidates for the position being appealed.

D.1.5 The written notice shall contain:

(a) A full statement of the grounds for the appeal;

(b) Whether the member wishes to have an oral hearing or whether the matter can be decided on the basis of written submissions only; and

(c) The remedy sought in accordance with Section D.1.11.

D.1.6 The Chairperson of the Component Tabulating Committee shall notify the Tabulating Committee members of the notice of the appeal within fifteen (15) calendar days.

D.1.7 The Component Tabulating Committee shall proceed expeditiously to determine the merits of the appeal. The Component Tabulating Committee shall establish its own practice and procedure including if an oral hearing shall be granted to the appellant, but shall give full opportunity to the appellant and, when applicable, to the other candidates, to present their evidence and to make submissions on the issues before it.

D.1.8 If the appellant is granted a hearing, the Component Tabulating Committee shall notify the appellant and, when applicable, the other candidates, by registered

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mail, at least one (1) month before the date set for the hearing, of the time and place where the appeal will be heard.

D.1.9 The Component Tabulating Committee shall determine appeals utilizing the following fundamental criteria:

- (a) Democracy – Each eligible voter can only vote once;
- (b) Accuracy – the final vote count reflects the intent of the voters;
- (c) Security – measures are in place to protect the integrity of the process;
- (d) Secrecy – no vote can be traced to the voter;
- (e) Verifiability / Auditability – the vote results can be verified after the initial count;
- (f) Privacy / Confidentiality – information collected on voters is used for voting purposes only and within the scope for which it was collected;
- (g) Transparency – the process is open to outside scrutiny;
- (h) Simplicity – the voting process does not make voting unduly complicated;
- (i) Recoverability – the voting process provides for duplication of systems to prevent data loss;
- (j) Speed of count – vote results can be reported quickly; and
- (k) Cost effectiveness – the voting process is effective and economically.

D.1.10 The decision on any appeal shall be in writing and be delivered by the Component Tabulating Committee to the appellant, to the ACCEX, and when applicable, to the other candidates, within thirty (30) days after the hearing of the appeal or the completion of written submissions.

D.1.11 The Component Tabulating Committee decision on the appeal can only confirm the result of the original vote or declare dates for a new vote. The Component Tabulating Committee cannot provide its alternative outcome to the election or Membership Referendum Vote. Should the Component Tabulating Committee declare dates for a new electoral vote, the office for which the results are being appealed shall be declared vacant until the results of the new electoral vote are released. Should the Component Tabulating committee declare dates for a new

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Membership Referendum Vote, the original results shall be set aside until the results of the new Membership Referendum Vote are released.

- D.1.12** All costs and expenses of the appellant and, when applicable, of the other affected candidates, that are incurred for the appeal including appearances before the Component Tabulating Committee, shall be borne by the appellant or affected candidates, as applicable.
- D.1.13** The appellant and, when applicable, the other affected candidates, may appeal the Component Tabulating Committee's decision to CUPE by filing a written notice, by registered mail, to the National President of CUPE within twenty (20) days of the decision of the Component Tabulating Committee being released, with copies to the Chairperson of the Component Tabulating Committee and the Component President. This written notice of appeal shall contain a full statement of the grounds for the appeal of the decision of the Component Tabulating Committee and a statement of the remedy sought.
- D.1.14** The Chairperson of the Component Tabulating Committee and when applicable, other affected candidates, shall within twenty (20) days of the date of the written notice of appeal to CUPE, file with the National President of CUPE a full statement of their response, with copies to all involved parties.
- D.1.15** The National President of CUPE shall have the authority to decide the appeal based on written submissions received, or to conduct or cause to be conducted any further investigation as the National President of CUPE, in their sole discretion, deems appropriate. The decision of the National President of CUPE shall be final and binding on all parties to the appeal.

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APPENDIX "E"
TO THE BYLAWS of the AIR CANADA COMPONENT of CUPE

Local Bylaws

SECTION E PREAMBLE – CUPE EQUALITY STATEMENT

Union solidarity is based on the principle that union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our union.

As unionists, mutual respect, cooperation and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic or homophobic hurts and thereby divides us. So too, does discrimination on the basis of ability, age, class, religion, language and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society and in our union.

CUPE's policies and practices must reflect our commitment to equality. Members, staff and elected officers must be mindful that all persons deserve dignity, equality and respect.

SECTION E.1 – NAME

The name of this Local shall be: Local No. _____ of the Air Canada Component of CUPE for all cabin personnel based in _____.

SECTION E.2 – DUTIES and OBJECTIVES

E.2.1 The principal duties and objectives of the Local shall be to:

- (a) Work with the Component and other Locals within the Component to

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achieve the union's objectives contained in Section 2 ("Duties and Objectives") of the Component Bylaws;

- (b) Settle promptly disputes and Level I grievances which may arise between its members and the employer in accordance with procedures established within the Component;
- (c) Administer and enforce the collective agreement, in conjunction with the Component, in all other respects;
- (d) Inform regularly all Local members on the matters affecting the union, including Local activities to fulfill union objectives;
- (e) Establish and maintain Local Committees in accordance with these Bylaws;
- (f) Receive and administer the union dues received from the Component in accordance with Section 8 of the Component Bylaws;
- (g) Establish and approve a Local budget;
- (h) Pay, or cause to be paid, all properly substantiated expenses associated with the Local's activities;
- (i) Train and educate its union officers and members; and
- (j) Affiliate, on a voluntary basis and finances permitting, to labour councils, provincial federations of labour, CUPE district councils, CUPE provincial divisions and other labour bodies.

E.2.2 Locals may enact Local Bylaws as they deem necessary provided that such Bylaws are consistent with this Appendix "E", the Component Bylaws and the CUPE Constitution. Local Bylaws shall be subject to the approval of the National President of CUPE before being applied.

SECTION E.3 - INTERPRETATION and DEFINITIONS

- E.3.1** Masculine or feminine pronouns shall be understood to include all persons.
- E.3.2** The English and the French texts of these Bylaws shall have equal force.
- E.3.3** The Canadian Union of Public Employees shall be referred to as "CUPE".

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E.3.4 The Air Canada Component of CUPE shall be referred to as the "Component" and/or the "ACC".

SECTION E.4 - MEMBERSHIP MEETINGS - Regular and Special

E.4.1 Regular meetings of the Local may be called monthly, but in any event not less than quarterly. A minimum notice of seven (7) days shall be given for all regular membership meetings.

E.4.2 Special membership meetings may be ordered by the Local Executive or requested in writing by no fewer than twenty percent (20%) of the Local members. The President shall immediately call a special meeting when so ordered or requested and shall see that all members receive at least forty-eight (48) 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.

E.4.3 A quorum for the transaction of business at any regular meeting or at any special membership meeting shall be five (5) members of the Local in addition to the Chair.

E.4.4 The order of business at a regular membership meeting is as follows:

- (i) Roll call of Officers
- (ii) Reading of the Equality Statement
- (iii) Reading of Minutes
- (iv) President's report
- (v) Treasurer's report
- (vi) Communications and bills
- (vii) Local Executive report
- (viii) Reports from committees and delegates
- (ix) Nominations
- (x) Unfinished business
- (xi) New business
- (xii) Good of the Union
- (xiii) Adjournment

SECTION E.5 - VOTING OF FUNDS

Except for ordinary expenses and bills as approved at membership meetings, no sum over fifty dollars (\$50.00) shall be spent for the purpose of a grant or contribution to a member

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or any cause outside CUPE, except by a notice of motion given in writing and dealt with at the following membership meeting.

SECTION E.6 – LOCAL OFFICERS AND LOCAL TRUSTEES

- E.6.1** The officers of the Local shall be the Local President, Local Vice-President(s), Local Secretary-Treasurer, Local Trustees, and additional Local Vice-Presidents/Local Officers as the Local Bylaws may provide.
- E.6.2** All Local Officers shall be elected by the Local Membership under the direction of the Component Tabulating Committee in accordance with Appendix "C" of the Component Bylaws.

SECTION E.7 – LOCAL EXECUTIVE

- E.7.1** The Local Executive shall be comprised of all Local officers, except the Trustees.
- E.7.2** The Local Executive shall meet at least once monthly which may be by conference call.
- E.7.3** A majority of all the members of the Local Executive constitutes a quorum.
- E.7.4** Local Executive officers shall hold title to any real estate of the Local as trustees for the Local. They shall have no 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.
- E.7.5** Should any Local Executive member fail to answer the roll call for three (3) consecutive regular Local membership meetings or four (4) regular Local Executive meetings without having submitted good reasons for those absences, their office shall be declared vacant and shall be filled by an election.

SECTION E.8 - DUTIES OF OFFICERS

- E.8.1** The Local President shall:
- (a) Be responsible for the conduct of the affairs and business of the Local;

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- (b) Call and preside over all Local meetings, preserve order, enforce the CUPE Constitution and the Local Bylaws, and generally exercise supervision over all Local activities;
- (c) Report on the administration of their office to membership meetings and Local Executive meetings;
- (d) Be responsible for the appointment and functioning of all Local Committees, ensuring their duties are performed and shall appoint the Chairpersons of those Local committees;
- (e) Be a member of all Local Committees ex-officio;
- (f) Be responsible for enforcing the provisions of the Collective Agreement and any rules or Letters of Understanding arising out of negotiations, including the filing of all necessary grievances at Level I;
- (g) Ensure that all members of the Local Executive perform their assigned duties;
- (h) Introduce new members and welcome them to the Local;
- (i) 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 Local membership;
- (j) Be responsible for the proper distribution of Union bulletins, publications, and notices to the membership;
- (k) Represent the Local as an automatic delegate to the CUPE National Convention and the ASD Conference; and
- (l) Represent the Local at all Air Canada Component Executive Committee (hereinafter referred to as the "ACCEX") meetings or designate a Local Vice-President to attend.

E.8.2 The Local Vice-President(s) shall:

- (a) If the President is absent or incapacitated, perform all duties of the President, according to established Local procedures; and
- (b) Perform such duties as may from time to time be assigned by the Local President and/or the Local Executive.

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E.8.3 The Local Secretary-Treasurer shall:

- (a) Keep full, accurate and impartial account of the proceedings of all regular or special membership and Local Executive meetings, ensuring that these records include a copy of the full financial report;
- (b) Record all alterations in the Local Bylaws;
- (c) Have all records ready on reasonable notice for auditors and Trustees;
- (d) Preside over membership and Local Executive meetings in the absence of both the President and the Vice-President(s);
- (e) Be responsible for supervision of the financial affairs of the Local;
- (f) Be responsible for establishing and supervising proper accounting procedures in the receipt and disbursement of funds in accordance with the Local Bylaws;
- (g) Prepare and submit to the Local Executive for approval a budget of the anticipated revenue and expenses of the Local for the fiscal year no later than ninety (90) days after the start of the same fiscal year;
- (h) Ensure quarterly financial statements are prepared and submitted to the Local Executive;
- (i) Make a full financial report to meetings of the Local's Executive, as well as a written financial report to each regular membership meeting, detailing all income and expenditures for the period;
- (j) Throughout their term, and on behalf of the Local Union membership, be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or vouchers for every disbursement made, as well as records and supporting documents for all income received by the Local;
- (k) Have the books audited by the Local Trustees annually and forward such audit to the officers of the Local, the Component Secretary-Treasurer and CUPE;
- (l) Be bonded through the master bond held by the National Office, and any Secretary-Treasurer who cannot qualify for the bond shall be disqualified from office; and

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- (m) On termination of office, surrender all books, seals and other properties of the Local to their successor.

E.8.4 The Local Trustees shall:

- (a) Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, and the Local Committees, at least once every calendar year;
- (b) Make a written report of their findings to the first membership meeting following the completion of each audit;
- (c) Submit in writing to the Local President and Local 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 Local Secretary-Treasurer in an organized, correct and proper manner;
- (d) Be responsible to ensure that monies are not paid out without proper constitutional or membership authorization;
- (e) Ensure that proper financial reports are made to the membership;
- (f) 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 Local Executive; and
- (g) Send a copy of the completed audit report (on the prescribed form provided by the CUPE National Secretary-Treasurer), as well as a copy of their report to the Local Union membership, a copy of their recommendations and/or concerns sent to the Local President and Local Secretary-Treasurer and the Local Secretary-Treasurer's response, to the CUPE National Secretary-Treasurer, with a copy to the assigned CUPE National Representative.

SECTION E.9 – EXPENSES

- E.9.1** All Local paid flight releases and expenses must be authorized in advance by the Local President. The Local President can authorize expenditures in accordance with the Local budget as approved by the Local membership. Any expenses not included in the Local budget must be authorized by the Local membership

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before being incurred.

E.9.2 Pre-authorized expenses shall be paid as follows:

- (a) Meal allowances amounts shall be in accordance with the Collective Agreement;
- (b) Car allowance shall be in accordance with the Canadian Revenue Agency (CRA) guide to a maximum daily cap of fifty (50km) kilometres, or transportation shall be reimbursed up to a maximum daily cap equal to that of the car allowance; and
- (c) Reasonable hotel, meeting and other expenses once properly substantiated.

E.9.3 The Local shall only pay for flight release charges when the flight release has been requested by the Local President.

SECTION E.10 – LOCAL OFFICER ELECTIONS

The Local Elections shall be held under the direction of the Component Tabulating Committee in accordance with the Component Bylaws.

SECTION E.11 – DELEGATES

Delegates to the ASD Conference and the CUPE Convention shall be elected in accordance with the Component Bylaws.

SECTION E.12 – COMMITTEES

E.12.1 In accordance with Section E.8.1(d), the Local President shall make the following appointments (and fill vacancies as required) to the membership of the established Local Committees below:

- (a) Local Base Scheduling / Pairing Evaluation Committee:
 - Chairperson, and
 - Additional members as required.
- (b) Local Health & Safety Committee:
 - Chairperson, and

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- Additional members as required.

- E.12.2** Special ad hoc Local Committees may be established for a specified purpose and period by the Local President. The Local President shall appoint the Chairperson of any such Special ad hoc Local Committee and any additional members as required.
- E.12.3** Any Local member at any Local meeting may make a motion to establish a new Local Committee or a Special ad hoc Local Committee.
- E.12.4** The Local President shall appoint and remove Local Committee Chairpersons in accordance with the Local Bylaws. Local Committee Chairpersons and members shall be appointed for an initial term of no more than two (2) years commencing thirty (30) days following Local Elections. Local Committee Chairpersons and members may be re-appointed to subsequent two (2) year terms.
- E.12.5** For each Local Committee, the Local President shall provide:
- (a) A specific mandate;
 - (b) A budget for the fiscal year for the Local Committee's activities;
 - (c) A method of regular reporting to the Local President; and
 - (d) A method of selection of additional committee members (if required).
- E.12.6** All Local paid flight releases and expenses for Local Committees must be authorized in advance by the Local President. The Local President can authorize expenditures in accordance with the Local budget as approved by the Local membership. Any expenses not included in the Local budget must be authorized by the Local membership before being incurred. Each Local Committee member shall be reimbursed for their expenses in accordance with Section E.9 of these Bylaws from the respective Local Committee budget.
- E.12.7** Local Committee Chairpersons and members shall report to their Local President when carrying out assigned Local Committee responsibilities.

SECTION E.13 - 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 the Component Bylaws as Appendix "A". These rules shall be

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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" of the Component Bylaws, 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 E.14 – AMENDMENT TO THE LOCAL BYLAWS

- E.14.1** These Bylaws are always subordinate to the CUPE Constitution 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 of CUPE.
- E.14.2** These Local Bylaws shall only be amended, added to, or suspended upon a majority vote of the Local membership at a duly called Local membership meeting. Any proposed change to the Local Bylaws shall be contained in the notice for the membership meeting.
- E.14.3** No change in these Local Bylaws shall be valid and take effect until approved by the National President of CUPE. The validity shall date from the letter of approval of the National President of CUPE.

SECTION E.15 – TRIALS

All charges against members or officers must be made in writing and dealt with in accordance with the provisions of the CUPE Constitution.

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APPENDIX "F"
TO THE BYLAWS of the AIR CANADA COMPONENT of CUPE

Oath of Nomination

I, _____, promise to abide by the CUPE Equality Statement and the Air Canada Component Code of Conduct. As a candidate I promise to:

- (a) Be respectful, and professional towards any candidate(s), member(s) or officer(s) on any platform including social media;
- (b) Be responsible for the actions and comments of any of my campaigning assistants/promoters while campaigning;
- (c) Always ensure that all members have privacy when casting their votes.

As a candidate I promise not to:

- (a) Purposely or knowingly harm or assist in harming another member of the Union;
- (b) Open any voting platform (website, etc) for any member;
- (c) Provide a hyperlink or any other electronic link directly to a voting platform from a personal campaign medium (personal campaign website, etc);
- (d) Campaign during my office hours while on CUPE release time (I may campaign during my personal time (e.g. breaks or mealtime)).
- (e) Change the opening defaults on any public devices (computers, etc) to open personal campaign media or the voting platform.

Candidate Signature

Candidate Employee Number

Candidate Print Name

Candidate Date

Witness Signature

Witness Employee Number

Witness Print Name

Witness Phone Number

Witness Date

APPENDIX "G"

Air Canada Component of CUPE Bylaws

TO THE BYLAWS of the AIR CANADA COMPONENT of CUPE

Code of Conduct

This Code of Conduct for the Air Canada Component of CUPE (ACC) and its Locals sets out standards of behaviour for members at meetings, and all other events organized by the Air Canada Component or its Locals. It is consistent with the expectations outlined in the Equality Statement, CUPE National Constitution and these Bylaws. 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.

The ACC is committed to creating a union which is inclusive, welcoming, and free from harassment, discrimination and all types of bullying and intimidation. The ACC needs to ensure that it provides a safe environment for members, staff and elected officers to carry out our work. The ACC expects that mutual respect, understanding and co-operation will be the basis of all our interaction.

As CUPE members 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, both in person and online.
- 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 abuse 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.

Further to the above, all representatives of the ACC and its Locals agree to abide by the following:

- Always fulfil your duties with care, honesty, good faith, and integrity; in the interest of the membership.

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- Treat all union members with the respect, fairness, and professionalism expected of any professional workplace.
- Make decisions in accordance with established rules and in the interest of the membership, while upholding the principles of fair treatment, neutrality and objectivity.

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. Once a complaint is received, a designated Officer of the ACC or Local (preferably one who has completed mediation or ombudsperson training) will work to seek a resolution.
3. If this fails to resolve the matter, the designated Officer shall report the matter to the person in charge, who shall determine whether there is need to remove the member. The person in charge has the authority to expel members from the event for serious or persistent offenses.

This Code of Conduct does not replace a member's right to access the trial provisions of the CUPE National Constitution.

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.