



LOCAL 401

POLICY & PROCEDURES

MANUAL



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Policy 1.0 Authority & Distribution of Policy Manual

The Policy and Procedures Manual shall be provided to all Executive Members. Please note that the Manual is assigned to all members and should remain intact unless changed by the members.

The Policy and Procedures Manual contains statements of policies and is designed to be a working guide for staff and members, in the day-to-day administration of our Union and should be available to all members for their reference. The President shall be charged with interpreting the Manual. Should conflict arise between policies and procedures as set out in this Manual and the implementation of the policy the membership will be consulted at the next regular meeting for interpretation.

The Manual is intended to be a reliable and effective tool for good conduct; therefore it is imperative that it be actively maintained. We ask your cooperation in keeping the Manual up-to-date when additions or revisions are sent to you in the future. A great deal of confusion could arise if changes are not made.

We sincerely hope the Policy and Procedures Manual will prove to be a constructive help to you and will thereby contribute to a general strengthening of our overall Union membership.

DEFINITIONS

Employee: Any person hired by the Union to conduct Union business and any paid elected Union Officers.

Member: Any person who pays Union membership dues to CUPE Local 401.



Policy 1.1 Establishing New or Revised Policy

POLICY STATEMENT

The Union policies will be formalized in a Manual and made available to each Officer of the Union who shall endeavor to ensure that members are made aware of its contents. The Manual should be made available as a reference guide for all members. All policy changes must be approved by the membership. The Executive will be responsible for ensuring the maintenance of the Local's Policy Manual. The Manual will be readily available to all members on request.

Suggestions for new policies or changes to existing policies are to be presented to the Executive, in writing, one week prior to the next General Meeting. A notice of motion may be required at the discretion of the Executive. Any suggestions for new policies or changes will only be implemented after membership approval.



Policy 1.2 Supplements to the Policy Manual

POLICY STATEMENT

From time to time the members will receive additional supplements to the Policy Manual. These new supplements will up-date and revise present policy and practice whenever deemed necessary. You will want to study the revised supplements carefully prior to placing them in your Policy Manual. It is the responsibility of the entire Executive to ensure that all members are made aware of any additions or changes to the Policy Manual. Please be sure to remove and destroy old policy statements and procedures when requested to do so by the members' vote to change such policy.



Policy 2.0 New Member Orientation

POLICY STATEMENT

All new members will be provided with a brief orientation to the Union, conducted by the Shop Stewards. This orientation is to welcome new members and allow them to familiarize themselves with the different aspects of the Union. The date of the orientation will be as soon as possible.

New employees will receive an information packet containing:

- Benefit information, and
- Copy of the Collective Agreement.

Each Steward will be responsible for ensuring that new employees are advised of:

- Details regarding the Union,
- Who are the Steward's for each site, structure of the Local, and meeting dates etc,
- Union Policies,
- Dues structure, and
- Employee and Family Assistance Program.



Policy 2.1 Bonding

POLICY STATEMENT

Certain positions within the Union may include the handling of large sums of money or access to facilities after hours. The Union may require bonding as a prerequisite or as a requirement of the positions. The Executive will be responsible for ensuring adequate bonding is in place as per CUPE National Constitution, Local Bylaws or membership approval.



Policy 3.0 Continued Benefits During Extended Absences

The Union may, depending on circumstances, allow members or employees of the Local to continue benefits coverage during extended absences.

To Qualify

- You must meet the benefit carrier's eligibility criteria,
- All your regular pay and benefits must be exhausted, and
- This must be a non-compensable illness, not covered by Workers Compensation.

Application

- Contact your Shop Steward or call the Union office (729-7557).

Coverage

- For the period you are unable to perform your current duties.
- A review will occur at 12 months.

Costs

- You will be responsible for the full premium costs.



Policy 4.0 Standards of Conduct – Union Members

POLICY STATEMENT

All members of the Union will be aware of and follow in principle, the Standards of Conduct outlined below.

GENERAL STANDARDS OF CONDUCT

Representatives of the Union and members shall carry out their duties with integrity and equality to other members and outside entities we work and deal with.

Elected Officers and members are expected to maintain a neat and clean appearance and, act according to acceptable standards and represent the Union in a dignified and respectable manner.

i) Disclosure of Confidential Information

No elected official shall, without proper authorization, disclose confidential information concerning the property, administration or affairs of the Union, unless it is in the course of the elected officers duties to do so. Nor shall they use such information to advance their private interests.

ii) Hospitality, Gifts and Favours

Elected officers shall not, either directly or indirectly, demand or accept a gift, favour, or service from any individual, organization or corporation other than the normal exchange of hospitality between persons doing business together.



Policy 4.0 Standards of Conduct – Union Members cont'd

Elected officers and members shall adhere to the oath of obligation contained in the CUPE National Constitution. The Oath is as follows:

“I,, do most sincerely promise, that I will truly and faithfully, to the best of my ability, perform the duties of my office, for the ensuing term, as prescribed in the Constitution and laws of the Canadian Union of Public Employees, and as an officer of this Union will at all times endeavor, both by counsel and example, to promote the harmony and preserve the dignity of its sessions.

I further promise, that at the close of my official term, I will promptly deliver all monies, books, papers, or other property of this Union in my possession to my duly elected successor in office.”



Policy 4.1 Equality Statement

POLICY 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 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 sisters and brothers deserve dignity, equality and respect.

Judy Darcy
National President

Claude Genereux
National Secretary-Treasurer



Policy 4.2 No Smoking Regulation

POLICY STATEMENT

In accordance with the Workers Compensation Board regulations, the Union has endorsed a SMOKE FREE POLICY. No person shall smoke at any time in any Union occupied building with the exception of designated lounges.



Policy 4.3 Celebrations During Working Hours

POLICY STATEMENT

The Union does not wish to curtail events that are beneficial to the morale and spirit of the membership, however these events cannot be condoned when they occur at the expense of members. It is for this reason that the following policy applies;

- *Regular operations will continue at all times during the regular hours of work.*
- *At no time will operational hours be limited or reduced in order to accommodate celebrations or parties.*
- *Work related celebrations or parties at the Union office are permissible, at the discretion of the Executive, provided that such celebrations do not impact upon or interfere with the regular operations of the Union.*
- *As stated in the preamble to this Policy, it is imperative that employees conduct themselves in a manner, which will not cause embarrassment or liability to the Union. Any such activity rapidly destroys the excellent work performed by the volunteers and will NOT be tolerated.*
- *Any breach of this section will be reported to the membership at the next general meeting, with recommendations from the Executive Board.*



Policy 4.4 Union Social Committee

POLICY STATEMENT

The Union Social Committee is made up of an Elected or appointed Officer of the Union. The Committee scope broadly allows for assistance or help to oversee Union events.

The Union encourages events that are beneficial to the morale and spirit of the Union, however these events must meet certain criteria in order to be eligible for financial assistance from the social Committee.

APPLICATION CRITERIA FOR FINANCIAL ASSISTANCE

Each application is evaluated on the effectiveness of the activity, based on the criteria listed below:

- Forecasted detailed budget amount
- Social mixing of all members
- Alcohol only to be permitted when accompanied by approval from the membership
- Invited special guests to be designated for pre-approval

Allocation for funding shall be designated for annual activities. These will be set as a schedule as per normal operation. One-time events will be assessed on an individual basis, availability of funds and members approval.

Funding assistance will **ONLY** be granted to applications involving Union members and families (spouse and children).

- Applications for funding assistance must be submitted to the Social Committee sixty (60) calendar days prior to the event. All commitments for such functions must be approved by the members prior to distribution.
- The Elected or appointed Officer of the Social Committee and the membership shall retain complete authority in the distribution of funds with respect to the allocation of funds and the criteria for eligibility.



- For budgetary purposes, the Union Social Committee shall submit annually by the September Annual General Meeting of each year a list of successful applications and the amount of financial assistance required or rendered.



Policy 4.5 Substance Abuse

POLICY STATEMENT

No employee of the Union, elected representative of the Union or member volunteer is permitted to conduct Union business while impaired by alcohol or any other substance. Violations will be subject to a report from the Executive, with recommendations, to the members at the next General Meeting.

The use or possession of prohibited drugs is not permitted in Union premises or while conducting Union business.

Elected Officers, employees of the Union or members using prescribed drugs are responsible to ensure that any side effects of a prescribed drug will not place themselves, other members, the Unions property or the general public in danger.



Policy 4.6 Workplace Harassment

POLICY STATEMENT

All employees and members have a right to enjoy a working environment free from all forms of discrimination and harassment. The Union will act positively to investigate alleged harassment claims and effectively remedy them when an allegation is determined to be valid. All complaints of harassment or discrimination of any kind will be held in the strictest of confidence.

DEFINITION AND PRINCIPLES

Personal harassment takes place when a person who supervises or is in a position of authority exercises that authority in a manner which serves no legitimate purpose and which ought reasonably be known to be inappropriate.

Personal harassment does not include action occasioned through the exercise, in good faith, of the responsibilities of the members or of the Elected officers of the Union.

Where the allegation is based on a matter for which another dispute resolution mechanism exists, then this process shall not be utilized.

The BC Human Rights Act identifies prohibited grounds of discrimination as race, colour, ancestry, place of origin, political belief, religion, marital or family status, physical or mental disability, sex, age (between 19 and 65), criminal or summary conviction unrelated to employment and sexual orientation.

Repetitive and unsolicited gestures, conduct or comments that are unwelcome and inappropriate or offensive to an individual or group of individuals shall be considered harassment.

Conduct that undermines a member or an employee's health, dignity, job performance, or endangers a member or an employee's employment status or potential status and when such conduct has the purpose or effect of interfering with work performance by creating a negative psychological or emotional environment, it shall be considered harassment.\



RESPONSIBILITIES

All members of the Union have a responsibility to ensure that the environment and workplace remains free from harassment. They must ensure that harassment is not allowed, condoned or ignored and may be considered party to the harassment if they fail to take corrective action.

Executive members with a fundamental knowledge and understanding of the policy can be the first contact for individuals seeking assistance with harassment related concerns. They are also responsible for preventing reoccurrence and escalation of harassment.

Members and employees must strive to have a clear understanding of what constitutes harassment, as well as an awareness of the Union's process to prevent, educate and deal with harassment of all forms.

CONFIDENTIALITY

Allegations of harassment may involve sensitive disclosures. Confidentiality must be maintained to ensure that those who may have been harassed feel free to come forward and are confident that reputations will be protected throughout the process.

All information is confidential with disclosure only to those involved with the investigation.

Confidentiality cannot be guaranteed for individuals who initiate proceedings or make comments outside the Union's internal procedures.

PROCESS FOR REPORTING, INVESTIGATION AND REMEDY

Procedures for commencement of investigation will not prejudice a member or an employee's right to access other forms of remedial action.

Retaliation against any individual for reporting harassment will not be tolerated. Members and employees are encouraged to report all incidents of harassment without fear of reprisal.



ASSISTANCE AND INFORMATION

The circumstances surrounding harassment can be sensitive and individuals must feel comfortable in a procedure to address their complaint, therefore the process that the Union has is in no way intended to regiment or restrict the individual to a finite process. The individual may want to pursue action through the Union Executive or initially speak to their supervisor or another employee whom they are comfortable with. The procedure can be flexible enough to accommodate the individual's comfort zone.

Complainants will not be restricted from access to;

- Making a complaint to the BC Human Rights Council
- Seeking legal assistance.

TRAINING AND PREVENTION

Of course it is desirable to avoid incidents of harassment and the resulting disruptive effects. Therefore it is a commitment of the Union to eliminate harassment in the workplace.



Policy 4.7 Workplace Harassment Procedures

INFORMAL PROCESS

This process is an avenue to obtain information, voice a concern and develop a means to deal with the problem with the help of the Union.

Members or employees who consider that they have been subjected to harassment may initially choose an advisor:

- An Executive Member
- A Union Representative – Steward or Committee Chair
- An immediate Supervisor

Discussions regarding the individual's concerns will be treated confidentially and informally. The policy and procedures will be outlined and various choices discussed to assist the member or employee in deciding which course of action is most appropriate.

Some actions are:

- direct discussion with alleged harasser, with or without advisor's support
- begin an investigation
- further consideration of course of action
- stop the process

Formal investigations may be the initial step of the process if members or employees are not receptive to an informal approach.

FORMAL INVESTIGATIONS

A formal request for investigation can be made when:

- Informal approaches have not resolved the problem and/or the concerned employee wishes a formal investigation to be conducted.

The initial contact for a formal request will be an Executive Officer who is responsible for ensuring that all Union Executive members are notified. It is the responsibility of the Executive to assess and initiate an investigation. Any Executive member can be contacted directly with a formal request.



An Executive Officer may conduct the investigation or act as support to the initial contact designated to investigate the alleged harassment.

The Executive will promote, revise and support the implementation of the Union's policy or act as support in conducting investigations.

A formal request will include details of the event or problem and at this point the alleged harasser's will be made aware of the complainant's identity.

Investigations can be initiated when a third party or individual's not directly being harassed are impacted as a result of harassment of others.

Anonymous requests will not be entertained. However they should not be ignored, the Executive should be contacted for other means of intervention.

INVESTIGATION

Fact Finding – The investigator will conduct interviews with relevant parties to clarify the details and provide additional information about the incident. Both parties will have opportunity to identify witnesses or others to be interviewed. Co workers may be interviewed where witnesses are not available., All interviews will be conducted in a confidential manner which respect the individual's rights and the environment.

The investigator will document all information gathered from all sources and provide results/conclusions of the investigation. The investigator may seek assistance of other staff or resources as he/she sees fit.

Preliminary Resolution – At any time during the course of the investigation, the investigator and the parties may reach resolution or settlement of the matter, in which case the investigator may propose that the investigation be discontinued.

Notification and discussion of Results – At the conclusion of the investigation, the investigator will discuss the results with the parties and Executive as necessary.

Results of Investigation – If a resolution has not been reached, the investigator will submit a written report to the Executive Board outlining facts, issues and recommendations.

Final Resolution – the Executive Board will decide the matter. The parties will have access to an appeal to the board.



Results of the Investigation

Report supported – Remedial action in all cases is intended to be appropriate to the situation and the following are examples of actions that may be taken:

- education and training
- review and modification of policies, procedures and practices
- disciplinary action
- continuous monitoring
- any other strategy design to eliminate/ prevent harassment

Changes required as a result of an investigation, will be the responsibility of the harasser.

Only formal discipline will result in a notification to the membership. Giving strict consideration to the confidentiality of both parties.

Report unsupported – where the results of an investigation do not support the specific complaint, no further action will occur.

Malicious Reports – Where, as a result of the investigation, it is determined that a member or employee has initiated this procedure with directed and specific intent to harm or in bad faith with reasonable knowledge of intent to harm, then disciplinary actions may be taken against the member or employee involved.

FOLLOW UP

In most cases a follow up should occur periodically over a minimum period of six months.

EXAMPLE OF DIRECT AND INTENTIONAL HARASSMENT

- racial or ethnic slurs including racial nicknames;
- unwelcome remarks or jokes, innuendoes or taunting about a persons body, age, marital status, gender, ethnic/racial origin, religion, accent or disabilities;
- practical jokes which cause awkwardness or embarrassment, endanger an employee's safety or negatively affect performance;
- persistent leering (suggestive staring) or obscene/offensive gestures;
- Unwanted and inappropriate physical contact such as touching, kissing, patting, pinching or brushing up against a person;
- Unwelcome sexual orientation remarks, invitations, jokes or requests that are indirect or explicit;
- Inquiries or comments regarding a persons sex life or sexual preferences;
- Physical or sexual assault;



- Misuse of authority related to a prohibited ground of discrimination;

EXAMPLES OF UNDIRECTED OR UNINTENTIONAL HARASSMENT

This includes activities not directed specifically but create an offensive or degrading work environment.

- displaying materials or graffiti which are sexually explicit, degrading, racist, or displaying material in a degrading or derogatory manner;
- patronizing behaviour, language or terminology which reinforces stereotypes and undermines self-respect or adversely affects performance and conditions.



Policy 4.8 Reporting for Work

POLICY STATEMENT

As a condition of employment, all employees are responsible for and expected to report for work at the appointed time.

The President or designate shall be notified at the earliest possible time in the event that an employee should be absent, daily if necessary. Employees will be expected to give reasons for any absence from work and the expected date of return. As per the Bylaws, the President shall notify the Treasurer on their absences.

The President and Treasurer are expected to monitor attendance in an acceptable form. The Treasurer will produce a report on attendance of all employees including the President and present this to the membership at the Annual General Meeting. Such report shall indicate the amounts of sick leave, vacation and specific leaves of absence taken.



Policy 4.9 E-Mail, Internet & Computer Use

POLICY STATEMENT

The Unions computer network, communications systems and all components are available for Union business purposes and as such all information transmitted or stored is the property of the Union. This policy will outline criteria for use of these resources.

RESOURCES

Resources are defined as all computer components including:

software and hardware
network components
and other telecommunication components (i.e. telephone, fax, voice mail, etc.)

ACCESS

1. Access to the computer network will be authorized by the Executive or designate.
2. The Union has information and data regarding its operation, and members. Use of this information will be restricted to only that required to complete your assigned duties. Authorized users are responsible to ensure that confidentiality and protection of Union information is maintained.
3. Harassing, discriminatory, offensive, illegal or otherwise inappropriate use of these resources (including the Internet) is strictly prohibited.
4. The Union reserves the right to control access to these resources and monitor usage;
 - Computer systems automatically track and log Internet and other usage, which includes dates and time, to provide adequate service and to detect and resolve problems and potential security breaches.
 - The Union maintains the authority to review these logs, act upon inappropriate usage of the Unions computer and network assets.
 - The Union may perform periodic checks on Internet usage.



5. E-Mail and file transfers that are transmitted and received over the system are considered to be Union records and as such care should be exercised to ensure that external files are free from contamination and private or personal information is not placed on the system.
 - Files downloaded must be screened for virus infection. Installation of software must be approved by the staff who's duty it is to maintain the systems.
 - E-Mail should be viewed as similar to post cards (easily viewed by anyone).
 - E-Mail is subject to release under Freedom of Information regulations.

VIOLATION

Any breach of this policy may result in loss of access or disciplinary action.



Policy 5.0 Personal File and the Release of Information

POLICY STATEMENT

The Union will maintain a Personal and Confidential File for each employee and for each member of Local 401 that has official business with the Union and the following guidelines apply in regards to the release of the individual's file or contents of such file.

By appointment, employees or members may review their files in the presence of the President or designate.

Any elected official requiring access to an employee or member's Personal file shall obtain the information through the President or the Executive Assistant who will provide the appropriate information.

All files are confidential and will be treated as such.

Persons having authorization to access a member's file are responsible for maintaining its confidentiality.

Under no circumstances will a personal file be removed from the Union office unless special circumstances warrant it. Approval must be given prior to removing any file by an Executive officer or designate. A sign-out sheet will be provided and requires the signatures of the member and the approving Executive Officer. Upon request, copies of documents from an individual's personal file may be obtained through the President or the Executive Assistant.

Confirmation by telephone will be provided for the following information on a routine basis providing the inquirer has legitimate grounds for the request:

- Confirmation of Employment
- Job Title
- Status
- Length of Service

Information contained within a personnel file will not be released outside the Union's offices without the individual's written or verbal consent, unless required by law.

Information concerning a member will normally only be released by the President, an Executive member or the Executive Assistant. Any intentional breach of this policy shall result in immediate removal from office.



Policy 5.1 Training and Development

POLICY STATEMENT

The Union encourages members and employees to continue to upgrade their capabilities, knowledge, qualifications and overall abilities through participation in training and development programs.

The Union may pay all or a portion of the fees and expenses required for members and employees training and development activities offered outside the Union's internal training programs.

The Union will make every possible effort to ensure that training and development activities will be determined in conjunction with the members' and employees participation and involvement in local business. Service and commitment to the Local will be given extra weight when considering whom receives training and development opportunities.

When ever possible, members and employees should attempt to attend courses that are offered during non-working hours.

PROCEDURE

Applicants shall first consult the Education Chair who will take the request forward with a recommendation to the Executive Board. The Board will take the request to the next General Meeting for membership approval before registering in a course or seminar. The Executive Board will be empowered to allow educational or developmental training on its own when time is of the essence. But the Executive Board must report this activity to the next General Membership meeting.

Whenever possible approved conventions, conferences, seminars, workshops, short-term courses and training and development activities shall be paid by the Union in advance.



The Protection of Personal Information Policy

Introduction

This policy applies to CUPE Local 401 (CUPE) and has been adopted pursuant to the Personal Information Protection Act (BC).

CUPE Local 401 as a union is responsible under the Protection of Personal Information Act (BC) (PIPA) to protect what is defined in PIPA as "personal information" and "employee personal information".

Not all information about all individuals is affected by PIPA. Much of the information CUPE Local 401 collects and uses about individuals is defined in PIPA as "work product information" about its members, collected and used by CUPE Local 401 as a collective organization, for purposes connected to promoting the welfare of the group. This information is not subject to PIPA.

Other information collected and used by CUPE Local 401 is subject to PIPA. That information includes personal information about its employees and non member volunteers, as well as information about others in the community who are not CUPE members.

CUPE Local 401 protects the information of its members by ensuring that it is not disclosed to non members except as necessary to further the interests of the membership as a whole. Members who are concerned about the disclosure of information about them are encouraged to raise those issues with CUPE Local 401 officials, with final decisions to be made democratically according to the CUPE Local 401 Constitution and Bylaws.

This policy is designed to cover what is defined in PIPA as "personal information" and "employee personal information", which is included in "personal information". Where applicable, the principles of privacy protection contained in this policy should also be followed with respect to member information as well as the information covered under PIPA. Members are encouraged to use the democratic processes of the union to ensure that privacy is appropriately protected within CUPE Local 401 and by CUPE.

Protection of "Personal Information" and "Employee Personal Information"
CUPE Local 401 as an organization is responsible for the protection of "personal information" and the proper handling of it at all times, throughout CUPE Local 401 and in dealings with outside parties. We recognize that our proper handling of "personal information" is both essential to the individuals concerned and to our reputation as a union.

CUPE Local 401 subscribes to the following principles for the protection of "personal information" and "employee personal information":



1. Accountability
2. Identifying
3. Consent
4. Limiting collection
5. Limiting use, disclosure, and retention
6. Accuracy
7. Safeguards
8. Openness
9. Individual access
10. Challenging compliance

1. Accountability

CUPE Local 401 has a Privacy Coordinator to look after the protection of information under PIPA. Individuals who are concerned about information CUPE Local 401 possesses, and how it is stored, used and disclosed are encouraged to contact our Privacy Coordinator through the union office.

Our Privacy Coordinator is responsible for handling questions and requests for information from the public and our employees, as well as making recommendations to the Executive Board for the handling and protection of information. CUPE Local 401 welcomes suggestions made to the Privacy Coordinator on how we can improve and maintain our protection of privacy.

The Privacy Coordinator will also work with other Privacy Coordinators and resource people within both CUPE BC and CUPE National to ensure that our privacy protection measures are appropriate and effective.

2. Identifying the purpose of collection, use and disclosure

Where PIPA requires it, CUPE Local 401 will identify the reasons for collecting "personal information" or "employee personal information" before or at the time we collect it. As required, we will document those reasons and inform the individual from whom it is to be collected. Any further use of the information will be subject to a new consent where PIPA requires it.

3. Obtaining consent for collection, use and disclosure

It is our policy to obtain consent for the collection, use and disclosure of "personal information" as required by PIPA. Before any "personal information" is handled by any member or employee of CUPE, they will receive instruction on the requirements to be met under the legislation by the Privacy Coordinator or another person designated by them.



4. Limiting collection

In general, it is our policy to avoid the unnecessary collection of information. Where "personal information" under PIPA is involved, or may be involved, we will require consultation with the Privacy Coordinator or reference to the written directions of the Privacy Coordinator.

5. Limiting use, disclosure and retention

"Personal information" should only be used for the purpose for which it was collected, and should not be retained after its purpose is finished according to PIPA. There are uses for which the purpose may only seem to be completed, however. Members and employees must refer to the Privacy Coordinator for direction before destruction of "personal information" pursuant to PIPA to ensure that destruction is appropriate. Instead of destruction, the information may sometimes be altered to remove identifying information if appropriate.

The Privacy Coordinator will coordinate regular reviews to ensure that "personal information" is not retained unnecessarily.

6. Maintaining accuracy

CUPE Local 401 will take every reasonable step to ensure that information used in decision making or disclosed to third parties is accurate and complete. Before making such decisions or disclosures, "personal information" must be checked.

7. Using appropriate safeguards

"Personal information" under PIPA must be protected from theft or unwarranted disclosure. All members and employees of CUPE Local 401 will be advised of this requirement. The Privacy Coordinator is responsible for ensuring that CUPE Local 401 maintains adequate safeguards against theft or unauthorized access, use or disclosure. These measures will be reasonably strict depending on the sensitivity of the information involved and will be reviewed on a regular basis by the Privacy Coordinator.

8. Openness

CUPE Local 401 will make all reasonable efforts to inform the public, its members and its employees of this policy and any subsequent policy with respect to "personal information" under PIPA. To that end, a copy of the current policy will be available on request at our offices.

It is our intention to protect "personal information" as defined in PIPA, and to be as open to suggestion, criticism, complaint and inquiry as we can. The Policy Coordinator will be responsible for dealing as quickly as possible with the public, members and employees who have concerns they wish to raise, and with the Privacy Commissioner under PIPA.

Complaints and requests under PIPA will be handled by the Privacy Coordinator, who will be happy to assist in drafting them.



9. Giving individual's access

Under PIPA, individuals have rights to access their "personal information", with some exceptions. Requests for access should be made to the Privacy Coordinator, who will respond to them as quickly and effectively as possible subject to PIPA's requirements.

If correction of the "personal information" is appropriate, the Privacy Coordinator will receive and act on a request for correction according to PIPA's requirements. If there is a disagreement about accuracy of the "personal information", PIPA requires CUPE to make a note of the requested correction attached to the document where the disputed information appears.

Fees may be charged under PIPA for access to "personal information", and may include the costs to CUPE of finding and copying such information. We will keep any such fees to a minimum, covering only our costs. Before doing the work, an estimate of any fees to be charged will be given.

10. Appeals

Any decision of the Privacy Coordinator may be appealed to the Executive Board or its delegate(s). CUPE will make every reasonable effort to resolve disputes without the need to involve the Privacy Commissioner under PIPA.



Policy 5.2 Association Fees

POLICY STATEMENT

Members/employees may be entitled, with membership approval, to receive full reimbursement from the Union for fees or dues that are paid as a requirement to maintain membership in a particular association or organization. The association or organization must be applicable and relevant to the member's current elected function or the employee's current position. Approval will be subject to annual requirements and the availability of budgets. Final approval for payment of association fees rests with the membership.

Favourable consideration will be given to requests for reimbursement/payment by the Union in instances where:

It is a condition that the member/employee maintain membership in good standing in an association; or

The nature of the member/employee's position, and function makes it desirable or necessary that they maintain membership in a particular association; or

Where it can be demonstrated that maintaining a person's membership in an association will derive positive benefits to the Union in terms of:

1. the member/employee's enrichment and upgrading of job knowledge;
2. access to current information;
3. participation in seminars and conferences where information is exchanged among fellow practitioners.



Policy 6.0 Pay Period Payroll Cheques

POLICY STATEMENT

All employees of the Local shall be paid every second Friday. Payroll cheques and/or direct deposit pay notices will be distributed to the employee. Under no circumstances will cheques or direct deposit pay notices be distributed to any individual other than the employee for whom the pay cheque/notice is for, except as noted below.

Where payroll cheques/notices are to be released to an authorized person other than the employee, written authorization by the employee will be sent to the Executive.

The employee must send a copy of the authorization to the Secretary-Treasurer.

The onus is on the employee to ensure that they have been paid for all hours worked and at the correct rate. If a discrepancy should arise the employee should bring it to the attention of the Secretary-Treasurer who is then responsible for correcting any errors on the behalf of the employee.

All new permanent full-time employees may be paid by means of direct deposit payroll system, if they choose that method of payment.



Policy 6.1 Early Pay Cheque Availability

POLICY STATEMENT

The Union may operate a Direct Deposit system for all new permanent, full-time employees of the Local. A manual pay cheque system is also available to permanent, full-time employees.

Employees who are not a part of the Direct Deposit system may make requests to have their pay cheques available the preceding day.

Employees requesting early cheque availability are required to advise the Secretary-Treasurer five (5) days in advance.



Policy 6.2 Vacation Pay Advances

POLICY STATEMENT

Employees may make a request to the Secretary-Treasurer for an advance of their salary for their vacation period. The onus is on the employee to submit a memo or holiday request form to the Secretary-Treasurer five (5) days in advance of leave.

In no case will an advance be paid beyond the amount of earned compensation by the employee.



Policy 6.3 Overtime

POLICY STATEMENT

Overtime shall be defined as all work in excess of the applicable normal and/or regularly scheduled workday or the normal or regularly scheduled workweek. All overtime worked must be pre-authorized by the President or an authorized delegate. Overtime shall not apply to any elected or appointed officer of the Local.



Policy 6.4 Travel Authorization/Expenditures

POLICY STATEMENT

The mode of travel used should be the most economical in time lost from work and costs incurred.

AUTHORIZATION:

Same day and overnight out-of-town travel requires the prior approval of the Executive.

EXPENDITURES:

Mileage reimbursement for private vehicles will be as set out in the CUPE BC guidelines. Reimbursement will be limited to the equivalent economy airfare plus related ground transportation.

Parking fees may be claimed as an expense; however, parking fines are the responsibility of the member.

Airline flight costs are to be billed directly to the Union whenever possible and entered in the expense claim as a Union paid cost.

A per diem allowance will be provided according the Local's Bylaws.

The per diem claim shall be reduced according to the Bylaws when the member's meal is provided at the function attended.

Other expenses, such as taxi, bus, hotel, etc. will be reimbursed at actual cost. Receipts must be submitted.

All hotels reservations will be made or arranged by the Education Chair or designate.

Where spouses accompany employees on trips, the single rate shall apply.

If the employee prefers to stay at private accommodations, an allowance of \$20.00 per night will be paid, without receipts, in addition to the per diem rates. No additional travel costs to the location of the meeting/function will be paid (taxi, bus fare, etc.).



Hotel expenses for personal items such as movies and bar service will not be reimbursed.
All claims for expense reimbursement must be approved by the President or designate.

TRAVEL

All members of the Union requiring a whole day or more.....

All members and/or staff using their own vehicle on approved Union business who are traveling outside of their home town or city shall be reimbursed for mileage at the same rate as determined by CUPE BC.

No reimbursement for mileage shall be allowed for Executive or General meetings. Under special circumstances, requests will be considered by the Executive on a case-by-case basis.

MEAL ALLOWANCE/PER DIEM

Per Diems shall be paid at the same rate as CUPE BC.

Meal allowances for less than full day travel shall be paid per individual meals as outlined in CUPE BC policy.

TELEPHONE EXPENSES

Members who are required to be away from home on Union business shall be entitled to one telephone call, to a maximum of \$5.00 for every night they are absent. Telephone expense should be claimed on a regular expense claim form using the receipt from the hotel or telephone bill as proof of claim.



Policy 6.5 Mileage – Regular Union Business

Mileage will be paid, as per CUPE BC rates, for regular Union business. Regular Union business is defined as the day-to-day functions associated with the regular and ongoing business of the Local.



Policy 7.0 Annual Vacations - Staff

The Union recognizes the benefit of time away from conducting the business of the Local.

Staff of the Local must use their vacation entitlement before the end of the calendar year. Upon application the Executive will consider allowing the carry-over of up to four (4) weeks vacation time per year. Any carry over must be used by the end of the following year.

SCHEDULING

Vacation will be scheduled so far as possible, within operational efficiency and in a manner that accommodates the wishes of the employee.



Policy 7.1 Statutory Holidays

POLICY STATEMENT

The Union recognizes the following days as Statutory Holidays:

New Year's Day	Labour Day
Good Friday	Thanksgiving Day
Easter Monday	Remembrance Day
Victoria Day	Christmas Day
Canada Day	Boxing Day
British Columbia Day	

Special holidays that may be declared by the Union, the Federal or Provincial Governments are in addition to the holidays listed.

EMPLOYEES

Employees shall not work on a statutory holiday unless authorized by the President. Employees required to work on a regularly scheduled holiday will either be compensated with time off and/or premium pay.

All employees are entitled to a paid day off in lieu of the Statutory Holiday. Employees who work the Statutory Holidays are entitled to double time pay in addition to the Statutory Holiday pay. The rate of pay for Statutory Holidays will be the same as that paid on the immediate preceding working day. However, if an employee did not work on the preceding working day, the rate shall be in accordance with his regular classification.

Vacation entitlement will be extended if a Statutory Holiday occurs in the vacation time.

When a Statutory Holiday falls on a Saturday and/or a Sunday, the following Monday and/or Tuesday shall normally be declared a holiday.



Policy 7.2 Sick Leave

POLICY STATEMENT

Paid sick leave is to be used only in the case of an employee's illness, injury or medical/dental appointments. Employees should try to schedule medical appointments outside of work hours and to avoid critical work time periods; when this is not possible then access to paid sick leave is appropriate.

When an employee will be absent due to illness, they are required to give the Union as much notice as possible prior to the commencement of their shift, and such notice is to be given directly to the President. In the event that the President is not available, notice must be given to a designated representative. An employee who does not call-in as required will not receive paid sick leave.

MEDICAL CERTIFICATE

Absence from Work

An employee may be required to provide a medical certificate from a licensed medical practitioner for any illness. In such instances the President or designate will contact the employee to request the certificate but shall not make contact with the employee's doctor without written permission from the employee.

Dependent upon bona fide occupational circumstances the Union may require diagnosis included in the certificate from the doctor.

If an employee fails to provide the requested medical certificate, Sick Leave Benefits may be denied.

Return to Work

Following a serious illness or injury, including claims of compensable injuries, the Employer may require a Doctor's certificate stating an employee is fit to return to work.

This procedure includes compensable injures.

In the event of a sickness or disability, resulting from an accident suffered or incurred while carrying out the employee's regular duties and accepted by WCB, there are no grounds for dismissal. However, the employee must provide a written opinion from a



Medical Officer stating that, upon recovery, the employee will be able to carry on with the duties of their previous position. Therefore, the employee will continue in the position held by them prior to any illness or accident.

Rate of Pay

The rate paid on sick leave shall be the employee's classified rate of pay. In the event that an employee becomes ill while working in a temporary or substitution pay position, the rate of pay while on sick leave shall be the rate applicable on the last day worked prior to the sick leave. This rate shall apply only for the duration of the period that the employee would have worked in the temporary or substitution position.

Family Illness

Employees shall be entitled to use a maximum total of three (3) days of their annual sick leave entitlement per year, irrespective of the number of individuals or incidents involved, in the case of illness of a dependent child, when no one at an employee's home other than the employee can provide for the needs of such child, or in the case of serious illness of other members of an employee's immediate family, as defined in article 24(d) of the City of Nanaimo's Collective Agreement.

The leave is not to facilitate medical or dental visits – unless the visit could be seen as medical service in aid of the illness.

Continuation of Benefits

The Union will pay its portion of the premiums for Medical Services Plan, Dental, Extended Health, Life and AD&D Insurance for the first three (3) months after expiration of sick leave benefits.

The Union may, depending on your circumstances, allow you to continue benefits coverage.

To Qualify

- Employees must meet the benefits carrier's eligibility criteria
- All regular pay and benefits must be exhausted
- This must be a non-compensable illness.

Coverage

- For the period employees are unable to perform their current classification and level ("own occupation") to a maximum of 48 months.
- A review will occur at 24 months



Costs

- Employees will be responsible for full premium costs.

Vacation Accrual

An employee who is absent on paid sick leave will continue to accrue annual vacation and sick leave entitlements; statutory holiday entitlements and benefit premiums are paid in the usual manner. Any employee receiving earnings from the Sick Leave Bank shall continue to earn vacation and sick entitlement while receiving pay from the bank.



Policy 7.3 Sick Leave Bank

WITHDRAWAL FROM THE BANK

All permanent staff may access the “Sick Leave Bank”.

Permanent employees who have suffered a major illness or major injury that is not WCB compensable shall submit to the Union Executive a request for approval of a withdrawal from the Sick Leave Bank. The appropriate medical evidence, including an estimate of time needed, must accompany this request.

Only after personal sick leave and vacation entitlements have been exhausted may an individual request access to the “Bank”. While accessing the “Sick Bank” sick leave accumulated during absence is utilized as it is earned. Vacation continues to accumulate to be utilized upon employee’s return.

Once the employee’s personal entitlements are exhausted for a major illness and they have reached their maximum withdrawal from the ‘Sick Leave Bank”, they receive no further payment from the Union for that illness.



Policy 7.4 Bereavement Leave with Pay

POLICY STATEMENT

The Union allows employees time off without loss of pay to enable the employee to grieve or mourn.

EMPLOYEES

All employees shall be entitled to a maximum of five (5) working days bereavement leave in case of death in his/her immediate family. An immediate family includes: father, mother, spouse (including common-law, and same sex partner), children, brothers, sisters, parents-in-law, sister-in-law, brother-in-law, stepparents, grandchildren, and grandparents of an employee. Common-law consists of: a person who continues to and has cohabitated with an employee for a period of at least two years and who is represented publicly as a spouse.

When special circumstances warrant, the Union Executive has the discretion to grant an employee paid bereavement leave to supplement that described above.



Policy 7.5 Leave of Absence without Pay – General

POLICY STATEMENT

In considering requests for leave of absence without pay, the Union will attempt to balance the interest of the employee for the reason of the absence, against the extent of the operational needs that the absence will cause the Union.

Requests for leaves of absence shall be in writing and submitted to the Executive.

Generally, the following factors should be considered in reviewing requests for all general leaves of absences:

- The reason for the absence (such as) elder care;
- The effect of such leave of absence on the operating effectiveness of the Union as a whole;
- The requirement for employing replacement staff;
- Length of service of the employee;
- The duration of the leave requested;
- The time period since the last leave of absence for the employee.

A written request for leave of absence, not to exceed 1 month, may be authorized by the President or designate. Requests for longer periods shall be at the discretion of the Executive. The employee's application and the President's recommendation shall be forwarded in writing to the Executive for review, with a recommendation.

Requests for reduction in hours may also be considered as a partial leave of absence.

All requests regardless of duration shall be processed through the President.

No leave will be withheld unless there is good and sufficient cause to deny such leave.

BENEFITS DURING LEAVE

Statutory Holiday

A condition of being granted leave of absence is that the employee will not receive Statutory Holiday pay for any Statutory Holiday, which occurs during the leave of absence.



Vacation

Vacation entitlement will be pro rated to take any leave of absence in excess of two weeks (10 working days) into consideration. Any accumulated vacation and banked overtime credits must be exhausted prior to approval of leave of absence. (This will not apply to requests for reduced hours).

Benefits Premiums

Upon the expiration of thirty (30) calendar days of leave of absence, continuation of benefits becomes solely the employee's responsibility, i.e. they must pay to the Union both the employee's share and the Union's share of premiums in advance or benefits will be canceled. In the case of reduced hours, when a full time position is filled on a temporary basis by one or more employees, premiums will be determined by percentage of hours worked by each employee, if eligible for benefits, cost will be shared responsibility between the Union and the respective employee(s).



Policy 7.6 Pregnancy & Parental Leave

As Per Employment Standards.



Policy 7.7 Jury/Court Witness Duty

POLICY STATEMENT

The Union will grant special leave with pay for the number of hours served that were scheduled to be worked when an employee is not personally involved in a court action but has been either subpoenaed to appear as a witness in connection with any litigious matter or called for jury duty and it conflicts with the employee's assigned shift/work day.

Special leave is not applicable when an employee is a litigant and must appear in court on this account.

When time spent in court conflicts with less than one half of an employee's assigned shift/work day, the employee is expected to report for work for the remaining half-shift/work day. However, an employee is not expected to return to work where jury/witness duty extends past the two hours before the shift/work days ends.

An employee in receipt of regular earnings while serving at Court shall remit to the Treasurer all wages paid to the employee by the Court, and shall advise his/her supervisor accordingly.



Policy 7.8 Leave to Vote in Elections

POLICY STATEMENT

The Provincial Election Act States:

“An employee who is entitled to vote in an election or who, on registration will be entitled to vote in the election is entitled to have 4 consecutive hours free from employment during voting hours for general voting.”

The intent of this legislation is to ensure eligible voters have adequate time to attend their polling place.

Employees are encouraged to make arrangements to vote that are least disruptive to the operation of their department.



Policy 8.0 Workers' Compensation

POLICY STATEMENT

Employees of the Local who are absent from duty due to injuries incurred while on duty shall have their net take home pay and benefits maintained during such absence for a period not exceeding 12 months. All moneys received from the Workers' Compensation Board shall be remitted to the Union during the 12-month period.

Should any compensable accident be of a longer duration than 12 months and an employee is unable to attend work because of a disability resulting from the accident, the employee shall have his total MSP, Group Insurance, and Dental Plan paid by the Union until the employee returns to work or is judged to be medically unfit to resume work.



Policy 8.1 Ergonomics Policy

POLICY STATEMENT

The Union recognizes that there are risk factors associated with the various tasks our employees complete in their work activities, which may cause or contribute to a musculoskeletal injury (MSI). The employer is therefore committed to addressing ergonomics issues, to eliminate or, if that is not practicable, to minimize the risk of MSI to workers.

RISK IDENTIFICATION

The Union will attempt to identify factors in the workplace which may expose workers to a risk of MSI through both proactive and reactive initiatives such as: workplace inspections, monitoring and assessments; review of health and safety literature, injury reports and statistics; and follow-up of employee complaints/concerns.

RISK ASSESSMENT

The Union will conduct risk assessments when factors that may expose workers to a risk of MSI have been identified. Individuals who have been trained for that purpose will conduct risk assessments.

RISK CONTROL

Upon completion of risk assessments, the Union will undertake the necessary action to eliminate or otherwise minimize the risk of MSI to workers. Evaluation of risk control measures will include a review of: engineering controls; administrative controls; personal protective equipment; and employee education initiatives.

PROCESS REVIEW

The Union will monitor the effectiveness of ergonomics procedures on an annual basis.



Policy 9.0 President's Hours of Work

The President's hours of work are outlined as follows:

- The hours of work for the President will generally be between the hours of 7:00 a.m. and 6:00 p.m., Monday to Friday. The duties of the President will be a forty-hour (40) per week position.
- There is an expectation of extended hours of work beyond these hours, as the duties of the position may require. This may include evening and weekend meetings, emergencies, etc.
- It is expected that if the President works outside of the normal workday a flexible schedule may be available provided there is Executive approval for such change.
- The President is required to report any absence from work to the Secretary Treasurer. This information will provide a record of use for sick time, holiday allotment etc. and information required to compile a report by the Secretary Treasurer to be presented to the membership at each Annual General Meeting.

Policy 9.1 Officers Policy

- All officers are responsible for reporting to the executive or the membership, whichever is appropriate, all wrong doing or apparent wrong doing by any other officer conducting business on behalf of the local.

STAFF OF LOCAL 401 ARE REQUIRED TO REPORT WRONG DOING OR APPARENT WRONG DOING DIRECTLY TO THE TRUSTEES OF LOCAL 401 WHO WILL REPORT TO THE APPROPRIATE BODY.



Policy 10.0 Responsibilities of the Trustees

The Trustees elected by the membership of CUPE Local 401 are required to follow all Bylaws and specifically Section 7(f).

The following are supplementary responsibilities and privileges:

- Trustees have autonomy from the Executive Board of CUPE Local 401.
- Trustees are required to report to the membership after each audit.
- In addition to the requirements in the Bylaws, Trustees are encouraged to inspect the financial books or records of the Local, twice per year at their discretion, and report any findings to the remaining Trustees.
- Trustees are to ensure that adequate training opportunities are provided to all new Trustees. In addition Trustees are required to make recommendations regarding the kind of necessary training for new Trustees and report training attendance to the membership.
- Once per year Trustees will review their duties and responsibilities under the Bylaws, Section 7(f) and make recommendations for changes if necessary to the membership.
- Trustees are required to immediately report any harassment or intimidation against them to the Executive Board of the Local. Under no circumstances will any form of harassment or intimidation be tolerated.
- Trustees are required to produce and maintain a **Reference Guide** to assist existing/incoming Trustees. All copies of all records and notes for each individual audit will be provided in this reference guide with a copy provided to the Executive Board.
- The Executive Board will provide a sufficient amount of paid time off, for Trustees from their regular employment, to conduct each audit.
- **Trustees will be required to proof all Collective Agreements that have been negotiated prior to final approval of such document/s. Errors or omissions will be reported to the appropriate bargaining committee for correction.**



Policy 11.0 Credit Card Use

Upon election to office the President and 1st Vice-President will be provided with a credit card in their name and CUPE Local 401. In addition, there will be one (1) card provided, for office use, in the name of CUPE Local 401 only. These cards are to be used for Union expenses **only** in accordance with the following regulations:

1. The credit card may only be used and signed by the officer with whom the card is entrusted.
2. Only legitimate Union expenses may be charged on the credit card.
3. Personal items shall not be charged on the credit card.
4. Complete receipts for each transaction on the credit card must be provided to the Secretary-Treasurer each month accompanied by the appropriate invoice. For meal expenses, the itemized receipt must be included. Itemized receipts shall also include a notation of the names of those members and/or persons in attendance incurring the expense and the reason for the expense. Under no circumstances will the Union credit card be utilized to purchase more than two alcoholic beverages per person per meal.
5. At no time shall the credit card be used solely to purchase alcoholic beverages unless prior approval has been provided by the Executive.
6. Lost or stolen credit cards shall be reported immediately to the issuing credit Union/bank and to the President or designate.
7. Officers issued a credit card shall sign a standard form agreeing to reimburse Local 401 for any charges made by them not authorized by this policy.
8. Each month the Secretary-Treasurer shall review credit card expenses for each officer and provide a report to the Executive of any irregularities.
9. Any intentional breach of these regulations shall result in immediate removal from office.



Policy 12.0 Signing Authority

Union Officers with signing authority are to be as outlined in the CUPE National Constitution.

Checks payable to Union Officers are to be signed by a Union Officer with signing authority other than themselves.