



CANADIAN UNION OF PUBLIC EMPLOYEES  
ALBERTA DIVISION  
CONSTITUTION

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

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**CANADIAN UNION OF PUBLIC EMPLOYEES  
ALBERTA DIVISION**

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**CONSTITUTION**

(Revised at the 58th Annual Convention Calgary, Alberta)

**PREAMBLE:**

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

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

**BE IT THEREFORE RESOLVED:**

That we in Provincial Convention assembled these days, March 20<sup>th</sup> – March 22<sup>nd</sup>, 2008, in the City of Calgary in the Province of Alberta, amend the Constitution of the Central Provincial Body of Public Employees, as follows:

**ARTICLE ONE - NAME**

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

**ARTICLE TWO - AIMS AND OBJECTIVES**

**Section 1**

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

## **Section 2**

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

## **Section 3**

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

## **Section 4**

This Division is unequivocally opposed to discrimination of any kind and supports total equality of treatment.

## **Section 5**

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

## **Section 6**

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

## **Section 7**

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

## **ARTICLE THREE - MEMBERSHIP**

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

## **ARTICLE FOUR - STRUCTURE**

### **Section 1**

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

### **Section 2**

The Executive Committee, comprising the President, General Vice- Presidents, Treasurer, Secretary, the Area Vice-Presidents, one Young Workers Vice-President and one Visible Minority Vice-President shall govern this Division between Conventions.

Alternate Area Vice-Presidents shall attend Executive Meetings with full voice and vote in the absence of their Area Vice-President. They shall also be eligible to attend the first Executive Meeting following Convention and one additional Executive Meeting as determined by the Executive Committee prior to the next Convention. They shall be entitled to voice but no vote unless the Area Vice-President is absent.

Quorum for transaction of business before the Executive Committee shall be 50% plus one.

### **Section 3**

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

Peace River	North of the 55th parallel to Alberta boundary, west to the British Columbia border and east to the 115th longitude.
Fort McMurray	North of the 55th parallel to Alberta boundary, east to the Saskatchewan border and west to the 115th longitude.
North West	The area outside the Edmonton area, north to the 55th parallel, West of Highway #2 to the British Columbia border and north of an east west line from Highway #13 to and including Jasper.
North East	The area outside of the Edmonton area, north to the 55th parallel, Highway #2 East to the Saskatchewan border including Athabasca and Morinville, South and East along Highway #14 to the Saskatchewan border, including Viking and Wainwright.

Edmonton Area	The area within the corporate limits of the City of Edmonton, along with St. Albert, Sherwood Park and Spruce Grove.
Red Deer Area	North to but not including, Highway #14 east of Edmonton and Highway #13 west of Highway #2, east and west to Provincial boundaries, south to 51st parallel east of Strathmore and south to Highway #1A west of Calgary.
Calgary Area	The area within the corporate limits of the City of Calgary and Airdrie, east to Strathmore then south to a point due east of Okotoks, west to Okotoks, due north to Calgary, west on the 51st parallel to British Columbia boundary, north to Highway #1, east on Highway #1 and #1A to Calgary (including Canmore, & Cochrane).
Lethbridge	East and south of Mossleigh on Highway #23 to the 50th parallel, east to Highway #845 then south to the border, west to the B.C. boundary and north to the 51st parallel.
Medicine Hat	Bounded by the 51st parallel, Saskatchewan boundary, U.S. border and the area east of the Lethbridge area.

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

#### **Section 4**

The President, General Vice-Presidents, Treasurer, and the Secretary shall comprise the Table Officers and shall administer this Division when Convention and/or Executive Committee are not in session. Meetings of the Table Officers may be called at any time by the President. Three members shall constitute a quorum for the transaction of business.

### **ARTICLE FIVE - ELECTIONS**

#### **Section 1**

Members of the Executive shall be bona-fide members of duly chartered Locals or District Councils of the Canadian Union of Public Employees, affiliated to this Division;

and shall be elected from the delegates attending the Convention. Area and Alternate Area Vice-Presidents must reside in the area they represent.

## Section 2

In the election for the two General Vice-Presidents positions one shall represent Red Deer and north, the other shall represent the area south of Red Deer. At the time of the election, General Vice-Presidential candidates must reside in the area they represent.

## Section 3

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

Odd Years	President Secretary General Vice President (South) Alternate Area Vice Presidents Young Workers Vice President
Even Years	Treasurer General Vice President (North) Area Vice Presidents Visible Minority Vice-President

The term of office for all Officers elected at Convention shall commence immediately following adjournment of the Convention at which they are elected.

In the event of a vacancy, howsoever caused, in the term of office of a Division Table Officer, the Division Executive shall have the power to fill the vacancy, by majority vote of all its' members, for the period up to the next Division Convention.

In the event of a vacancy in any position, other than Table Officers, the Division Executive Committee shall fill the vacancy, by majority vote of its members for the period of the unexpired term. Affiliated District Councils and Local Unions in the region shall be consulted as to nomination for replacement of an Area Vice President, Alternate Area Vice President, Visible Minority Vice President or Young Workers Vice President.

## Section 4

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

## **Section 5**

All elections shall be by secret ballot and to be elected the candidate must receive at least 50% plus one, of the ballots cast. In the event of a tie the election shall be decided by subsequent ballot or ballots.

## **Section 6**

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

## **Section 7**

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

## **Section 8**

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

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

## **Section 9**

Upon completion of the elections, the newly elected Officers, Executive and Trustee(s) members shall come to the front of the Convention and affirm the following oath of office before the delegates assembled:

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 the Union will at all times endeavour, 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 of office, I will promptly deliver all monies, books and papers, or other property of this Union in my possession to my duly elected successor in office."

**ARTICLE SIX - DUTIES OF OFFICERS AND AREA VICE PRESIDENTS, VISIBLE MINORITY VICE-PRESIDENT, YOUNG WORKER VICE PRESIDENT AND TRUSTEES**

**Section 1 - President**

**The President shall:**

- preside at all meetings of the Division;
- sign all cheques authorized by the Executive and transact any other business as may pertain to the office of President;
- call four Executive meetings per year and such special meetings as are required. Meetings may be requested at any time by 50%, or more, of the Executive;
- appoint committees not provided for in this Constitution;
- ensure that all officers perform their duties in accordance with the Constitution;
- endeavour to promote legislation favourable to public employees;
- in case of emergency, select members to fill vacancies or unexpired terms of office;
- have automatic delegate status for all Conventions and Conferences of this Division and the National C.U.P.E. Convention at Division expense.
- convene the Executive, in the shortest possible time, following a vacancy in the position of Treasurer, for the purpose of filling such vacancy.

**Section 2 - General Vice-Presidents**

**The General Vice-Presidents shall:**

- assist the President in the performance of their duties;
- preside at all meetings at the request of, or in the absence of, the President;
- perform such duties as are assigned, from time to time, by the Executive;
- have automatic delegate status at all Conventions and Conferences of this Division, at Division expense;
- maintain close liaison with the Area Vice-Presidents, and their alternates, in the area

they represent.

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

### **Section 3 - Treasurer**

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

- subject to Convention, Executive Committee and Presidential direction, be responsible for all financial matters and documentation;
- keep and maintain a correct record of Division receipts and disbursements;
- produce an up to date financial statement for each Executive meeting and Convention;
- keep no more than \$10,000.00 in the Division current account with all funds transferred and held in secure interest earning investments;
- pay all bills authorized by the Executive, with a cheque signed by either the President or a General Vice-President and themselves;
- keep the President and Executive Committee informed of all vital financial matters, including per capita tax arrears;
- carry out the instructions of the Executive and, with the approval of the President, employ, direct, and fix compensation for all office help necessary for the proper functioning of the Division's aims and Policies;
- have automatic delegate status for all Conferences and Conventions of the Division, and the C.U.P.E. National Convention, with expenses paid by the Division;
- be bonded, at Division expense, in such amount as may be determined from time to time by the Executive Committee.

## **Section 4 - Secretary**

### **The Secretary shall:**

- keep a correct, full and impartial record of Division Executive and Table Officers meetings;
- be responsible for all official Division correspondence;
- perform any such other duties as the Executive Committee or this Constitution may direct;
- have automatic delegate status at all Division Conventions and conferences at Division expense.
- convene the Executive, in the shortest possible time, following a vacancy in the position of President, for the purpose of filling such vacancy.

## **Section 5 - Area Vice Presidents**

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

- maintain close liaison with C.U.P.E. Locals and District Councils in their area, keeping them informed of matters that may effect the general welfare of Public Employees in the Province;
- submit a written report to each Executive Meeting outlining the present position of each local in their area regarding negotiations, grievances, classifications, and/or any other pertinent matters;
- when possible, attend all meetings of the Executive and delegate their Alternate if unable to attend;
- serve on committees as required.

## **Section 6 - Visible Minority Vice President**

### **The Visible Minority Vice-President shall:**

- Maintain close liaison with C.U.P.E. Locals and District Councils in Alberta, keeping

- them informed of matters that may affect the general welfare of Public Employees;
- submit a written report to each Executive meeting outlining the present position of issues effecting visible minorities in the province required negotiations, grievances, classification, legislation, and/or pertinent matters;
- when possible, attend all meetings of the Executive;
- Serve on Committees as required.

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

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

- maintain close liaison with C.U.P.E. Locals and District Councils in Alberta, keeping them informed of matters that may effect the general welfare of Public Employees;
- submit a written report to each Executive meeting outlining the present position of issues effecting visible minorities in the province required negotiations, grievances, classification, legislation, and/or pertinent matters;
- when possible, attend all meetings of the Executive;
- Serve on Committees as required.

## **Section 8 - Trustees**

### **The Trustee shall:**

- examine the books and records of the Division;
- inspect and examine all properties, bonds, assets and liabilities of the Division twice yearly. In the years when there is no change in the position of Treasurer, they will be examined annually;
- report the results of those examinations to the Division Executive at the subsequent Executive meeting;
- report to the Division Convention as to the financial status of Division funds, assets and liabilities;
- include such other financial information or recommendations in their reports as they deem necessary.

## **Section 9 - Miscellaneous Expense Recovery**

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

<b>POSITION</b>	<b>PER MONTH</b>
Treasurer	\$420.00
Secretary	\$420.00
General Vice President	\$150.00
Area Vice President	\$ 75.00
Visible Minority Vice-President	\$ 75.00
Young Workers Vice-President	\$ 75.00

## **ARTICLE SEVEN - REVENUE**

Revenue of the Division shall be derived from a Per Capita tax, of \$1.00 per member per month including "Rand" formula, paid quarterly, no later than the last day of: January, April, July and October. This amount is to be increased by 2 cents in 2006, 2 cents in 2007 and 2 cents in 2008. Effective January 1, 2006, Per Capita tax is paid monthly, no later than the last day of the following month.

District Councils shall pay an annual Per Capita of \$15.00 on January first.

Revenues shall be allocated within the following guidelines:

- \$0.95 shall be placed into General Revenue;
- \$0.05 shall be placed into the Defence Fund when that fund falls below \$100,000;
- When the Defence Fund exceeds \$100,000.00, \$0.05 shall be placed into the Small Local Assistance Fund;
- Interest revenue generated from these funds (Defence and Small Local Assistance) shall be allocated as follows: first to the Defence Fund if below \$100,000.00 thereafter to the Small Local Assistance Fund.

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

## **ARTICLE EIGHT - INTERPRETATION**

This Constitution, once adopted, shall not be altered, amended or revised except by Convention resolution duly approved by a clear two thirds of the accredited delegates attending that Convention. Constitutional Resolutions must be forwarded to the Secretary at least *forty-five (45)* days prior to the Convention at which the resolution is to be presented. The Division Executive may submit Constitutional resolutions after the *forty-five (45)* day period

with the concurrence of two thirds of the Convention delegates.

Any amendment to this Constitution shall only become effective after the approval of the National President, Canadian Union of Public Employees.

## **ARTICLE NINE - CONVENTION**

### **Section 1**

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

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

### **Section 2**

One half of the registered delegates at any Convention shall constitute a quorum for the transaction of business.

### **Section 3**

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

### **Section 4**

Resolutions to be introduced for consideration at Convention shall be prepared in duplicate, signed by the President and Secretary of the affiliate, and sent to the Division Secretary no less than forty-five (45) days prior to the Convention. C.U.P.E. Alberta Division Occupational Groups *and Standing Committees* are also eligible to submit Resolutions for consideration at Convention. Division Convention Committees may submit resolutions, at any time, for consideration with the concurrence of a majority of convention delegates.

### **Section 5**

Delegates to Division Conventions and Conferences must have their Local's National and Division per capita fees paid up to the last per capita period preceding the Convention or Conference prior to being accredited. Delegates on behalf of District Councils, Council of Unions or Provincial Council of Unions must, in addition to Local per capita, represent District Councils, Council of Unions or Provincial Council of Unions with current affiliation fees paid.

## **Section 6**

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

## **Section 7**

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

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

Any change in this order must be approved by the CUPE Alberta Division Executive.

## **ARTICLE TEN - REPRESENTATION**

### **Section 1**

Representation to all Division Conventions shall be based upon the average membership over the preceding year as evidenced by Per Capita fees paid during that period.

### **Section 2**

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

### **Section 3**

Delegate entitlement shall be: two delegates for the first one hundred members and one delegate for each additional hundred, or fraction thereof. Credentials are not transferable. Affiliated District Councils, Council of Unions and Provincial Council of Unions shall each be entitled to two delegates. The Chairperson of a Division Occupational Group may have delegate status on behalf of the Committee if they are not delegates on behalf of their Local, District Council, Council of Unions, or Provincial Council of Unions.

## **Section 4**

The registration fee for the Alberta Division Convention is set by the Division Executive. Ten dollars (\$10.00) of this fee shall be made available to the Hosting District Council to cover Convention expenses.

## **ARTICLE ELEVEN - AUDITING OF ACCOUNTS**

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

## **ARTICLE TWELVE - TRAVELLING EXPENSES**

### **Section 1**

Officers, Executive members, and delegates working on behalf of the Division and meeting in the city/town of their residence shall recover any wage loss and shall receive \$25.00 dollars per day for miscellaneous expenses.

### **Section 2**

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

### **Section 3**

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

## **ARTICLE THIRTEEN - INSURANCE**

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

## **ARTICLE FOURTEEN - RULES OF ORDER**

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

## **ARTICLE FIFTEEN - EDUCATION FUNDING**

A fund not exceeding \$2,000.00 per annum, to be known as the Pat Lenihan Bursary for the purpose of Education shall be maintained from General Revenue of the Division. The amount of any financial assistance and recommendations for recipients shall be made by the Executive Committee for approval.

## **ARTICLE SIXTEEN - COMMITTEES**

### **Section 1**

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

### **Section 2**

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

### **Section 3**

Standing Committees will be appointed at the first Executive meeting held after the month in which the Alberta Division Convention is held.

The Executive Board shall appoint, for a two year term, the following Standing Committees as outlined in the Terms of Reference along with an Executive member to act as a reporting liaison for each committee:

1. Aboriginal Council
2. Alberta Environmental Resources Protection Committee
3. Anti Privatization/Political Action Committee
5. Anti-Racism Committee
6. Global Justice Committee
7. Newsletter Committee
8. Occupational Health & Safety Committee

## **Section 4**

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

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

## **Section 5**

A quorum shall be 50% plus one of the memberships on any Committee.

## **Section 6**

Funds raised by a Division Committee for use on their own projects shall be held by the Treasurer of the Committee and any payments made shall be authorized by a majority of the members present and voting at a meeting, provided that a quorum is present. Cheques shall be counter signed by the Committee Chairperson. An audit of the Committee's funds shall be made every six months or at the request of the Division Executive.

## **Section 7**

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

## **ARTICLE SEVENTEEN - CHILD CARE AND EXPENSES**

### **Section 1**

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

### **Section 2**

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

Within one (1) month of the close of a Division sponsored function, delegates, through their Local Unions, may apply to the Canadian Union of Public Employees Alberta Division for

reimbursement of receipted child/dependent care expenses to a maximum of \$60.00 per day per child/dependent.

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

## **ARTICLE EIGHTEEN - SMALL LOCAL ASSISTANCE FUND**

### **Section 1**

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

### **Section 2**

The Division shall reimburse affiliated Locals (*as of January 1, 2000*) of 100 members or less, 75% of the cost to the Local for paying lost wages, hotel and transportation for one delegate to *attend* the Division Convention.

### **Section 3**

The Division may reimburse affiliated Locals (*as of January 1, 2000*) of 100 members or less, 75% of the Local's cost for lost wages, transportation and hotel for one delegate to Division functions other than *the* convention. Approval of funds expenditure shall be at the discretion of the Division Executive.

### **Section 4**

Locals wishing to access these funds must make application, in writing, to the Division Treasurer prior to adjournment of the first day of the convention or other function.

### **Section 5**

Should the Small Local Assistance Fund be unable to meet its financial obligations, funds shall be accessed from the Division General accounts.

## **ARTICLE 19 - EXECUTIVE MEETING ATTENDANCE**

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