

<http://40.cupe.ca>

#105-811 Manning Road, NE

Calgary, Alberta T2E 7L4

Phone: 403-235-0530

Fax: 403-248-6714

Email: [cupe40@telus.net](mailto:cupe40@telus.net)

Become a CARD-CARRYING member  
In GOOD STANDING!  
Contact CUPE Local 40

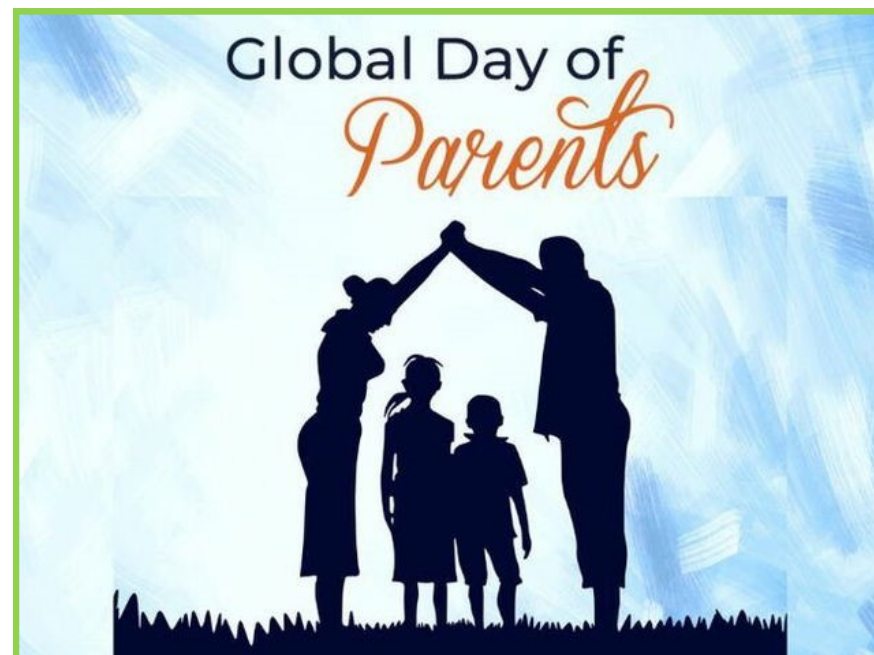


Please make this Newsletter available for all  
CUPE Local40 members



JUNE  
2025

IMPORTANT



# CUPE Local 40



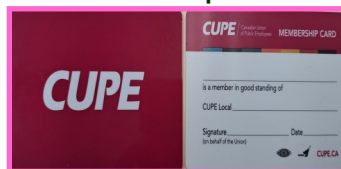
## General Membership Meeting In-person Meeting

**Time: 9:00 AM**

**Saturday - June 7, 2025**

**Local 40 office:**  
**#105-811 Manning Road, NE T2E 7L4**

Please don't forget to  
bring your **Pink** CUPE  
Membership Card .



**You Must Be a Card Carrying Member  
In Good Standing**

**Lapp**

## PENSION

### Frequently Asked Questions continued

**Why is the pensionable salary listed on my statement different than the salary shown on my T4?**

The amount shown on your T4 may include earnings you received that are not considered pensionable salary, such as overtime, payouts of unused vacation or sick time, or taxable benefits. Questions about your pensionable salary should be directed to your employer's HR or pay-and-benefits representatives.

**What do I do if the pension partner or beneficiaries listed on my statement are incorrect?**

Remember that your pension partner (if you have one) is not the same thing as a beneficiary! Your pension partner is how the pension legislation refers to someone you are married to or someone you're in a spouse-like relationship with. Your pension partner automatically receives special protection by law if you pass away, unless your pension partner signs a waiver giving up their rights to your pension.

The definition of a pension partner and more information about pension partners and beneficiaries can be found at [lapp.ca/pensionpartner](http://lapp.ca/pensionpartner).

**Need to update your pension partner?** Please contact the Member Services Centre by phone or via Secure Messages in *Your Pension Profile* to add or make changes to your pension partner information.

**Need to update your beneficiary?** Beneficiaries can be added or changed online in *Your Pension Profile*.

**Not signed up for Your Pension Profile?** Visit [lapp.ca](http://lapp.ca) and click the login button in the top right corner to register.

You can also update your pension beneficiary designation in your will. If you do so, please remember to name your pension plan.

### Your Pension Highlights

#### personal information

Identifier	0000000000
Date of birth	July 25, 1990
Gender	Male
Date of membership	April 18, 2017
Termination date	March 31, 2019
Pensionable service	1.00 (1 year(s))
Marital status	Single
Pension Partner	First Name
Beneficiary(ies)	First Name

Your Plan includes survivor benefits in the event of your death. Please note that if you have a pension partner at the time of your death, he or she is automatically the sole beneficiary of your pension death benefits, unless he or she has signed and filed a pre-retirement death benefit waiver with your Plan. Where you do not have a pension partner at the time of your death, your survivor benefit will be paid to the beneficiary(ies) you have designated in writing before your death, as the beneficiary(ies) of your pension survivor benefit. Your written or electronic designation of beneficiary should be filed with your Plan as soon as you complete it. If you wish to change your designated beneficiary, you must complete and file a new designation with your Plan.

### How to read Your Pension Highlights

Your Pension Highlights offer essential insights into your LAPP pension. Need help understanding the details? Dive into our guide and examples at [lapp.ca/annualstatements](http://lapp.ca/annualstatements).



### Is Buying Back Service Time Right for You?

**If you have a gap in your service, consider buying back the service.** If you had a period of leave service, you should have received a buyback proposal the year following your return. Generally, the sooner you buy it back, the lower the cost. Buying back service will increase your pension and might even allow you to retire years sooner with an unreduced pension. To estimate how buying prior service may affect your future pension, use the Pension Estimator on [lapp.ca](http://lapp.ca).

### Discover more online



Go to [lapp.ca](http://lapp.ca) and register/log in to *Your Pension Profile* by clicking on the login button in the upper right hand corner. There you can update your contact information, sign up to receive electronic notifications, update your beneficiary information, run pension estimates, and more!

**Lapp**



Lapp

PENSION

Lapp

## Annual Statement Guide

2024

### Understanding Your Pension Highlights

**We're excited to help you understand your pension statement better!**

**Here's a quick guide to frequently asked questions:**

**Why does my statement show less than a full year (1.0000) of credited service?**

Several factors can result in less than a full year of credited service, such as:

- Working part-time or having a lower full-time equivalency (e.g., seasonal work);
- Joining the Plan mid-year;
- Taking unpaid leave (e.g., leave without salary) or taking time off beyond your vacation and sick days; or
- Trading shifts and ending up with fewer hours than originally scheduled.

For questions about missing service, contact your employer's HR or pay-and-benefits representative.

### Securing Your Tomorrow, Today!

#### Did You Know...

If you are thinking about retirement, we offer several tools to assist you.

**Use the online pension calculator (available in your member profile) to:**

- Estimate your future pension benefits
- Plan your retirement more effectively

**Use the online pension estimator to:**

- See how buying back missed service time can increase your retirement income

#### We're Here to Help

If you have further questions after reviewing this guide and your statement, please contact us via **Secure Messages** — in Your Pension Profile on [lapp.ca](http://lapp.ca) — or call Member Services Centre at 1-877-649-LAPP (5277).

# President's Report



Dear Brothers, Sisters and Friends

With the ending of the school year, a new budget approved by the CBE Trustees, we will be seeing an increase with staffing for the new school year. A Staffing Adjustment meeting will be happening soon and this is when we'll be made aware of where increases/decreases of staffing will happen.

June 7th will be our last General Membership Meeting before summer break. We will be electing new Executive Committee Members, discussing finances and including 6 of our spectacular belt buckles as door prizes just in time for Stampede. Save the date for July 11, Local 40's Social Committee is planning an appreciation bbq for the members, details will be coming out soon.

September 1st will be our next increase, \$1.25/hour or 3% (whichever is greater), make sure you check your pay stub regularly. It is always a good practice to monitor your pay stub to ensure you are receiving the correct rate of pay and accruing vacation time properly.

When it comes to your hours of work this summer, your agreed upon Standard Hour of Work still applies. You do have the ability to change your hours to the day shift, but you are not obligated to, reach out to your supervisor and 1IC if you want to adjust your hours for the summer. Also, part time employees do have the option to work extra Monday through Thursday to have Fridays off, again, reach out to your supervisor and 1IC if you want to make this arrangement.

I will be taking time off in August, but I will ensure there is coverage from our Executive Committee members to provide support and representation. Have a fantastic summer, enjoy our beautiful province and take advantage of all the events that will be happening in Calgary.

You are the Union!

In Solidarity,

Clay Gordon  
CUPE Local 40, President



# EQUALITY STATEMENT

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

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

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

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

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

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

  
MARK HANCOCK  
National President

  
CANDACE RENNICK  
National Secretary-Treasurer

## Your three essential Health and Safety Rights

Across Canada, health and safety laws are based on the concept of the internal responsibility system, which says workers and employers should be able to meet and solve their health and safety issues as partners. To that end, health and safety laws in this country enshrine the following three rights to most workers. These rights form the basis for your health and safety at work.

### 1. THE RIGHT TO PARTICIPATE

All workers have a right to participate in keeping the workplace healthy and safe by taking part in activities like the selection of health and safety representatives or joint health and safety committee members, or by being a committee member themselves. With this right comes a worker's responsibility to report all hazards to their employer, without fear of reprimand, reprisal, or punishment. Through participation in health and safety-related activities, workers help decide what hazards can be tolerated in the workplace and what hazards must be mitigated.

### 2. THE RIGHT TO KNOW

Workers have a right to know about all hazards present in their workplace, and how those hazards may hurt them. Employers are required to provide the information, training, and supervision a worker needs to avoid being hurt by hazards in the workplace. Training and information about hazards should be provided before a worker is exposed so they know how to protect themselves. Despite what many employers claim, there is no law that supersedes a worker's right to know about hazards in the workplace.

### 3. THE RIGHT TO REFUSE

Health and safety laws give workers the right to refuse work they believe is unsafe to themselves or their coworkers. Ultimately, the right to refuse is provided so that a worker never needs to choose between their health and safety and having a job. In every province, a worker cannot be punished for refusing to do work that they believe will hurt themselves or others – it's the law. It is not up to the worker to prove whether their belief is justified. An investigation following the refusal will determine if the refusal should continue. Each jurisdiction has slight differences in the investigation process.

For more information on the right to refuse that's specific to your province, visit [cupe.ca/health-and-safety](https://cupe.ca/health-and-safety).

For any questions on your health and safety rights, **contact** your CUPE servicing representative, or your CUPE health and safety specialist.



# MENTAL HEALTH SUPPORTS

## MAKE THE RIGHT CALL

# 2-1-1

## RESOURCE HELPLINE

If you need help finding the right resource or service for whatever issue, at the right time.



# 9-8-8

## SUICIDE CRISIS LINE

If you're having thoughts of suicide or are worried about someone you know.

9-8-8

Suicide Crisis Helpline  
Ligne d'aide en cas de crise de suicide

Albertans are continuing to navigate difficult challenges and tense circumstances during the COVID-19 pandemic, with increasing pressure mounting on workers and their families. If you or someone you know needs support, there are resources available. No one in our community should face these challenges alone. Please visit the Alberta Health Services (AHS) **Help in Tough Times** website or call 211 to find resources in your area.

## Never Work for FREE!

Outside of Work hours you should NOT be at Work!

### President

Clay Gordon	C.U.P.E. Local 40	403-235-0530 - Office
cupe40president@gmail.com		403-650-0795 - Cell

### Vice President

Ferdinand Flores	Le Roi Daniels	403-926-2122 - Cell
cupevp40@gmail.com		

### Secretary Treasurer

Abbie Mitchell	Richmond	403-970-9447 - Cell
cupe40treasurer@gmail.com		

### Recording Secretary

Grace Dizon	Centennial	403-926-4441 - Cell
recordlocal40@gmail.com		

### Chief Shop Steward

AJ Pointmeier	Welding Dept.	587-891-6913 - Cell
cupe40chief@gmail.com		

### Caretaking Rep

Joy Malones	Saddle Ridge	403-383-3448 - Cell
carelocal40@gmail.com		

### Cleaner 1 Rep

Joel Gatus	Chaparral	403-708-8859 - Cell
cupe40cleanrep@gmail.com		

### Highfield Rep

Jeff Heeg	Trainer/Highfield	403-903-6427 - Cell
cupe40highfield@gmail.com		

### Sgt-at-Arms

Warren Manners	Distribution Serv.	403-874-0398 - Cell
cupe40sgt@gmail.com		

Effective: January 1, 2025

If you have any health and safety concerns please contact:

### CUPE Joint Health & Safety Committee (JHSC)

Heather Murtagh / (403-669-0383) [hmmurtagh001@gmail.com](mailto:hmmurtagh001@gmail.com)  
Noe Dizon / (403-918-6425) [noeadizon@gmail.com](mailto:noeadizon@gmail.com)

### Joint Worksite Health & Safety Committee (JWHSC)

Clay Gordon / (403-650-0795) [cupe40president@gmail.com](mailto:cupe40president@gmail.com)  
Abbie Mitchell / (403-970-9447) [abbiecupe40@gmail.com](mailto:abbiecupe40@gmail.com)  
May Reynaldo / (403-458-2975) [may.reynaldo@gmail.com](mailto:may.reynaldo@gmail.com)

# Collective Agreement Review

## THE CALGARY BOARD OF EDUCATION & CUPE LOCAL 40

### ARTICLE 16 - ANNUAL VACATION

**16.01.1** Annual vacations, with pay, shall be based upon full years of continuous service prior to an Employee's vacation entitlement date on the basis of the following schedule:

After one (1) year	15 working days (120 hours)
After five (5) years	20 working days (160 hours)
After sixteen (16) years	25 working days (200 hours)
After twenty-five (25) years	30 working days (240 hours)

**16.01.2** The vacation entitlement date for Employees shall be the Employee's general seniority date.

**16.02** Employees absent from work as a result of a WCB claim will have their vacation accumulation discontinued after a period of nine (9) continuous months.

Vacation accumulation will be discontinued nine (9) months from the 1st day of the month following the date of the WCB claim. Vacation accumulation will be reactivated on the 1st day of the month following the Employees' return to work.

An absence related to a WCB claim that does not exceed nine (9) months will not be subject to a discontinuance of vacation accumulation.

**16.03** Five (5) days (40 hours) of annual vacation may be carried over to the following year if an Employee is qualified for a vacation of at least fifteen (15) days (120 hours). This Clause is limited to a maximum of five percent (5%) of Employees in the Bargaining Unit.

**16.04** Any Employee terminating employment at any time in the Employee's vacation year, before the Employee has had vacation, shall be entitled to a proportionate payment of salary or wages in lieu of such vacation.

**16.05** Employees shall be entitled to use earned vacation on a year-round basis. Every effort shall be made to allow vacations when requested by Employees, after having first considered the efficient operation of a department.

Employees will be asked to indicate their preference for vacation time no later than May 1st of each year in order to establish an annual vacation schedule.



Visit Local 40 website: [40.cupe.ca](http://40.cupe.ca)

# CUPE Local 40

ON THE FRONT LINE

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## Bargaining and Strike Updates

Updates Page

Hardship Fund & Medical Accommodations

Notice of Strike Mandate & Townhall Feb 19, 2025

Bargaining Update Feb 13, 2025

Bargaining Update Feb 12, 2025

Strike Vote Results

## Forms

Certificate of Illness

CUPE AB -Rick Malcolm Education Scholarship

Local 40 - Darren Reid Education Scholarship Application Form

Personal Spending Account Claim Form

Safety Shoe Allowance Reimbursement Request

Application for Boiler Renewal Reimbursement

CUPE 40 Membership Application Form

General Leave of Absence Request Extension from Leave For

# Collective Agreement Review

THE CALGARY BOARD OF EDUCATION & CUPE LOCAL 40

## ARTICLE 22 - SENIORITY

- 22.01.1** General seniority shall be calculated from the first day of continuous present employment in a permanent position or positions.
- 22.01.2** Department seniority is calculated from the first day a permanent Employee works in a department and will consist of all time worked in that department. Where a permanent Employee who has accumulated department seniority in a department named in Clause 22.03 transfers out of and, subsequently, back into that department, the Employee's seniority shall include all prior employment in that department.
- 22.02.1** A departmental seniority list effective January 1, shall be provided to the Union on or before January 31.
- 22.02.2** The Board will provide the Union with a list of all Employees in the bargaining unit. The list will include each person's name, job classification, Employee number, home mailing address, and home telephone number. The list will also indicate the employment status (such as full time, part time or temporary) and if the Employee is on a leave of absence. The list shall be provided twice a year on or before January 31 and July 31.
- 22.03** For the purpose of this Article, the following shall constitute departments:

Service Area	Department
Facility Operations	Part-time Cleaners
	Full-time Cleaners
	Facility Operators
	Maintenance Technicians
Warehouse, Records Management and Mail Services	Warehouse and Stores
Central Facility Services	Grounds and Landscaping
	Distribution Services
	Locksmiths
	Building Maintenance Technicians
	Tool Crib
	Mechanics
	Welders



# Collective Agreement Review

THE CALGARY BOARD OF EDUCATION & CUPE LOCAL 40

## ARTICLE 9 - HOURS OF WORK

- 9.01** The regular working hours for Employees shall be forty-one and one-quarter (41¼) hours per week, eight and one-quarter (8¼) hours per day, all year except for the period specified in Clause 9.03. The basic rates of pay for these hours of work will be as specified in Appendix "A" of this Collective Agreement.
- 9.02** No Employee will be required or expected to perform unpaid hours of work.
- 9.03.1** For eight (8) weeks, within the period commencing with the last week of June and ending at the end of the last week of the summer break, the regular hours of work for Employees shall be thirty-three (33) hours per week, eight and one quarter (8¼) hours per day, for four consecutive days between Monday and Friday. Wherever possible, the eight (8) Mondays or Fridays off shall be consecutive .
- 9.04** When schools are in session or otherwise being used, the lunch breaks shall be no shorter than one-half (½) hour and no longer than one and one half-hour in duration.
- During the spring break, the winter break, the months of July and August for traditional calendar schools, and during break periods for year round and modified calendar schools, the lunch period shall be one-half (½) hour in duration.
- 9.05** Any shift commencing after 3:30 p.m., or prior to 6:45 a.m., shall be paid for at the rate of eight and one-quarter (8¼) hours pay for seven and one quarter (7¼) hours work. Employees shall be entitled to at least an eight (8) hour rest period between scheduled shifts or the Employee shall be paid as per Clause 11.01.
- 9.06** Employees shall be entitled to two (2) fifteen (15) minute paid work breaks for each full day worked, one before the meal break and one after the meal break, times to be designated by Management.
- Employees who are employed in a position with an F.T.E. of less than 1.0 shall receive one (1) fifteen (15) minute paid work break for each shift of three (3) to five (5) consecutive hours, and two (2) fifteen (15) minute paid work breaks for each shift of more than five (5) hours.
- Employees shall receive one (1) fifteen (15) minute paid work break for each three (3) hour period of overtime worked in excess of their regular working day.



## Rick Malcolm Education Scholarship

**CUPE** / *Canadian Union  
of Public Employees*

### CUPE Alberta Scholarship Application Form

#### Part 1: Applicant Information

Applicants Full Name \_\_\_\_\_  
Permanent Home Address \_\_\_\_\_  
City \_\_\_\_\_  
Phone \_\_\_\_\_

#### Part 2: CUPE Information

CUPE Local # \_\_\_\_\_  
Work Place \_\_\_\_\_

#### Scholastic Information

I am enrolled in \_\_\_\_\_ (year) at \_\_\_\_\_ (institution/university) for the year \_\_\_\_\_ to \_\_\_\_\_ year.

In making this application, I am enclosing copies of supporting documentation to prove enrolment in this programme. I further confirm that the information submitted herewith is true and complete, and that I have never been a recipient of this scholarship in the past.

Signature of Applicant \_\_\_\_\_

Date \_\_\_\_\_

**Letter of Support from Local Union must be attached to application.**

**DEADLINE FOR APPLICATION IS SEPTEMBER 1<sup>st</sup> OF EACH YEAR**



# LOCAL SCHOLARSHIP OPPORTUNITIES



## CUPE Local 40 Scholarship Opportunities



**CUPE** / Canadian Union  
of Public Employees

### DARREN REID EDUCATION SCHOLARSHIP APPLICATION FORM

#### Part 1: Applicant Information

Applicants Full Name \_\_\_\_\_  
Permanent Home Address \_\_\_\_\_  
City \_\_\_\_\_  
Phone \_\_\_\_\_

#### Part 2: CUPE Local 40 Information

Member's Name \_\_\_\_\_  
Work Place \_\_\_\_\_

#### Scholastic Information

I am enrolled in \_\_\_\_\_ (year) at \_\_\_\_\_ (institution/university) for  
the year \_\_\_\_\_ to \_\_\_\_\_ year.

In making this application, I am enclosing copies of supporting documentation to prove  
enrolment in this programme. I further confirm that the information submitted herewith is true  
and complete, and that I have never been a recipient of this scholarship in the past.

Signature of Applicant

Date

\_\_\_\_\_

**DEADLINE FOR APPLICATION IS SEPTEMBER 1<sup>ST</sup> OF EACH YEAR**

## TRIAL PROCEDURE

### APPENDIX F

#### Purpose

The purpose of the Trial Procedure is to provide members in good standing an internal process to have complaints against other members dealt with in a fair and impartial manner. The Trial Procedure is not to be used for political gain or to resolve interpersonal conflict which does not have a foundation in one of the enumerated offences outlined in Article F.1.

Members are expected to attempt to deal with issues prior to resorting to file a complaint. Concerns are best resolved when members discuss the issues amongst themselves and arrive at mutual solutions. This can be accomplished either through one on one conversation or through facilitated/mediated discussions.

The use of mediation can occur at any time once a complaint is filed including during a trial.

#### F.1 Offences

A member who does any of these acts is guilty of an offence against this Constitution:

- (a) violates any provision of this Constitution or the approved bylaws of any chartered organization;
- (b) becomes a member by dishonesty or misrepresentation;
- (c) brings or urges another member to bring an action in court against the National Union, the National Executive Board, any officer of the National Union, a Local Union or any member of a Local Union about any matter related to the National Union or any chartered organization without exhausting any remedy under this Constitution;
- (d) attempts or supports an attempt to remove any member, group of members or Local Union from the Union;
- (e) produces or distributes any false report about a member of the Union about any matter related to the National Union or any chartered organization, verbally or in any other manner;
- (f) helps any organization competing with the Union in a way that is harmful to the Union;
- (g) steals or dishonestly receives any property of the National Union or any chartered organization;
- (h) uses the name of the Union or any chartered organization to request monies or to advertise without proper authorization;
- (i) without proper authorization, gives a complete or partial list of the membership of the Union or any Local Union to anyone who is not an official entitled to this information;

- (j) wrongfully interferes with the performance of duties by any officer or employee of the National Union;
- (k) sends out information designed or intended to harm or weaken the Union;
- (l) fails to respect the Local Union's picket line, works for the employer during a legal strike or labour dispute or engages in any strike-breaking activity;
- (m) acts in a way that is harassment or discrimination on the basis of sex, sexual orientation, gender identity, gender expression, language, age, race, ethnicity, ancestry, colour, place of origin, creed, disability, family status, marital status or record of offences.

## **F.2 Making a Complaint**

- (a) A member in good standing of the Union (the complainant) may charge a member or officer of the Local Union (the respondent) with an offence by sending a written complaint to the Recording Secretary of the Local Union. The written complaint will set out:
  - (i) The specifics of the complaint, citing in detail the nature of the complaint, the members involved, the date and circumstances of the alleged offence, a list of confirmed witnesses and documents the complainant intends to rely upon;
  - (ii) which parts of Article F.1 have been violated and the specific act or failure to act which constitutes the alleged violation;
  - (iii) the complaint will be sent within 60 days after the complainant became aware of the offence. (b) The Recording Secretary will countersign the complaint and deliver a countersigned copy of the complaint or send it to the respondent by registered mail or by email within ten days of receiving it.
- (c) The Recording Secretary will forward a copy of the complaint and documents to the National President.

## **F.3 Determining Whether Sufficient Evidence Exists to Establish an Offence**

- (a) The National President will appoint an Assessor to review the complaint and determine whether it meets the requirements set out in Article F.2, and if sufficient evidence exists to establish an offence. The Assessor will report their findings and recommendations to the National President within 30 days of appointment. Upon request by the Assessor, the National President may extend the reporting deadline as required in the circumstances.

# **CUPE National Convention 2025**

**Oct 6, 2025 to Oct 10, 2025**



**TORONTO**  
**2025**  
**CUPE·SCFP**

**Advance Notice:**



# Support Staff Retirement Banquet 2024 RETIREES



- (b) If the complaint is incomplete, the Assessor will advise the complainant in writing to request the missing information or documentation. The complainant will have 10 days from receipt of the Assessor's correspondence to provide the required materials. A complaint will not proceed until it is complete, and during this time, the Assessor's reporting deadline is suspended.
- (c) The Assessor may meet with the complainant and respondent either in person or through teleconference. When meeting with the parties, the Assessor will review the Appendix F process.
- (d) The National President will report the decision of the Assessor to the complainant, respondent, and Recording Secretary of the Local Union.
- (e) The complainant may request reconsideration of the Assessor's decision to the National President within 14 days of receipt. Upon receipt of a request, the National President will assign a different Assessor to review the decision as soon as possible.
- (f) A request for reconsideration of the Assessor's decision is not an opportunity for a complainant to re-argue their case a second time. The reconsideration will only be granted in the following limited circumstances:
  - (i) new facts that the complainant could not have brought to the attention of the Assessor, and which would likely have caused the Assessor to arrive at a different conclusion;
  - (ii) an error of fact or law that casts serious doubt on the interpretation of the Constitution; or (iii) a failure to respect the principles of natural justice.
- (g) The decision on the request for reconsideration is final and binding.
- (h) The National President will report the final decision to the complainant, respondent, and Recording Secretary of the Local Union.

## F.4 Trial Panel and Trial Committee

- (a) The National Executive Board, upon recommendation of the National President, will appoint members from each region to serve as Trial Panelists for their respective regions.
- (b) Where sufficient evidence exists to establish an offence, and the matter has not been settled through mediation, the National President will appoint three members of the Regional Trial Panel to serve as the Trial Committee. If the complainant or respondent objects with valid reasons to the appointment of a member to the Trial Committee, the National President may appoint another member.

- (c) Members who have a complaint alleging a violation of Article F.1(m) may opt to use an alternate process adopted by the National Executive Board.
- (d) If a complaint or complaints charge two or more accused with an offence or offences based on facts, issues or circumstances that are similar or related, as determined by the National President, one Trial Committee will be selected to hear and decide the complaint or complaints.
- (e) The National President will assign a National Representative to provide support, advice and guidance concerning procedural matters to the Trial Committee.

### F.5 Trial Committee

- (a) Prior to the commencement of the private hearing the Trial Committee will convene a teleconference with the complainant and respondent and their respective representatives to deal with preliminary matters concerning the trial including procedural questions.
- (b) The Trial Committee will hold a private hearing into the complaint or complaints within 30 days of being selected. The Committee will give at least 14 days' written notice to the complainant and the respondent of the time and place of the hearing. The notice will be delivered in person or sent by registered mail or by email.
- (c) The Trial Committee decides its own procedure in accordance with the rules of natural justice. The Committee can accept any oral or written evidence that it considers proper, so long as every member receives a fair and impartial hearing. The Trial Committee can decide any preliminary objection to the complaint and can dismiss the complaint. The Trial Committee will make the necessary arrangements to have a record of the hearing. The Trial Committee must act with all three members.
- (d) The cost of conducting a trial will include lost wages and reasonable expenses for the Trial Committee, the cost of a hearing room and the cost of keeping a record of the trial. The cost of the trial will be borne by the Local Union where the complaint originates.
- (e) The Local Union is not responsible for the costs of either the complainant or the respondent. However, should the Local Union agree to pay the costs for one party to the complaint, then they are obligated to pay the costs for both the complainant and the respondent.
- (f) The complainant is required to prove that the respondent has committed an offence or offences.
- (g) The respondent and the complainant have the right to be present at the hearing, to call witnesses and to cross examine witnesses called by the other side. They may choose someone to represent them at the hearing or at any other time from when a complaint is filed to when the complaint is resolved. The representative must be a member in good standing of a trade union affiliated to the Canadian Labour Congress, unless the law does not permit this restriction.

## NOTICE OF UPCOMING ELECTIONS

Bylaws: SECTION 10 – NOMINATION, ELECTION AND INSTALLATION OF OFFICERS, COMMITTEE MEMBERS, AND REPRESENTATIVES

- (a) Nominations
- (1) Nominations for **Officers** will be received at the General Membership Meeting held in the month of May. Further nominations will be accepted at the General Membership Meeting in the month of June.

### Upcoming Elections June 2025 for the following positions:

- ◆ Vice-President
- ◆ Secretary-Treasurer
- ◆ Chief Shop Steward
- ◆ Caretaking Representative
- ◆ 3 yr. Trustee

- (4) To be eligible for election as an Officer, a member must have attended at least seven (7) of the previous ten (10) General Membership Meetings.

Nominations will be accepted either through Email @ [cupe40election@gmail.com](mailto:cupe40election@gmail.com) or through attending our monthly General Membership Meeting. Election will occur @ June GMM in-person.



# SUMMER TIME!

**have a great break -  
be safe and healthy!**



## Summer Health Tips

Stay hydrated

Protect your skin

Go light on the drinks

Take a break

Be Kinder to Your Eyes

Exercise Outdoors

Getting Dirty and  
Stressing Less

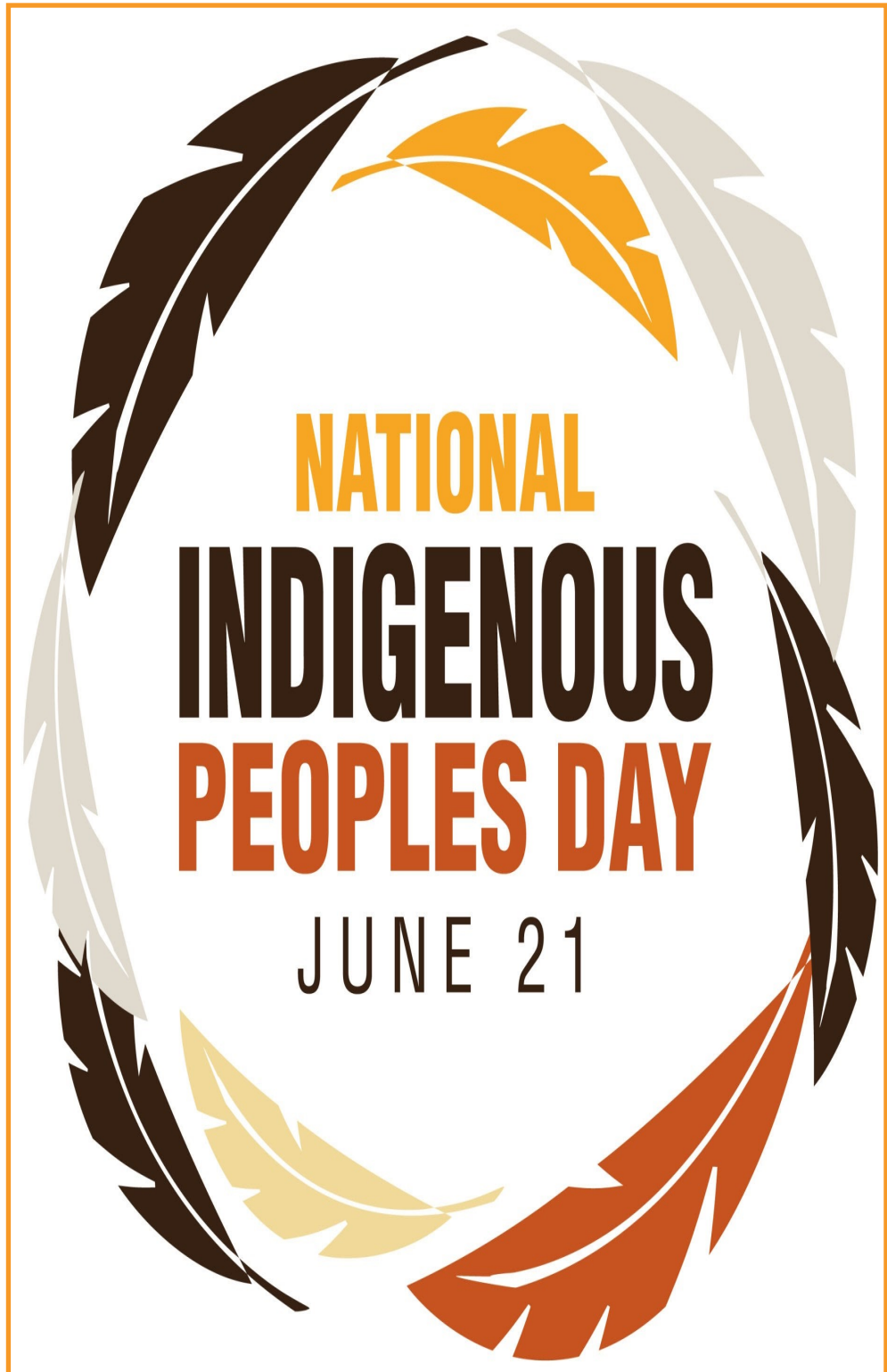


- (h) If either the complainant or the respondent does not attend the hearing, the Trial Committee can dismiss the complaint, adjourn the hearing or hold the hearing and decide the complaint in their absence. The Committee can set terms that it considers appropriate for granting an adjournment. The Committee must consider the duty to accommodate when a request for an adjournment is made.
- (i) The Trial Committee decides whether the respondent is guilty of the offence or offences by a secret ballot vote. The respondent is guilty only if at least two members of the Committee vote guilty.
- (j) If the respondent is found guilty, the Trial Committee will decide any penalty and what, if anything, the respondent must do or not do. The decision may include:
  - (i) a reprimand;
  - (ii) a fine where permitted by law;
  - (iii) a suspension or expulsion from membership except where such suspension or expulsion from membership would lead to termination of employment;
  - (iv) a ban against holding membership or office;
  - (v) an order to stop doing the act or acts complained of;
  - (vi) an order to correct the act or acts complained of; or
  - (vii) any other order that the Trial Committee finds appropriate in the circumstances.
- (k) The Chairperson of the Trial Committee will report the Committee's decision to the respondent and the complainant and the National President. The Chairperson of the Trial Committee when reporting to the National President will also provide the record of the hearing. The National President will report the decision to the Recording Secretary of the Local Union. The decision of the Trial Committee will be recorded in the minutes of the next general membership meeting.

### F.6 Appeal

- (a) The respondent can appeal a finding of guilt and any penalty or order by sending a written appeal to the National President. The appeal must be made within 30 days of when the decision of the Trial Committee was reported to the respondent. The complainant cannot appeal the decision of the Trial Committee.
- (b) The written appeal by the respondent will set out:
  - (i) the part or parts of the decision that are being appealed;
  - (ii) the date on which the decision was reported to the respondent;
  - (iii) the reasons for the appeal;
  - (iv) whether the respondent wants a hearing or wants to make submissions in writing;

- (v) the desired location, if a hearing is requested; and
- (vi) the remedy requested by the respondent. The respondent will send the appeal to the National President by registered mail or by email and will send a copy of the appeal to the complainant and to the Recording Secretary of the Local Union.
- (c) On receiving a copy of the appeal, the National President will send a copy of the record of the Trial Committee to the complainant and the respondent.
- (d) On receiving the appeal, the National President will appoint three members of the National Executive Board to be the Appeal Panel. The Appeal Panel cannot include any member of the National Executive Board who has heard an appeal in the case under Article F.3(c). The Appeal Panel will hear and decide the appeal. The Appeal Panel will determine its own procedure and will give the parties a full opportunity to present their case and make submissions on the issues in the appeal.
- (e) If the respondent requests a hearing, the Appeal Panel will send notice to the complainant and the respondent of the time and place of the hearing. The notice will be sent by registered mail or by email at least one month before the hearing.
- (f) The respondent and the complainant have the right to be represented at the appeal hearing. The representative must be a member in good standing of a trade union affiliated to the Canadian Labour Congress, unless the law does not permit this restriction.
- (g) The Appeal Panel can confirm or set aside the finding of guilt and can confirm, change or set aside any penalty or order made by the Trial Committee. The Appeal Panel will make its decision within 90 days of the completion of the hearing or written submissions. The decision of the Appeal Panel is final and binding.
- (h) The penalty or order of the Trial Committee will not be enforced until:
  - (i) the Appeal Panel has made its decision;
  - (ii) the respondent gives up the right to appeal; or
  - (iii) the respondent fails to appeal the decision of the Trial Committee as set out in Article F.6 (a) and (b).
- (i) If the appeal is upheld in whole or in part, the Local Union will pay the travel and accommodation expenses of the respondent for attending the hearing before the Appeal Panel. Travel and accommodation will be paid at the rate outlined in the Local Union bylaws. If the appeal is dismissed, the respondent will pay their own expenses.
- (j) The Appeal Panel will report its decision to the complainant, respondent, the National President and the Recording Secretary of the Local Union. The decision of the Appeal Panel will be reported to the next membership meeting and recorded in the minutes of the meeting.







Happy Pride Month!

As rainbow flags wave and celebrations fill the streets, I stand proud, embracing love and acceptance for all.

In solidarity with my queer family worldwide who may not have the privilege to openly identify. Together, we advocate for a future where everyone can live authentically and freely.

Happy Pride Month, and here's to a world that shines with equality and understanding for all!

Cheers 🙌🙌

May all you wonderful

Dads enjoy a

Happy Father's Day

# CUPE 40

# JUNE 2025



ALS Awareness Month (Lou Gehrig's Disease)  
Brain Injury Awareness Month  
Spina Bifida & Hydrocephalus Awareness Month  
Stroke Awareness Month

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1  <b>GLOBAL DAY OF PARENTS</b>	2	3  <b>World Bicycle Day</b>	4  <b>GLOBAL RUNNING DAY</b>	5  <b>World Environment Day</b>	6  <b>Happy National Donut Day!</b>	7  <b>Gen. Membership Meeting @ 9am (In-person)</b> <b>WORLD FOOD SAFETY DAY</b>
8  <b>World Oceans Day</b>	9	10	11	12  <b>WORLD DAY AGAINST CHILD LABOUR</b>	13 Pay Day   <b>INTERNATIONAL ALBINISM AWARENESS DAY</b>	14
15  <b>Father's Day</b>	16  <b>INTERNATIONAL DAY OF FAMILY REMITTANCES</b>	17  <b>WORLD DAY TO COMBAT DESERTIFICATION AND DROUGHT</b>	18  <b>SUSTAINABLE GASTRONOMY DAY</b>	19  <b>INT'L DAY FOR THE ELIMINATION OF SEXUAL VIOLENCE IN CONFLICT</b>	20  <b>WORLD REFUGEE DAY</b>	21  <b>National Aboriginal Day (NT, YT)</b>
22	23  <b>UNITED NATIONS PUBLIC SERVICE DAY</b>	24  <b>St. Jean Baptiste</b>	25  <b>DAY OF THE SEAFARER</b>	26  <b>International Day against Drug Abuse and Illicit Trafficking</b>	27 Pay Day   <b>NATIONAL SUNGLASSES DAY</b>	28
29  <b>INTERNATIONAL DAY OF THE TROPICS</b>	30  <b>INTERNATIONAL DAY OF PARLIAMENTARISM</b>					