

NEW MEMBER GUIDE

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The goal of this document is to introduce new members to CUPE (especially those in newly organized locals) to what it means to be a member of a union, what the union IS and how they can use their union membership to advocate for better working conditions and better public services.



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CONGRATULATIONS!

You are now a member of a union... Now what?

Congratulations on your recent unionization drive with the Canadian Union of Public Employees (CUPE). Not only are you joining Canada's largest union, but you are becoming part of a movement that has used the power of workers' collective action to win better, safer working conditions for workers. In this guide you will learn what it means to be a part of a union, how the union can help you improve your work life, how to navigate your local and the broader CUPE structure, and how to be an effective campaigner for better workplace conditions and better public services.

If you've been a union member in the past, then this guide will help you understand what makes CUPE different from most unions. If you've been a CUPE member in the past then this guide will serve as a refresher for how CUPE works. It is an important guide to union life that members can keep and refer back to.



What is the union?

At its most basic the union is you and your co-workers. By joining a union, you and your co-workers are organizing into a structure so that you can speak to your employer with a single, unified voice. In a workplace with no union the employer can make all sorts of decisions that affect your life unilaterally. They control your wage, the number of hours you work, your schedule and any benefits you might receive. In most cases, if you are unhappy with any changes your boss makes you have few options to try and change your boss' mind. In this relationship your boss has all the power. Often your only option to improve your working conditions is to quit and try to find a better job.

When you are part of a union, you and your co-workers work together to balance the power between you and your boss. In a union your working conditions are negotiated between your boss and all your co-workers, and those conditions are laid out in a document called the Collective Agreement (CA). It is called a collective agreement because it is negotiated collectively and agreed to by you and your co-workers. When you aren't part of a union you don't typically get to vote on whether to accept your contract.



Of course, not every decision made between your boss and your union is voted on by each and every member. To make the decision-making process possible, you elect representatives, form committees, and delegate responsibilities to certain members of the union. This guide will help you to navigate your workplace and your union to understand how the union works for you and how you can become an effective union member.

What is a union member?

If you're reading this, you're probably a union member. But there's more to it than you might think. There are two different types of union member distinguished by the rights and privileges they are afforded.

Rand Members

Any person working in a unionized workplace will automatically become a member under what is known as the Rand Formula. Rand members pay union dues and benefit from all of the provisions of the union's collective agreement. They are able to file grievances through the union when they believe the employer has violated the collective agreement. The Rand Formula was established in 1946 in an arbitration decision from Supreme Court Justice Ivan Rand.




Members in Good Standing

Members in good standing are union members who have signed a union card to officially join the union (<https://cupe.ca/are-you-member-good-standing>). These members have all the same provisions as Rand Members, but are also able to vote at union meetings, serve as shop stewards, run for local executive positions, sit on CUPE Committees, attend CUPE education and training and serve as a local delegate at division and national conventions. If you suspect that you are not a member in good standing, speak to a member of your local executive or your CUPE National Representative. It is easy to sign a card, become a member in good standing and participate fully in the decisions that will affect you in your workplace.

What is a Local?

Your local is the branch of the union that you belong to. CUPE has members in thousands of workplaces across Canada, and different locals represent workers in different workplaces. Locals are designated by a unique local number (e.g. CUPE 123). In many cases, a local represents the workers in a specific workplace. In other cases, a local may have bargaining units (see below next page) from different workplaces that have joined together into one local for strategic reasons or to share resources.



Each local is governed by a group of elected officers and has its own structure. Almost all of your interactions with “the union” will be interactions with your local.

Bargaining Unit


Sometimes locals are divided into bargaining units, with each bargaining unit representing a specific type of worker or workers in a specific workplace. For example, in one workplace full-time workers might belong to their own bargaining unit while part-time and casual workers belong to another. Or a local may have several bargaining units, each representing workers at different employers in their region. In these types of locals the bargaining units are distinguished by decimal numbers such as CUPE 123.1 and CUPE 123.2. Locals with multiple bargaining units work together on many issues, but each bargaining unit will have its own, unique collective agreement.

Local Executive

Your local executive are the democratically elected leaders of your local. In general, a local executive will include a president, vice-president, secretary-treasurer and recording secretary. Depending on the size of your local there may be additional executive positions such as unit chairs or a chief steward. The number of executives and their responsibilities will be outlined in your local’s bylaws – the rules that govern how your local operates.

Stewards

A union steward or shop steward is a representative who generally works alongside other union members in the workplace. Stewards are usually the most accessible union representatives for members to turn to when they believe their rights have been violated. Stewards generally have a strong knowledge of the collective agreement and can determine if a complaint from a union member is a violation of the collective agreement.



If you believe that your contractual rights are being violated by the employer, the first course of action should be to tell a steward. If your employer requests a meeting with you that you believe will be disciplinary in nature you can ask a steward to accompany you to the meeting. Larger locals tend to have an extensive stewards network to ensure that their members have easy access to union representation.

You can learn more about stewarding and find resources at <https://cupe.ca/resources-stewards>.

Bargaining Committee

One of the most important things that your union does is negotiate your contract, known as the Collective Agreement. The process of negotiating a collective agreement is known as bargaining. Because the workers and the employer will not immediately agree on key issues like wages, benefits, staffing levels, scheduling and health and safety measures, a certain amount of bargaining and negotiation is required to come to an agreement. Because it would be a logistical challenge to have every single union member debating every single provision in the contract, the membership elects a committee to represent them at the bargaining table.

You can learn more about bargaining committees and find resources at <https://cupe.ca/resources-bargaining-committees>.

Bylaw committee

Every local has a set of bylaws. These are the rules that govern how the local will function. Bylaws set out the composition of the executive, how meetings and elections will work, the local dues rate and much more.




The local members elect a bylaw committee. For a new local, this committee will write the bylaws, which must then be approved by a vote of the membership and submitted to the National President's Office for approval. There is a guide to help locals create bylaws, which you will find at <https://cupe.ca/guide-preparing-local-union-bylaws>. Until your local has its own bylaws, it will function according to the CUPE Constitution.

In an established local, the bylaw committee will review bylaws and recommend changes. A local may decide to change its bylaws for reasons such as deciding it needs to meet more frequently or allow participation through online platforms, or that there is a need to change the dues rate, or to create a new executive position for a new bargaining unit.

What does the union do?

As you have already read, the union negotiates your contract and provides stewards in your workplace to help you address any problems you might encounter. But before we list all the things the union does for you, remember that you are part of the union just as much as your stewards, bargaining committee members or the president. So let's look at this from a different perspective: What do you do now that you are part of a union?



The most important thing having a union does is change the way your employer behaves. In non-union workplaces the boss has full control to determine just about every aspect of your job. When you are part of a union you and your co-workers, working together, can have an impact on workplace decisions and make improvements to your working conditions. Does this mean the union controls the workplace? Of course not. But it means that you, as an individual worker, have more power to influence the boss' decisions.

Grievances

When it comes to workplace issues that might affect just you, the union provides people to talk to who can address those concerns without fear of reprisal from your boss. If you are facing harassment, unfair treatment, overwork, excessive duties or any number of other issues you can talk to a steward to determine if your employer is in violation of the collective agreement. If your steward believes that there is a violation of the agreement, then you can proceed with a grievance. This initiates a formal process of examining an issue and working toward a resolution.

In other words, *you can stand up against unfair treatment.*

In addition to working with you to resolve your grievance, the stewards and your union executive keep track of workplace grievances to address frequently occurring issues that might be symptoms of larger workplace problems. These issues could be addressed through a group grievance or through the bargaining process.

Your union also gives you the freedom to discuss workplace issues openly. Simply by talking about workplace issues with your co-workers, without fear of employer reprisal, might help you and your co-workers identify issues that would otherwise be tolerated or swept under the rug in a non-union workplace.



Labour-Management / Health and Safety

Not everything your local does is in opposition to the employer. In many workplaces the local sends representatives to committees to work with the employer to improve working conditions. Examples include the labour-management committee and the health and safety committee.


To ensure work is structured in a way that protects the health and safety of all workers, the union often sits on a health and safety committee. Your representatives on the committee listen to the experiences of different types of workers and propose ways to make work safe.

Many workplaces also have a labour-management committee where representatives from management and from the union membership can meet to discuss and work on issues of concern on a more regular basis.

Bargaining

Most of the issues that affect all your co-workers will get addressed in the Collective Agreement. Without a union there is no collective agreement and there is no bargaining. You agree to the terms of your employment as an individual when you take your new job, there might be some negotiation between you and your boss, but that's usually about it. In a union you get to renegotiate your contract every couple of years, making gradual improvements, not just to your wage and benefits, but also to other components of your contract that affect your working conditions.

This is another way in which the union changes the way the boss behaves. You have the ability to bring your boss back to the bargaining table every few years, you have the ability to determine the most important issues for you and your co-workers, and you have a legally protected forum in which to present them to the boss.




As an individual worker you have your own set of experiences in the workplace. What the bargaining process does is give you a forum to talk about those issues with your co-workers. Democratically you can determine what the highest priority items are. Perhaps the workload has increased over the years and more responsibility is getting dumped onto you and your co-workers. The union, usually through the elected bargaining committee, will come up with proposals to address workload. Perhaps the solution is to hire more people and this becomes a key proposal for the bargaining process, one that you and your coworkers will rally around as a key goal for bargaining.

Campaigning

Let's continue with the example of a workload issue that you hope to address in bargaining. You have been putting in longer hours and are being forced to take on extra responsibilities in the workplace. It's getting to be too much and you are starting to feel burned out. You've been talking with some of the people in your workplace, they're facing the same issue. You've brought this up at union meetings and addressing workload has also become central to your bargaining proposals. So your bargaining committee sits across the bargaining table from your employer and they propose an increase to the number of staff. The employer says no. What happens next?

Your employer will not simply agree to your bargaining proposals simply because you make a rational argument for them. They are often motivated by trying to keep costs down, just as you are motivated by trying to improve your working conditions and the services you provide. Your interests are in direct conflict in this instance, so you need to do more to get your employer to see things your way.



If you are providing a necessary public service that many people rely on, then you have a strong connection to the general public because of the work that you do. If the workload issue is causing burnout among employees, it is most likely also hurting the quality of the services you provide. This is another opportunity for you and your co-workers to change the way your employer behaves.

Being part of a union means you have resources at your disposal. The union dues you pay can be used to launch a public campaign that discusses quality public services. Through your union you can advertise, host public meetings, hold a press conference or take other actions to get the public talking about the workload issue.

By contrast, imagine how that might play out if you were in a non-union workplace. If you wanted to campaign against being overworked, you'd probably have to do it on your own. You wouldn't have any resources at your disposal except what you could afford out of your own pocket. And the likelihood that you'd get fired would be quite high. With a union you have the ability to reach out to the public, and to campaign for better public services and good working conditions for everyone. This is much more likely to change your employer's negotiating position than a one-person protest.

Social

Your union doesn't have to just be about work. Many locals also have a social committee to plan events and parties, participate in fundraisers and community events, and to honour the achievements of long-time members of the local.




What are my rights?

A newly organized bargaining unit does not have a collective agreement, so many of the rights you will acquire will not be in effect yet. However, with a union it is easier to enforce the rights you do have, and there are new rights that you already have just because you organized.

In theory, you were always protected by certain pieces of legislation, including the Employment Standards Act, the Human Rights Act, and the Occupational Health and Safety Act. But for many workers, standing up for their rights was risky and costly. As stated earlier in this guide, you now have the support of your union, and resources including your CUPE National Staff Representative and our legal team.

What new rights do I have now?

In addition to having representation, you have a couple new rights. The first is protection from termination without cause. Before organizing a local union, your boss could fire you without having to have a reason. Now they must have a legitimate cause. If they violate that right, we can take them to the labour board. While progressive discipline (a system of warnings and chances to correct problems before getting to termination) is something that must still be negotiated, the effect of this legal right



is that your bosses will need to take a reasonable and documented approach to discipline.

The second is what we call the legislative freeze. While we're working toward your first collective agreement, your employer must operate business-as-usual. They cannot arbitrarily change your terms and conditions of work. This prevents them from cutting wages or changing how vacation is granted without negotiating it with your union. But keep in mind that anything they had already announced prior to our union application for certification can still go ahead. If they were in the midst of layoffs, the legislative freeze likely won't protect you, though in some cases it may and you can more safely begin a campaign to protect your jobs. If they had announced or promised a raise, they must still provide that.

What are dues?

There are two parts to your dues: National and Local.

National dues are set by the Constitution at 0.85%. These dues provide your National Staff Representative, and a host of specialist services, including communications, research, equality, pay equity, legal, health and safety, WSIB, and more.

Local dues are set by the members of the local, but are typically around 0.65%. These dues provide time for your locally elected executive, stewards and bargaining committee to work on your behalf. They cover the cost of meeting space if it must be rented, and they cover the cost of sending people to training and conferences.

You can learn more about union dues at <https://cupe.ca/fact-sheet-union-dues-and-rand-formula>

All union dues are fully tax deductible.



How can I get involved?

The best way for workers to make gains and have an accountable, representative union, is to have an active and engaged membership.


Get informed

The first step for every member is to participate in union meetings and to read emails and newsletters, and regularly check postings on any staff bulletin board. While you're at a meeting, make sure you've become a member in good standing. Make sure they have current contact information for you.

Nominations and elections

One of the first orders of business for your new unit will be to hold elections. If your bargaining unit is part of a bigger local, then you will likely elect one representative to sit on the local executive at this time. When the main local has its elections, people from your unit can also run for other positions on the local executive. If your unit is a new local, then you will elect a full executive (president, vice-president, recording secretary, secretary-treasurer and three trustees).

You can nominate any member for election. They will only appear on a ballot if they accept the nomination.



Any member can also nominate you, and similarly you have to accept the nomination in order to be elected. You cannot nominate yourself.

Local committees and stewards

There are also committees. The first you will elect is your bargaining committee, which was discussed earlier in this guide. As a member, you can also nominate people or be nominated to the committee. When electing a committee, think about diversity – of people, of job classifications, of shifts, of worksites.

Particularly if yours is a new local, there will be a need for people to join the bylaw committee, which is a great way to get to know how the union works without making a longer-term time commitment.

You could also volunteer to become a steward in order to help co-workers navigate their rights and responsibilities under the collective agreement.


Education

CUPE provides training for all positions, and your local can send people to a workshop or make arrangements to have a facilitator to come and provide training on any subject.

You can learn more about union education and the workshops available at <https://cupe.ca/union-education>.

Conferences, conventions and provincial/national committees

There are also opportunities to participate in conferences and conventions. Your local will be entitled to send delegates to the CUPE National Convention every two years, where we elect our national leadership and set priorities for our union as a whole.



There are annual division conventions, where similar decisions are made, but only affecting the province.

Divisions also organize conferences for each of our sectors and many subsectors. A lot of our provincial campaigns come out of these committees, and they're a great place to share experiences and get new ideas.

There are also many provincial and national committees you could get involved in that tackle more specific issues. For example, there are equality committees, committees focused on health and safety or injured workers, and a committee for tradespeople. Your CUPE National Staff Representative will have more information about committees and how to become active with them.

For more information on CUPE's national committees and working groups, visit <https://cupe.ca/our-committees-and-working-groups>.

There are many ways to be an active member, to help direct your union and to help shape your workplace and community. Change only happens because of people like you.

The logo for CUPE.CA is displayed in white, bold, uppercase letters on a dark magenta rectangular background. The background is part of a larger graphic design featuring diagonal stripes in shades of teal, orange, and red.

CUPE / Canadian Union
of Public Employees