

CUPE 3903 - Trans Caucus Motion

Preamble:

Trans members have a strong history of organizing in CUPE 3903. The establishment of the Trans Fund – to assist members with trans-related medical and lifestyle needs, which are generally not covered in provincial public health plans – was a first in Canadian history. In many ways CUPE 3903 has led the way for other Canadian unions when it comes to pioneering initiatives to support equality and workplace rights for trans members.

In recent years, considerable debate has arisen as to whether the Trans Fund Committee – which administers the trans fund – should be open to all members of the union or whether it should be restricted to trans members. While historically it has been open to all members, in recent years trans members of CUPE 3903 have expressed strong concerns about applications and private medical details being scrutinized by cis-gendered [non-trans] members of the union. On a broader level, members have expressed a sense that failure to ensure the trans fund is facilitated by trans members reflects broader patterns of discrimination and marginalization – intentional or otherwise – experienced by trans members in society. There has been a considerable push to revise the process of administering the fund to ensure that it is administered by the community of members which it serves.

‘Equity organizing’ among specific equality-seeking constituency groups has a strong tradition in both CUPE and the broader Canadian labour movement. It is recognized as a vital means of empowering communities of members within labour to organize along common experiences of identity, marginalization and oppression, and to work toward the elimination of barriers they encounter in the workplace and in the larger society. CUPE’s provincial and national equity groups – for instance the Pink Triangle Committee, Women’s Caucus, Workers with Disabilities Committee, Rainbow Committee, etc – are all reflections of this approach and have achieved tremendous ground. The Trans Feminist Action Caucus is the only equity caucus within CUPE 3903, and although it accepts trans and gender-queer/gender-variant members, it is not a space specifically organized by or for the trans membership. The establishment of a trans caucus has been proposed by members who feel the time has come for CUPE 3903 to make the next logical move forward in facilitating the ability of trans members to organize within the union.

MOTION:

Be It Resolved That CUPE 3903 establish a Trans Caucus

Be It Further Resolved That the Trans Fund Committee operate, from this point forward, as a committee of the Trans Caucus. Membership of the Trans Fund

Committee will be open to members of the Trans Caucus, who will be selected according to processes set by the Caucus as per the bylaws.

Be It Further Resolved That the following bylaw amendments be enacted:

- 1) Article 8 Section C be amended to include “Trans Caucus Chair[s] (elected by Trans Caucus)”
- 2) Article 8 Section C Part ii be amended to read “...except the Trans Feminist Action Caucus Chair[s], the Trans Caucus Chair[s]...”
- 3) Article 9 Section I be amended to include:

CHAIRS OF THE TRANS CAUCUS

- (a) The Chairs of the Trans Caucus are responsible for the coordination of that caucus' activities.
- (b) The Chair(s) organise(s) regular caucus meetings during the academic year, represent(s) the Caucus at CUPE National and CUPE Ontario Division sponsored events and liaise with other relevant organisations in an effort to improve the position of all trans, gender queer and gender variant people at York University, within the labour movement and the wider community. In the event that two TFAC caucus co-chairs are elected, both shall have a vote and both shall receive full honoraria.
- (c) The Chairs shall, upon termination of office, surrender all books, seals and other properties of the Local Union to their successor[s], and upon termination of their terms of office, provide a copy of all documents pertaining to their work to the CUPE 3903 Archive, with the exception of those documents determined by the Caucus to be confidential in nature.

4) Article 10 - delete “TRANSEXUAL FUND COMMITTEE” (title and description)

5) Article 11 - add the following:

TRANS CAUCUS

- (a) The Trans Caucus is open to all self-identified trans members of the Local. The caucus works in coalition with many campus and community groups.
- (b) The Caucus shall recognize that ‘sex’ as a prohibited ground in Article 2 of the 1990 Ontario Human Rights Code has been expanded to include all forms of gender identity, including transsexual, transgender, and intersex persons, cross-dressers, and other whose gender identity or expression is, or is seen to be, at variance with their birth-identified sex.
- (c) The Caucus shall define ‘transphobia’ to include any type of discrimination or

oppression based on gender identity or gender expression. The Caucus shall recognize that other factors such as race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, age, marital status, family status and/or ability, may exacerbate discrimination on the basis of gender identity and gender expression.

(d) The work of the Trans Caucus consists of:

(i) the development of bargaining proposals and recommendations to improve collective agreement language on gender identity and expression, discrimination and harassment, workplace bullying, workplace safety, parental leave, medical leaves and benefits pertaining to gender identity and expression, and other areas intersecting with the rights and issues of trans members

(ii) the negotiation of funds and leaves for members experiencing trans related medical needs;

(iii) initiating Caucus subcommittees to work on equity issues;

(iv) drafting policy resolutions for CUPE and other labour movement bodies at the provincial, national and international levels;

(v) sending delegates to a wide range of conferences, conventions and committees;

(vi) undertaking surveys, research projects, and development of resource materials on various relevant issues;

(vii) organising people on campus to participate in demonstrations and actions such as International Human Rights Day, Trans Remembrance Day, and others

(viii) organising and outreach work with relevant community groups and coalitions, in recognition of the important role played by the labour movement in providing solidarity and support to the wider community

(ix) supporting and initiating legislative, policy, legal, human rights and medical interventions and initiatives in support of the rights and needs of trans members of the union and the wider community, and their allies

(e) As per Article 9, the Chairs of the Caucus are automatically part of the Executive Committee.

(f) The Caucus will establish a Trans Fund Committee to oversee the CUPE 3903 Trans Fund. The Committee will consist of three members of the Caucus selected annually. Their responsibilities will include advertising and promoting the Fund, receiving and reviewing applications, adjudicating applications and determining disbursements as per the Trans Fund policies and procedures, and liaising with the Executive and Trustees to ensure timely disbursement of awarded funds and the safe and confidential provision of records required for accounting purposes, as

negotiated between the Committee and Executive with a view toward ensuring the safety and confidentiality of applicants.

6) Amend Article 14 (a):v to read: “The election procedures described in this article shall not include the election of the Chairs of either the Trans-Feminist Action Caucus or the Trans Caucus. The Trans-Feminist Action Caucus and the Trans Caucus shall elect their Chairs in February of each year.”

7) Amend Article 15 (m) to read: “The Trans Feminist Action Caucus and the Trans Caucus...”